

1 Monday, 28 January 2019

2 (10.00 am)

3 LADY SMITH: Good morning. Today I think we return to
4 evidence from the institutions that we've been looking
5 at in this case study; is that right, Mr Peoples?

6 MR PEOPLES: Yes. Good morning, my Lady. The next witness
7 is Charles Coggrave, who's currently employed by
8 Quarriers.

9 LADY SMITH: Thank you.

10 CHARLES COGGRAVE (affirmed)

11 LADY SMITH: Please sit down and make yourself comfortable.

12 It sounds as though you're in a good position for
13 the microphone, we do need you to use it when you're
14 giving evidence. I'm sure you understand that.

15 I don't know whether you've brought with you notes
16 in addition to the statement we already have from you.
17 If you want to have them out, that's absolutely fine by
18 me. Your statement is in that red folder and Mr Peoples
19 will explain to you what he wants you to do.

20 Mr Peoples.

21 Questions from MR PEOPLES

22 MR PEOPLES: Good morning.

23 A. Good morning.

24 Q. I think you're often known as Charlie.

25 A. That's right.

1 Q. And I understand you have no objection if I call you
2 Charlie this morning.

3 A. That would be fine.

4 Q. As her Ladyship has explained, there is a red folder
5 which contains a copy of a statement that you have
6 provided to the inquiry in advance of today. It's there
7 for your use and I will be asking you some questions
8 about some of the matters in it. There's also a screen
9 in front of you, which will bring up the statement.
10 There may be some parts blanked out to accord with our
11 redaction policy, but you're welcome to use that also,
12 whichever is easier for you.

13 Can I just, before turning to some questions, give
14 for the benefit of the transcript the statement number
15 that we have given to it: QAR.001.007.8171. I'll
16 probably just refer to the page number of your statement
17 or the paragraph number this morning, so don't worry too
18 much about the number that I have just read out.

19 Can I take you to that statement. In the first
20 section you give us some information about your career
21 background. I'm not planning to take you through the
22 detail of that today. We've got it in front of us and
23 we've all read what you've said. You've obviously had
24 a long career in various positions in social work since
25 obtaining qualifications at the University of

1 Strathclyde.

2 You were born in 1964; is that correct?

3 A. That's correct.

4 Q. As you tell us in paragraph 1 of the statement, you are
5 currently head of safeguarding and aftercare at
6 Quarriers?

7 A. That's correct, yes.

8 Q. And that you've held that position since September of
9 2017?

10 A. That's correct, yes.

11 Q. If we move on to page 2 of your statement at
12 paragraph 6, you have a section headed "Current Role".
13 Can you just briefly tell us what the purpose of your
14 current role is and the main responsibilities?

15 A. I suppose my current role is twofold. A significant
16 part of the role currently is related to the Scottish
17 Child Abuse Inquiry in terms of various information that
18 we need to provide and to try and ensure that we are
19 assisting you as much as we are able to.

20 A significant part of it, I would predict, going
21 forward, will be much more about the strategic
22 safeguarding of everybody that Quarriers supports.

23 Q. So far as your role is concerned, and insofar as it has
24 responsibilities for safeguarding, I think that in
25 paragraph 9 you give us your interpretation of what

- 1 safeguarding means in this context; is this correct?
- 2 A. Yes. I think I should have said as well, my role does
3 cover aftercare. It was remiss of me to forget
4 a significant chunk of my job. Yes, I don't think there
5 is an universally held term. We gave the OSCR
6 definition of safeguarding in my statement. But
7 generally, we see this as protecting the people we
8 support's human rights. I think that would be a fairly
9 succinct way of putting it.
- 10 Q. I think in paragraph 9 you say it really means:
- 11 "In effect safeguarding is used to denote measures
12 to protect the health, well-being and human rights of
13 individual, which allow people, especially children and
14 young people and vulnerable adults, to live free from
15 harm, abuse and neglect."
- 16 Is that --
- 17 A. Yes.
- 18 Q. -- the working definition?
- 19 A. I would say so, yes.
- 20 Q. You mentioned -- did you say that was a definition that
21 you had to some extent taken from -- is it OSCR?
- 22 A. Yes.
- 23 Q. Is that the charities' regulator?
- 24 A. That's correct, yes.
- 25 Q. So far as safeguarding is concerned you tell us in

1 paragraph 10 on page 3 of your statement that really
2 there's two aspects: one being it involves a prevent
3 agenda and also a respond agenda. You tell us there
4 that the vast majority of the organisation's efforts and
5 input are to the former, the prevent agenda.

6 A. Yes. We often talk about two parts of the agenda and
7 I think, speaking with other safeguarding professionals,
8 that would be an agenda that is widely held. So as one
9 might hope, the majority of our efforts go into
10 preventing risk or harm to people we support.

11 Q. The safeguarding measures that you seek to put in place,
12 they touch upon, I take it, all stages in the
13 organisation's processes including recruitment of staff
14 and other matters referred to in paragraph 10, such as
15 supervision, management, training and monitoring. These
16 are all relevant areas --

17 A. Yes.

18 Q. -- for a safeguarding head and an organisation concerned
19 with safeguarding adults or vulnerable children?

20 A. They are certainly all areas in which I feel we have
21 a purview and a role to play.

22 Q. You tell us in paragraph 12 on page 3 that part of your
23 role is organisational responsibility for safeguarding
24 policies; is that correct?

25 A. Correct, yes.

1 Q. You tell us there that a substantial part of your role
2 recently is updating the child protection policies.
3 Is that a process that's been completed or ongoing or
4 what?

5 A. I think all policies should be subject to continuous
6 improvement, so I would never write off the fact that
7 something may happen -- something may emerge today that
8 we would want to incorporate. It would be -- the
9 policies -- our policy system asks for us to review them
10 annually and have a complete rewrite every three years,
11 and the child protection policy and the adult protection
12 policy have both fallen due. The child protection
13 policy was completed and signed off by the executive,
14 I think, at the end of November or December last year,
15 so that has very recently been refreshed.

16 Q. You tell us in your view the existing policies are
17 robust but would benefit from being updated. This was
18 part of this process of updating. You say:

19 "We are in the process of developing an overarching
20 safeguarding policy."

21 Has that exercise been done?

22 A. No, the overarching policy and I think guidance to staff
23 around safeguarding is still to be completed. I'm
24 hopeful over the next couple of months that that will be
25 done.

1 Q. Can you tell us why the organisation favours an
2 overarching policy that applies across the board rather
3 than having distinct policies for adult protection
4 policies and child protection policies. Is there some
5 thinking behind it that you can tell us about?

6 A. I hope so. We would still intend to have a separate
7 child protection and adult protection policy, so
8 it would not be our view that we would completely get
9 rid of those. As you'll be aware, there is separate
10 guidance and legislation.

11 LADY SMITH: Sorry, you would or wouldn't intend to have
12 separate child --

13 A. I would. We would maintain separate child protection
14 and adult protection policies. My intention is to offer
15 overarching guidance where it is applicable to both. So
16 in order to seek to provide simple guidance to front
17 line staff, so that they can be clear precisely what
18 they need to be able to do in any circumstance.

19 MR PEOPLES: So is the main focus of that policy the staff
20 and to give them a clear understanding of what the
21 general principles are and good practice involves?

22 A. Yes. And in particular, I'm conscious that often when
23 issues arise, our support workers are not usually sat
24 with their child protection policy at their side,
25 immediately able to refer to that, and I think it is --

1 having been a support worker myself, it's very helpful
2 to have very simple guidance: who do I speak to, what do
3 I need to do, what are the first things I need to think
4 about. So when I refer to a safeguarding policy, I'm
5 thinking of something fairly short, fairly simple, that
6 tells people who they need to speak to, who they need to
7 report to, and the basic principles that they should be
8 adhering to at that point, whoever it is that they might
9 be finding a risk applying to.

10 LADY SMITH: Charlie, can you give me an example of an
11 aspect of overarching guidance, so something that would
12 apply both to safeguarding children and safeguarding
13 adults?

14 A. I can. If a child or an adult reported to a staff
15 member that there had been an issue of abuse, for
16 instance, that related to a member of staff, then there
17 are very clear lines of reporting through to myself,
18 through to the deputy chief executive, that the
19 disciplinary code must immediately apply, and that if
20 there is a sense that a criminal offence may have
21 occurred, that the police need to be informed. So that
22 would be applicable whether that was a child of 10 or an
23 adult of 60.

24 LADY SMITH: Thank you. That's very clear.

25 MR PEOPLES: You're quite a large organisation these days

1 and I think your colleague, Alice Harper, gave us some
2 facts and figures about the workforce and the turnover
3 of the organisation. I think there's something in the
4 region of 1,800 staff.

5 A. Yes. That's the number that springs to mind. I must
6 admit I couldn't tell you whether that's full-time
7 equivalents or actual bodies.

8 Q. But it's a large workforce and a proportion of those
9 will be dealing with people with vulnerabilities who
10 would fall into the category of requiring protective
11 measures?

12 A. I would suggest the vast majority, yes.

13 Q. So far as these policies and this aim of your
14 overarching policy to create this clear policy
15 statement, is that something that your staff have
16 welcomed and have asked for, to have something in that
17 form that they can quickly refer to? Have you taken
18 some soundings on that?

19 A. Yes. I wouldn't want to give you the impression we've
20 done a survey across all of our staff members, but it
21 has been something that in my links with our operational
22 management team, a sense of clarity and simplicity and
23 absolute clarity about what people need to do at a time
24 when if somebody were disclosing something difficult --
25 it's a very difficult time for that person, but equally,

1 the staff member wants to be sure that they know what is
2 expected of them. That can be quite a stressful
3 position for them too.

4 Q. Are you able to help us on the other side of the coin,
5 about actually encouraging -- I think they are termed
6 service users these days -- service users to report
7 concerns or make complaints if they think they have
8 a basis for doing so? What steps have you taken?
9 Because we've heard in this inquiry about the
10 difficulties in the past perhaps in getting people to
11 speak.

12 A. I think it's a twofold approach. So on the one hand, we
13 encourage staff to be very aware and sensitive of the
14 signs that somebody may have been abused, but
15 I recognise that's not the question you're asking me.

16 All of our -- our services are very wide, so they
17 take a number of different forms. But in particular,
18 where we have registered services or building-based
19 services, we will always have advocacy leaflets
20 available, we will always have the Childline number
21 available, we will always have external agencies,
22 whether that be the Care Inspectorate or other support
23 mechanisms available.

24 When young people in particular join our service,
25 they are given an introductory pamphlet and their

1 families, if appropriate, are also given that
2 information about external agencies where they may raise
3 any concerns. Our own complaints procedure, whilst
4 I recognise that can be difficult for people to use
5 sometimes, that's made available.

6 We also use some care-experienced young people.
7 We have a group called the VIP group, which I now
8 realise the initial escapes me what that stands for,
9 which is often about people who have previously used our
10 service who will come through and meet with people and
11 make themselves available. We have quality audits of
12 each service, which will check for feedback. The
13 Care Inspectorate, of course, visits and will interview
14 young people and older people.

15 So I think if what you're asking me is to compare
16 today with some of what we have heard about in our
17 history, there are marked differences between what would
18 have been the relative isolation of people to where
19 we would be today.

20 Q. So far as the services are concerned, perhaps I could
21 also just take you to -- you deal with this on page 4 at
22 paragraph 14. I suppose we have to understand, so far
23 as residential care services are concerned for children,
24 that's now a relatively small part of Quarriers'
25 services. Would that be correct?

- 1 A. Yes. Very much so.
- 2 Q. So we're not really comparing like with like?
- 3 A. No.
- 4 Q. Quarrier's Village was a large institutional setting
5 with a large number of cottages and now, I think you
6 tell us, there's only one service for longer-term
7 residential care for children; is that right?
- 8 A. Certainly in Quarrier's Village there's one longer-term
9 service where, from memory, we accommodate six young
10 people with disabilities and there's also a respite
11 service in the village which can take up to eight young
12 people with disabilities.
- 13 Q. I think the respite service, as you tell us in
14 paragraph 14, is called Countryview, which uses one of
15 the cottages, is it --
- 16 A. That's correct.
- 17 Q. -- at the village? And the other one is Rivendell,
18 which is a longer-term service?
- 19 A. That's correct.
- 20 Q. And did you say that's for children or young persons
21 with learning disabilities or physical disabilities?
- 22 A. Often a combination and often a quite complex
23 presentation of the young people who use Rivendell.
- 24 Q. If you're able to help us, take that group of six young
25 people. How does one facilitate that group making their

1 voice heard? How do you achieve that if they have
2 disabilities, including perhaps learning difficulties?

3 A. So that group of young people are quite complex. From
4 memory, a couple are non-verbal. It's something I will
5 challenge. People who are non-verbal are referred to as
6 being unable to communicate and I don't agree with that
7 view. I think it's very important that we listen using
8 all of our skills, so a young person, just because they
9 can't speak to us, can communicate, they can tell us
10 what they like and what they don't like when they're
11 happy and when they're not happy.

12 I think that one of the -- in my statement I talk
13 about one of the benefits of a registered service having
14 a lot of different staff, and I think that that is a
15 safety factor in terms of minimising the ability for
16 a rogue member of staff to act in a way which we would
17 be uncomfortable with. It certainly gives a far greater
18 level of scrutiny and supervision than perhaps we might
19 have seen in history.

20 The difficulty, I suspect, is in terms of making
21 clear relationships and making the young people form
22 a good relationship with an individual that they feel
23 they can trust and that that person will focus around
24 that young person to be clear that they have a channel
25 of communication and can understand what somebody wants

1 and begins to get to know them.

2 To try and address that relative weakness, we have
3 a key worker system, which asks one identified member of
4 staff to try and focus and be with one identified young
5 person as much as possible in order to get to know them
6 and develop a positive working relationship with them.

7 Through that, one hopes that that allows that young
8 person to be able to share their own sense of
9 well-being. I think, as I also say in my statement,
10 we will use our review system and particularly what's
11 known as the SHANARRI wheel, which is part of the GIRFEC
12 guidance, to ensure that we look across a young person's
13 life and try and gauge their happiness, their safety,
14 which is the S of the SHANARRI, and their ability to
15 communicate with us.

16 I talk in my statement about all behaviour being
17 a form of communication. So often, if folk are not
18 happy with what's happening in their life, they will
19 tell us, even if they're not able to verbally tell us.

20 Q. Is that one of the things -- you do say that all
21 behaviour is a form of communication. Is that one of
22 the things now that perhaps there is a much better
23 appreciation of?

24 A. I think so. I very much hope so.

25 Q. I suppose if we take an example, historically we've

1 heard evidence that people who ran away from Quarriers,
2 albeit for perhaps a variety of reasons, but sometimes
3 because of the way they felt they were treated, would
4 come back and some have said they were punished for
5 running away. In modern times, would running away be
6 a communication to the organisation that has to be
7 interpreted and assessed?

8 A. Absolutely, yes. "Why is that?" should be the first
9 question we're asking.

10 Q. On page 5 of your statement, you discuss, under
11 the heading "Residential Care", risk assessment.

12 A. Yes.

13 Q. I don't want to go into too much detail on this, but
14 I get the impression that risk assessment these days is
15 a fairly sophisticated exercise in comparison to the way
16 risks were assessed historically; is that fair?

17 A. I believe so, yes.

18 Q. In terms of residential care and assessing risk, at
19 paragraph 22 you tell us that there are various
20 assessments made when a young person goes into a
21 residential care setting; is that correct?

22 A. That's correct.

23 Q. You're going to make a risk assessment of the place, of
24 the person?

25 A. I think my own mindset around this, my own

1 interpretation, is that we have a number of policy
2 documents which are in and of themselves a risk
3 assessment. So a child protection policy starts from
4 the position that we acknowledge that children can be
5 vulnerable and so how do we protect them. However, we
6 need to personalise those around individual buildings or
7 people or functions.

8 So for a young person who uses a wheelchair, it's
9 very important we have a specific risk assessment around
10 how they are transferred from their wheelchair to their
11 bed, how they are managed in terms of transport in order
12 that they're kept safe, and that's something you can't
13 write an overarching policy about, aside from saying,
14 "We need a specific risk assessment in that context".

15 Q. So is that why you use the expressions, for example,
16 generic risk assessment, which might be a broad
17 assessment, and an individual assessment might relate to
18 a particular service user?

19 A. Correct, yes.

20 Q. A service risk assessment might relate to a particular
21 form of service the organisation provides?

22 A. That's correct, yes.

23 Q. So you're carrying these different layers of assessment
24 as part of the process?

25 A. I think in my statement I try to make a simple example

1 about transport. So everybody who drives a vehicle on
2 behalf of Quarriers, we need to check that they are
3 insured, that they have a licence, that they're not
4 endorsed for speeding or what have you. That would be
5 in one sense a generic risk assessment.

6 But for a young person, say, on the spectrum, on the
7 autism spectrum, who may have a history of seeking to
8 exit the car at speed, then we need to have additional
9 risk measurements in place.

10 Q. We have had some discussion in this inquiry, in this
11 case study, about the risks inherent in one-to-one
12 situations, where perhaps a staff member and a resident
13 were together on their own in one place or another. To
14 what extent is -- how is that dealt with now in
15 practice? Is the policy to minimise these situations or
16 is there some other approach that's used?

17 A. The policy would be to minimise them. I think it is
18 difficult to eradicate. So for instance, if I think of
19 Rivendell, where some of the young people will need
20 support with bathing and intimate care, it's already
21 a position that I suspect I would find intrusive to have
22 a second person in the bathroom with me. Judgements
23 must be used, depending on vulnerability, communication
24 and risk, about whether we then introduce a third person
25 into that situation and the relative impact on that

1 young person's dignity and privacy has to be measured
2 against their safety and the risk that you rightly and
3 understandably allude to is presented.

4 Q. You tell us in paragraph 25 that one of the things you
5 look for on admission, I think, is that you're looking
6 at the history of the person admitted and whether
7 there's any prior history, for example, of abuse.

8 A. Yes.

9 Q. And that that has to be considered at that stage.

10 A. Risk assessment terminology and approaches -- sorry, my
11 words escape me -- tell us that history can be
12 a predictor of the future. So if things have happened
13 in the past, that perhaps increases the likelihood of
14 them happening again. If somebody has a history, sadly,
15 of abuse, then that potentially makes them more
16 vulnerable than other children or other adults, and
17 therefore we need to be mindful of that in how we listen
18 and work with young people.

19 Q. Obviously, I've referred you to paragraph 25, but
20 there's also another paragraph on the following page,
21 page 7, which caught my eye. It's paragraph 31, which
22 says:

23 "With children who are exhibiting sexualised
24 behaviour, they maybe both very vulnerable in that they
25 may be at risk of abuse and may also be at risk of

1 offending against others."

2 I wasn't sure what situation you were envisaging
3 there. Is this children who come to a unit with perhaps
4 inappropriate behaviour for their age, sexualised
5 behaviour? Is that one scenario or is it children --
6 is that one scenario, yes?

7 A. Yes, that would be one scenario.

8 Q. Could another be that they simply, during their spell in
9 a unit, display sexualised behaviour, which is perhaps
10 unusual or inappropriate for their age and
11 circumstances?

12 A. Yes. It may be that it's the first time we're aware of
13 it when they come to us. We would certainly regard
14 age-inappropriate sexualised behaviour or children or
15 young people describing or talking about acts that do
16 not sit comfortably as appropriate to their age as an
17 indicator of a history and a cause for concern.

18 I think, coming back to the statement at 31, our
19 experience of working with young people and
20 significantly with younger adults, is that their history
21 and their vulnerability can present a risk to them, both
22 in how other people interact with them, but also how
23 they present and make themselves vulnerable or allow
24 themselves to be vulnerable.

25 Q. So I take it that, therefore, it's of crucial importance

1 that you know as much as possible about the person who
2 is being admitted --

3 A. Yes.

4 Q. -- in order to make an informed assessment of risks --

5 A. Yes.

6 Q. -- and vulnerabilities and so forth?

7 A. Yes.

8 Q. In paragraph 32 on page 7 of your statement, you refer
9 to a support plan. Do I take it that that is a plan
10 that's put in place currently for every young person
11 that is admitted to a residential unit run by Quarriers?

12 A. I was particularly thinking -- and the plan we provided
13 was an example from Rivendell. I would expect to see
14 for a young person with a disability, or indeed an adult
15 with a disability, a kind of narrative approach that
16 says -- we would often use it in the first person. It
17 might say:

18 "In the morning I like to have a cup of coffee by
19 the side of my bed and be left for 10 minutes and then
20 to get up at 7.30 and to have my breakfast at 8 o'clock.
21 I like to get a bath in the morning or I like to not do
22 this."

23 Much as we all set our routine and our likes and
24 dislikes about how we would wish our day to be, and that
25 that would guide the individual staff members about how

1 they would approach that individual.

2 That does need to be underpinned with some technical
3 advice and we come back to then:

4 "If I'm to be kept safe, I might use a ceiling
5 tracking hoist to move from my bed to my chair."

6 That type of thing.

7 Q. What you're doing there when someone is admitted is
8 finding out about the person and asking them about
9 themselves and devising and putting together your plan
10 with that additional important information in mind?

11 A. Yes, that's correct, allied to other professionals --
12 that might be an occupational therapist or other
13 guidance and experience of family members, mum and dad
14 perhaps, of what they can offer.

15 Q. Is there any question these days when someone comes to
16 a residential unit of the person being told, "This is
17 the way we do things here"?

18 A. I guess life for all of us has its fixed points. So we
19 all have some compromises. But I'm not bringing
20 anything to mind where that would be the case. One
21 would very much aim to support an individual to live the
22 life they wanted to live.

23 Q. And that applies across the board, whether it's an adult
24 or a young person or a child in the care of the
25 organisation?

1 A. Yes. I think the one point I'm hesitating around on
2 your question is where resource comes into being. For
3 some young adults we might only have four or five hours
4 of support a week to offer them and one needs to target
5 that resource as best we can with the young person to
6 meet the outcomes they identify. But outside of
7 that ...

8 Q. In paragraph 33 you tell us, I think, a feature of the
9 system these days is that each child -- and I take it
10 this applies to residential units -- is allocated a key
11 worker.

12 A. That's correct, yes.

13 Q. And that's a standard process?

14 A. Yes.

15 Q. You also mention advocacy services, and I think you've
16 already touched on this. One of the things you
17 utilise -- is it external advocacy services?

18 A. Yes. I'm a very passionate supporter of external
19 advocacy and their role in articulating the wishes of
20 people we support.

21 Q. Can you just tell us what sort of situations you feel
22 this type of service is important to utilise?

23 A. As a dreamer, I'd like them to be available to everybody
24 at any time.

25 Q. Do they attend care reviews?

1 A. They certainly can do, and particularly for a young
2 person or a -- this is where I come back to the
3 safeguarding. A lot of what I say would be applicable
4 to an adult who's vulnerable as well.

5 I would like to see advocacy regularly available for
6 any review. The reality of their resourcing is often
7 that we need to target it around specific individuals
8 for whom we have some concern that they are struggling
9 to articulate their needs.

10 Q. If I take you back to Rivendell then, which is the
11 residential service, just now, the six young people
12 in that unit would each have a key worker as part of the
13 team that are looking after them?

14 A. Yes.

15 Q. Is there a process whereby all six periodically are seen
16 by an independent external advocate, just to check on
17 how they're doing and what their progress is and so
18 forth?

19 A. No, no, there isn't. It would be a referral around
20 a particular piece of work or a particular review or
21 a particular introduction. So all of those residents
22 would have access to advocacy, but the advocacy
23 services, which are not run by Quarriers -- for clarity
24 we do run a separate advocacy service, but advocacy must
25 be independent from us, it can't be run by the same

1 organisation.

2 Q. Something like Who Cares? Scotland is an advocacy
3 service provider --

4 A. Yes.

5 Q. -- as well as doing other things?

6 So there isn't a system whereby this independent
7 person is in the process and is periodically visiting
8 the individual?

9 A. They are not resourced in a way that allows them to do
10 that for us, sadly.

11 Q. I think we heard evidence in relation to Barnardo's, at
12 least, I think I've got this right, at one point they
13 had a range of people from different walks of life being
14 visitors to establishments --

15 A. Uh-huh.

16 Q. -- just to see how things were, to talk to the
17 residents, and they rotated between different
18 establishments so they didn't always go to the same one.
19 You don't operate anything of that kind?

20 A. We have a range of stakeholders, they're not advocates,
21 they're not part of an advocacy organisation, who
22 undertake visits. That might range between -- we have
23 quality audits, which are undertaken by our own quality
24 management team. We have an inclusion team, who are
25 quasi independent, they're still Quarriers employees but

1 they have a separate line management structure, and
2 a children's inclusion worker, who will visit and take
3 part and be available to young people. Specifically,
4 though, in the sense of is there a resource of advocacy
5 available to each child, then there isn't within
6 Inverclyde.

7 Q. I take it the young people in Rivendell at present, do
8 they come from a single local authority or across the
9 country?

10 A. They come -- I'm certainly aware of at least one young
11 man who doesn't come from Inverclyde, so I'm confident
12 they come from a range of areas.

13 Q. Can you help me with this? The term "inclusion", what
14 exactly is the purpose of an inclusion team or an
15 inclusion worker?

16 A. As you may well have heard, inclusion is a term that's
17 used commonly in social care. I think often -- I must
18 admit on reflection I'm not 100% sure where it first
19 came from, but my belief is it was a term used around
20 adults with a learning disability, about people being
21 included in society and their voice being heard in
22 decisions being made about them. That principle has now
23 been extended to cover all vulnerable groups.

24 So an inclusion worker, it's important that they
25 have some separation from the staff team and the

1 management of any particular service. They're able to
2 offer guidance and input to that team, but they're also
3 able to form relationships with the young people or
4 adults that we support, and to be able to sometimes form
5 a bridge between that individual's wants and needs and
6 our services.

