

1 Tuesday, 18 December 2018

2 (10.00 am)

3 LADY SMITH: Good morning.

4 I see, Mr Peoples, we're starting today's evidence
5 with a witness who is with us by video link.

6 MR PEOPLES: That's correct. The next witness will give her
7 evidence via the video link. She has anonymity and has
8 chosen the pseudonym "Catherine".

9 LADY SMITH: Catherine, good morning. Can you hear me?

10 THE WITNESS: Good morning. Yes, I can, thank you.

11 LADY SMITH: I'm Lady Smith, I'm the chair of the child
12 abuse inquiry, and we're going to move to taking your
13 evidence first this morning. Before we do that, I would
14 like you to take an oath. That means I would like you
15 to raise your right hand, please, and repeat after me.

16 "CATHERINE" (sworn) (via video link)

17 LADY SMITH: I'm going to hand you over to Mr Peoples, who
18 will ask questions. If you have any difficulty with the
19 link, hearing us or seeing us, please tell us. We're
20 seeing and hearing you very well at the moment, but
21 I know I can't assume that that means that all's okay at
22 your end, so let us know, will you?

23 A. Yes, thank you.

24 LADY SMITH: Thank you.

25 Mr Peoples.

1 Questions from MR PEOPLES

2 MR PEOPLES: Good morning, Catherine.

3 A. Good morning.

4 Q. Can I begin by explaining that I'm intending to ask you
5 some questions mainly related to certain statements
6 you've given to the inquiry and I hope that you will
7 have in front of you a folder which contains the two
8 statements that you've given to the inquiry.

9 A. Yes.

10 Q. In that folder, I think you'll also find there are
11 certain other documents that have been provided to you,
12 which I may ask you some questions about during your
13 evidence today.

14 A. Okay.

15 Q. Do you have those documents?

16 A. Yes.

17 Q. What I intend to do now is, first of all, to give the
18 identification number of the statements that you've
19 given, which we have used to identify your statements.
20 I'm just going to read them out for the benefit of the
21 transcript of proceedings. So I'm not asking you any
22 questions, I'm just going to give the number at this
23 stage of each statement. The first statement which you
24 provided, the reference number is WIT.003.001.5620. The
25 second statement which you provided is WIT.003.001.8209.

1 Perhaps you can confirm you do have copies of those
2 statements in the blue folder; is that correct?

3 A. Yes, I do.

4 Q. Can you confirm that you have signed your first
5 statement on the final page, or at least indicated it's
6 your statement, at page 6805? If you could turn to the
7 final page.

8 A. Yes.

9 Q. Could you also confirm by turning to the final page of
10 your second statement, which is page 8213, that you've
11 also signed that statement?

12 A. Yes, I have.

13 Q. Can you confirm for me that you have no objection to
14 these statements being published as part of the evidence
15 to this inquiry and that you believe the facts stated in
16 your witness statements are true?

17 A. That's correct, yes.

18 Q. With that introduction, can I take you, Catherine, first
19 of all to your first statement, which is in your blue
20 folder. Can I begin by asking you to confirm that you
21 were born in the year 1941? I don't need your date of
22 birth.

23 A. Yes, that's correct.

24 Q. In that statement you tell us a bit about your
25 employment history with Aberlour Child Care Trust. Can

1 you confirm for me that you worked at Aberlour Orphanage
2 from around [REDACTED] 1956 until [REDACTED] 1967?

3 A. That's correct.

4 Q. I think therefore, when you started work at Aberlour,
5 you would be 14 years of age?

6 A. 14, 15, yes.

7 Q. I think you completed your employment with Aberlour when
8 you were around the age of 25; is that correct?

9 A. I think I would have been about 27.

10 Q. Okay.

11 A. When it closed, Aberlour closed --

12 Q. In 1967.

13 A. I think so, yes.

14 Q. Okay, don't worry.

15 I think you worked for about 11 years for
16 Aberlour Orphanage.

17 A. Yes, that's correct.

18 Q. In your statement you tell us a bit about your
19 experience and qualifications. You left school,
20 I think -- did you have any childcare qualifications
21 when you joined Aberlour?