7 Q. Do they bear any resemblance to the historical in-house
8 social worker role we heard evidence about or not?

9 A. I think some resemblance. They would not be the same
10 and we are not usually talking about what I call
11 fieldwork qualified social workers. They may well have
12 a qualification, but probably not a diploma in
13 social work. They are usually individuals with a real
14 passion for inclusion, for people's rights and
15 aspirations.

16 We can talk a lot, particularly in the world of
17 disability work, about the social model and the medical
18 model and people's capacity. We try and focus on
19 people's abilities rather than disabilities, but
20 sometimes it can be easy to lose focus and focus on what
21 people can't do. Inclusion workers can help us to
22 remind ourselves that we should be aspiring to what
23 people can do.

24 Q. Going to Rivendell, since that's the current residential
25 care provision on a longer-term basis, do the residents

1 there -- what's the position about their education? Do
2 they go to mainstream schools, for example?

3 A. I couldn't tell from knowledge of each individual's
4 plan. Knowing those young people, as I've met them,
5 I think it's extremely unlikely they're in what you and
6 I would refer to as a mainstream school and so would be
7 educated through special provision. I'm afraid I don't
8 know precisely.

9 Q. You tell us that among the measures that are in place
10 these days, no doubt as a safeguarding measure, there's
11 a whistle-blowing policy. You'll be as well aware as
12 anyone that whistle-blowing can be a difficult issue for
13 people, particularly if they think they will be
14 identified as the whistle-blower.

15 A. Yes.

16 Q. Has that proved to be a problem in the organisation?
17 I know you've not been there for very long, but has it
18 proved to be a difficulty?

19 A. I absolutely agree with the premise of your question.
20 Inherent in the idea of whistle-blowing is if it was
21 easy, you wouldn't need a whistle-blowing policy, one
22 might argue. I don't think that the whistle-blowing
23 position -- its primary intention is not for people we
24 support to disclose abuse or concerns or complaints; its
25 primary intention is more for members of the public and

- 1 for staff to raise issues of concern, confidentially.
- 2 Q. Are you confident that your staff would feel able to use
3 the whistle-blowing process to raise concerns about
4 another member of staff, particularly the treatment of
5 service users by that other member of staff? Can you
6 give us any assessment of how confident you feel?
- 7 A. I think it's another avenue which staff can raise
8 concerns by, and it is used. So like any complaints
9 procedure, if nobody ever raises a complaint, then my
10 concern is not that there's nothing to complain about
11 but that the complaints procedure is in some way
12 inaccessible.
- 13 Q. Are they using it to raise issues about bad practice or
14 the way that residents are treated? Do you happen to
15 know that or not?
- 16 A. I'm not immediately conscious of it being used around
17 that, but I'd say again, within the whistle-blowing
18 procedure itself, it articulates that that would not be
19 its usual use. In my relatively short period, it's not
20 been brought to my attention that anybody's raised
21 an issue of delivery of care and I would expect that to
22 be brought to my attention if it were.
- 23 Q. David Beard, who gave evidence on behalf of Barnardo's,
24 mentioned a recent initiative of a confidential hotline
25 that staff can use so that they can anonymously raise

1 issues. Is that something that your organisation
2 operates or would consider operating?

3 A. It's certainly something we would consider. My own
4 email and my small team feature as part of that as a way
5 of -- if one didn't feel comfortable and confident
6 speaking to your line manager or, for example, going to
7 the chief executive or the head of quality, then myself
8 and my team would be somewhere else that one could raise
9 matters confidentially.

10 LADY SMITH: Sorry, just one moment, still on
11 whistle-blowing. I appreciate you don't have any
12 recollection of it being used to air a concern about the
13 way a user is being helped or not. What sort of thing
14 is it used for?

15 A. Forgive me, I'm sorry, I'm going to struggle to answer
16 your question a little bit. I would expect that if it
17 was an issue of safeguarding or relevant to my area of
18 work, then Alice or the chief executive would let me
19 know. If it wasn't, I wouldn't be made aware because
20 it would be confidential. I'm afraid I'll struggle to
21 answer.

22 LADY SMITH: I see exactly what you mean because
23 whistle-blowing could be something right across the
24 board. It just has to be a concern that a member of
25 staff has and feels they need to raise and it could be

- 1 about anything?
- 2 A. Yes.
- 3 LADY SMITH: I'm with you.
- 4 MR PEOPLES: But if the concern was about treatment of users
- 5 by other staff, it would get back to you as head of
- 6 safeguarding?
- 7 A. Absolutely.
- 8 Q. And you would then deal with it accordingly?
- 9 A. Yes, or be part of dealing with it.
- 10 Q. You'd be part of a process of investigation into the
- 11 matter. You tell us on page 8 of your statement that
- 12 children's voices are also heard through the inspection
- 13 process and I think you say the Care Inspectorate do
- 14 interview children when they come to inspect the
- 15 establishments that you operate; is that correct?
- 16 A. Yes. As a standard part of a Care Inspectorate
- 17 inspection, they will often write to families and people
- 18 we support and would certainly ask to arrange interviews
- 19 with young people we support.
- 20 With young people who have communication
- 21 difficulties, that's challenging, and they would often
- 22 need support from a member of staff, which can have its
- 23 limitations in that area. But that would be another
- 24 possible avenue for people to raise concerns externally.
- 25 Q. You also tell us that, as part of the current systems,

1 there's regular reviews in the case of each child that's
2 in the care of the organisation. I take it again, just
3 using Rivendell, that would apply --

4 A. Yes.

5 Q. -- to that establishment, for example? And indeed,
6 there's a minimum review, you say, every six months?

7 A. That's correct, yes.

8 Q. Do I take it that review is one which would involve
9 a number of agencies?

10 A. Yes.

11 Q. Typically, anyway?

12 A. Yes, typically. Again, one needs to be mindful of the
13 young person. It can be a daunting prospect for a young
14 person to have their life discussed with a panel of
15 a dozen professionals sat about. So there needs to be
16 some judgement involving the local authority and other
17 people who know that young person.

18 But I would absolutely expect the local authority
19 that places to be invited. I'd very much hope they
20 would attend every six months. The manager of that
21 service, the key worker, and then perhaps somebody from
22 the school, perhaps somebody that features in that young
23 person's life in other areas. But that's where it
24 becomes very person-centred.

25 Q. You mention in paragraph 38 an annual review. Is that

- 1 a standard process, that there's an annual review for
2 each child?
- 3 A. Yes. My experience when I worked with local authorities
4 was that, whilst they might try and be there every
5 six months, they would insist on being there annually to
6 at least take a 12-month check-in on each review.
7 I didn't want to given the impression that there's
8 a differential between a six-monthly review and an
9 annual review, more that the local authority would at
10 least try to get to one of those.
- 11 Q. You make one observation in paragraph 43 or a comment,
12 it's page 9. You say -- I think this is all to do with
13 the voice of the child. You say:
- 14 "Now culturally and having a legal obligation so to
15 do, social care professionals are more sensitive to and
16 respectful of a child's opinion."
- 17 And you mentioned GIRFEC and SHANARRI in the next
18 sentence. So is that -- you've been in social care for
19 quite a while now.
- 20 A. Yes.
- 21 Q. Is that something that you sense, there's been a change
22 in your professional life?
- 23 A. I do. I sense it during my tenure and involvements.
24 When I think back to the late 1980s when I was first
25 involved in social care, I think it was felt quite

1 forward-looking to have young people involved in
2 a review, whereas today it would be remarkable not to.
3 From my reviews of records and what I understand is the
4 history, it seems to me that that was certainly less
5 common during the 1960s or 1970s.

6 Q. I take it now, because of your involvement with this
7 inquiry, that you've got a reasonable familiarity with
8 the sort of records that were kept historically as well
9 as today?

10 A. I feel so.

11 Q. That maybe leads us on to another heading in your
12 statement, "Child Protection", where you, I think, do
13 a degree of comparison in paragraph 46 between the
14 historical position and the position today if there was
15 a serious allegation that came to light. You tell us
16 a little bit about what your perceptions of the
17 complaints procedure within Quarrier's Village was
18 historically; is that correct?

19 A. Yes.

20 Q. It would be the superintendent that would deal with
21 these matters, generally speaking?

22 A. Yes. In terms of looking at case files, say, from the
23 1950s, 1960s, 1970s, attending and listening to
24 applicant statements here, and to adults who have
25 visited us as part of our aftercare service and have

1 told us of their experiences, that's the message I hear
2 consistently. If one had a complaint about one's
3 house parents, you went and knocked on the
4 superintendent's door.

5 Q. But I think you've also said, based on what you have
6 heard in the course of this inquiry, and perhaps based
7 on what you have seen in the records, you say that the
8 way that was done seems to have provoked retribution
9 from house parents or the superintendent's response was
10 "robust", that's the term you use. You say if that was
11 the case, it's conceivable a child would learn not to
12 make reports or complaints. I think we have heard
13 evidence to that effect as the reason why people didn't
14 report.

15 A. That would be -- you will have heard even more of it
16 than I have. That would be my impression. We've heard
17 individuals here tell that story.

18 Q. I take it that if you were trying to identify a formal
19 complaints process rather than what happened in
20 practice, you've not really found that easy to do from
21 the records?

22 A. When you say formal complaints process, what springs to
23 my mind is three or four sides of A4 headed "Complaints
24 policy". Those documents don't exist, so we are -- or
25 if they do, I've been unable to find them. We are

1 divining practice from the records of the time, piecing
2 together a jigsaw and listening to what people tell us.

3 Q. You say that if there was a serious allegation that came
4 to light today, that would result in suspension of the
5 staff member who was the subject of the allegation and,
6 where a crime may have been committed, it would be
7 reported to the police?

8 A. That's correct.

9 Q. Is that standard practice now?

10 A. Yes. So an allegation of abuse, to use that term, would
11 immediately require us to use the disciplinary policy,
12 and any allegation of serious harm to a child would
13 immediately involve suspension of the member of staff.

14 Q. Can you talk us through that. Say there was an
15 allegation against a staff member of some form of abuse
16 of a resident. You've told us suspension. Let's say it
17 does involve potentially a criminal matter. Then the
18 police get notified?

19 A. Yes.

20 Q. What else happens in that scenario?

21 A. So there will be a range of things would happen quite
22 quickly. If it was a registered service, we would have
23 a requirement to report that to the Care Inspectorate
24 through what they call their e-forms system. We would
25 need to advise the host authority, which is the local

1 authority in whose patch that service resides. We would
2 also advise the funding authority, so if it was
3 Inverclyde but Aberdeen had placed the young person,
4 we would advise their social worker as well.

5 If it was an issue of abuse, as I think you have
6 suggested, our head of HR would be informed and action
7 would be taken to suspend that member of staff and to
8 invoke the disciplinary process. We would want to seek
9 to ensure the well-being and support of that young
10 person, if it was a young person, at which point that
11 becomes quite individualised because whilst we would
12 want to offer support depending on quite what the
13 circumstances are, it may be that we'd be looking to
14 support that young person externally depending on the
15 situation.

16 We would want to link with Police Scotland about
17 their investigation and our investigation, and we would
18 very much want to begin to try and understand the
19 circumstances and investigate that as quickly as we
20 could. However, we would not wish to do anything that
21 might get in the way of Police Scotland's criminal
22 investigation.

23 Q. Say there was a police investigation but the police, for
24 one reason or another, took no formal action beyond
25 their enquiries and advised you to that effect. Would

1 there still then be an investigation separately by the
2 organisation into the matter?

3 A. Absolutely, yes. Our disciplinary process would require
4 us to investigate that in order to form a view as
5 we have a different standard of evidence than
6 Police Scotland might do.

7 Q. I take it your standard would be a civil standard?

8 A. Yes.

9 Q. As you might call it, the balance of probabilities,
10 rather than beyond reasonable doubt?

11 A. Yes, when I've chaired a disciplinary hearing that has
12 always been the policy that I have undertaken, that this
13 would be on the balance of probabilities.

14 Q. And there is no requirement, I take, it under your
15 process for some form of what's called corroboration?

16 A. No.

17 Q. You have a section on page 11 headed "Current Practice".
18 You're trying to highlight some of the significant
19 differences between the historical position and the
20 position today. One point you make is there's a much
21 greater focus on risk assessment. That would be one
22 clear difference.

23 A. Risk assessment is something that I remember first
24 hearing about in about 1991, and at that point I think
25 it was introduced very much as almost a health and

1 safety concept. It was kind of a building site term.
2 But over the years, it has added to the social worker's
3 toolkit. So I can only imagine it was a very different
4 position historically.

5 Q. And I suppose by the early 1990s, Quarrier's Village was
6 effectively closed in terms of the traditional model.

7 A. That's my understanding, yes. I think that that -- yes.

8 Q. Just on that model, you say in paragraph 50 in the final
9 sentence:

10 "My impression is that historically there was not
11 a great deal of transparency in the cottage model."

12 Can you maybe tell us what you mean by that?

13 A. It's a sweeping statement I've made to cover a very
14 large period of history. I should caveat that at this
15 point.

16 Q. What are you trying to convey though?

17 A. What I'm trying to convey is my sense -- over the last
18 14 or 15 months, I've spoken to a lot of adults who were
19 children in the village, a number of people who were
20 house parents -- there is a very clear sense that each
21 house was treated much as my own house might be, that
22 I suspect my neighbours know very little of what
23 actually happens behind my front door, which would
24 contrast remarkably with a modern social care service.

25 If we think back to -- and forgive me on dates --

1 but I think during the 1950s and 1960s, there was still
2 a Friends' Day where visitors were allowed to come once
3 a month for a two-hour window. In talking only last
4 week to our head of children's service, I even said what
5 happens if a mum turns up at 3 o'clock in the morning
6 and wants to see her son at Rivendell? She gets let in.
7 Unless there is some restriction about a supervision
8 order or other legal order to prevent that happening,
9 then folk will come and visit when they wish to come and
10 visit.

11 Whereas what I hear is -- I hear children saying,
12 "We knew there were good cottages and [at best] less
13 good cottages". But I hear the adults saying, "Well, we
14 didn't really stick our nose into our neighbours'
15 business and what happened in their house was their
16 house".

17 Q. You have touched on this when you go to the comparisons
18 and talk about what happens today. You say in
19 paragraph 52 -- you make a statement:

20 "There's a much more professional and standardised
21 environment in social care today."

22 Again, just help us what you're trying to convey by
23 that statement.

24 A. The impression I have formed is that there was -- we
25 hear -- I have sat in the back and listened to people in

1 this chair say to you and to her Ladyship that there
2 were great differences between houses and the children
3 would know there were good and bad. Today, we have
4 things called National Care Standards. We have
5 inspections by local authorities, by the
6 Care Inspectorate, and we have very clearly articulated
7 standards which should be achieved and can be measured
8 against and we are measured against in terms of our
9 Care Inspectorate ratings.

10 I don't see that featuring in the 1950s, 1960s,
11 1970s, in how managers or external agencies viewed
12 services in the village.

13 Q. You also make a point about the historical position in
14 paragraph 53, that you say:

15 "Culturally there used to be a far greater focus on
16 what could be colloquially called stranger danger than
17 the risk posed by known persons."

18 What point are you making there?

19 A. I'm a little bit speaking of my -- when I think about
20 when I was a child, my mum and dad would warn me about
21 strangers -- and I'm going back a little now so forgive
22 me, but my recollection is there was some form of public
23 safety awareness, things at school. Stranger danger was
24 a thing when I was at school. The evidence, as
25 I understand it, is that -- and I'm particularly talking

- 1 about sexual abuse, I believe, at this point.
- 2 Q. Right.
- 3 A. -- that is much more common, in fact, from people you
- 4 know. So the risk is usually presented by folk that are
- 5 known to the child or indeed the vulnerable adult.
- 6 Q. I suppose applying that to somewhere like
- 7 Quarrier's Village with 40 homes, the risk might be more
- 8 within the village than from outwith the village?
- 9 A. As I sit here, I think that terms like grooming would
- 10 not have been terms that would have been commonly used.
- 11 I can only suspect at this point. Whereas I think if
- 12 I say a word like grooming today, probably most people
- 13 in the room have a sense of what I'm alluding to.
- 14 Q. On paragraph 54, page 12, you mention the advances in
- 15 terms of, I think, pre-employment checks. You have
- 16 mentioned disclosure and PVG checks that are now done.
- 17 These, I take it, are now routine processes within
- 18 Quarriers when recruiting --
- 19 A. Yes.
- 20 Q. -- at least when recruiting for employees who would work
- 21 with vulnerable persons?
- 22 A. Yes. So Disclosure Scotland will set parameters. Our
- 23 head of HR can't just take a disclosure check on anybody
- 24 he chooses to. So they will engage in a discussion
- 25 about the role. But when anybody has direct contact

1 with children, then a disclosure from them as part of
2 their application of any criminal history will be
3 checked against a Disclosure Scotland check and
4 a membership of the Protection of Vulnerable Groups
5 scheme.

6 Q. For the benefit of those here, can you give us a brief
7 summary of what that check involves and what it tells
8 you?

9 A. So there are a couple of levels of checks. I would
10 often need to go back and Google them to be precise on
11 which, but there is an enhanced check, which is normally
12 applicable to children's workers. That will show any
13 spent and, in certain circumstances, if recollection
14 serves -- sorry, any unspent convictions and, in certain
15 circumstances, spent convictions if Disclosure Scotland
16 feel it is relevant.

17 LADY SMITH: It will, I think, also show relevant
18 information that may not have resulted in prosecution --

19 A. Yes. Absolutely.

20 LADY SMITH: -- if held by the police.

21 A. My understanding is that if there is intelligence, which
22 I think is the phrase that is used, held by the police,
23 that there may be an ongoing investigation, that would
24 be raised with us.

25 MR PEOPLES: That's going through the Disclosure Scotland

1 process to obtain this information. The applicant, if
2 it was a job applicant, would be expected in their
3 application to make any disclosures on such matters?

4 A. Yes.

5 Q. Including convictions and spent convictions?

6 A. Yes. And any gap between those two would be immediately
7 treated as a breach of trust and confidence. So our
8 expectation is that there's full disclosure from the
9 staff member or the applicant and that that is then
10 mirrored in the information that we're provided by PVG.

11 Q. Who makes the application to Disclosure Scotland, the
12 job applicant or you?

13 A. It's done through us. We ensure it happens. But the
14 application is made by the individual.

15 LADY SMITH: I think you rightly referred a few moments ago
16 to the requirement to have membership of the Protection
17 of Vulnerable Groups scheme. So as a potential
18 employer, you expect the individual to have become
19 a member of that scheme, thereby agreeing that any
20 details about them that are held by Disclosure Scotland
21 can be released to you?

22 A. That's certainly my understanding. It's a -- scheme
23 membership, I think, is the phrase that's most commonly
24 used.

25 MR PEOPLES: I was going to ask you about the PVG scheme.

- 1 Essentially, if someone's applying for a job, do they
2 have to be members of that scheme?
- 3 A. Essentially, yes.
- 4 Q. And therefore they're giving, as her Ladyship said,
5 consent to the organisation making the necessary
6 enquiries, including with Disclosure Scotland, that will
7 reveal anything about any criminal past or other
8 intelligence of relevance?
- 9 A. Yes, that's correct. The one, I suppose, caveat I put
10 in on that is when I applied, I was slightly surprised
11 that I wasn't taken through the enhanced disclosure. As
12 somebody who could pretty much wander into any service
13 that Quarriers used and wave a badge of authority, I was
14 surprised that that wasn't agreed, but PVG felt that
15 that was not appropriate and wouldn't do it.
- 16 Q. What additional information would an enhanced disclosure
17 provide that a basic disclosure doesn't?
- 18 A. My understanding is, as her Ladyship indicated, that is
19 more about the intelligence part of the disclosure.
- 20 Q. So the information that goes to Disclosure Scotland in
21 these contexts, if it's a PVG member, is that
22 information you have seen, you see what is being sent to
23 Disclosure Scotland to see what information they've been
24 given?
- 25 A. We get a copy of the certificates.

1 Q. Does it show what information they've been given about
2 the person who's being checked, about their employment
3 history or their --

4 A. About the applicant's?

5 Q. Yes. Do you see that information?

6 A. I'm trying to bring one to mind. I believe so. You'd
7 certainly have to have their name on it and who they
8 were and an identifier of --

9 Q. I'm only asking this because I raised this with
10 David Beard about what happens if a job applicant for
11 a Rivendell post has spent all their life south of the
12 border or in some other country, an EU country or
13 a non-EU country, or they've lived in many addresses?

14 A. It gets trickier. But there is a process for checking.
15 We have a standard in terms of recruitment and it's not
16 really part of my remit, but I'm aware of it, whereby we
17 try to get through pre-employment checks quite quickly.
18 We have a range of things, PVG and references being two
19 of them. One of the areas occasionally where we've not
20 hit the standard has been where somebody has lived in
21 Germany or Spain and we've had to undertake additional
22 checks, or I think to be precise -- and I would always
23 talk to my HR colleagues to be certain about this -- PVG
24 have to undertake certain checks in order to assure
25 themselves that whilst somebody was in a different

- 1 country, there was nothing we were unaware of.
- 2 Q. But if you were aware that their background was having
3 worked in one capacity or another in another country, an
4 EU country or non-EU country, would your organisation
5 make checks to see what background information you could
6 obtain?
- 7 A. If your question means would we approach the federal
8 authorities in Germany directly to see if somebody had
9 a criminal record, then no. We would do it via the
10 auspices of Disclosure Scotland --
- 11 Q. You would just say to Disclosure, "We understand the
12 individual has lived and worked in Germany or
13 South America for the last 10 years and" --
- 14 A. Can you help us?
- 15 Q. The you would leave them to make whatever enquiries they
16 think they can make and provide information to you if
17 relevant?
- 18 A. Yes. I'll be honest with you, that is a relatively
19 small area and one in which I would want to take advice.
20 So if as an operational manager I had an applicant who'd
21 spent a long time -- I think south of the border is less
22 problematic, but out of the United Kingdom can get
23 trickier -- then I'd be looking to take advice about the
24 appropriate checks we would need and how that would
25 work. That's my understanding.

1 Q. I suppose at least at the moment, with freedom of
2 movement, there are a lot of people in perhaps care jobs
3 that have come from other countries; is that correct?

4 A. Yes.

5 Q. Just as they have come for the hotel trade and things
6 like that?

7 A. It's certainly not uncommon.

8 Q. In paragraph 56 -- this is something we've dealt with to
9 some extent before -- in relation to child protection,
10 you say:

11 "Spotting signs of abuse starts from a process of
12 understanding behaviour as a form of communication."

13 That's today's starting point, is it? Was that the
14 position historically, that people would --

15 A. I think -- I'm just checking, I thought I might have
16 done there. I'm certainly using that as a contrast. In
17 looking at the notes, one can see children referred to
18 as good or bad, but that would not be terminology
19 we would expect. Indeed, if I saw somebody using such
20 terminology, that would be addressed quite firmly today.

21 Q. On page 13, paragraph 57, six lines from the end of that
22 paragraph, you say there's also an interpretive element
23 of what a child says to you when you're speaking to
24 them. Again, is that a feature of the way things are
25 done today?

1 A. I think so, yes.

2 Q. But some of that, I take it, can only come from
3 training?

4 A. Training and experience, yes.

5 Q. So far as allegations are concerned, we've touched on
6 this already, but you start with -- in paragraph 60 you
7 state what the current policy is when a disclosure is
8 made. So can you just talk me through that process,
9 a disclosure is made?

10 A. Sometimes a young person might turn round and just say,
11 "Somebody did something to me". It may be as
12 straightforward as that. It would not be uncommon for
13 a young person or an adult to be a little more
14 elliptical about that and perhaps to test the water of
15 the relationship to see what response they might get
16 from a member of staff. But it's very important that we
17 don't -- we try not to respond, we try not to judge,
18 that we listen to what's being said to us.

19 I think it's one of the small changes in our child
20 protection policy -- our previous policy said
21 we wouldn't ask any questions and we've amended that.
22 It's important we don't ask leading questions or have
23 any sense that we would put words into that person's
24 mouth as that might contaminate or be a problem in terms
25 of the investigation. But we would want to listen and

- 1 ask, show interest.
- 2 Q. If disclosure is made to a member of staff, do
- 3 I understand from paragraph 60 that one of the things
- 4 that's done is you listen and record --
- 5 A. Yes.
- 6 Q. -- what you're being told?
- 7 A. Yes. So I would expect -- our policy would expect that
- 8 contemporaneous notes are made as soon as possible, and
- 9 that those are held and kept.
- 10 Q. But if there's any form of questioning to be done,
- 11 presumably it's best done by someone with some skills in
- 12 not asking leading questions or jumping in?
- 13 A. Yes.
- 14 Q. So the person to whom the disclosure is made may not
- 15 have those skills?
- 16 A. And that's absolutely correct. On the other hand,
- 17 I wouldn't want to encourage our staff to be in
- 18 a position that when a young person told them something
- 19 so important and so sensitive, that staff member said,
- 20 "I'm sorry, I can't talk to you any more now". So there
- 21 needs to be something that addresses that middle ground
- 22 where our staff are told very clearly not to ask leading
- 23 questions, but: when did that happen, who was that. So
- 24 very open-ended questions, are still permitted.
- 25 Q. So there's the disclosure, there's the recording,

1 there's a limited form of questions that are
2 permissible, and there's also a process, the process
3 involves reporting to, you say, the on-call manager or
4 operations manager of the unit, is it?

5 A. Yes.

6 Q. And also other parties as well -- is it the local
7 authority and safeguarding team?

8 A. Clearly there's a judgement. Let's say that allegation
9 was made about me, then the first person to tell is not
10 me.

11 Q. No.

12 A. So any such process -- I say that in the sense that if,
13 as is conceivable, it might be made about the operations
14 manager, then our policy indicates that you need to go
15 around to a more senior member of staff.

16 Q. There's a listening, recording and a reporting process
17 as part of the standard procedures today?

18 A. Correct.

19 Q. And indeed, it's reporting to a number of persons or
20 agencies?

21 A. Yes.

22 Q. It could also include the police if it raises issues of
23 criminal conduct?

24 A. Yes. If there's any doubt that it may be a criminal
25 activity, then we would inform the police.

1 Q. And that certain senior people in the organisation,
2 let's assume that you're not directly implicated in any
3 allegation, senior people are notified immediately as
4 well?

5 A. Yes.

6 Q. You say at paragraph 62:

7 "The head of service, the safeguarding team and the
8 deputy CEO would be notified."

9 A. Yes. And my understanding is that in practice the CEO
10 would be automatically alerted.

11 Q. And the Care Inspectorate you've said already?

12 A. Yes.

13 Q. So all these things would be happening very quickly?

14 A. Yes.

15 Q. You say, I think, by way of explaining what might happen
16 after that is that there might at some point be a formal
17 case conference that will take place to discuss the
18 matter, but there may be some form of more informal
19 multidisciplinary conversation taking place before that.
20 That could be the typical process?

21 A. Yes, usually, the local authority will take a lead at
22 this point. I'm thinking of fairly high tariff and
23 serious allegations at this point. It would not be
24 uncommon for them to have what they often refer to as an
25 IAD or an inter-agency discussion. That can be

1 a telephone conference, that can be an open telephone
2 call. So if, for instance, somebody again is placed
3 from Aberdeen or somewhere far away, then to do that
4 quickly and to get the right people involved in that
5 quickly. It's a minuted and recorded meeting, so it has
6 a formal construct, but it's not everybody in a room
7 sitting down and doing it.

8 Q. Is the idea to get an agreed response if possible?

9 A. Yes, or certainly to make a short-term plan. So it
10 might be: what are we going to do over the next
11 48 hours? Usually, the first point of contact is to
12 ensure that that -- I assume young person -- is kept
13 safe. So what do we need to do to prevent any further
14 risk of harm or any further allegations of harm? And
15 then to consider the appropriate way of planning
16 forward, so the investigation or whatever else. It's
17 very difficult to be general.

18 Q. But everything is recorded?

19 A. Yes.

20 Q. So there's an audit trail?

21 A. Yes.

22 Q. And one can see not just that there may have been an
23 investigation but we're not quite clear what happened
24 and what the outcome was, because I think we've seen
25 comments by perhaps you and others to that effect about

- 1 historical records?
- 2 A. Yes, absolutely. I would expect, as I indicated, that
3 this would be then driven by the local authority
4 social worker, who would hold those notes. We would
5 have our own recording for our own purposes, but the
6 main case file would be held by the local authority.
7 That would be my expectation.
- 8 Q. So would they be the lead agency normally along with the
9 police perhaps if it's a police matter?
- 10 A. Yes. I think we would ultimately take instruction from
11 them. I would and we would have our voice, but
12 ultimately they would take the lead in that.
- 13 Q. Can I turn to recruitment of staff, which is another
14 matter that you deal with in your statement at page 15,
15 starting at paragraph 69. You tell us immediately that:
16 "Quarriers has a safer recruitment policy."
17 And what I wanted to know is if you could capture
18 what that policy involves. Again, just talk us through
19 what the safer recruitment policy means in practice.
- 20 A. We have touched on a number of the points of that. So
21 starting at advert and application, we look to take
22 general information about the applicant, which
23 ultimately, should they be successful, will allow us to
24 take up references, will allow us to take up their
25 scheme membership, will ensure as best we can that

1 we have as much information from them as possible that
2 we can then cross-check.

3 So much of what we do -- you touched in one of your
4 questions earlier about where staff have one-to-one time
5 with people. Trust and confidence in our staff is
6 critical. A hugely important part. I indicated earlier
7 that staff would be asked to disclose any history they
8 had. Should they feel to do that, that would be
9 a critical matter for me in terms of their disclosure.

10 Q. You talk about the interview stage and you say that
11 generally, under the process, there would be two
12 interviews. Would that be the general process for all
13 recruits?

14 A. So for all of our staff, to my knowledge, we would have
15 a formal interview, usually led by the project manager
16 or the responsible manager, but we would also have an
17 interview conducted, commonly by a member of the
18 inclusion team facilitating some of the people we
19 support or sometimes family members. If it was for
20 staff at the nursery, for instance, it might be mums and
21 dads who were part of the group.

22 My experience of the last two organisations I've
23 worked for have used a similar process. People we
24 support and family members often have extremely good
25 antenna for folk.

1 Q. So do they just attend this interview and are free to
2 ask questions or do they listen?

3 A. It's more structured than that.

4 Q. How does it work?

5 A. If I think about my own interview, for instance, then we
6 had some exercises, some group exercises, we had
7 a couple of people with learning disabilities and an
8 inclusion worker. They asked us direct questions, which
9 clearly they'd prepared for and had interest in. There
10 were some group exercises about what we were interested
11 in, what our life was about. Something I surmise from
12 my end of the telescope was about getting at our values,
13 our approach, our language, how we interacted with
14 people, and to take a temperature check, I guess.

15 Q. I think, and I don't know if it's in your statement or
16 another statement I've read, value-based questions was
17 an expression used --

18 A. Yes.

19 Q. -- to maybe describe this approach.

20 A. I'm not sure if I used those words, but they would be
21 right, yes.

22 Q. We have heard some evidence from Sir Roger Singleton --
23 I don't know if you heard his evidence. He talked about
24 an influential report called the Warner Report in 1992,
25 which perhaps started off the process of people thinking

1 about how you recruit, what questions you ask, questions
2 designed to explore attitudes, temperament, suitability,
3 reaction to being given power or authority.

4 A. Yes.

5 Q. All these sorts of things.

6 A. I think we will talk a lot about trying to find people
7 with the right values and the right value set as being
8 critical, yes.

9 Q. Maybe the answer to this is pretty obvious, but
10 historically, would it be fair to say, from the records
11 you've seen, there's no real evidence of a similar
12 process being adopted for recruiting staff at
13 Quarrier's Village, for example, generally speaking?

14 A. I think ... What springs to mind -- and I looked at
15 Professor Abrams' draft report -- people were often
16 asked if they had Christian values, for instance, and
17 that was a common feature, not just for ourselves but
18 for a number of organisations. It would probably be
19 incorrect for me to state that there were no values
20 sought. The question I'd ask is: were those the right
21 questions? My answer would be no, I suppose.

22 LADY SMITH: If today you were involved in recruiting staff
23 for care work in a residential institution for children,
24 what values would you be looking for?

25 A. I would be looking for a value that said that children

1 are important to us and have value to us and that
2 we have respect for them. I've been very struck by some
3 of the evidence I've heard here. I was here when
4 Tom Shaw spoke -- and spoke, I thought, very
5 eloquently -- about the need for respect for children.
6 We come back to not judging on good or bad, but
7 listening.

8 So I think that would be a key part of what I would
9 be hoping to hear from someone.

10 LADY SMITH: Thank you.

11 MR PEOPLES: Just on the matter of disclosure of
12 convictions, am I right in thinking that from your
13 statement -- I'm looking at paragraph 73 and beyond at
14 page 16 -- it's not an absolute bar to employment with
15 the organisation, but certain types of offences will
16 rule you out, is that what it comes to --

17 A. Yes.

18 Q. -- whenever they happened?

19 A. Yes. I remember somebody disclosing that, when I worked
20 in London, [REDACTED]
21 [REDACTED], which is apparently an offence against
22 the Crown, 20 years ago. We felt that that was probably
23 not a reason to debar them from working with children
24 forever. But certain offences, depending on their
25 level, the disposal, and how recent -- we would again,

1 at the risk of using risk assessment as the only tool in
2 my box, we would take a risk assessment approach to
3 that.

4 Q. I think you tell us on page 17, paragraph 79, that all
5 staff -- there is now a standard probationary period of
6 12 months before their employment is concerned?

7 A. That's correct. That can be extended if we felt that
8 was appropriate.

9 Q. At paragraph 80 you tell us as part of the process, for
10 the first six months of the post, there's a significant
11 amount of mandatory training. What sort of mandatory
12 training does a new recruit undergo in the first six
13 months?

14 A. I think we provided you with our training matrix, which
15 does tend to shift people depending on the nature of
16 their post. We have recently revised that to mean that
17 some of the child protection training must be done
18 within the first four weeks now. So there is some
19 dependence on your role. But often that will include
20 protection of vulnerable groups, which is the phrase we
21 use.

22 Child protection and adult protection as whatever
23 role you're in -- you can be an adult worker and still
24 have a role about protecting children and vice versa,
25 but there are different levels of training depending on

1 your function and role.

2 There's some fairly mundane staff about health and
3 safety at work and display screen equipment and --

4 Q. So from the point of view of child protection, you're
5 saying in the first six months that is mandatory
6 training, but you're now beginning to introduce it in
7 the first four weeks?

8 A. Within the first four weeks, there must be a familiarity
9 with the protocol, there must be the initial e-learning
10 completed, and then the full child protection training
11 needs to be undertaken within the first six months.

12 Q. The posts like Rivendell, the care workers there, these
13 are regulated posts?

14 A. Correct.

15 Q. And you tell us that for regulated posts you check
16 whether an individual is registered with the appropriate
17 regulator, and it's normally the Scottish Social
18 Services Council, which I think we know was established
19 in 2001 or thereabouts.

20 A. That feels right.

21 Q. And they have a register of carers. Can I just be
22 clear, what is the status of registration? Is it
23 a clean bill of health or just simply that someone is
24 registered? Does it have any greater significance than
25 that they've gone through the registration process?

- 1 A. There is a barring list and a fitness list, which is
2 held by the SSSC.
- 3 Q. That's their separate list?
- 4 A. I understand so, yes. So the SSSC will hold -- I think
5 they call them fitness to practise hearings. The
6 process for any new -- and I guess as we're talking
7 about support workers in children's services, if
8 I restrict myself to that. Either one must be
9 registered at the point of joining us or one must
10 register in the first six months. In practical senses
11 that means you must do it in the first two months
12 because it takes three months to complete the
13 registration process. And there's a mandatory process,
14 which if not already present, must be achieved within
15 five years.
- 16 Q. Would you automatically, in the case of a new applicant,
17 contact the SSSC to find out if they either are
18 registered or have been registered or there's any
19 entries against them that you should know about?
- 20 A. Yes. That process of registration is something that
21 we would monitor and we have had, I think, a very small
22 number, I'm trying to recall ... a couple of people who
23 we've had to address over not registering within the
24 timescale and, if they failed to do so, that would be
25 a breach of their contract and they would either be

1 taken off post until registration and checks were
2 complete or simply their contract would be terminated.

3 Q. Perhaps one last question before our break: in terms of
4 registration, does it matter where the person comes from
5 if they're working in Scotland at Rivendell? Whether
6 they're German, Chilean, or whatever, they have to
7 register with the SSSC --

8 A. Correct.

9 Q. -- and be subject to its regulatory authority?

10 A. Yes. To my knowledge, there's no option: it's the SSSC
11 or nothing.

12 MR PEOPLES: My Lady, I think perhaps that's as good a time
13 as any to take the morning break.

14 LADY SMITH: We'll take the morning break now and sit again
15 in a quarter of an hour.

16 (11.31 am)

17 (A short break)

18 (11.48 am)

19 LADY SMITH: Charlie, are you ready to carry on?

20 A. I think so.

21 LADY SMITH: Good, thank you.

22 Mr Peoples.

23 MR PEOPLES: Charlie, if I could ask you to just go to
24 page 18 of the statement and one matter there. You tell
25 us at paragraph 82 that Scottish Criminal Record Office

1 checks were in place from around 1995. Is that what the
2 documents and records are suggesting was the date or
3 approximate date when these checks were being carried
4 out?

5 A. I wasn't actually in Scotland in 1995, but that's my
6 understanding, yes.

7 Q. I think you say your understanding is that the form of
8 check then in use would simply have disclosed previous
9 convictions in Scotland --

10 A. Again, that's my understanding.

11 Q. -- but that was superseded in 2011 when
12 Disclosure Scotland PVG checks were introduced. So that
13 gives us a time frame.

14 A. Yes.

15 Q. In records you have had to look out, historical records
16 for Quarriers, have you seen any evidence of any kind of
17 police type check or check of that kind carried out by
18 Quarriers?

19 A. At any particular time?

20 Q. I'm thinking particularly -- we did hear evidence from
21 Barnardo's and they, of course, were a UK-wide
22 organisation, that they would carry out, even going back
23 to the 1960s, what was called some sort of check under
24 some Home Office circular procedure that involved
25 writing to a department of government and seeking

1 observations, and a stamp would come back, generally
2 saying "no observations" or occasionally there might be
3 a phone call saying, "I think you should speak to
4 so-and-so".

5 We had some evidence to that effect from Sir Roger
6 about this process that was used and it may have not
7 involved a direct police check but information that may
8 have been gathered from the police by these bodies that
9 were contacted. Have you seen anything equivalent to
10 that in the Quarriers records?

11 A. Certainly from when SCRO and when Disclosure are in
12 place then, yes, I see evidence that those checks are
13 undertaken. I suspect you're directing me to a period a
14 little further back than that.

15 Q. I'm trying to see if you came across anything pre-1995.

16 A. We have very little from employee records pre-dating
17 that. The only thing that springs to mind that might be
18 of assistance, I have seen in -- and we have them
19 because they're held in some children's files, for some
20 volunteer befrienders, I think that's the phrase I'd
21 use, I have seen letters to the local police sergeant,
22 saying, "Is there anything that you're aware of?" and
23 a response. Not as formal as the Barnardo's system
24 you're describing, but some measure of check.

25 Q. Picking that point up, you say that there's some

1 evidence that in the case of befrienders there may have
2 been some contact with the local police, for example.
3 But I think you contrast that with there was no evidence
4 to show that, in the case of potential employees,
5 a similar type of check was carried out.

6 A. Merely because I've not --

7 Q. You've not come across it?

8 A. No. Prior to ... From recollection, Quarriers
9 introduced a human resources department in the
10 mid-1990s. Prior to that, the only records I've seen
11 have been payroll cards for employees behind that time.
12 So it may have happened, but I have not seen records of
13 it.

14 Q. In paragraph 87 -- I'll just mention this in passing --
15 at page 19 -- I think to some extent this is maybe along
16 the lines of the value-based questions approach that --
17 you say:

18 "The risk of physical abuse might sometimes be
19 attributed to a lack of skill and empathy and a poor
20 approach. Training is also a relevant factor, but the
21 appropriate employee has to have a mindset and
22 a personality which is suitable to those sort of
23 situations. If they do not have it, then that presents
24 a risk. Safe recruitment involves making an assessment
25 of these attributes at an early stage and following up

1 on that through an employee's probationary period."

2 Is that the sort of process you're trying to
3 conduct --

4 A. Yes.

5 Q. -- in today's world?

6 A. Yes, it would be.

7 Q. Paragraph 88. I just want to ask you -- you say:

8 "A particular problem can be raised when a carer
9 responds to someone who is physically challenging them."

10 Are we in the territory of restraint here?

11 A. I think that that's what was in my mind when I wrote
12 that, yes.

13 Q. Can you tell us at this point, what's the position about
14 the use of restraint? What's the current policy and
15 thinking on that within Quarriers?

16 A. There are a number of proprietary systems which are
17 available. The one which we use currently is called
18 CALM: the crisis, aggression and limitation management
19 system. Physical interaction should only ever be used
20 as a last response, so our guidance and training to
21 staff is that they should not be restraining.

22 I think -- when I think of my own experience, if, say,
23 a young person was being particularly challenging or
24 maybe throwing things about a room and breaking things,
25 as a support worker there can be a perceived imperative

1 to stop them doing that: what will my boss think if
2 I allow this to happen? We work very hard with our
3 staff to say that is not a concern for you, this is
4 about individuals and bits of furniture can be replaced,
5 but invading somebody's space and physically restraining
6 them is something that should only be done when there's
7 a significant risk of harm, either to that individual or
8 to somebody else.

9 I can't think of any instances whereby we've not
10 already known that might be a risk, and we go back to
11 the questions earlier in the piece about people's
12 history and risk assessment.

13 Q. This would be in their support plan, where you'd hope to
14 identify somebody who might be prone to challenging
15 behaviour, such as the example you have given?

16 A. Yes. And then we would have, I hope, a very clear
17 approach about what we would do. Normally we'd be
18 looking to try and distract something, to give them time
19 and space to calm down naturally, to try and keep them
20 safe during that period, but not to be restraining
21 somebody.

22 Q. I take it, though, from those answers, there's no
23 prohibition on the use of restraint, albeit as a last
24 resort? You're not saying it's prohibited?

25 A. It's not absolutely prohibited, but it would only be

1 allowed or accepted in circumstances where that was part
2 of the support plan.

3 Q. And if it happens, can you just tell me what processes
4 exist? Has it to be recorded?

5 A. Yes. So I would expect very detailed recording of the
6 precedents and the antecedents of that because what we
7 would want to do is not repeat that, not allow that to
8 happen again or not encourage that to happen again, to
9 be in a position where we understood -- if we come back
10 to all behaviour is a form of communication, then when
11 somebody behaves in that way, they are telling us
12 something. They're telling us we got something wrong
13 and we need to try not to get that wrong again.

14 So we need to understand what led up to that
15 incident. Clearly, we need very specific and detailed
16 recording about what actually happened at that time,
17 which is difficult for all parties, but absolutely
18 critical.

19 We also need to debrief, both the member of staff,
20 but also the person that that happened to, probably as
21 a greater priority, to understand what that was about
22 and where they are.

23 Q. Is it treated as a safeguarding issue?

24 A. Can I ask what's in your mind? I'm not quite sure.

25 Q. I'll put it this way: do you have to be told of any

- 1 examples of restraint?
- 2 A. No, not personally, no.
- 3 Q. Because it's not necessarily seen as a matter that
4 you have to be informed of like an allegation of abuse?
- 5 A. No, we would take data on restraint. So I would not
6 expect an email in my inbox within 20 minutes. We do
7 take -- and it's part of the strategic approach we're
8 still working on -- I would have concerns if, say, at
9 Rivendell I saw one person having a number of restraints
10 in a short period of time. That's clearly an indication
11 to my mind that we're getting something wrong.
- 12 Q. So as head of safeguarding in that role, are you
13 periodically monitoring the use of restraint and whether
14 it's used against a particular -- in the case of
15 a particular person or not and how often and so forth?
- 16 A. I want to say yes. I feel we're not quite there yet.
17 So it is something that is being reported to us. I want
18 to be more confident that that reporting is complete.
19 And I think for some of our services, particularly ones
20 that are more distant -- and I'm not thinking of the
21 Rivendells and Countryviews at this point -- I wouldn't
22 like to say to you that I'm 100% confident we're getting
23 that absolutely right yet, but it is something we must
24 get better at.
- 25 Q. In terms of notification requirements in the case of the

1 restraint situation, you have told us if there was an
2 allegation of abuse, then various agencies would be
3 notified as a matter of course.

4 A. Mm-hm.

5 Q. If we're dealing with a restraint that involves
6 a service user in some form of contact and being held or
7 restrained, have you got any requirement to notify, for
8 example, the SSSC or the local authority or anyone else?

9 A. Not a per se requirement on every incident. It may be
10 that for a specific child, we would agree that we were
11 going to inform the local authority, for instance.
12 It is potentially so -- certainly, heaven forbid, there
13 was an injury during that, which clearly there shouldn't
14 be if we're getting that right, but that would need to
15 be recorded as part of our accident and injury reporting
16 and might be reportable.

17 I hesitate to say, though, that there was a general
18 requirement for any restraint to be recorded and
19 reported. We may be in a position under the Mental
20 Welfare Commission for some people to have a plan in
21 place, which would be agreed by the Mental Welfare
22 Commission in advance, whereby we are limiting
23 somebody's freedom and their life -- limits to freedom.

24 Q. We didn't actually discuss the Mental Welfare
25 Commission, but given some of the service users, apart

1 from the Care Inspectorate as a regulator, do you have
2 any degree of regulation from the Mental Welfare
3 Commission?

4 A. There is a degree. I'm thinking particularly of the
5 subject we're discussing about restraint. They issue
6 guidance about what is acceptable in limiting people's
7 freedom, of which restraint forms part. And that might
8 be about limiting access -- so somebody with
9 Prader-Willi might have limited access to food, for
10 example. That would be a limit to their freedom.
11 We would usually seek to have those plans agreed or
12 overseen by the Mental Welfare Commission or at least
13 have run them past the officer first.

14 Q. And does the Care Inspectorate, when it makes an
15 inspection, is restraint an issue they look at?

16 A. I would expect it to be. Care inspectors usually have
17 themes they're looking to address on specific visits
18 and, depending on the service, will take a more in-depth
19 or lighter touch approach. So I wouldn't say it would
20 be a central feature to every inspection, but it might
21 well be a theme, and I would expect them to pick up on
22 data about numbers of restraints. I would expect for
23 the vast majority of our services we would not see any
24 restraints.

25 Q. Are there national standards for restraint?

- 1 A. So it does fall within National Care Standards to my
2 understanding, yes.
- 3 Q. So that would be within the province of the
4 Care Inspectorate to look at?
- 5 A. Yes. When I say they may not look at it, it's merely
6 because we don't have any to look at.
- 7 Q. I'm just trying to understand the process and how that
8 might be picked up by the process.
9 Training you deal with on page 20 and beyond.
10 I want to ask a few questions about that. You say at
11 paragraph 90:
12 "As a minimum, employees working directly with
13 children require to have an SCQF7 qualification in
14 childcare, which has now superseded SVQ qualifications
15 and the previous SVQ3 qualifications required."
16 Every residential care worker, if you like, would
17 they have to have, as a minimum, an SCQF7 qualification?
- 18 LADY SMITH: Can you remind me what that stands for?
- 19 A. Scottish Qualificatory Framework, I think.
- 20 LADY SMITH: Ah.
- 21 A. Forgive me if I've got that wrong, I might be wrong with
22 the C. So it must be achieved for registration within
23 five years of registering with the SSSC. So it is not
24 a qualification -- so if you applied for a job with us
25 tomorrow, Mr Peoples, and you didn't have one, it would

1 not necessarily debar you, but it would be something you
2 must achieve within a time frame.

3 MR PEOPLES: And is that therefore something that, if
4 someone doesn't have it, they have to obtain it within
5 that timescale to meet the SSSC requirements?

6 A. Yes.

7 Q. Is it something you then start the process of obtaining
8 as soon as they join if they don't have it?

9 A. We will assist staff through that. Quarriers are an
10 accredited assessment centre for said SCQF.

11 Q. So if I was applying and I didn't have it, I could
12 start, but you would see to it that I start to get this
13 qualification?

14 A. That's correct.

15 Q. And I have to have it within five years to meet the SSSC
16 requirement?

17 A. Correct, and not meeting the SSSC requirement is
18 a breach of contract. This is where I've got it wrong
19 on the SCQF.

20 Q. I'm told that the acronym is Scottish Credit and
21 Qualifications Framework.

22 A. I thought I got the C wrong, forgive me.

23 Q. Don't worry.

24 LADY SMITH: I think the sense is exactly the same.

25 Thank you -- and thank you to Ms Rattray for that.

1 MR PEOPLES: So now we know.

2 Yes, so that's something -- and does that mean then,
3 for example, residential care workers in Scotland now as
4 a matter of qualification require to have this
5 qualification within five years of joining a care
6 provider giving a residential care service?

7 A. That's correct. My understanding is the trajectory
8 would be that it would become a requirement
9 pre-employment.

10 Q. But that stage has not been reached yet?

11 A. That's my understanding.

12 Q. But that is the direction we are heading in, is it?

13 A. That is, I understand, the SSSC's and I think the
14 industry's aspiration.

15 Q. Okay.

16 LADY SMITH: Is five years too long to obtain it?

17 A. I think we'd probably all be comforted if it was
18 shorter.

19 LADY SMITH: On the face of it, it feels like quite a long
20 time to be allowed to work on an unqualified basis.

21 A. I wouldn't ... Yes. I would have sympathy with that
22 view.

23 LADY SMITH: Thank you.

24 MR PEOPLES: Maybe that's something for discussion on
25 Thursday.

- 1 A. Maybe.
- 2 Q. In paragraph 92, I just want to pick up one thing you
3 say there. You say:
4 "We have also found that we cannot fill posts if we
5 demand that everyone has the qualification before they
6 start work."
7 Is this to do with registration with SSSC or the
8 SCQF7 or both?
9 A. Well, the two are independent, but I was thinking of the
10 SCQF7 at that point. My understanding is that we
11 probably we haven't got enough qualified people in
12 Scotland against the number of posts, hence the arc or
13 the trajectory of change we referred to.
14 Q. Does that mean that recruitment of staff is still
15 an issue today, getting the right staff?
16 A. Yes. It's a challenge and I think it's one that --
17 I would be very surprised if you spoke to any care
18 provider in Scotland, or indeed in the UK, and they
19 didn't say that it was something that continued to
20 exercise them.
21 Q. How do you find the -- once you have got staff, are you
22 finding that you manage to retain them or is there
23 a problem with retention?
24 A. I think that's ... It's an interesting question.
25 I just ... Retention is something that's very important

1 to us. One of the advantages of us being an assessment
2 centre and providing that training is we perhaps enhance
3 our retention because of that. I think it's also
4 important that you introduce new people occasionally and
5 I think that there is a risk to having -- I wouldn't be
6 comfortable if the 1,800 people that we referred to
7 earlier were exactly the same 1,800 people 15 years
8 later.

9 Q. So change is healthy but not maybe too frequent?

10 A. To a degree, yes. I think some change is healthy.

11 I like when new people come along and say, "Why would
12 you do that?" Because often that's something -- we can
13 all become a little institutionalised to our
14 surroundings and it's something I think I alluded to
15 earlier about transparency and external oversight being
16 critical to not just prevention of abuse but actually
17 a more positive and forward-looking outcome and being
18 forward-thinking.

19 Q. You tell us on page 20, at paragraphs 93 and 94, about
20 Quarriers being awarded, in November 2018, the platinum
21 Investors in People award, and you believe that they're
22 only the second social care organisation in Scotland to
23 achieve that standard. You tell us a little bit about
24 that. When you talk in paragraph 94 about the
25 qualification in line 2, do you mean achieving this

1 award or are you talking about something else?

2 A. Er --

3 Q. Do you see the sentence that reads:

4 "From discussions with Quarriers' talent and
5 learning and development department, I understand that
6 the qualification involves learning about relationships,
7 power dynamics and equality work in relation to those
8 with disabilities."

9 And you give us a bit more detail about what is
10 involved in relation to working with children.

11 A. Forgive me, I was reminding myself of what I was
12 referring to. I think that's referring to the SCQF not
13 the IIP.

14 Q. I see. So that tells us what this qualification will
15 teach --

16 A. And some of the options underneath that.

17 Q. -- the various modules that are involved? So that's to
18 do with the SCQF7?

19 A. Yes.

20 Q. You talk in page 21, and I'm not going to go through the
21 detail, that you say at 97, paragraph 97:

22 "It's the responsibility of project managers to
23 ensure that all staff complete child protection
24 refresher training sessions on an annual basis."

25 So there is refresher training built into the --

- 1 A. There is, and they will be alerted as will the
2 individual staff through our internal systems.
- 3 Q. You make a point about how behaviours are viewed.
4 I think this is maybe in paragraph 98, about how, no
5 doubt, all behaviour is a form of communication point.
6 I think you tell us really by way of example that:
7 "Aggression, withdrawal or age-inappropriate
8 behaviours would be thought of as indicators rather than
9 judged bad behaviour worthy of punishment."
10 Is that a reflection of this principle that
11 behaviour is a form of communication and you have to
12 work out why the behaviour is occurring?
- 13 A. Yes. That's correct.
- 14 Q. And you look for the behaviour and then you ask
15 yourself --
- 16 A. "What's that about?" I think is the most often used
17 question in social care, "Why is that?"
- 18 Q. You tell us at paragraph 99 that:
19 "At the conclusion of child protection training
20 [which is mandatory, as I understand it now] for
21 residential care workers, participants will understand
22 key terms in relation to child protection, recognise and
23 be aware of the signs and symptoms of abuse, identify
24 children at risk of child exploitation, minimise the
25 danger, know how to respond to a concern a child may be

1 at risk of significant harm and record information, be
2 aware of the legal framework in relation to child
3 protection in Scotland, and recognise the key needs of
4 children as outlined in the Getting It Right for Every
5 Child model or framework."

6 You say that:

7 "Changes will soon be incorporated into the course
8 on child protection to address certain other matters."

9 Can you tell us, what point were you making? What
10 changes are required and why?

11 A. Having reviewed the child protection policy, it flows
12 from there that we should look at our training,
13 otherwise that might disconnect from the policy, and on
14 doing that with the tutors in our learning and talent
15 development section, we felt we needed to emphasise
16 a little bit more about -- I am not quite sure of this
17 term, but it's often referred to as defensible
18 decision-making. In essence, that's about what we did
19 and why we did it, so not just recording your action but
20 also recording who you spoke to and why you took that
21 view.

22 Also, to enhance some of the information around
23 sexual exploitation, which is more commonly a term
24 around young people than children. But I think it's
25 something that has been brought to national attention

1 over the last few years, and whilst it was referred to
2 in both policy and training, our sense was we needed to
3 sharpen that a little.

4 Q. So you're reviewing the child protection training to add
5 to it, is it, and also to add more training personnel?

6 A. We're not enhancing the team of trainers, no.

7 Q. Just the training itself?

8 A. Yes. We've rewritten the policy and it logically flows
9 that one needs to look at the training, but we're not
10 training on the old policy, we're training on the new
11 one.

12 Q. Can you help with paragraph 100. I wasn't sure whether
13 this related to residential care and what the point was.
14 It says:

15 "One of the areas of real difficulty that we have is
16 around consent in vulnerable young people aged between
17 16 and their early 20s. This is a national challenge."

18 We're only concerned with children as defined as
19 under 18, but obviously 16 to 18 falls within that
20 definition. What is this difficulty you're alluding to?

21 A. I think at the age of 16, then a young person has the
22 right to consent to sexual activity. But the notion of
23 power and abuse still exists in my mind at least. It
24 may not legally in a framework. I'm referring to some
25 of the experiences particularly in England, eg Rochdale,

1 Rotherham and a number of other areas, where -- it's
2 difficult to use the terminology right -- groups of men
3 have, to my mind at least, abused vulnerable young
4 people.

5 Q. Including people who were in care settings?

6 A. Commonly, yes. Young people who have been in care are
7 much more vulnerable to abuse in life, whether they're
8 18 and past or not.

9 Q. And I suppose nowadays children in care, like other
10 children, have all sorts of access to social media and
11 internet sites and whatever.

12 A. They do. I'm sorry, Mr Peoples, I'm not quite sure --

13 Q. I'm just saying that the ability for outsiders to
14 communicate with children in care is much easier. It's
15 not the days of the telephone --

16 A. No.

17 Q. -- or a postcard or a letter. There's instant
18 communication and it can be done, no doubt, if a child's
19 got their own room in care --

20 A. Yes.

21 Q. -- and they have got a mobile phone or computer or
22 whatever?

23 A. They would. I think probably the reason I paused is
24 I'm ... I think that probably is a factor, but again
25 I think back to working in the 1990s in a children's

1 assessment unit in Ealing: folk found a way to make
2 contact with them.

3 Q. If they wanted to?

4 A. Yes, and folk that want to abuse children are well
5 motivated and creative, in my experience.

6 Q. Yes. I probably didn't mention this, but you did make
7 this point in paragraph 86, maybe in a slightly
8 different context:

9 "People who want to, for example, abuse vulnerable
10 persons sexually are often quite determined and devious
11 in the means by which they gain access."

12 A. Yes, that's my experience and certainly from my reading.
13 I read very recently about a trial in England about
14 a group of men who had groomed a mother when she was
15 still pregnant in order to get access to her baby.
16 That's a level of strategic planning.

17 Q. You mention a term that you say is being used by your
18 head of children and families and young people's
19 services, "professional bravery". Tell us what that's
20 all about.

21 A. I think we've alluded a little bit to some of that
22 already and the difficulties of raising concerns and the
23 importance of new staff coming in. I think we would ask
24 our staff to be brave about saying, "I don't understand
25 why you would do that?" or, "Isn't there a risk around

1 that?" or, "That doesn't feel right to me".

2 I have spoken a little earlier about some of the
3 training and we talk about the Stanford prison
4 experiment and the areas where -- I'm not a psychologist
5 or sociologist, but from my training, if you ascribe
6 roles to people then they will become that role rather
7 than themselves. It's very important that our staff are
8 encouraged and supported to be brave and ask those
9 questions and challenge practices that they think might
10 be putting people at risk in order to support people to
11 be able to disclose.

12 Q. Is that built into the child protection training?

13 A. Yes, I think that's actually a phrase we talk about and
14 there is a course which is occasionally available for
15 our managers -- we're looking to put another one on this
16 year, called "Professional Dangerousness", which is the
17 other side of that coin.

18 Q. In relation to supervision, you have some paragraphs
19 dealing with that matter. Again, you're doing a bit of
20 a comparison, I think. In this section of your
21 statement you say:

22 "One significant difference between Quarriers
23 historically and today, I would say, is in supervision
24 and oversight."

25 I think you're basically making the point that, as

1 you say towards the foot of that page, 22:

2 "In my own personal experience, I recall supervision
3 being a new concept introduced in the 1990s. Now it is
4 the expectation of the Care Inspectorate that care
5 providers will a supervision policy."

6 Are we talking about things like one-to-one
7 supervision and staff appraisal on an individual basis?
8 Is that the sort of thing that historically wasn't
9 a feature of the organisation, Quarriers or perhaps
10 other organisations for that matter?

11 A. I think that that's the most concrete manifestation of
12 what I'm speaking about, but I'm also -- my
13 understanding is that, forgive me on timing again, but
14 say in the 1960s or 1970s, if we had 40 cottages and
15 most of those had two house parents and may also have
16 had, I think, what were termed cottage aunties or other
17 assistants, if all of those were being managed by the
18 superintendent, that's a lot of people for one person to
19 manage.

20 Q. I think that was a point made by Ian Brodie or one of
21 the other witnesses.

22 A. I suspect I have heard that before, but it would be my
23 observation as well. Today, yes, we would be talking
24 about appraisal, one-to-one, reflection -- reflective
25 learning is a critical part of what all of us do.

1 I certainly have learned from my experiences in social
2 care. If you're not given the opportunity with
3 a skilled supervisor to be able to reflect on practice
4 and improve, that's a real difficulty.

5 Q. But the reality then, going back to Joe Mortimer's time,
6 is he wouldn't have time to do that with all his other
7 duties and responsibilities?

8 A. If he did, then I'm deeply impressed.

9 Q. I don't think we've heard evidence he did.

10 A. No.

11 Q. But in reality, for the reasons you've given, there was
12 a lot of cottages --

13 A. Yes.

14 Q. -- and if he was the person that was there in overall
15 charge, it would have been, practically speaking, very
16 difficult for him to give that type of supervision?

17 A. I suspect impossible.

18 Q. Indeed, you make another point, though, in relation to
19 the model, the Quarriers model, if you like, and
20 I suppose this is maybe one of the disadvantages of the
21 model that William Quarrier established at
22 paragraph 103, you say:

23 "In terms of oversight, my view is that the cottages
24 and indeed Quarrier's Village as a whole were quite
25 insular."

1 And you develop that by saying:

2 "From various discussions with former residents,
3 it is my understanding there were different standards
4 among the cottages and each set of house parents ran the
5 house as they felt fit. In my opinion, that is not
6 acceptable in a professional care home where there needs
7 to be a set of standards maintained, for example those
8 set by the Care Inspectorate."

9 Does that really sum up your view of the matter?

10 A. Yes, I think it does.

11 Q. You make the same point essentially in paragraph 104,
12 that as a matter of fact, I suppose:

13 "The standards for each cottage were set and
14 implemented by the cottage parents themselves."

15 A. That reflects what I've heard, what no doubt you've
16 heard, what people have told me. I have nothing that
17 avers me from that view. That seems consistent in what
18 I hear from people who had direct experience of living
19 in the village.

20 Q. Whereas your view, I take it, would be, as you put it,
21 that standards should be set and monitored by the
22 organisation and indeed focused on the supported
23 persons?

24 A. It is. And also, I think that the isolation -- we used
25 to talk certainly in the 1990s about Victorian

1 institutions, whether that was mental health or learning
2 disabilities, but often places were left built outwith
3 conurbations, there was no direct access from society,
4 and that allows cultures to grow up.

5 I'm also struck when I've heard evidence here, folk
6 saying not only did they work with somebody, but they
7 were their neighbour, they went to the shop with them,
8 they went to the church with them. I think it can be
9 very difficult when somebody says to you that somebody
10 you worked with for the last two years has been doing
11 a very bad thing, that can be really hard to believe if
12 they're also your neighbour and they go to the church
13 with you and go to the shops with you. That must make
14 that even harder to believe. In my mind, I think that
15 contributes to a culture in which children are less
16 likely to be believed.

17 Q. You say in paragraph 104 that:

18 "The environment is open to scrutiny ..."

19 This is I think today, you're talking about today's
20 environment:

21 "... and there's also a different culture
22 societally."

23 We have heard descriptions of places in rural
24 locations as being closed communities and having
25 sometimes closed cultures. Is that something that

- 1 you've sensed from some of the reports or evidence
2 you've heard, that that could be a description that
3 applied to Quarrier's Village?
- 4 A. Historically speaking?
- 5 Q. Yes.
- 6 A. Yes, I think that's right.
- 7 Q. And of course, the other point you make, I think, doing
8 a comparison, is that -- and I think you maybe deal with
9 this later on as well -- that record-keeping is of
10 a much higher standard in more recent times than it was
11 historically.
- 12 A. Yes. You can see that merely by the size of a record
13 relating to a young person now as opposed to 30 or
14 40 years ago.
- 15 Q. This is picking up a point that one of the things you
16 talked about at page 24 at paragraph 113, where I think
17 you have a heading "Role of Superintendent" and you say:
18 "A further change between the historic and current
19 organisations is that in days gone by there appeared to
20 be a significant reliance on the superintendent."
- 21 I think we have heard evidence that he did a lot of
22 things and dealt with complaints and a lot of other
23 matters.
- 24 A. One wonders if he ever got a holiday or what happened
25 when he wasn't there.

1 Q. I think it's been suggested it might have taken its toll
2 on him personally. I think there was some evidence to
3 that effect from Mr Brodie.

4 A. That makes sense, yes.

5 Q. Whereas you say that in contrast, on page 25:

6 "Today there's a multidisciplinary approach to the
7 reporting of concerns and complaints."

8 And I think you've explained how that operates in
9 practice.

10 Another matter you touch on in your statement is
11 staff ratios and at paragraph 114 on page 25 you say:

12 "One huge difference between Quarriers' current
13 services and what happened historically at
14 Quarrier's Village is the number of staff in the
15 cottages and the rotation of staff."

16 Am I right in thinking you are saying that really
17 there weren't enough staff in cottages given the numbers
18 of children in those cottages and the profiles of the
19 children that were being looked after and so forth?

20 A. I think yes, I would agree with that broadly speaking.
21 As a father of two, I hesitate to think what it's like
22 to have 20 children in a house. If I add to that that
23 one assumes they came from somewhat difficult
24 circumstances, otherwise one questions why they're there
25 in the first place, but that seems an enormous challenge

- 1 to me.
- 2 Q. I think we can all think of maybe having a children's
3 party where there's 10, 12, 15 children. But if you're
4 doing that for 365 days of the year, that's quite
5 a party.
- 6 A. I don't think party would be the word I would -- but
7 yes, I take your meaning and I agree. I also recognise
8 that -- I feel ... Say two house parents, then if
9 they're getting it wrong, whoever can see that? Whereas
10 if you've got a group of staff on in the morning and
11 then they change to the afternoon, that gives the young
12 person, the vulnerable adult, the opportunity to talk to
13 someone else about what's going on or to pick up on
14 those signs, which wouldn't have been there.
- 15 Q. Yes. In paragraph 116, I suppose you're pointing to
16 some of the advantages of more people being
17 available (a) to form a relationship with and make
18 disclosures to, but (b) to keep an eye on other people
19 so you don't just have a couple of house parents setting
20 their own standards.
- 21 A. Yes. I think children -- some people like me, some
22 people don't. That would be the nature. So if you've
23 got an opportunity to form relationships with a number
24 of people, then you can pick the people that you are
25 most akin with.

1 Q. I think you make the point towards the foot of
2 paragraph 116 that because of the ratio of employees to
3 children historically, house parents just wouldn't have
4 had the time to give them the individual levels of care
5 and nurturing that their needs might require.

6 A. I can only surmise so. I'm not looking to defend what
7 happened, but that seems likely to me, yes.

8 Q. We've heard evidence from quite a number of applicants
9 saying that there was a routine and a structure but
10 there was very little affection or empathy or love or
11 time.

12 A. Yes. Absolutely I agree. It's those reflections that
13 I think brought about that comment.

14 Q. On page 27 at the top, I think to some extent, you give
15 an opinion, effectively, on the Quarriers model. You
16 say:

17 "So much of what I have read indicates that each
18 cottage was an independent household run by the
19 house parents. That was the ethos of Quarrier's Village
20 for a very significant period of history. In my
21 opinion, it is possible that this scheme put children at
22 risk."

23 Is that your considered view?

24 A. From what I've heard and what I've read, that would be
25 my view.

1 Q. It not only put people at risk, but children were abused
2 as we know from the evidence we have heard.

3 A. As we know.

4 Q. You have a section starting on page 28, dealing with
5 various matters pertaining to records. Of course, this
6 is, I think, a subject of great interest and concern to
7 many of the applicants who gave evidence and they've
8 made various points about accessing records, not
9 necessarily always getting full records, being told
10 certain things about records and so forth.

11 A. Yes.

12 Q. I think you're probably aware of all of that evidence.

13 A. Yes.

14 Q. I think you tell us something about the records system
15 and I don't want to go through the detail as I think
16 we're quite familiar. There was an admission form and
17 there was a children's file and there was a discharge
18 register as well that would give some information. You
19 tell us in paragraph 136, however -- I think you're
20 trying to show the progression in relation to
21 record-keeping over time. But you say in paragraph 136:

22 "Over time, but only really in the post-Second World
23 War era, you begin to see more day-to-day recording of
24 issues and events by staff who actually had contact with
25 the children. Then there is a significant leap forward,

1 which would tie in with the introduction of the social
2 work team in response to legislative changes."

3 So is it your sense that there were discernible
4 improvements in record-keeping from the late 1960s early
5 1970s?

6 A. Yes. I wouldn't want to give you the impression it was
7 utterly consistent across each household. Very little
8 seems to have been. But again, I think if you -- you
9 could almost show physically, if you looked at a child's
10 file, if they'd been with us for two years in the 1920s,
11 two years in the 1950s, and two years in the 1980s,
12 you'd literally be able to see the difference merely on
13 size.

14 When you dive both into that a little bit more then
15 clearly there are improvements, one assumes, in guidance
16 about the expectation of what would be recorded and
17 a lot of that seems to have come from social workers and
18 others.

19 Q. You make one point at paragraph 137 towards the foot
20 about discharge books, which we've seen some examples
21 of, and it says:

22 "The discharge books tend to show which cottage
23 a child was placed in at the end of their time in care,
24 but do not uniformly record every cottage a child was
25 placed in or when they moved."

1 A. Yes.

2 Q. "Therefore they do not provide a robust recording system
3 about a particular child's movements whilst in
4 Quarriers' care."

5 I suspect you now know from experience that it's
6 quite difficult at times from the records to work out
7 where a child was, which cottage, when they moved.

8 A. I would go so far as to say it is often impossible. My
9 experience is that often it would say on the admission
10 form, "Admitted to cottage 3". It's not uncommon just
11 to see that crossed out and 7 and then crossed out and 9
12 and then somebody leaves from cottage 9. But there's no
13 indication of the timing of that sequence, just that you
14 know somebody moved through those three cottages.

15 Q. So far as records go, you have a heading of:

16 "Efforts to recover records and documentation."

17 My impression from reading this is that because of
18 this inquiry and some of the requests made, you've done
19 quite a lot of searching for information in a variety of
20 locations as well as the archives you knew you had.

21 A. Yes.

22 Q. And am I right in thinking from this section of your
23 statement that you have located more information, more
24 boxes of records that you're working your way through,
25 or is that --

1 A. I think we ... I hesitate. I don't want to criticise
2 former folk doing similar roles. I think we got better
3 at understanding where things are. So less that we have
4 found new boxes, more that we know where to look now
5 within our records. So for instance -- I hope this is
6 addressing the question you're asking me -- I can
7 certainly think of instances where former residents have
8 asked for their records and got something quite small
9 and it would seem to me that they've been given their
10 own file but there hasn't been an acknowledgement that
11 sometimes there is what we term a family file and
12 therefore there has been information in that that's not
13 been provided.

14 On occasion, we've found things that have been
15 within the archive but they've been misfiled. We have
16 had a significant amount of activity around photographs
17 of people, which are very important for them, and we
18 have been able to locate a number that have been stored
19 in the drapery and we have catalogued those and scanned
20 them now.

21 I don't want to give the impression that we found
22 a room suddenly full of another 10,000 children's files,
23 because that wouldn't be correct.

24 Q. No, I think you tend to have some form of file for every
25 child that was admitted. It may not be a large file,

- 1 but you have something?
- 2 A. Yes. I ... There are a handful of instances where folk
3 have said to me that they were at Quarriers and we have
4 not found a record of that. But that is -- thinking
5 across 30,000-odd children, that is probably the fingers
6 of one hand number.
- 7 Q. But there are some records that would have potentially
8 been very useful to see that you don't have, and I think
9 on page 33 you tell us about two types in particular.
10 One, at paragraph 155, being staff records prior to the
11 1990s. You say that staff contracts were managed by the
12 finance department and there's very little, I think, in
13 the way of staff records prior to 1990; is that the
14 position?
- 15 A. If somebody was employed by Quarriers, say, in the
16 1980s, but stayed with us through into the 2000s, then
17 we will have a record. But my general sense is
18 pre-1995ish, maybe a year either way on that, the
19 introduction of a human resources department had a
20 sea change in our recording of that. Prior to that,
21 I think it had been very transactional, hence it being
22 held by the finance department.
- 23 Q. The other record which we've discussed on a number of
24 occasions is punishment books. It seems clear I think
25 you can find evidence of records that would suggest that

1 there were such books in some cottages, maybe not all,
2 but you've not been able to locate a single example for
3 any cottage?

4 A. No. No, and I think there were ... When I joined,
5 I was briefed that that was something we were
6 particularly looking for and have made significant
7 efforts. When I met with Professor Abrams and
8 Dr Fleming, we talked about this. My recollection
9 is that Dr Fleming told me that whilst they were
10 expected to be in children's homes in Scotland
11 throughout that period, it was an instruction that was
12 widely ignored.

13 The only example that I have found has been a blank
14 book which had a section for punishments but was merely
15 a big black book with nothing written in it.

16 Q. Were you able from any conversation with former staff --
17 we have heard from a Mr Dunbar, for instance, who was
18 described as an honorary archivist for a period. Have
19 you had discussions with him or others about what
20 happened to these books and could he help you on that?

21 A. I have not met Mr Dunbar personally, so I have not
22 directly had that conversation. I have spoken to other
23 former members of staff, Ian Brodie and Stuart McKay and
24 a number of others who we've met as part of this, and
25 indeed children. The picture I formed in my head

1 is that I don't recall everybody being consistent that
2 they were present. Folk will talk about something --
3 and I've regularly heard about recording, so if we just
4 briefly distance ourselves from something that says
5 "punishment book" to a file where punishments might be
6 recorded, I think it's fairly consistent to my
7 recollection that former residents would talk about
8 that, talk about them going up to the superintendent,
9 sometimes weekly, sometimes monthly and there being
10 a process. Nobody has been able to tell me where they
11 are and I am now running out of new places to look.

12 Q. You're saying that if you look at, for example, some of
13 the children's files, at least for some of the period
14 that the inquiry is concerned with, you will find at
15 least references to punishment, but have you ever been
16 able to find much detail on what the punishment
17 consisted of in terms of how many strokes of the belt or
18 any other form of discipline that was administered of
19 which there's some rather vague record?

20 A. It's an impressionistic answer, but my answer would be
21 no. I wouldn't want to rule out the fact that there may
22 be some instances, but I'm clear it is not consistent or
23 effective.

24 Q. Generally speaking, you don't get a lot of information
25 about specific punishments and what type, what form they

- 1 took, and why they were administered from the records
2 which you have seen?
- 3 A. No. When you contrast that with the statements I've
4 heard people describing what happened to them, there's
5 a huge gap between that testimony and what we see --
6 what little we see recorded.
- 7 Q. Yes, because one other thing is that obviously we know
8 from some of the evidence we've heard that we've heard
9 people tell us that they did on some occasions report
10 things that were happening and yet it doesn't appear in
11 their records or any other records have anything to say
12 on it, in a lot of cases, about the matter they've told
13 the inquiry about. If you get their children's record
14 and they say something happened, there's nothing about
15 the matter at all or anything that would help us.
- 16 A. There are instances where that has been recorded,
17 a couple spring to mind but, no, I would say on the
18 whole, again, I couldn't say to you for every issue that
19 you may have heard at the inquiry, I could produce
20 a record in their file of that, no.
- 21 Q. In fact, records of complaints made directly by children
22 rather than maybe via an adult or a local authority are
23 pretty scarce, are they not, in the records?
- 24 A. I would have to agree. I have not seen anything -- if,
25 as I understand, complaints would be raised by going and

- 1 knocking on Joseph Mortimer's door, I have not seen
2 anything that might say he sat and wrote this down in
3 a book or a file or a record somewhere.
- 4 Q. But you have heard the evidence of this inquiry that
5 says: when we said something either nothing happened or
6 we weren't believed or we were punished?
- 7 A. Yes.
- 8 Q. And things of that -- these are the sort of things that
9 have been said at this inquiry. Then of course some
10 say, "We didn't report at all because we were fearful of
11 reprisal or fearful of punishment".
- 12 A. I have. Yes, I have heard that.
- 13 Q. I think you tell us a little bit under this heading
14 "Access to records" on page 33 about what the process is
15 today if people want access to records. Of course, they
16 have a right to their records, access to records, under
17 the freedom of information and data protection
18 legislation.
- 19 A. Yes.
- 20 Q. So there is no question of having a right to withhold
21 information about them.
- 22 A. No, correct.
- 23 Q. There may be information about other parties and there's
24 legal issues around that --
- 25 A. Yes.

- 1 Q. -- but information about them, they have a right to
2 know, if you like.
- 3 A. We treat it as a subject access request under the Data
4 Protection Act.
- 5 Q. Just one point -- and I maybe should have said and I
6 think we made this point in relation to records
7 generally. There are some types of records that you
8 believe some people with be interested in but you may
9 not hold:
- 10 "For example, medical records may be held through
11 the NHS rather than Quarriers, although Quarriers did
12 have a medical superintendent and there are some records
13 we've seen which record some information about health
14 matters."
- 15 Is that one area of records that you wouldn't be
16 able to say, "The are childhood medical records with
17 us"?
- 18 A. Generally speaking, if I think of -- forgive me if my
19 terminology is wrong. What I think of as a GP's record,
20 my understanding is they were transferred to a surgery,
21 Dr Manassis's surgery, and I have confirmed that with
22 the administrator at that surgery, that they're part of
23 an NHS record, I think, from 1948 onwards.
- 24 Q. That's when the National Health Service was established.
- 25 A. That's the information I have been given.

1 We would -- for the epilepsy centre, then we would
2 still have some of our own records relating to that. So
3 it's not completely clear-cut, but generally speaking --
4 indeed, a gentleman was speaking to me about his medical
5 records only last week, and my understanding is that he
6 should be writing to the NHS, again, as a subject access
7 request and requesting it from them.

8 Q. So far as school records are concerned, I think this
9 point was maybe made at an earlier stage, there was
10 a school within Quarrier's Village.

11 A. That's correct.

12 Q. the teachers were employed by the Education Authority,
13 was it? Is that your understanding?

14 A. That's my understanding, that they were employed by the
15 local authority and whilst clearly it was called
16 Quarrier's school and in Quarrier's Village, it was run
17 by presumably Inverclyde or whatever the manifestation
18 of the local authority at that time was.

19 Q. It may be that that authority or its predecessor would
20 be the port of call for such records?

21 A. Yes. We've investigated this to some degree. The
22 Mitchell Library has some records, although from memory
23 from the mid-1950s they have a gap which they've been
24 unable to explain to us. My understanding is the
25 Quarrier's Village school was run by the local authority

1 and whilst children's files may have copies of school
2 reports, much as I have for my children at home, they
3 wouldn't have a full record.

4 Q. So far as the content of the records and the language is
5 concerned, I think on page 34 you do make a comment
6 that -- I'll read it out. It's in paragraph 162:

7 "It is not uncommon for records of the 1950s and
8 1960s to be written in a way which would be wholly
9 unacceptable today and was distressing to the individual
10 reading about themselves."

11 Is that something that has struck you?

12 A. Yes, very powerfully. Sometimes it's about terminology.
13 Phrases that were perhaps clinically used, and indeed
14 one sees in the Mental Health Act -- I wouldn't use them
15 today and I'm even hesitant to utter them -- which can
16 be recorded about individuals. Some of it I can't even
17 give that passing excuse. It's just highly judgemental
18 and inappropriate in my view.

19 Q. In terms of people accessing the records, you have told
20 us that the preference is to try and see them face to
21 face and assist them in accessing their records and
22 looking at them. You tell us on 35, just for the
23 avoidance of doubt, that:

24 "[Your] aftercare team that deal with these matters
25 [you say] do not and cannot provide professional

1 counselling, but seek to have meetings which are
2 conducted in a supportive and empathetic manner."

3 Is that the aim?

4 A. Yes.

5 Q. I think some people were maybe not always happy with the
6 process and you've heard evidence in this inquiry, but
7 is that the general aim?

8 A. Yes. I think in particular, that often -- and you
9 alluded to it in your question earlier -- we do have to
10 redact some third party information. I think it's -- if
11 I think about myself in that position, I think I would
12 find it distressing to see black lines. It's like CIA
13 files about the assassination of JFK or something, it
14 brings to mind those kind of things. I think it's
15 important that we try to take as little as possible out
16 of somebody's file -- I'm prepared to take a risk of
17 including too much rather than too little -- and that we
18 explain what that's about and try and support people to
19 understand why that was.

20 Q. I think some people have said when they've read their
21 records, they always seem terribly negative and they
22 don't see themselves as the person in the records. Do
23 you think there's some force that it's tended to be
24 negative things that were recorded, certainly
25 historically?

1 A. I've heard that from some people and I can understand
2 it. I think it was not uniformly so. There were
3 occasions when it was better. I think when I first
4 started -- and this would be a piece of reflective
5 learning I've undertaken in my career -- writing
6 something in a file was almost a threat to somebody: I'm
7 going to write that in your file, if it's bad behaviour.

8 Q. I think Sara Clarke said to us, if I remember, in her
9 evidence that these records were never meant by those
10 that made them to be seen by the people that they were
11 writing about.

12 A. I'm going back to the late 1980s when I first joined
13 but, yes, I remember the whole idea that people would
14 have access to what I wrote in a file about them as
15 being quite "oh". And it's absolutely the right thing:
16 I want to emphasise that. I think it actually makes our
17 recording much better and our thinking much better and
18 our judgements much clearer if you do write them,
19 thinking: one day you might see what I've written in
20 your file and I'll need to explain why I have put that.

21 Q. I suppose it's a form of accountability?

22 A. Absolutely.

23 Q. In relation to how you support people who want access to
24 their records, I think you have -- as we've just seen,
25 you're not offering professional counselling at the

1 stage of accessing, but you say you do provide
2 information to former residents, if they wish it, to
3 signpost them to other support agencies?

4 A. That's correct.

5 Q. Is that the practice that you tend to follow?

6 A. Yes. My team aren't qualified counsellors and whilst
7 they are supportive and empathetic people, that's not
8 their skill. I question whether it would be
9 appropriate, whether somebody would want counselling
10 from a Quarriers employee about something that they
11 perceived Quarriers to have done. So our preferred
12 method is to signpost people to a variety of agencies
13 who can offer that.

14 Q. I'm not going to go through the progression of the
15 aftercare service, but you tell us obviously about the
16 period when Mr Dunbar was archivist and Josie Bell was
17 performing an aftercare function, but you have moved on
18 from that, I take it, to have a larger aftercare team
19 that deal with these matters?

20 A. Yes.

21 Q. You say there is some good news and you give us an
22 example in paragraph 177 on page 37 where you tell us
23 that you have been advised by one applicant that they
24 were told by Glasgow City Council that they had no
25 records, but they have since been able to provide him

1 with over 700 pages. So that is a bit of good news in
2 one sense in that there were records that the person can
3 see.

4 A. Yes. That's the most stark -- I heard that sitting
5 in the back as he said it here that he had been advised
6 by the council. We have other instances where we've
7 been able to enhance the records that they have and give
8 more information.

9 Q. And, of course, you also have the section on
10 photographs. You do make the point on behalf of
11 Quarriers that they have a lot of photographs in their
12 possession. I think maybe it's become apparent, and I'm
13 sure you've heard some of the evidence, of how important
14 photographs are to many people. It may be one of the
15 few records they've got of their childhood that's them.

16 A. It is -- yes, I think about myself. If ever I go into
17 the loft with the aim of clearing the damn thing out,
18 I end up looking at photographs of my kids or myself or
19 my mum and dad and I don't get anything done.

20 Q. So is the intention in paragraph 179 -- and I don't know
21 how far this has gone in terms of ... because we heard
22 Tom Shaw make this point about recommendations about
23 archives, photographic archives. Are Quarriers creating
24 an archive of photographs?

25 A. We're now in a position where we have -- I had memorised

1 this over the weekend -- I believe it's 130,000 separate
2 images which we have now digitised and, I'm going to
3 say, catalogued. But before you get too excited about
4 what that means we don't always know who people are. So
5 we have photographs but there isn't necessarily
6 annotation that on the left is Mr Peoples and on the
7 right is Mr Coggrave.

8 What we have done -- the legal advice we've taken is
9 that photographs are classified as data under the Data
10 Protection Act so there are some --

11 Q. There are legal issues surrounding release of
12 photographs.

13 A. Yes, what we've come to a position of is we're able to
14 share those, providing we've taken special categories of
15 information out of it, we are able to share those in a
16 kind of decade by decade version and we have had
17 a couple of people already come in and start to sift
18 through those and hopefully either see themselves or see
19 somebody else and help us add to our index. So it's
20 a work in progress but we are now able to share that
21 with people.

22 Q. Towards the end of your statement, one of the matters
23 you're touching on is disclosure of non-recent abuse and
24 what would happen if someone made a disclosure of
25 non-recent abuse. You tell us that your practice or

1 policies changed in that regard recently. You have in
2 fact made a change, and I think essentially we see the
3 change is at paragraph 190. The organisation no longer
4 seeks the individual's permission to pass on information
5 about a disclosure to the police --

6 A. That's correct.

7 Q. -- whereas I think historically or previous practice was
8 to at least advise them that they should consider going
9 to the police themselves.

10 A. Yes. I think it was a fairly contentious decision.

11 There was what I'd term an old-fashioned social work
12 approach to it, which was the empowerment of people
13 reporting it themselves, and a sense of, well, if the
14 individual doesn't report it, what can the police do
15 about it, they're never going to be able to press
16 charges.

17 We spoke about PVG having an information element to
18 it, which was that we should share all of that
19 information with the police, that it was critical that
20 they knew, that it wasn't for us to judge whether that
21 might be the final piece of the jigsaw puzzle for them
22 that allowed them to move forward.

23 On occasion, I have fielded a couple of complaints
24 about doing that and we've got better about providing
25 that information upfront. We have a leaflet now which

1 we issue straightaway, which does say that if you say
2 something that we feel may be reportable, we will do
3 that. I think there was a flaw in our system there.
4 And we've been questioned over that as a data protection
5 issue, but I think it's the right thing to do.

6 Q. But you have warned people that that's what you do?

7 A. Yes.

8 Q. They get a warning about the implications of saying
9 something?

10 A. Yes. Sometimes it's kind of hard to get the warning in
11 before people --

12 Q. Yes.

13 A. It's not unknown for us to get an email which at least
14 alludes to "bad things happened to me" before we have
15 even said anything, so ... but, yes, at the first
16 opportunity.

17 Q. Your final section of the report is there for us to
18 read, but there's a section dealing with family contact
19 and visitors. I'm not going to take you through it in
20 detail but you do say in relation to the approach to
21 family contact and visitors -- I think you say at
22 paragraph 209:

23 "I have not seen a historic policy describing the
24 approach to family visits, nor am I sure there would
25 have been one."

1 I think you say that against a background where
2 we've heard some evidence of sometimes difficulties
3 seeing family or requests being turned down or told that
4 you have to visit at designated visiting times.

5 A. As I think I mentioned earlier, my understanding is that
6 certainly historically -- and I hesitate to put a date
7 around it -- there was -- I think it was called
8 Friends' Day, where people had to sign up and be given
9 a pass and could come for two hours every fourth Sunday.
10 So in terms of an implied policy, then that did exist.
11 But I have heard many people tell me that their mums and
12 dads came, weren't allowed in, may have left things for
13 them that they didn't get or they may then have seen
14 with children of the house parents. That's something
15 that's quite commonly relayed to me.

16 Q. I think it was a Quarriers example of the person who --
17 I think it was their day off or it was a public holiday
18 and they were told they couldn't visit because it wasn't
19 a Saturday or something or the first Saturday in the
20 month.

21 A. I have not heard that particular one, but it's quite
22 plausible. It would fit with other stories that are
23 similar, yes.

24 MR PEOPLES: These are all the questions that I have for
25 you, Charlie, today, I'd just like to thank you. You

1 prepared a very lengthy and detailed statement, which
2 has been of great assistance to us. I'd just like to
3 thank you for that and for attending today to give your
4 evidence.

5 I have no questions from other parties that I'm
6 aware of.

7 LADY SMITH: Thank you.

8 Let me check whether there are any outstanding
9 applications for questions. No.

10 Charlie, thank you very much indeed for your
11 statement, the detail and clarity with which it has been
12 put together is very, very helpful to me, as has been
13 listening to you this morning. Thank you for that and
14 I'm now able to let you go.

15 A. Thank you.

16 (The witness withdrew)

17 LADY SMITH: We'll rise now for the lunch break and I'll sit
18 again at 2 o'clock.

19 (12.58 pm)

20 (The lunch adjournment)

21 (2.00 pm)

22 LADY SMITH: Mr Peoples.

23 MR PEOPLES: My Lady, the next witness is Alice Harper.

24 ALICE HARPER (affirmed)

25 LADY SMITH: Welcome back. I think you know where to sit.

1 When you're ready, I'll hand over to Mr Peoples.

2 Questions from MR PEOPLES

3 MR PEOPLES: Good afternoon.

4 A. Good afternoon.

5 Q. Do you mind if I call you Alice today?

6 A. That's fine.

7 Q. You'll see in front of you -- and you are probably
8 familiar with this now -- there's a red folder which has
9 a copy of the statement that you provided to the inquiry
10 prior to today's evidence. Obviously, the statement
11 will also come up on the screen in front of you, so
12 you're welcome to use either and indeed any other notes
13 that you may have brought along.

14 I'll give the reference, our reference, that we've
15 given to your statement: QAR.001.007.8047. But I'll
16 refer to just the page number or the paragraph number
17 today if I may.

18 Can I just start by asking you to confirm, you're
19 Alice Harper and you are currently the chief executive
20 of Quarriers?

21 A. That's right.

22 Q. You tell us in your statement that you became acting
23 chief executive of Quarriers in January of 2014 and were
24 appointed to the role in June 2014.

25 A. That's correct.

1 Q. And I think you tell us, and I'm not going to go through
2 this in detail today, you joined Quarriers in July or
3 August 2012 as a deputy chief executive and service
4 director?

5 A. That's right.

6 Q. And you tell us a bit about your responsibilities
7 in that role in your statement.

8 Can I just confirm, and it's something I think you
9 tell us about in your statement, you have read all the
10 applicants' statements that have formed part of this
11 case study; is that correct?

12 A. That's right.

13 Q. And I think that you've been present when applicants
14 have given evidence in this hearing room --

15 A. That's right.

16 Q. -- about Quarriers?

17 A. Yes.

18 Q. Against that background, rather than starting at the
19 beginning of your statement, can I start a bit further
20 on towards the end. Can I ask you, if you could, to
21 look firstly at paragraph 222 on page 35. I'd be
22 grateful if you could read out the final sentence.

23 I will deal with the other matters in that section in
24 due course.

25 A. "I also recognise how difficult it is for survivors to

1 come forward and give evidence at the Scottish Child
2 Abuse Inquiry and I have the utmost respect for every
3 one of them who has done that".

4 Q. Can I ask you to turn to the final page of your
5 statement, page 36 at page 226, and read what you have
6 said there.

7 A. "Personally, I am deeply saddened and shocked from the
8 evidence I have heard about children's experiences and
9 the impact on their lives that the abuse has had.
10 I will never forget that. On behalf of Quarriers,
11 I unreservedly apologise to those who suffered abuse
12 when in the care of the organisation."

13 Q. Can I take you now to that part of your statement at
14 page 10, which is headed "Abuse". You've set out there
15 some evidence which I would like you also to read at
16 this stage. Can I ask you to read on page 10 from
17 paragraph 57 through to paragraph 63?

18 A. "As the current chief executive of Quarriers,
19 I apologise both personally and on behalf of the
20 organisation to any person who was abused as a child
21 whilst in Quarriers' care.

22 "On behalf of the organisation, I accept that there
23 was widespread abuse of children at Quarriers. As
24 chief executive I am deeply saddened and shocked to hear
25 about this widespread abuse and its nature.

1 "The majority of the allegations that we are aware
2 of range from the 1950s through to the 1980s. However,
3 we have also seen evidence of abuse as far back as 1916.
4 There is documentary evidence of managerial awareness of
5 physical abuse of children by staff as long ago as the
6 1930s. In particular, there is a letter from the
7 chairman to the fathers of boys' cottages in 1937 that
8 indicates that boys were being thrashed at that time and
9 that a complaint had been made by the Royal Society for
10 the Prevention of Cruelty to Children. We have also
11 found evidence that in 1938 that a house father was
12 sacked for physical abuse of a boy.

13 "Abuse of children cared for at Quarrier's Village
14 has been confirmed in the criminal courts. Seven former
15 employees of Quarriers have been convicted of abuse of
16 children. Those employees were Samuel McBrearty,
17 John Porteous, Alexander Wilson, Joseph Nicholson,
18 Mary Arnold/Drummond, Euphemia Climie/Ramsay, and
19 Ruth Wallace. One further employee --"

20 Q. You don't need to mention that name.

21 A. "A child of house parents at Overbridge,
22 Stewart Gilmore, was convicted of abuse of three other
23 children while they were in Quarriers' care.
24 I understand that he reached an agreement with the
25 procurator fiscal that he would plead guilty to having

1 abused those children when he was under 16 years of age
2 himself.

3 "Quarriers accepts the verdict of the courts and
4 accepts that all of these offences occurred.

5 "There have been a significant number of other
6 allegations of sexual and physical abuse, cruelty and
7 emotional abuse.

8 "I do not intend to comment on specific instances of
9 abuse described by applicants, however I will address
10 the themes which we consider arise from the evidence
11 we have seen and heard from applicants, information from
12 the criminal cases, disclosures made to our aftercare
13 department, and evidence through the Time To Be Heard
14 process."

15 Q. I now propose perhaps to do that, to look at the themes
16 that you mention, and I think at paragraph 65, as you
17 confirmed earlier, you have read all of the applicants'
18 statements and you have been present when applicants
19 have given evidence about their experiences. What you
20 tell us is that you have identified a number of
21 recurring themes in relation to the types of abuse that
22 children suffered at Quarriers that you have listened to
23 and read.

24 You break that down into different heads and maybe
25 it's convenient if we take them in that way today. The

- 1 first head and theme that you pick up is the issue of
2 physical abuse. What have you concluded on that at
3 paragraph 66? I think you tell us --
- 4 A. Obviously, through the evidence that I have read and
5 heard, physical abuse was at times of a disproportionate
6 nature and there is complaints of physical punishment
7 and assaults that's taken place as far back, as I have
8 said in my statement, as 1937.
- 9 Q. I think just to be absolutely clear, you accept -- and
10 indeed you say in your statement at paragraph 66 --
11 there's ample evidence that children were physically
12 abused at Quarrier's Village. So that's not in dispute,
13 is it?
- 14 A. That's right.
- 15 Q. And you mention, indeed, the 1937 letter from the then
16 chairman on that matter. In paragraph 67, again, you
17 make it clear you say that there was excessive
18 punishment of children at Quarrier's Village. So that
19 again is something that you accept on behalf of the
20 organisation?
- 21 A. Yes.
- 22 Q. And you indeed mention the 1937 letter and you also say
23 that a number of individuals have been convicted of
24 physical abuse and I think we know some of the examples
25 that you read out.

1 You say:

2 "There was abuse by beatings, excessive use of the
3 tawse, and hitting children with implements such as
4 shoes and belts. There also allegations of children
5 having to hold their hands above their heads or being
6 made to sit on a stool for hours on end."

7 A. That's right.

8 Q. You say these types of punishment were cruel. So
9 is that your description and the organisation's
10 description?

11 A. Yes.

12 Q. And then you've told us that one house father was
13 dismissed for assaulting a boy in 1938 in paragraph 68,
14 and I think you mentioned that earlier.

15 Indeed, you mention another occasion when a youth
16 leader was requested to provide his resignation in 1967
17 after assaulting two children with a plimsoll shoe.
18 That's something that you have uncovered?

19 A. That's correct.

20 Q. Three of the persons convicted -- Mary Arnold or
21 Drummond, Euphemia Climie or Ramsay, and Ruth Wallis --
22 as you say, were each convicted of the physical abuse of
23 children.

24 A. Yes.

25 Q. I think we know that these offences did take place,

1 certainly in the case of Mary Drummond, between 1952 and
2 1961. I think for Effie Climie, it was perhaps between
3 1968 and 1973. For Ruth Wallace, 1972 up to about 1981,
4 I think, was the period covered by the charges.

5 A. I think so.

6 Q. So we're dealing with more than three decades
7 in relation to those offences.

8 You make a point at paragraph 70 that acceptable
9 standards of corporal punishment have evolved over the
10 years. We've heard evidence that corporal punishment
11 was basically prohibited at a certain point within the
12 organisation after certain developments happening in the
13 wider world.

14 A. Yes.

15 Q. But you say it was once the norm for corporal punishment
16 to be used in schools and homes. Can you read the next
17 bit for me, though? You qualify that by adding
18 something else.

19 A. "However, excessive or disproportionate physical
20 chastisement of children has never been acceptable.
21 It is clear that there are instances of house parents,
22 and others, using physical chastisement which went well
23 beyond what was considered acceptable at the time."

24 Q. The next part of your statement, starting at page 12,
25 addresses the issue of sexual abuse and we've heard

1 evidence of such abuse. I think you make it clear at
2 paragraph 71 that children were sexually abused at
3 Quarriers and we know that there were certainly
4 convictions and we have heard other evidence of abuse of
5 a sexual nature.

6 A. That's right.

7 Q. You mentioned the people who were convicted and you
8 mention a person who was convicted but successfully
9 appealed his conviction. You make a further point and
10 maybe tell us what this is at paragraph 74.

11 A. "I accept, of course, that simply because individuals
12 have not been convicted of certain offences does not
13 mean that they did not abuse children in the way
14 alleged."

15 Q. You also identified and I think we've heard quite a bit
16 of evidence about bed-wetting and responses to
17 bed-wetting.

18 A. Yes.

19 Q. And you see this as another recurring theme from the
20 evidence that's been presented as part of this case
21 study.

22 A. That's right.

23 Q. Just tell us what you say on that subject at
24 paragraph 75, the first sentence or two sentences.

25 A. "There is a recurring theme amongst the witnesses'

1 evidence that bed-wetting was responded to
2 inappropriately by house parents either through
3 punishment or humiliation. On behalf of Quarriers
4 I acknowledge that happened. Children who wet the bed
5 may have been ridiculed, humiliated and sometimes
6 punished for that by house parents. From what I have
7 read, these practices appear to have continued certainly
8 up until the 1970s. The Time To Be Heard report
9 suggests they may have continued, at least in some
10 cottages, into the 1980s."

11 Q. I think you attempt in paragraph 76 to perhaps try and
12 work out what the mindset was at the time and why this
13 was the way bed-wetting was responded to. What's your
14 view on that?

15 A. I think, historically, as I've mentioned in my
16 statement, it was seen to be something that was more of
17 a nuisance to the house parents and perhaps that also
18 linked to a lack of understanding about child
19 development and their emotional needs as well, and also
20 the reason about why they've come into Quarriers and
21 that bed-wetting can also be a sign of trauma, distress
22 and even abuse.

23 Q. I think you believe that the standing orders in terms of
24 the wording do treat the matter as an inconvenience
25 rather than a matter that should be treated

- 1 sympathetically.
- 2 A. That's right.
- 3 Q. And I think a point you make on a number of occasions
- 4 is that this doesn't appear to you to be necessarily
- 5 consistent with being a child-centred approach.
- 6 A. Absolutely.
- 7 Q. You also touch upon, and we did hear some evidence
- 8 about, the use of the mat and bell system for some
- 9 chronic bed-wetters, I think, probably, on the evidence.
- 10 Tell us what you understand was the situation with what
- 11 you call the pad and bell.
- 12 A. Certainly the pad and bell, it was a method which was
- 13 used to try and treat enuresis. Even today, the bell
- 14 and pad is part of the treatment of enuresis, and it's
- 15 seen by checking through the NICE guidelines, which is
- 16 the National Institute of Centre of Excellence (sic), in
- 17 respect of the care of children there.
- 18 It's one method that can be used, but generally
- 19 it is understanding, first of all, child development and
- 20 ruling out any physical causes, et cetera, first of all,
- 21 before going to a behavioural management approach.
- 22 Q. But you do make a comment that in the context of
- 23 children in care, at least with the benefit of
- 24 hindsight, you feel that that -- it might have been
- 25 a source of distress because it marked people out as

1 bed-wetters?

2 A. Yes, that's right.

3 LADY SMITH: Also a source of distress if it caused damage
4 to the skin.

5 A. Yes. I haven't -- my experience of working as a nurse
6 and a health visitor and a midwife, I have never
7 experienced that, seen that at all, so that's something
8 that I have never witnessed.

9 LADY SMITH: But you will recall the evidence about that?

10 A. I have heard that, yes.

11 MR PEOPLES: I don't think it was just hearing: I think
12 there are records that show that there was injury and
13 they took the pad and bell away and then there was
14 evidence that the sores were improving and getting
15 better. I don't think it was just oral evidence, there
16 was certainly a written record.

17 LADY SMITH: There was a written record about it and the
18 description was some pretty nasty ulceration of the
19 skin.

20 A. I've heard the evidence on that. I haven't actually
21 seen any clinical records on that.

22 LADY SMITH: What I haven't seen either -- and maybe
23 there isn't any -- is a record about what Quarriers
24 decided to do in light of the fact a child had suffered
25 physically in this way from the pad and bell system and

1 whether anyone addressed whether or not it should still
2 be used or still used in that format or what had gone
3 wrong or whatever.

4 A. No.

5 LADY SMITH: I don't think we found anything, Mr Peoples;
6 is that right?

7 MR PEOPLES: No. And you haven't, I take it --

8 A. I haven't seen any records on what action.

9 Q. What you're telling us is that -- you have a nursing
10 background as well?

11 A. Yes.

12 Q. I have not gone into that, but you do. Something like
13 this -- maybe not the same, it may have moved on from
14 the days that this was being used in the 1950s,
15 I think -- but this is still a method that is used.

16 A. Uh-huh.

17 Q. And there was reference to a doctor and I have forgotten
18 his name now.

19 A. There was a doctor in the hospital that set up an
20 enuresis clinic.

21 Q. Was he the one that is mentioned in the context of using
22 this pad and bell rather than being perhaps the inventor
23 of it? Do you recall?

24 A. I don't recall that.

25 LADY SMITH: I think the doctor's name we heard was the

1 doctor to whom the invention was attributed, and I can't
2 remember, something beginning with N perhaps. I'll
3 check it.

4 MR PEOPLES: We can find out.

5 It clearly was something that pre-existed, it wasn't
6 a device that was somehow invented by a doctor in the
7 Quarriers hospital or set-up. It was something that you
8 understand was in more widespread use?

9 A. Yes. I'm not aware that a doctor in Quarriers invented
10 it.

11 Q. I think the name is a more general one, but we can find
12 that out. You hadn't come across a situation before
13 where at least a device of this kind had caused burning
14 or injury?

15 A. I have never in my personal experience ever come across
16 that.

17 Q. Another theme which you picked up and comment upon is
18 force-feeding. You deal with that on page 13 at
19 paragraphs 79 and 80. Can you read that passage for me?

20 A. "Another recurrent theme is children being force-fed.
21 There are numerous allegations of children being
22 physically forced to eat food they did not like. There
23 is also some evidence that children were made to eat
24 food into which they had vomited. There are also
25 accounts that children were re-presented with meals

1 which had previously been served and which they were
2 unable to eat.

3 "I accept this occurred at Quarrier's Village and
4 that these practices were unacceptable."

5 Q. When you express that view that it was unacceptable,
6 I take it you mean at the time it occurred?

7 A. Unacceptable at any time.

8 Q. The pad and bell may be something that has some sort of
9 medical basis, but when we're dealing with this sort of
10 practice, it's just not acceptable at any stage?

11 A. Absolutely not acceptable.

12 Q. You also deal with isolation as a further theme that
13 you've picked out from the evidence that you've listened
14 to and read. Can you read what you have said
15 in relation to that matter, please?

16 A. "Another recurrent theme is that children were sent to
17 stand in the shed as a punishment. I accept that this
18 happened. From what I have seen of the cottages
19 themselves and the evidence I have heard, the shed was
20 not actually a garden shed as one would normally
21 understand it. It was more like a porch. It was
22 a stone outbuilding which was attached to the cottage
23 and could be accessed through the cottage by a door.
24 I understand that it was used as an area for shoes,
25 outdoor clothes and play equipment, et cetera.

1 "Children were clearly sent to the shed to be
2 isolated as a punishment. In modern childcare practice,
3 you would not do that. Sending children to the shed
4 seems to have been a commonplace practice and it may
5 have been considered an acceptable practice within
6 Quarriers at the time. However, some of the accounts
7 indicate that children were sent there in their
8 nightclothes or scantily dressed and that the conditions
9 were very dark and cold. Young children who are
10 traumatised should not be isolated in that way and they
11 certainly should not be isolated in a cold dark room.
12 From the accounts of some of the applicants, being
13 isolated in this way was traumatic for them.

14 "Children were also isolated in other ways, such as
15 being locked in cupboards. I do not consider that was
16 ever an acceptable way to treat a child."

17 Q. So when you say it seems to have been perhaps
18 a commonplace and maybe an acceptable practice, I take
19 it that's based on the fact that it seemed to be
20 happening a lot?

21 A. Yes.

22 Q. You're not saying that somehow there was some kind of
23 standard research that said that's a good way to bring
24 children under control, lock them in a shed or
25 a cupboard?

- 1 A. No.
- 2 Q. You also deal with another theme, and it's one I think
3 that you've got a view on as well. We have heard some
4 evidence, as you tell us in your statement, of children
5 being made to call house parents mummy and daddy. Just
6 tell us what your comments on that evidence are.
- 7 A. What's coming through, obviously, from the evidence
8 is that there's a recurring theme that some children
9 were told to refer to the house parents as mummy and
10 daddy, which they found very difficult because they may
11 already have a mother and a father. So this wouldn't be
12 something that they would want to do, but for some
13 children, this seemed to come through that they were
14 made to call the house parents mummy or daddy.
- 15 Q. And I think you say you accept that this did happen at
16 Quarrier's Village, so there was this practice?
- 17 A. Yes. It may have been, as I've mentioned in my
18 statement, in some cottages that this would be -- if
19 they were meant to replicate family life and treat the
20 children as their own, that there might have been good
21 intentions there from some house parents that this was
22 to replicate family life.
- 23 Q. But I think you say, quite squarely, it wasn't fair to
24 require, certainly children who knew they had a mummy
25 and daddy and maybe came when they were old enough to

- 1 appreciate that, to expect them to call house parents
2 mummy and daddy?
- 3 A. That's right.
- 4 Q. I suppose it might be said that, well, in the days when
5 it was an orphanage and there were no parents and the
6 child might have been very young, there might at least
7 have been a plausible argument for saying, well, call
8 them mummy and daddy to give them a sense of family
9 life. But in the situation where they had had a family
10 life before coming to Quarriers, is that defensible at
11 all or justifiable?
- 12 A. No, and especially where the parents might also be
13 visiting the child, it must have been confusing.
- 14 Q. Did you see anything in any records which would have
15 either said this was an approved practice or it's
16 a practice that should not be continued?
- 17 A. No, I haven't seen anything.
- 18 Q. But it clearly was a practice that continued for quite
19 a number of years, I think, on the evidence we've
20 heard --
- 21 A. From the evidence.
- 22 Q. -- in some cottages at least.
- 23 A. Yes.
- 24 Q. You also deal with -- and this is perhaps something that
25 maybe is a common theme among all providers --

1 separation of siblings and contact with family.
2 Of course, we know, I think, that historically in
3 Quarriers there were boys' cottages and girls' cottages,
4 although that started to change in the 1950s, I think it
5 was.

6 A. Uh-huh.

7 Q. So what have you got to say on that matter?

8 A. Certainly there's evidence that, again, heard and read,
9 that there was separation of siblings. There might have
10 been cause for that where children were of a different
11 age or, as you were saying, before the 1950s when it was
12 girls' and boys' cottages. Also, it might be that some
13 cottages were full and couldn't take all the siblings at
14 one time. So there might have been different reasons at
15 specific times for that.

16 Q. But even if you can find reasons for it, what do you
17 make of the practice?

18 A. It's not something that is acceptable because children
19 are being taken away from their families under traumatic
20 circumstances generally, brought into Quarriers, and
21 then to be separated from the only part of family that
22 they have left must have been traumatic again.

23 Q. Because you do make quite a strong statement on that at
24 paragraph 91. You say:

25 "My personal view is it would be extremely cruel if

1 a child was separated from their parents and then
2 separated again from the only part of that family that
3 they were hanging on to. Siblings may well have been
4 used to sleeping either in the same room or even in the
5 same bed so they were likely to have had an emotional
6 attachment to each other. The practice of separating
7 siblings is another indicator that the care provided
8 at the time was not always child-centred."

9 A. That's right.

10 Q. There is also some evidence, and you mention this in
11 paragraph 90 and I don't know what comment you have on
12 that evidence, that some children didn't seem to know
13 who their blood siblings were, even when they were
14 in the same cottage. I think there was evidence at
15 least from one source on that.

16 A. I've heard and read evidence that for some children, as
17 you've mentioned, they didn't know who their siblings
18 were. Again, it might be that they were brought into
19 Quarriers very young and didn't -- if they were
20 separated, they may not have known, but that's
21 certainly -- some children have had that experience.

22 Q. Are you able to tell us, was there some positive policy
23 or at least discouragement to have both contact with
24 family outside the orphanage, but even sometimes contact
25 with siblings within the orphanage?

1 A. I'm not aware of any policy -- sorry, could you repeat
2 the question?

3 Q. Really, whether it was discouraged both to have family
4 contact with people in the outside world, at least for a
5 period, some of the people that we are looking at, and
6 also it was discouraged that siblings who were known to
7 be blood siblings should find that out and have contact.

8 A. I'm not aware that there was a policy or procedure, but
9 certainly practice-wise, the contact with the families,
10 for example visiting, once a month on a Saturday by
11 appointment, that isn't obviously encouraging to keep
12 your family links.

13 Also, with the children in the village that they
14 were in separate cottages, I'm not -- I think some of
15 the evidence that I have read is that they weren't
16 necessarily encouraged to meet with their siblings after
17 school. They may meet with them within school, but at
18 certain periods in time within Quarriers it was the case
19 that it wasn't necessarily encouraged for some.

20 Q. I think when requests were made for visits outwith
21 normal visiting times, they weren't always greeted with
22 much enthusiasm and people were turned away or told they
23 couldn't come.

24 A. Yes. I have certainly heard that evidence for some
25 families.

1 Q. You deal with another matter that we heard evidence
2 about: children being put in cold baths after wetting
3 the bed. This to some extent is part of the bed-wetting
4 response. You've made some observations on that. What
5 are these?

6 A. Yes. There was evidence that some children were put in
7 cold baths after they had wet the bed. This was seen as
8 a punishment or a deterrent for bed-wetters. It's
9 something that I hadn't heard of until the allegations
10 coming through. I have never heard of cold baths being
11 a treatment for something that would help to stop
12 bed-wetting.

13 Q. So it's not like a pad and bell, you can't trace any
14 respectable source for saying that if you put a child in
15 a cold bath, that's an approved practice that might lead
16 to them not doing it again?

17 A. Exactly. I'd never come across it.

18 Q. And you have this nursing background?

19 A. Yes.

20 LADY SMITH: What about the literature going back to,
21 I think, Victorian times, which suggested that to get
22 rid of the smell of urine you need cold water?

23 A. I hadn't come across that before either.

24 LADY SMITH: There is some available to that effect.

25 MR PEOPLES: Is there any evidence that those that engaged

1 in this practice at the time we're looking at were
2 thinking that that was the reason for giving a cold
3 bath? Have you found any evidence to suggest they
4 thought there was some sound basis for giving a cold
5 bath?

6 A. I can only imagine that that happened to try and
7 deter -- somehow they must have thought that would stop
8 people.

9 Q. But they weren't trained and they didn't know anything
10 about -- they wouldn't have a nursing qualification or
11 knowledge of what happened in Victorian times.

12 A. Exactly.

13 Q. They were often untrained and often had no childcare
14 experience.

15 A. That's right.

16 Q. But they'd obviously got the practice and it was
17 a practice that was used in some cottages?

18 A. Uh-huh, in some cottages.

19 LADY SMITH: So do you have the impression it was being used
20 as some sort of basic aversion therapy?

21 A. That's all I can deduce from it.

22 LADY SMITH: And yet it didn't work.

23 A. It didn't work. No, it wouldn't.

24 LADY SMITH: But kept being used.

25 MR PEOPLES: So even if it was some sort of layperson's good

1 idea, then they should have realised very quickly that
2 wasn't having the desired effect and maybe should have
3 tried something better?

4 A. Exactly.

5 Q. Or consulted a doctor?

6 A. Mm-hm.

7 Q. And there were doctors around they could have gone to?

8 A. That's right.

9 Q. I think some did go to doctors, but obviously some
10 didn't.

11 A. That's right.

12 Q. You deal with a separate matter under cold baths --
13 I think it's more a general point about bathing -- at
14 paragraph 94, where you make reference to the 1944
15 standing orders, which has a statement that it's the
16 duty of house mothers or house fathers to personally
17 supervise the bathing of children of whatever age. And
18 I suppose if you are looking for a basis for standing by
19 when children between the ages of 5 and 15 or 16 were
20 bathing, then you could find it in the standing orders.

21 A. I assume that.

22 Q. But that practice would obviously clash a bit with the
23 idea of personal privacy once you get to a certain age.

24 A. That's right.

25 Q. So if that standing order was still being applied well

1 after 1944, was that an example of an outmoded statement
2 or direction that should have been taken away --

3 A. Absolutely, yes, yes.

4 Q. -- from the instructions or guidance documents?

5 A. I would have thought so.

6 Q. Because I think, as you say, there was some evidence
7 that some older residents did bathe on their own and had
8 a degree of privacy as time went by --

9 A. Uh-huh.

10 Q. -- whatever the standing order said?

11 A. That's right. I guess also we see variations in
12 cottages, so again it would depend very much on the
13 quality of the house parents.

14 Q. I think we should say -- obviously, you're picking up
15 these themes, but I think it's clear, and you make this
16 point, that this isn't every cottage, and it's not
17 everyone's experience. I think applicants have said
18 that as well that there are good experiences, bad
19 experiences, good cottages, perhaps bad cottages.

20 A. Yes. It seems to link in to who the house parents were.

21 Q. You deal with the subject of emotional abuse starting at
22 paragraph 95 in your statement. You pick up a number of
23 themes under that head, do you not? And before we maybe
24 look at some of them, I think you already categorised as
25 a form of emotional abuse the mummy and daddy

- 1 requirement.
- 2 A. That's right.
- 3 Q. And the impact of separation of siblings, I think you
4 would say, at least objectively, was a form of, for
5 some, emotional abuse that had a lasting impact.
- 6 A. Yes.
- 7 Q. Can you read the next statement, paragraph 96? That
8 seems to be something that has struck you quite
9 strongly.
- 10 A. "What comes across most strongly to me from the evidence
11 is the experience children had of being depersonalised.
12 They did not have a feeling of being loved. They were
13 told that nobody wanted them or they were seen as
14 troublemakers or worthless. They had to wear clothes
15 which were hand-me-downs and clothes which were
16 identical; some state they had nothing to call their
17 own. There are clearly some aspects of care provided by
18 Quarriers historically which were very institutional."
- 19 Q. I'll just pause there. That strikes you as one of the
20 biggest issues for you, is it, about this
21 depersonalisation and lack of love and affection?
- 22 A. Again, when you look at care today, it's very
23 child-centred about the child and the individual and
24 preferences and choices, whereas going back and hearing
25 the evidence and reading it, again large cottages, if

1 you're supporting, at some points in history,
2 30 children in a cottage to then 14 in the 1960s and
3 1970s, the number of children and the staffing would
4 allow itself to be -- the care to be institutionalised
5 and regimented. Although there is evidence to say that
6 in some cottages there was a great deal of affection, so
7 again, it's back to who ran the cottage.

8 Q. I take it that while no doubt there is examples where
9 despite maybe the difficulties, some people did get good
10 experiences and did get a degree of affection or enough
11 affection, it can't have been easy for a house parent or
12 house parents with 15, 20, 25 children to have the time,
13 even if they didn't have the experience, to have the
14 time to give this nurturing and affection and empathy
15 and encouragement?

16 A. Exactly. With regards to the number of the children,
17 the chores that would be required, you know, making
18 meals, keeping the house clean, et cetera, it would be
19 very difficult.

20 LADY SMITH: But none of that can be an adequate explanation
21 for being offensive to and about the children and using
22 the sort of remarks we have heard so much evidence about
23 that you allude to.

24 A. Yes.

25 LADY SMITH: Isn't that right?

- 1 A. Unacceptable.
- 2 LADY SMITH: And it's not particularly difficult to speak
3 kindly to children, even if you're busy.
- 4 A. That's true.
- 5 MR PEOPLES: You also deal under this head of emotional
6 abuse -- although it's maybe a more general point and
7 I think you deal with it later -- you feel it wasn't
8 made easy for children to complain about their lot in
9 Quarriers historically.
- 10 A. That's right. I think there's been quite a bit of
11 evidence given at the inquiry about how the system, if
12 you like, didn't lend itself to children complaining.
- 13 Q. Indeed, you make the point that when they did complain,
14 it appears they were often not believed, punished, made
15 to apologise.
- 16 A. Yes.
- 17 Q. You have heard that evidence, I'm sure --
- 18 A. Yes.
- 19 Q. -- in the course of this inquiry.
20 So that would have been a deterrent in itself, even
21 for those that were bold enough to complain once?
- 22 A. Exactly.
- 23 Q. I suppose that paragraph 100 is really a development of
24 your paragraph 96. You say:
25 "There appears to have been a lack of appropriate

1 empathy and affection with the children."

2 You explained there may be reasons why that
3 happened, but the next part is:

4 "They were often denigrated for being in care."

5 Whatever the difficulties, as you've told
6 her Ladyship, that was totally unacceptable.

7 A. Unacceptable.

8 Q. Maybe this goes back to a general point about autonomy
9 and different houses and different standards. At
10 paragraph 101 you identify another issue which seems to
11 have emerged from the evidence about the
12 Quarrier's Village historically and what is that?

13 A. Yes, that there was a very uneven quality of care
14 provided. It comes through loud and clear that
15 children's experiences in Quarriers depended very much
16 upon the particular cottage they were in and the
17 house parents responsible for their care.

18 LADY SMITH: I think we even had evidence that even within
19 one cottage there could be a stark variation between the
20 two house parents.

21 A. That's right.

22 LADY SMITH: The Tangemans that were referred to, for
23 instance --

24 A. Yes.

25 LADY SMITH: -- a great, great house mother and a scary

- 1 house father.
- 2 A. That's right. And again, there may be situations where
3 children have had a good experience in a cottage where
4 other children have had very bad from both parents.
- 5 MR PEOPLES: So there's a variety of situations that have
6 come out of the evidence. As you say, one good
7 house parent, one not so good, but children being
8 treated differently in the same cottage by the same
9 house parents --
- 10 A. Yes.
- 11 Q. -- and different cottages have different regimes,
12 standards, punishments and so forth.
- 13 A. Uh-huh.
- 14 Q. You try to draw that together at paragraph 102. What
15 point are you making there? You've formed an
16 impression, you say, about the model of care of
17 Quarriers historically. What is that impression?
- 18 A. Well, as I've mentioned in my statement, it reinforces
19 that impression that the model of care provided by
20 Quarriers was historically not apt to meet the needs of
21 every child. So it wasn't child-centred because of all
22 the areas that we've already discussed: the way it was
23 set up; the variation in house parents; the environment;
24 the numbers of children, et cetera, in each cottage; the
25 quality of the house parents; the training; the

1 supervision. There was a lack of consistency in
2 focusing on individual children's needs.

3 Q. I suppose if one was looking at records of children when
4 they were admitted and how much information seemed to be
5 recorded, if you were wanting to find out their
6 individual needs, you'd need a lot more information than
7 was clearly obtained at the time?

8 A. This is true, and there wasn't evidence within the
9 records of an assessment before they came into the care
10 of the village within Quarriers, what the child's needs
11 were.

12 Q. Quarriers was really a general provider historically for
13 children that were in need of care away from home and it
14 accommodated a large number of children.

15 A. Yes.

16 Q. We've heard some evidence from Barnardo's that there
17 came a time when they were maybe focusing more
18 specifically on children with complex needs and more
19 specialist services for children who were at one stage
20 labelled maladjusted or children who had learning
21 disabilities or physical disabilities. And they say
22 that was to some extent a conscious move.

23 In Quarriers' case, that wasn't a conscious
24 direction of travel, was it, for most of the period that
25 the village was in operation?

- 1 A. That's right.
- 2 Q. They were just taking children?
- 3 A. Children, yes.
- 4 Q. From a variety of circumstances?
- 5 A. That's right.
- 6 Q. But can we assume, is it a fair assumption and a likely
7 assumption, that a good number of these children would
8 have complex needs, would have challenging behaviours,
9 would have dysfunctional backgrounds and therefore might
10 require more specialist care provision?
- 11 A. That's right. Again, the history of many of these
12 children, from what they've experienced in their young
13 lives before they've come to Quarriers, has probably
14 been lack of parental support, lack of education,
15 development. They've been traumatised before they come
16 into Quarriers, so they are going to have emotional
17 issues, if you like, behavioural issues, and also mental
18 health issues as well.
- 19 Q. But there's not a great focus, is there, in the
20 records -- at least, the historical records -- of each
21 child that that's been identified and addressed. Would
22 that be fair to say in general terms?
- 23 A. Yes. And obviously in today's world and practice there
24 is a big focus on children's well-being.
- 25 Q. Although having said that, we did hear evidence that at

1 least at some point in the history of the village, they
2 started to appoint in-house psychologists. I think
3 Jean Morris was there and her predecessor, Mrs Schaffer.

4 A. That's right.

5 Q. So they did start to have professionals?

6 A. They did. I can't recall the actual year. I think it
7 may have been around the 1960s that psychologists were
8 employed. Again, there's some information to say that
9 they could have been better used within children's
10 reviews and obviously through education and support of
11 house parents.

12 Q. Yes, because I think if we come to the 1965 report later
13 on, there was some evidence to the effect that although
14 there may have been a psychologist at that stage, she
15 perhaps was a bit underemployed and underused and her
16 talents weren't being used to the full?

17 A. Certainly from what I've read.

18 Q. Are you able to gauge who made referrals ultimately?
19 When Jean Morris, for example, was seeing children, who
20 was it that was deciding it was a good idea that she
21 should see particular children? Was that the
22 house parents or the superintendent or someone else?

23 A. I assume that it was the house parent, although I can't
24 recall seeing an actual referral form, you know, or
25 evidence of a referral and why the child would be

- 1 referred to the psychologist. I can't recall.
- 2 LADY SMITH: Could it have been to do with the contact of
- 3 the in-house social worker with the family?
- 4 A. It could have been.
- 5 MR PEOPLES: So when they were set up then, that might have
- 6 been one avenue which would have led to a referral?
- 7 A. It could have been.
- 8 Q. You also deal in paragraph 103 on page 17 with another
- 9 theme, the carrying out of chores in cottages. We heard
- 10 some evidence about that.
- 11 A. Certainly, from the evidence that I've heard and read,
- 12 children in some cottages were seen as domestic labour
- 13 and some had excessive chores for their age and their
- 14 stage. Again, there was variation in cottages
- 15 in relation to this. So for some cottages it wasn't
- 16 such an issue.
- 17 Q. I take it you would say that there shouldn't have been
- 18 that level of variation. If there was a single care
- 19 provider providing care in a single location, you
- 20 shouldn't have that degree of variation between
- 21 cottages?
- 22 A. Again, you would expect that there might be policy,
- 23 procedure on that, standards that cottages would work
- 24 to.
- 25 Q. Because I think we've heard that some other

1 organisations, particularly Barnardo's, was quite
2 prescriptive in terms of its paperwork, saying, "This is
3 what you shall do", giving guidance from headquarters
4 and so forth. Was there any equivalent that you've seen
5 for Quarriers?

6 A. I can't recall seeing anything in relation to children's
7 chores in relation to a policy or procedure.

8 Q. I don't know whether you can answer this: do you think
9 that to some extent the use of children as domestic
10 labour might have been partly due to staffing
11 recruitment issues?

12 A. I think this would be the case and certainly in history
13 at the time, if I recall reading, at the time of the
14 war, for example, where recruitment was difficult and
15 the homes were very busy with the number of children
16 being admitted because of the war, if you like, in the
17 circumstances, children were expected to do more duties
18 and I think there was a comment in one of the documents
19 that I read that the children had done their part
20 regarding digging for victory.

21 Q. But I suppose you can dig for victory between 1939 and
22 1945, but you shouldn't still be digging after 1945 into
23 the 1960s or 1970s.

24 A. No, that's right.

25 Q. So even if there had been some basis or justification at

1 certain periods, you're not suggesting there's
2 a justification for heavy chores or manual work?

3 A. No, and it was recognised through -- I think it would be
4 after the 1965 report -- there was further support to
5 the cottages in respect of staffing, domestic help and
6 also equipment there.

7 Q. I think you deal with recruitment (sic) more
8 specifically later in your statement and we'll come back
9 to that.

10 Another theme you pick up --

11 LADY SMITH: I think the reference was to equipment.

12 Is that right, equipment?

13 A. Equipment.

14 LADY SMITH: Washing machines, for example?

15 A. Yes.

16 MR PEOPLES: Sorry. Equipment, not recruitment.

17 LADY SMITH: That, I think, was thanks to the lady
18 visitors -- or at least they claimed triumph in that
19 respect.

20 MR PEOPLES: Yes, by the use of some equipment, there was
21 maybe less need for little hands to do chores.

22 Aftercare is another matter you have picked up in
23 your statement. I think you have picked up the fact
24 that there was evidence from witnesses of a lack of
25 preparation for life in the outside world. I think

1 you've heard a bit of evidence to that effect, I'm sure.

2 A. Uh-huh, yes. There was some evidence that I've heard
3 that children were poorly equipped for the outside
4 world. Again, Quarriers was a self-sufficient village,
5 providing everything that was needed, and that obviously
6 could lead to difficulties in the transition from the
7 village into the wider world.

8 However, there was evidence that -- there is
9 evidence with regards to preparing children at different
10 times through history with regards to -- I think it was
11 between the 1930s and 1950s, there was a ship in
12 Quarrier's Village, the James Arthur, which was to help
13 prepare children for life in the navy.

14 Also, for the girls, there was preparation for
15 domestic work, such as laundry, sewing, et cetera,
16 there, and also the boys working on farms.

17 Q. So they were doing things, but I suppose if you were
18 trying to say, well, that's giving them some skills, but
19 ultimately the people who have come to this inquiry have
20 said, whether they got these activities and skills or
21 not, they just didn't feel they were ready to cope with
22 the outside world and the demands placed upon them.

23 A. For some children.

24 Q. And in a sense, in paragraph 109, you recognise that,
25 do you not? And you comment on that, that some did feel

1 unprepared and felt they were left very vulnerable.

2 I think it's in your statement that you say:

3 "That left them vulnerable and potentially open to
4 abuse."

5 Is that right?

6 A. Yes, if they're not prepared. Quarriers did, in
7 history, have hostels and halfway houses. Also at
8 different points they prepared or helped/supported with
9 regards to lodgings, finding employment and also for
10 some children there was free loans at one point from
11 Quarriers to help get them set up.

12 Q. So they were doing things, but perhaps ultimately these
13 weren't sufficient for at least some children to feel
14 that they were prepared for life outside the village?

15 A. Yes.

16 Q. In part, could that be due to what you say in the final
17 sentence in paragraph 109, that they had led isolated
18 lives within the confines of the village, maybe with
19 lots being done for them, and were to some extent
20 institutionalised?

21 A. For some children, yes.

22 Q. Was that not, to some extent, the danger of that set-up?

23 A. Yes.

24 Q. The next matter you deal with is abuse of children by
25 children, at paragraph 111 on page 18. You're aware,

1 and indeed we've had some evidence of allegations of
2 abuse by one child on another --

3 A. Yes.

4 Q. -- perhaps a younger being abused by an older and so
5 forth.

6 You say that the records at least are relatively
7 brief in relation to such matters. So there's not a lot
8 in the records about this?

9 A. That's right.

10 Q. But what are you saying at 112? Can you read that out?

11 A. "Although the records in relation to these incidents are
12 relatively brief, there does seem to be a lack of
13 awareness and knowledge of presenting behaviour that
14 could be tied into child abuse or sexualised behaviour
15 between children. There also appears to be a lack of
16 awareness of the potentially serious impact that sexual
17 behaviour between children could have upon them."

18 Q. And maybe just read on to the next paragraph just to
19 finish that off.

20 A. "Very often the records will use the words 'interfere
21 with'. There does not appear to be any consideration of
22 the risks which might be posed to other children by
23 children who have been sexualised."

24 Q. And then I think you contrast that with what would
25 happen today if anything of that kind was to come to

1 light.

2 A. Yes.

3 Q. I think we've heard some evidence from your colleague
4 this morning about the current processes, so I'll not
5 ask you more about that.

6 You also say you have found in the records some
7 instances of children bullying other children physically
8 and I think you say that's a continuing problem.

9 A. Yes. Even today -- not just physically but today
10 there's a focus on children being bullied, for example,
11 through social media and the impact on their mental
12 health and well-being as part of that.

13 Q. So that's an issue that's as live today as it's
14 historically?

15 A. Yes.

16 Q. You mention evidence of sexual abuse at Southannan and
17 Seafield. We know that Southannan was established in
18 around about 1978 and was replaced by Seafield in 1996.

19 At paragraph 117, is the point you're making there
20 that at least the fact that these incidents have been
21 recorded and found demonstrate that at least by that
22 stage there were some procedures there --

23 A. Yes.

24 Q. -- to deal with incidents and indeed the police were
25 informed on each occasion?

1 A. Yes.

2 Q. Would that contrast with what appears to have been the
3 position historically at, say, Quarrier's Village?

4 A. Yes, because I think there's a better understanding and
5 awareness of the impact. Again, it links back to
6 education and knowledge by the house parents.

7 Q. The next topic you pick up, or theme, is absconding and
8 that's paragraph 118 on page 19 of your statement. You
9 say -- and I think it's maybe apparent from the evidence
10 we've heard -- that absconding was a common
11 occurrence --

12 A. Yes.

13 Q. -- and it could be for a number of reasons, and I think
14 that's the point you make in 118.

15 At paragraph 119, what do you say there?

16 A. Yes. There is evidence from some children that they've
17 been punished for absconding when they've got back to
18 the village by way of corporal punishment. Again, the
19 approach here does not seem to have been child centred.
20 So what's happening here is that there hasn't been
21 enough investigation into why children have absconded
22 in the first place or an understanding that absconding
23 could be because of trauma that's happening or if
24 they're unhappy about where they are or who's looking
25 after them.

1 Q. I am not sure we heard very much evidence of absconding
2 being met with a sympathetic response at all. I'm
3 struggling to remember. I think I'll be corrected if
4 I'm wrong. It was always invariably when someone said
5 they ran away they were met with some form of
6 punishment. One had to walk back he said and others
7 would talk about punishment rather than saying, "Come
8 back", and, "Glad to see you", and, "Thank goodness
9 you're okay".

10 A. I haven't heard or read anything that was a more
11 positive approach.

12 Q. I don't know whether you can help me here, and no doubt
13 we can look for ourselves, but in some rules and
14 regulations of some providers, they set out what are
15 punishable offences. Can you help me whether in
16 Quarriers absconding was seen or noted as a punishable
17 offence?

18 A. No. I can't help with you that. I don't know.

19 Q. It may be something we can check to see if it's
20 mentioned specifically --

21 LADY SMITH: And of course, the point you make is that even
22 if the reason turns out to be the child's mischievous
23 and that's why the child was away from the home for
24 a while, you need to find out --

25 A. Yes.

1 LADY SMITH: -- because there's always a possibility that
2 it's something more problematic --

3 A. Exactly.

4 LADY SMITH: -- deep unhappiness or abuse.

5 A. Yes, you wouldn't assume.

6 MR PEOPLES: We've heard some evidence about restraint, and
7 you deal with that also on page 19 at the beginning of
8 paragraph 120. You say that when compiling a response
9 in relation to Seafield, which we know was opened in
10 about 1996, you found a number of allegations involving
11 inappropriate restraint.

12 A. That's right.

13 Q. I think you make the point in relation to Seafield at
14 124 that, having mentioned one particular individual,
15 a senior member who was ultimately dismissed, that at
16 least there was a demonstration here that there were
17 procedures and safeguards and indeed the matter was
18 dealt with in an appropriate way.

19 A. Yes.

20 Q. But this is 1996, not 1976 or 1966 or 1956, so we're not
21 seeing anything similar in these decades, are we --

22 A. No.

23 Q. -- if restraint was being used? I take it restraint
24 would have been used from time to time? It seems
25 inconceivable that restraint would simply have emerged

- 1 as a --
- 2 A. Well, again, the definition of restraint has developed
3 through the years. But even going back to the 1970s or
4 whatever, the sheds, the cupboards, are a form of
5 restraint.
- 6 Q. Grabbing someone and holding them or taking them
7 somewhere to a room for punishment or otherwise is
8 a form of restraint?
- 9 A. That's right.
- 10 Q. So I suppose that was perhaps the historical forms of
11 restraint --
- 12 A. Exactly.
- 13 Q. -- without any training and saying whether these were
14 good, bad or whatever.
- 15 A. Uh-huh, yes. And even some of the evidence where
16 children were made to stand in corners or stools, stand
17 on stools, that's a form of restraint as well.
- 18 Q. It does not involve contact, but it's a form of
19 restraint because you're saying, "Stay in one place or
20 else"?
- 21 A. That's right.
- 22 Q. And I think that was in the cottage for children with
23 epilepsy, the stool on the landing, if I'm not mistaken.
- 24 A. I can't recall.
- 25 Q. I think there was evidence to the effect that at least

1 a house parent -- and this was raised as an issue by
2 some of the in-house social workers, and I think on that
3 occasion it was removed.

4 LADY SMITH: Yes.

5 A. I do remember; I just don't recall the epilepsy aspect.

6 MR PEOPLES: I think it was a special cottage that had
7 house parents that were supposedly qualified to deal
8 with children with epilepsy.

9 You have a heading at paragraph 125, "Systemic
10 Failures". Just read to me, if you could, please, what
11 you say there.

12 A. "Reflecting on the various sources of evidence, it is
13 apparent that there were shortcomings in Quarriers'
14 practices, which meant that abuse was allowed to occur.
15 This is particularly so for the Quarrier's Village
16 era. There was a clear improvement in the documentation
17 of policies and procedures from the 1990s onwards.
18 Quarriers has identified recurrent themes from the
19 evidence about where the previous practices fell short."

20 Q. In that last sentence, when you're saying that practices
21 fell short, the recurrent themes, are they meant to be
22 illustrative of areas where the organisation fell short?

23 A. Current practices fell short. It is basically what key
24 areas that allowed that to happen.

25 Q. Because I have been asked, on behalf of FBGA, just

1 in relation to this paragraph, and I just want to raise
2 it with you now, they're asking whether you are able to
3 express a view on the nature and extent of these
4 shortcomings. I think they just want to be clear what
5 shortcomings you are referring to in this paragraph.
6 Can you do that for me?

7 LADY SMITH: Alice, I think what we'll do is take the
8 afternoon break, which is just a short five or
9 ten-minute break at this stage, and you can perhaps
10 gather your thoughts on that question. We'll hear the
11 answers just after the break.

12 (3.05 pm)

13 (A short break)

14 (3.15 pm)

15 LADY SMITH: Alice, I hope that's been long enough for you
16 to put your answers together. Do you need Mr Peoples to
17 remind you of what he wanted to ask you about?

18 A. Yes.

19 MR PEOPLES: It was a question I have been asked to put to
20 you arising out of what is said in paragraph 125.
21 Really, I was asking whether you were able to express
22 a view on the nature and extent of the shortcomings that
23 you mention in that paragraph and whether you can
24 indicate who was responsible and why they happened.

25 A. It is a large question.

1 Q. It is a large question.

2 A. But basically, under the headings that I've given in my
3 statement, in relation to the culture of the
4 organisation, the environment, it was isolated and
5 tended to be inward looking. There was also the lack of
6 leadership and management where the cottages and cottage
7 house parents were basically autonomous, working on
8 their own with little support and supervision from their
9 managers, as far as I can understand from the evidence.

10 Also, the recruitment of house parents who have got
11 a very important role in the care and safeguarding of
12 children, again the people that were recruited, as
13 you'll have heard from evidence from many people, the
14 lack of experience, lack of skills, qualifications, and
15 then we go on to the training, the induction of
16 housekeepers, et cetera.

17 So there was all of that, plus also the response to
18 allegations of abuse and complaints, where we're able to
19 indicate from some evidence where action has been taken.
20 For a large majority of the complaints and allegations,
21 we can't see that there has been any robust action or,
22 as mentioned earlier, that children were believed.

23 So there's all of these things that come into that
24 answer.

25 Q. When we're looking at what we might call responsibility,

1 is this then an institutional or an organisational
2 responsibility that that state of affairs came into
3 being?

4 A. Yes, it's an organisational, yes, responsibility. It's
5 the governance of the organisation to ensure that these
6 matters are put -- structures and systems are put into
7 place to safeguard children.

8 Q. That would apply in any point during the period we're
9 interested in, that there should be these structures --

10 A. Yes.

11 Q. -- and arrangements in place? They may differ over
12 time, but there should be structures that don't contain
13 all these gaps and deficiencies that you have pointed
14 out?

15 A. And it's wider than Quarriers as well because we can see
16 that although there were some inspections within that
17 period, there was a lack of regular inspections, a lack
18 of external social workers' visits and reviews.

19 Also reports such as the Skinner report -- I think
20 it was 1992 -- indicated that in the wider part of
21 social care there was a lack of training, lack of
22 supervision, lack of focus in relation to childcare.

23 Q. So while in the organisation there was a series of
24 shortcomings, and you've given us those that you have
25 identified, but obviously you're saying that there were

- 1 others.
- 2 A. Yes.
- 3 Q. Other deficiencies that were not the direct
4 responsibility of the organisation, but were wider, if
5 you like?
- 6 A. Wider.
- 7 Q. If I could look at one area that you mention there:
8 recruitment, which you deal with specifically in your
9 statement. You say under that that -- I think you put
10 it in a nutshell that:
11 "Historically staff were recruited on the basis of
12 limited information and limited scrutiny."
13 So really, that's the conclusion you have reached?
- 14 A. Yes, and certainly historically -- and again, a lot of
15 this evidence would also come through Professor Abrams'
16 independent review of records, where I think -- yes, she
17 gave examples of advertisements for staff where the
18 focus was on good Christian character.
- 19 Q. Or a disciplinarian perhaps. I can't remember whether
20 it was Quarriers that had that in their ads.
- 21 A. There was one.
- 22 Q. These are the sort of qualities that might be sought?
- 23 A. Yes.
- 24 Q. You also say in relation to the recruitment process at
25 127, the interviews appeared to have been relatively

1 superficial and the referees generally do not appear to
2 have been qualified to provide anything other than
3 character references. Has that emerged from the various
4 sources you have come across?

5 A. Yes. Again, the employee records, we don't historically
6 have much in the way of employee records to refer to,
7 and the structure of interviews or interview notes,
8 we haven't come across any information with regards to
9 that and --

10 Q. But I take it that -- sorry?

11 A. -- referees in relation to the skills, experience for
12 working with children are not qualified in the main.

13 Q. Do I take it that a lot of what we might call the key
14 staff, like house parents, would have been recruited by
15 the decision of the superintendent of the day?

16 A. Yes.

17 Q. One person's judgement?

18 A. Yes.

19 Q. Which again would be very different to the modern
20 processes, as we heard this morning, I think, from
21 Charlie Coggrave.

22 A. Today there would be a panel and also the people that we
23 support are included in our interviews for staff.

24 Q. You also mention -- and I think this is something that's
25 maybe a general theme that we have heard across the

1 providers we have been looking at -- at 129 there was
2 some difficulty in recruiting staff to work at
3 Quarriers, and I think we've heard evidence of others
4 having similar difficulties in different parts of the
5 country. I think you offer some reasons for that and
6 I don't need to go into too much detail, but the
7 location, the level of pay, the demands of the job. All
8 these are features that might have made it not
9 a particularly attractive position to take up.

10 A. Yes.

11 Q. Although you do make the point -- and I suppose this
12 might be -- there's evidence that a number of
13 house parents did stay at Quarriers for a number of
14 years.

15 A. Yes. Certainly retention-wise, there's evidence that
16 some of them have stayed for quite a number of years.

17 LADY SMITH: I suppose in the case of a number of them, they
18 didn't have a home anywhere else once they got settled
19 in Quarriers.

20 A. Well, that's right. The house was provided for them and
21 again being self-sufficient: village, food, everything
22 else, maintenance of the property, et cetera.

23 MR PEOPLES: Of course, when new recruits come in, you get
24 the modern and the traditional house parents, which
25 we have heard some evidence of. Mr Brodie may have

1 described there was perhaps two broad types: the
2 traditional house parents that might have been there for
3 a long time, or house parent, and then some that may
4 have come in with sometimes qualifications.

5 A. Yes.

6 Q. So you'd have a mixture of ages and --

7 A. Yes.

8 Q. -- backgrounds.

9 The other point you make in relation to recruitment,
10 it's not so much recruitment itself, is the point of
11 where there was a house mother working for Quarriers and
12 the house father was working in some other capacity
13 outwith the village. You mention that at page 21,
14 paragraph 130.

15 A. Yes.

16 Q. You say this:

17 "It is not clear what sort of scrutiny, if any,
18 would have been given to these people [the people doing
19 the outside jobs], but yet they still have access to
20 children and would have been actively involved in their
21 caring or parenting role."

22 A. That's right.

23 Q. You have not been able to find any great evidence of any
24 particular scrutiny of these individuals?

25 A. I haven't come across any scrutiny of house fathers that

1 had an external role.

2 Q. One of the criteria that seems to have been used was to
3 be of good Christian character. I think you make an
4 observation on paragraph 131 about that:

5 "The mere fact that someone professes to be of good
6 Christian character is not a reassurance that they
7 actually are."

8 And I suppose events have proved that.

9 A. Yes, and I think that will be wider than Quarriers.

10 Q. Yes, I'm not necessarily restricting it. I think we've
11 got the point that people may appear to be one thing and
12 are something completely different.

13 A. Yes.

14 Q. And we have examples here of convictions of people who
15 no doubt came to Quarriers professing to be of good
16 Christian character.

17 A. That's right.

18 Q. So far as training is concerned, you deal with that also
19 at page 21, paragraph 133, and you tell us there that:

20 "Historically, there was no requirement for staff
21 caring for children in residential care to have any
22 qualifications and on the basis of the evidence we have,
23 there was also no strict requirement for previous
24 experience."

25 So is that the picture that's coming across?

- 1 A. Yes, that's right.
- 2 Q. Of course, you contrast that with perhaps the position
3 today, and I don't want to go into that because, again,
4 we had some evidence this morning on the current
5 position and indeed the current approach to training.
- 6 In relation to training, however, you do make this
7 point at 142, page 22, that at least there is some
8 evidence that training of some kind was provided at
9 Quarriers from the 1950s onwards. Do you see that?
- 10 A. Yes.
- 11 Q. Although you can't comment on the quality or content,
12 but you think it may well have contained very little on
13 child protection issues; do you see that?
- 14 A. That's right, yes.
- 15 Q. I think that's a reference that you can find examples of
16 people that were offered training or indeed undertook
17 training but it wasn't across the board?
- 18 A. That's right. There would be some inconsistencies with
19 that. From the 1950s -- I think there was a more
20 comprehensive training programme from 1965 onwards.
- 21 Q. Yes. We know that Mr and Mrs Dunbar, to give an
22 example, they went to Langside College, so they would
23 have been trained. But other house parents would not
24 have been similarly trained --
- 25 A. Yes.

- 1 Q. -- at that time or later?
- 2 A. Uh-huh, and there's reference in the 1965 report,
3 I think, about the number of house parents that were
4 trained.
- 5 Q. Supervision. I suppose one could turn this round into
6 supervision or autonomy. You make the point at 144 on
7 page 22 that:
- 8 "It is clear from the evidence that house parents
9 had a great deal of autonomy. There was very limited
10 internal or external supervision right up until the
11 1980s, which was almost when Quarriers was, as
12 a village, running down."
- 13 A. Yes.
- 14 Q. Although you say that some steps were taken to try and
15 address this by the introduction of this internal social
16 work department in the late 1960s, early 1970s?
- 17 A. That's right.
- 18 Q. That seems on the evidence we've heard to have been of
19 mixed success, if you like. I think the in-house
20 social workers never had authority over the
21 house parents or felt they could instruct them or direct
22 them.
- 23 A. I think that would be difficult because, again, it was
24 a change and you're coming -- new culture against old
25 culture and, again, if there wasn't managerial

1 responsibility and accountability it would be difficult
2 to enforce --

3 Q. And I think Mr Mortimer, the superintendent, I think
4 Mr Brodie said he may have ultimately have been in a
5 very difficult position if he had been used to dealing
6 with house parents who had been there a long time and he
7 knew them socially and professionally.

8 A. Yes, I assume that.

9 Q. It would be difficult to change their habits and
10 practices.

11 A. I would assume that would be difficult, yes.

12 Q. And of course, we did have the evidence, and I don't
13 know if you recall, the evidence of the house parents
14 where the in-house social worker was withdrawn.

15 A. Yes, I do remember that, yes. I can't remember which
16 cottage, but I do remember the evidence.

17 Q. We heard evidence --

18 LADY SMITH: I think what wasn't said spoke volumes, if
19 I could put it that way: it wasn't going to happen any
20 more because it wasn't going to work in that cottage.

21 A. No.

22 MR PEOPLES: That supervision was just taken away. I think
23 on the direction of either Mr Mortimer or it may have
24 been Mr Munro. Mr Minto? Dr Minto.

25 LADY SMITH: It was Dr Minto, I think.

1 MR PEOPLES: It was the higher management, if you like, who
2 were aware of this and in fact were almost directing the
3 social workers to back off.

4 A. Yes, and that also highlights that there are
5 inconsistencies.

6 Q. I think the other point that Mr Brodie mentioned, who
7 was a social worker in the 1970s, and maybe early 1980s,
8 that the role of the social worker was -- there was
9 a tension because in one sense they were supporting the
10 house parents, but on the other hand they were to some
11 extent also perhaps looking at the welfare of the child
12 and maybe there was an inherent conflict between these
13 two functions.

14 A. I would have thought that the role of the social worker
15 would be the child first.

16 Q. But that wasn't maybe the way it was perceived at the
17 time. They were more seen as a support for the
18 house parents. I think that's the way the evidence came
19 out and how they saw themselves. Whether that should
20 have been the way it was is another matter.

21 Guidance and instruction. You've got a section on
22 that, starting at 148 on page 23. Your position on
23 that is that:

24 "There's very little guidance or instruction that
25 appears to have been provided with those tasked with

1 caring for children apart from in relation to corporal
2 punishment."

3 And I think you can point to various documentation
4 on that issue. So the general picture is that there
5 wasn't a lot of guidance on caring for children being
6 given?

7 A. No. Again, evidence of policy and procedure is sparse.
8 And then again, also with the training element, not
9 until the 1960s, some training in the 1950s, but all
10 that links to lack of guidance and instruction.

11 Q. I was asked to raise one matter. We've already referred
12 to the standing orders in 1944 and FBGA have also said
13 there was a staff guide in about 1965 that seems to have
14 come out. But the point I have been asked to put is it
15 appears that these would be the only published guides
16 that had something to say about the care of children
17 in the village. I'm asked to raise this: was anything
18 issued by the management, for example in relation to the
19 important changes introduced by the Social Work
20 (Scotland) Act 1968 and how that would impact on care of
21 children and the changes that that legislation was
22 bringing about? Do you recall seeing anything?

23 A. 1968? I'm trying to think.

24 Q. Or around that time perhaps.

25 A. I know there was certainly changes in the 1970s with

1 regards to -- obviously, the training, there was a less
2 regimented approach with children. There was a bit more
3 freedom with staffing, et cetera. But if there was
4 actually something written, that's what I'm trying to
5 recall, if I've seen any written policy, procedure-wise,
6 following on from the 1968 Act. I can't recall.

7 Q. No. So autonomy, not a lot of guidance or support in
8 the form of instruction or direction; that's the broad
9 picture --

10 A. Yes.

11 Q. -- I think in the Quarrier's Village era? A related
12 issue is the issue of support, I think, and you deal
13 with that at page 24, paragraph 156. You say -- and
14 I think you've said this in your evidence earlier
15 today -- the house parents had large numbers of children
16 in a cottage. That was the fact of the matter. Then
17 you say:

18 "There were a very small number of employees
19 compared to the number of children. There was only
20 limited support available to the house parents."

21 I take it that's for much of the period that we have
22 been looking at that that was the situation?

23 A. Yes. Certainly the period of most of the complaints, if
24 you like, are the 1950s through to the 1980s, so
25 staffing levels, obviously, and the number of children

1 in the cottages was something -- obviously the ratio and
2 the numbers of children were considerable.

3 Q. Can you then just maybe summarise how you see things or
4 how things were? Could you maybe read for me what you
5 say at paragraph 157 on this matter of support?

6 A. "House parents were expected to look after a large
7 number of children. There is evidence that some
8 house parents did not have the necessary skills,
9 knowledge and experience to allow them to provide good
10 quality care to such a large number of children. Those
11 children are likely to have been emotionally traumatised
12 when you consider the reasons they were admitted into
13 care. For house parents who lacked knowledge and
14 experience, they had to learn on the job without
15 adequate management direction, training or specialist
16 support. This environment may have led to poor
17 childcare practices."

18 Q. You make a comparison even with Southannan, saying that:

19 "By the stage it was established, the ratio of staff
20 to children was higher."

21 A. Yes.

22 Q. And I think the recording, we've heard some evidence,
23 was of a better quality.

24 A. Yes, there's definitely evidence of that.

25 Q. And you have said already that there were examples at

1 least where complaints seemed to have been raised and
2 addressed in an appropriate manner, at least in
3 Southannan and Seafield?

4 A. Yes.

5 Q. That brings us on to, I think, complaints more generally
6 at page 25 of the statement at paragraph 159. You
7 say -- and I think we've touched on this already -- that
8 historically the process of complaints appears to have
9 been that they were all handled by the superintendent of
10 the day.

11 A. Yes, as far as I understand, the children were expected
12 to go and see the superintendent if they had
13 a complaint.

14 Q. You say that:

15 "During Joe Mortimer's time I understand he operated
16 an open-door policy."

17 I'll ask you something about that in a moment:

18 "Children were permitted to approach him with any
19 issue that they wanted. There is evidence in
20 applicants' statements and I have heard evidence that
21 some children did feel able to approach Mr Mortimer.
22 However, clearly it was never going to be easy for
23 a child to go and see the superintendent to complain,
24 particularly about a member of staff."

25 Just pausing there, am I right in thinking that

1 you have not come across very many complaints made
2 directly by children that are recorded in the Quarriers'
3 records?

4 A. That's right.

5 Q. So we're not seeing in the records evidence of children
6 knocking on the open door of Mr Mortimer?

7 A. It is very difficult for a child to do that.

8 Q. It may be one thing to say that he operated or he wanted
9 to operate an open-door policy, but in reality it wasn't
10 really an effective system?

11 A. Not effective, and also if children were not believed,
12 there's also that.

13 Q. So it's one thing to get to the door, but if you get
14 inside and then you're punished or disbelieved, it
15 offers you no protection?

16 A. And potentially further repercussions, going back to the
17 cottage.

18 Q. I may be wrong, but I think in relation to complaints
19 that do find their way into the records, generally
20 speaking, am I right in thinking that usually there's
21 some sort of adult or other body involved that brings
22 the matter to the records? Because there might be like
23 the social workers in the case of -- I think you're
24 going to mention one example in 1982.

25 A. There was certainly -- I think it was Rosemarie Docherty

1 was the example where the student social worker brought
2 the complaint.

3 Q. So where an adult, whether an in-house adult or an
4 external adult, raised the matter, there might be
5 a record and one might see some evidence of something
6 being done, although not always clear evidence of
7 what was done?

8 A. Yes.

9 Q. But in the case of children making direct complaints,
10 these are not easily found?

11 A. No.

12 Q. Rare as hen's teeth, I suppose?

13 A. Yes, and again, when they have made -- another example
14 where they have made a complaint and are not believed,
15 not just by Quarriers, but by other agencies as well.

16 Q. So the ones where we do find anything, whether reported
17 by the child directly or indirectly through an adult,
18 generally speaking there seems to be -- they're not
19 believed or listened to or accepted in what they're
20 saying?

21 A. That's right.

22 Q. You mentioned, I suppose, what you would say would be
23 a historical and societal attitude at 160, that children
24 should be seen but not heard. I think you've made this
25 point before, but maybe just read for me from -- read me

- 1 that paragraph if you can, what you say there.
- 2 A. "Historically, attitudes to children were that they
3 should be seen and not heard. This all goes back to
4 thinking about the child. Many of the children would
5 have come from problematic backgrounds and may have had
6 challenging behaviour. Their voices were not heard and
7 they may not have had an opportunity to express their
8 views anyway. They were seen as a nuisance or as not
9 being trustworthy. The whole set-up of
10 Quarrier's Village historically made it difficult for
11 children to complain, particularly about the
12 house parents who were tasked with caring for them.
13 There is also evidence that, when children did complain,
14 they were not believed."
- 15 Q. So there was no effective voice for the children
16 historically?
- 17 A. Unlike today where we have advocacy and obviously we
18 involve children in everything we do with them and other
19 agencies.
- 20 Q. We did hear that -- and you mention this at 161 -- there
21 came a time when social workers were introduced and that
22 could have provided one way in which a child could make
23 known concerns, and there was obviously the possibility
24 of the external social workers. You will have heard the
25 evidence, I think, that there did not seem to be an

1 appetite for some of the reasons that have already been
2 canvassed for going to these people and telling them
3 about things that were happening for fear of one kind or
4 another.

5 A. Again, as I've said in my statement, the social workers
6 were employed by Quarriers, again they're part of the
7 establishment, if you see, they're not external, so
8 again that can be problematic.

9 Q. And you even think, I think, in the case of an external
10 social worker, from the child's perspective, they might
11 not be seen as any more independent than an in-house
12 social worker?

13 A. That may be the case and also how often did they visit,
14 the external social workers. You'll have heard evidence
15 that that too was infrequent at times.

16 Q. The next section in your statement I want to look at is
17 headed "Response to Allegations of Abuse" starting at
18 164 on page 26. You've already mentioned the cases in
19 1938 of the employee being dismissed for physically
20 abusing a child, and evidence of another employee at
21 least being requested to resign, no doubt facing
22 dismissal if he didn't, in 1967 as a result of physical
23 abuse of two children. Is that right?

24 A. Yes.

25 Q. You have also discovered another case in the children's

1 records or in a child's records in relation to
2 a finding -- an internal finding of physical abuse at
3 Overbridge --

4 A. That's right.

5 Q. -- by William Gilmore senior in 1971.

6 A. Yes.

7 Q. He's the father of the boy who was convicted?

8 A. Stewart.

9 Q. I don't need the name of the boy. You gave the name of
10 the boy in whose records this matter can be found. You
11 tell us a bit about what happened there and I'm taking
12 it that the evidence from the file is that the
13 house father assaulted the child, the child's father
14 made a complaint, the superintendent, Joseph Mortimer,
15 became involved in the matter, he spoke to the child and
16 the house parent, and you say the house parent admitted
17 assaulting the child. Is that all apparent from the
18 records?

19 A. Yes.

20 Q. You say:

21 "However, Mr Mortimer appears to have accepted the
22 house parent's version of events. The house parent was
23 ..."

24 And I think you're quoting from the records:

25 "... severely reprimanded for losing control."

1 One thing I wanted to ask you there is the second to
2 last sentence in that paragraph. What do you mean by:

3 "Mr Mortimer appears to have accepted the
4 house parent's version of events"?

5 Was there some difference as to the lead-up to this
6 matter?

7 A. I'm just trying to recall.

8 Q. If you can't, we'll check it. Don't worry.

9 A. No, I can't remember.

10 Q. I won't take up time. Clearly, there was some variation
11 in accounts between the boy and the house parent?

12 A. Yes, I can't recall the detail of it.

13 Q. I suppose at least in this case, maybe fortunately for
14 the child, the house parent did admit the assault.

15 A. That's right.

16 Q. If he hadn't admitted assault, maybe we would have been
17 seeing a very different record.

18 A. That's right, admitted assault, and the superintendent
19 has been involved, notified, so I suppose the right
20 steps to that point --

21 Q. But this is another example of an adult becoming
22 involved: the father, in this case, took the matter
23 up --

24 A. That's right.

25 Q. -- and therefore they had to perhaps do something and

1 perhaps record something whereas if it had just come
2 from a child, without any external or adult involvement,
3 it doesn't appear that's often -- that situation is not
4 often found in the records.

5 A. That's right. It was the father that complained.

6 Q. The other matter that troubles -- I think you say it's
7 clear this whole situation, this matter, was not dealt
8 with properly. Tell us why.

9 A. Yes:

10 "This situation was not dealt with properly. The
11 notes reveal that when the child's father indicated that
12 he was going to report the matter to the police and to
13 the press, Mr Mortimer sought to discourage him from
14 doing so by indicating that he would tell the press
15 about the lack of consideration the father had paid to
16 his children over the years.

17 "This is clearly inappropriate and to me is evidence
18 that, historically, management at Quarriers were
19 prepared to put the reputation of the organisation ahead
20 of the interests of the child."

21 Q. So it does appear on the face of it, even in 1971, the
22 superintendent wasn't keen for this matter to get wider
23 coverage?

24 A. That's right.

25 Q. And I think the next paragraph is something we've

1 already touched on, that applicants who said they
2 reported or complained of abuse, you've carried out
3 a review of records to see if there's any evidence of
4 these complaints being recorded and you haven't found
5 anything?

6 A. That's right.

7 Q. Generally. There may be exceptions, but I think
8 generally that's been the picture, has it? Then you
9 mention, and this was one you did touch on earlier, that
10 you have come across a complaint, but again made through
11 an adult, a student social worker, in 1984, and it's in
12 relation to a female resident, is that right --

13 A. That's right.

14 Q. -- who complained that she had been slapped three times
15 or four times in the face by her house father,
16 a Mr QFH That's paragraph 168.

17 A. That's right.

18 Q. You say:

19 "The matter appears to have been reported to the
20 superintendent and there was some form of
21 investigation."

22 A. Yes.

23 Q. You say:

24 "The outcome of that is not clear from the records
25 and there's no indication that any action was taken

1 against this house parent."

2 A. That's right. There's no indication or written evidence
3 that there was action taken against the house parent as
4 far as I'm aware.

5 Q. Drawing this all together under this section of
6 "Response to Allegations of Abuse", could you just read
7 out what you tell us at 169 and 170?

8 A. "There seems to have been a variable response to
9 complaints over the years. Sometimes action was taken.
10 Sometimes it seems that children were moved either from
11 the cottage they were in or away from Quarriers
12 altogether. Where there is a record, it appears that,
13 generally, the superintendent would carry out an
14 investigation. However, it is not always clear from the
15 historic records why particular decisions were taken.
16 We have not found any written policy or procedure as to
17 how such complaints were to be investigated.

18 "One obvious weakness of this system is that it
19 depended entirely upon the view that the superintendent
20 took of the appropriate course of action. There was no
21 equivalent to the multidisciplinary approach that would
22 occur nowadays if a child protection concern was
23 raised."

24 Q. I suppose if we go back to the matter in 1971, which was
25 an assault, clearly the superintendent didn't want to

- 1 bring the police into the matter.
- 2 A. Clearly.
- 3 Q. Indeed, he took steps to try and deter someone else from
4 bringing them in.
- 5 A. Whereas today, if it's an assault, the police would be
6 involved.
- 7 Q. But that was down to him and he was the sole judge of
8 what should be done and whether it should be kept as an
9 internal issue or more widely notified?
- 10 A. Yes.
- 11 Q. Your next section is headed "Allegations of sexual
12 abuse". Firstly, at paragraph 171, I think you tell us
13 that the only mention of an allegation of sexual abuse
14 being made against a member of staff is one that was
15 found in the records of a particular boy who made
16 allegations of sexual abuse against John Porteous in
17 1982. Do you see that?
- 18 A. Yes.
- 19 Q. You tell us a bit about the background to this matter as
20 revealed by the records. I'll maybe just summarise it.
21 I think the records appear to show that the child in
22 question was accused of stealing money from Mr Porteous'
23 house; he wasn't a resident in that house. Is that
24 correct?
- 25 A. That's right.

- 1 Q. And he denied this to his house mother?
- 2 A. Yes.
- 3 Q. And disclosed to her at the time that he had been
4 sexually abused by Mr Porteous and this had been going
5 on for over the previous year; is that right?
- 6 A. Yes.
- 7 Q. You say that according to the information in the
8 records, the allegation was brought to the attention of
9 the then superintendent, Joe Mortimer, and indeed the
10 police were contacted on this occasion.
- 11 A. Yes.
- 12 Q. And you say that the records suggest that this may have
13 been done at the request of Mr Porteous himself.
- 14 A. Yes.
- 15 Q. And there was also involvement of the Dundee Social Work
16 Department in this particular matter as the placing
17 authority.
- 18 A. That's right.
- 19 Q. You say:
- 20 "The police appeared to have come to the village and
21 carried out some sort of investigation."
- 22 And you say that:
- 23 "The records refer to [and you quote from the
24 records] very thorough police investigations, including
25 medical and forensic tests."

- 1 A. That's within the records yes.
- 2 Q. It appears that the police at that stage decided that
3 there was no case to answer.
- 4 A. Yes.
- 5 Q. So that matter didn't get pursued in any criminal
6 proceeding?
- 7 A. That's right.
- 8 Q. You then tell us how matters unfolded then after the
9 child who had made the report was seen on several
10 occasions by the in-house Quarriers psychologist
11 Jean Morris and was also referred to external
12 counselling.
- 13 A. That's right.
- 14 Q. And the upshot seems to have been that shortly and wards
15 the child was transferred from Quarriers to a List G
16 school. Do you find that a little puzzling or
17 surprising?
- 18 A. Yes. Again, what was the reason for moving the child to
19 a List G school?
- 20 Q. You can't find a particularly clear reason?
- 21 A. No.
- 22 Q. But anyway, the child was removed from
23 Quarrier's Village, but Mr Porteous remained.
- 24 A. That's right.
- 25 Q. You say that after the investigation by the police,

1 Quarriers took no action in respect of Mr Porteous or
2 the allegations, so there was no separate investigation
3 or other action.

4 A. No other action that I can find.

5 Q. What you do say is that:

6 "From the records, it seems clear that the view was
7 taken amongst the adults and the various agencies [and
8 we've heard that the social work department was involved
9 and the police and so forth] that the allegations were
10 not true."

11 A. That's right.

12 Q. That's what the records are indicating?

13 A. Yes.

14 Q. You say:

15 "It is clear from the notes that the child was
16 simply not believed despite the fact that his account
17 was described by his in-house orphan house social worker
18 as 'so vivid and detailed that initially it was rather
19 convincing'."

20 A. Yes.

21 Q. And you say, I think, that nobody appeared to entertain
22 the notion at that time that Mr Porteous may in fact
23 have abused the child in question.

24 A. That's right.

25 Q. You go on to deal with -- tell us what has concerned you

1 about this matter when you read that. You deal with it
2 at 174 of your statement on page 28.

3 A. Yes. As I've said, one of the really concerning aspects
4 of this from my perspective is that at this time
5 John Porteous was employed as a fire safety officer
6 in the village and he continued to have access to
7 children throughout the village. So although the child
8 was not believed and the police didn't take it any
9 further, significantly was John Meyer, the
10 social worker, stating it was so vivid and detailed
11 initially that it was rather convincing was a concern
12 that that wasn't investigated further by Quarriers, the
13 organisation. You know, in a child-centred approach you
14 would always believe the child first.

15 Q. Even if you didn't believe them, the fact that it had
16 been raised and at least one social worker found it
17 convincing, at least initially, and if true presumably
18 it did give rise to concerns about risk to that child or
19 any other child?

20 A. Exactly.

21 Q. Would you have expected more action to have been taken?

22 A. More action and investigation and safeguarding of the
23 child and the children.

24 Q. So is that why you say at 175. Looking back at these
25 records, this is clearly, in your view, an example of an

1 inadequate response by the organisation to serious
2 allegations of abuse that were made at that time.

3 A. Yes.

4 Q. You say there were inadequacies in terms of
5 investigation, follow-up and safeguarding.

6 Just taking those in turn. The inadequacy of
7 investigation was what, not to carry out a separate
8 investigation?

9 A. An internal investigation.

10 Q. And follow-up in terms of looking at issues of risks and
11 things of that nature?

12 A. And safeguarding. So your risk would be about the
13 safeguarding of that child and others.

14 Q. And we're not talking about the 1950s here, we're
15 talking of early 1980s?

16 A. That's right.

17 Q. So I think you then say that you fully accept that the
18 response of the organisation on that occasion was
19 entirely inadequate; is that the position?

20 A. That's right, yes.

21 Q. Moving on, you deal with record-keeping. I'm not going
22 to take up too much time today on this matter, but I'll
23 just pick out one or two highlights of this part of your
24 evidence. At paragraph 178 on page 28, you tell us:

25 "The records from Quarrier's Village are minimal up

1 to the later 1907s or 1980s."

2 So that's getting towards the end of its heyday?

3 A. Yes.

4 Q. And then they become more extensive. That's the general
5 picture, is it?

6 A. Yes.

7 Q. And then in terms of quality at 182, you say:

8 "The quality of the records varies."

9 And that just depends presumably on which cottage
10 and who was compiling the records? Do you see that
11 paragraph, 182?

12 A. Yes.

13 Q. Although you say that in general terms, there was an
14 improvement in record-keeping over time, and I think you
15 obviously mention that Southannan's records were
16 certainly better quality than perhaps some of the ones
17 you saw in Quarrier's Village?

18 A. Yes, I checked through a number of those records, yes.

19 Q. I don't need to ask you about records today.
20 Charlie Coggrave told us a bit about that matter and I'm
21 not going to trouble you with that. We can read for
22 ourselves what you say about this.

23 Awareness of abuse you pick up as another matter at
24 page 30 of your statement. You state again -- and this
25 was something you highlighted at the beginning of your

1 evidence -- there's evidence of awareness of abuse as
2 early as the 1930s. Awareness on the part of
3 management?

4 A. Yes.

5 Q. But you say there's a clear lack of awareness
6 in relation to proper safeguarding and prevention. Are
7 you applying that to the 1930s or for a much longer
8 period?

9 A. A longer period.

10 Q. And when you say at 189:

11 "It's difficult to say to what extent members of the
12 management team were aware of ongoing abuse at
13 Quarrier's Village."

14 What do you mean by "ongoing abuse"? Are we talking
15 about a particular period?

16 A. Yes. As mentioned earlier, in the 1950s through to the
17 1980s, that was where the majority of the complaints,
18 allegations of abuse, took place, although there's
19 others that are outside that time frame. So, as I say
20 there, it's difficult to say to what extent members of
21 the management team were aware of ongoing abuse given
22 that members of the management team would live in the
23 village and work in the village and no doubt would hear
24 things as well as see things. So again, I can only go
25 by the written evidence and what I've heard.

1 Q. It may be hard to imagine that they didn't at least hear
2 things or hear rumours of things or hear about
3 reputations of cottages or particular house parents'
4 practices. I think some witnesses at least ventured to
5 suggest that they must have known a bit more than maybe
6 is apparent from the records.

7 A. Yes. If you're living there, you're bound to hear
8 things.

9 Q. You say that:

10 "However, perhaps the environment in many ways [this
11 is at paragraph 189] lent itself to house parents and
12 others being able to conceal abuse."

13 I suppose that's the other side of the coin, is it,
14 that if you're in a cottage, treated as a family home,
15 which is your domain and you set the rules, and you've
16 got autonomy, is that more -- it's more easy to conceal
17 abusive behaviour. Is that the point you're making?

18 A. That could be the case, that if there isn't external
19 people going in or regular visits or proper supervision
20 and management, it's easier to conceal abuse. Also, if
21 the children's voice is not heard, that again leads to
22 a closed culture.

23 Q. I suppose if the only possible complainers who see
24 things in the house are the children and if they go to
25 Mr Mortimer's open door and find that they're told that

1 they're not telling the truth or they get punished, then
2 it's not going to be an effective system for uncovering
3 abuse that's happening.

4 A. Exactly.

5 Q. Perhaps you can just read for me what you say at 191 and
6 192 on this matter of the awareness of abuse.

7 A. "I think it is possible that management at the time
8 applied the same standards to house parents in
9 Quarrier's Village as they would have applied to parents
10 in a domestic situation. However, in my view, that is
11 not an appropriate approach for professionals tasked
12 with looking after vulnerable children.

13 "We have heard evidence of accounts of abuse being
14 reported to the office or to a member of management and
15 no action being taken. I accept that may have happened.
16 A lot may depend upon what the child feels able to say
17 at the time. However, we have also heard evidence that
18 employees reported concerns to the office but little or
19 nothing seems to have happened as a result."

20 Q. Moving on to the matter of culture, which you deal with
21 at page 31, you start that section at 194,
22 paragraph 194, by saying there are several aspects of
23 how Quarrier's Village was set up and operated which
24 meant children were put at risk. Perhaps it's easier if
25 you just read for me the next few paragraphs to tell us

1 why you believe that to be the position.

2 A. "Quarrier's Village was set up as a self-sufficient

3 village. It was intended to recreate an idyllic version

4 of a village society. This was a laudable aim but it

5 ended up creating an isolated society with all of

6 society's problems. It was isolated in terms of its

7 geographical location. Historically, there was a lack

8 of external focus. The house parents seem to have had

9 great autonomy with very little outside interference up

10 until the late 1960s early 1970s after the Social Work

11 Department was introduced and there was an introduction

12 of greater scrutiny and oversight. However, even when

13 those social workers were introduced in the late 1960s,

14 the cottages still appear to have been run upon

15 autonomous lines and there is evidence that management

16 were reluctant to scrutinise or intervene.

17 "My impression about the culture is that the

18 children were to be seen and not heard. The

19 organisation also seems at times to have been behind the

20 curve in terms of modernising in line with modern

21 childcare practices. It was an organisation that needed

22 to change but did not accept change quickly or easily

23 enough.

24 "Clearly from some of the evidence from former

25 employees there was tension between traditional and

1 modernising forces within the organisation.

2 "It seems to me that some house parents in
3 particular became very emotionally attached to the whole
4 idea of the village. People did not want it to
5 drastically change because they had an emotional bond
6 with it.

7 "The governance of the organisation seems to have
8 been removed from the actual care of children. The
9 governing body was made up mostly of laypeople rather
10 than those with particular expertise and qualifications
11 in child care practice. I do not wish to sound critical
12 of those people. I think they wanted to do right. They
13 were well intentioned. However, they were not
14 necessarily particularly knowledgeable nor did they have
15 hands-on experience with the children in the houses.
16 From the documentation we have recovered from the
17 National Archives, there is evidence that the
18 Scottish Government were encouraging Quarriers to
19 appoint individuals with specific childcare experience
20 to its council of management around 1968."

21 Q. You deal with the 1965 report, which we've obviously
22 heard a bit of evidence about, and how critical it was
23 of various matters, including the standards of care at
24 that time. There is one matter I can maybe deal with
25 shortly. There was some discussion at an earlier stage

1 of whether Quarriers received the full report with all
2 the criticisms and comments about individuals. I think
3 we have now established that Quarriers would have only
4 received recommendations and perhaps some form of
5 summary --

6 A. Yes.

7 Q. -- from the government and that the full report itself
8 would not have been disclosed at that time. I think
9 we've released some documents which maybe confirm that
10 to be the position.

11 I don't want to labour this, and we can read the
12 report ourselves, but it is critical, and no doubt it
13 still contains the views of external regulators, if you
14 like, of the organisation at that time.

15 A. That's right.

16 Q. But the point that I think was raised with me earlier
17 is that the full report itself was not released at that
18 time.

19 A. That's my understanding.

20 Q. But clearly, the criticisms or recommendations one could
21 imply from those, there was a --

22 A. Significant --

23 Q. A lot was seen as wrong with the place at that time.

24 A. Yes.

25 Q. Towards the end of your statement, you have a section

1 headed "Response to Allegations of Non-recent Abuse".
2 This is dealing with, I think, the post-2000 period.
3 Can I just take you to a few things that you say there.

4 You say at 202 that you were aware, and you weren't
5 there at the time, but we have had evidence from those
6 who were, that there were a large number of criminal
7 prosecutions and civil claims against Quarriers. You
8 also add:

9 "I also know that there is a degree of anger and
10 dissatisfaction from survivors about how the
11 organisation dealt with the criminal and civil matters
12 at the time."

13 I think you probably know what that entails.

14 A. Yes.

15 Q. I have been asked to put to you by FBGA, now that you've
16 expressed that knowledge, whether the anger and
17 dissatisfaction that was expressed about the way the
18 organisation dealt with these matters -- do you consider
19 it was justified?

20 A. I think it's always in hindsight you see that things
21 could be better and I think, certainly from hearing the
22 evidence of Phil Robinson, who was the CEO at the time,
23 he also alludes to some areas that could have been done
24 better or differently.

25 Q. The other matter I was asked to raise with you in this

1 context was -- are you able to express a view as to the
2 way in which the organisation treated survivors at that
3 time who were engaged in these matters? Have you got
4 any views on that? Do you feel more could have been
5 done, for example, or they could have had a different
6 response? I think you've heard evidence -- sorry, I'll
7 just mention one example, the example of someone who
8 raised an action after a conviction and still found his
9 claim was rejected.

10 A. Yes.

11 Q. That might be one good example of perhaps someone
12 feeling a bit aggrieved by the response.

13 A. Yes. Let me just think through that. I think
14 certainly, the context that I understand or ... the
15 chief executive who would be working at that time
16 perhaps prevented a proper apology being made, and
17 also -- yes, I think that's all I want to -- I think it's
18 more appropriate, the chief executive would be --

19 Q. I think he told us he was operating within certain
20 constraints --

21 A. Yes.

22 Q. -- although he personally might have handled things
23 differently had these constraints not been placed on
24 him.

25 A. Yes.

1 Q. I think that was the gist of his evidence, if I recall
2 it.

3 A. That's what I understand.

4 Q. I'm not going to go into what you say on Time To Be
5 Heard or some of the other initiatives that you did take
6 following this matter coming up because we can read
7 those for ourselves and we heard some of that from
8 others.

9 I'll just pick up one point about Time To Be Heard
10 and it's something we keep coming back to.

11 At page 34, towards the end of your statement, you
12 do say that one area where no real progress has been
13 made following the Time To Be Heard report is the
14 photographic archive. We've heard some evidence today
15 from your colleague and head of safeguarding,
16 Charlie Coggrave, that this is a matter that has been
17 addressed now; is that correct?

18 A. Yes. As Charlie mentioned earlier this morning, we've
19 been able to upload -- I think it's something around
20 about 130,000 photographs -- and we have been trying to
21 work through, taking data protection into consideration,
22 how can we work through with people -- Former Boys and
23 Girls of Quarriers are able to support in helping us
24 identify the photographs that we've got. Because we
25 understand that photographs are a really important part

1 of that identity and memories of childhood. So we know
2 that's really, really important. So we've been working
3 through that over recent months.

4 Q. That's still a work in progress?

5 A. Yes.

6 Q. Just lastly then, the last section of your report deals
7 largely with engagement with FBGA and in particular with
8 David Whelan. You tell us that when you became
9 chief executive, you did have engagement with him in the
10 form of meetings with him and others in 2014/2015. You
11 felt these matters were helpful and constructive and you
12 wanted to listen and find out what they saw as key
13 issues for them and to try and form a conversation on
14 these matters.

15 A. Yes.

16 Q. You say that, ultimately, that led to some form of
17 meetings on a quarterly basis, although these have been
18 halted at the moment for various reasons. I'm not going
19 to go into all of that.

20 Can you maybe read, before we finish, the rest of
21 paragraph 222? Because I asked you to read the last
22 three lines. Can you read the rest of it against the
23 background of this chapter of engagement with
24 David Whelan and others?

25 A. "I appreciate how difficult it is been for David and the

1 other survivors to speak to us. I also appreciate the
2 willingness of David and one of the other survivors to
3 engage positively and proactively with present day
4 Quarriers. I hope that we have managed to establish
5 a respectful and constructive relationship which will
6 continue.

7 "The meetings with them have given me an insight
8 into not only what some children have experienced at
9 Quarriers but also the survivors' lengthy campaign to
10 address some of the key areas within the interaction
11 action plan."

12 MR PEOPLES: You have read the other bit out at the
13 beginning, so I won't ask you to repeat it.

14 Alice, I think those are all the questions I have
15 for you. I would just like to thank you for preparing
16 the statement, which has been very helpful indeed, and
17 thank you for coming today to give your evidence.

18 I hope I have dealt with such matters as were raised
19 with me -- I'm getting a nod there.

20 LADY SMITH: Let me check if there are any outstanding
21 applications for questions. Are there?

22 MR GALE: My Lady, I'm grateful to Mr Peoples for the
23 questions he has put and I have nothing more to ask.

24 LADY SMITH: Thank you for that.

25 Alice, it just remains for me to thank you very

1 much. As with Charlie's statement, your written
2 statement is very clear and careful and extremely
3 helpful to us, as has been listening to you this
4 afternoon. I'm very grateful to you for coming along
5 and giving evidence today and I am now able to let you
6 go. Thank you.

7 (The witness withdrew)

8 LADY SMITH: Mr Peoples.

9 MR PEOPLES: That's the evidence for today. I have perhaps
10 made quicker progress than I anticipated. I have
11 a witness for tomorrow who's been asked to come for
12 11.00. I think rather than trying to disturb those
13 arrangements at this late hour, can we perhaps begin at
14 11 o'clock?

15 LADY SMITH: If she has only been asked to come for 11.00,
16 it may be slightly after that. But if people could be
17 here ready to start at 11, keep in touch and we'll let
18 you know how soon after that we are able to get going.

19 Very well. I will rise in the meantime.

20 (4.12 pm)

21 (The inquiry adjourned until 11.00 am
22 on Tuesday 29 January 2019)

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CHARLES COGGRAVE (affirmed)1

Questions from MR PEOPLES1

ALICE HARPER (affirmed)111

Questions from MR PEOPLES112

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