22 A. No.

23 Q. Did you obtain any childcare qualifications during your
24 period with Aberlour?

25 A. Yes, I did, yes.

- 1 Q. Can you tell us what those were?
- 2 A. It was just with other house parents, working alongside
3 other house parents and them telling me how they went
4 about it. Nothing outwith Aberlour Orphanage, no.
- 5 Q. So you didn't do a formal childcare course and obtain
6 a certificate or anything of that kind?
- 7 A. No.
- 8 Q. Before you started, I'm assuming that if you started
9 when you were around 14, 15 years of age, you didn't
10 have any previous childcare experience.
- 11 A. No.
- 12 Q. You tell us that within a couple of years of starting
13 with Aberlour, you trained to become a house mother.
- 14 A. Mm-hm.
- 15 Q. Is that correct?
- 16 A. That's correct.
- 17 Q. So you might have been around 16 or 17?
- 18 A. 17, yes.
- 19 Q. You tell us that you trained to become a house mother,
20 Catherine. Can you tell us how did you train to become
21 a house mother? Was it in the way you just described?
- 22 A. Yes, by working alongside senior house parents and
23 working alongside them and them putting me through the
24 ropes, so to speak.
- 25 Q. Before you became a house mother in your own right, were

1 you based in other houses in Aberlour Orphanage or not?

2 A. Yes.

3 Q. Can you remember --

4 A. Not outwith the orphanage, no, no, but other houses
5 within Aberlour Orphanage, yes.

6 Q. Yes. You can assume we do know a little bit about the
7 Aberlour set-up and we know there were a number of
8 houses. When you started, there would be girls' houses
9 and boys' houses --

10 A. That's right.

11 Q. -- in the east and west wing of the orphanage?

12 A. Of the building, yes.

13 Q. So when you were training, did you work in particular
14 houses you can recall?

15 A. I worked in the east wing with the girls for a while,
16 and then I transferred to the boys, the other wing of
17 the orphanage.

18 Q. Is this all before you became a house mother yourself?

19 A. Yes. Before I went alone as a house mother, yes, I was
20 with other house parents --

21 Q. Can you remember any of their names? It's a long time
22 ago, I know.

23 A. Well, it is a long time ago. Oh, I can't remember.

24 Q. Don't worry. We'll move on.

25 So what age were you when you became a house mother?

1 A. I was about 18.

2 Q. Which house were you put in charge of?

3 A. Spey House.

4 Q. Was that also known as -- I'm sorry?

5 A. I wasn't a senior house mother in Spey House, I was
6 alongside another house mother in Spey House.

7 Q. When you started?

8 A. When I started, yes.

9 Q. Who was that house mother?

10 A. It was Miss Wiseman.

11 Q. When you started in Spey House really as an assistant
12 house mother to Miss Wiseman, who was the warden at that
13 time?

14 A. It would have been the Reverend Leslie,
15 Charles Leslie -- or was it Dean Wolfe? I can't
16 remember. I can't remember when Dean Wolfe left.

17 Q. I think he maybe left around 1958 if that rings a bell.

18 A. Aye, yes, well it wouldn't have been Dean Wolfe, no,
19 it would have been the Reverend Leslie.

20 Q. Is he the warden that you had most involvement with?

21 A. Yes.

22 Q. Did there come a point when you became the senior
23 house mother in Spey House?

24 A. Yes. She moved away and I became the senior
25 house mother alongside a house father.

- 1 Q. Was that Mr Eric Lee?
- 2 A. It was.
- 3 Q. We understand that Mr Eric Lee came to Aberlour in about
4 October of 1961.
- 5 A. Mm-hm.
- 6 Q. When he arrived, if that date is correct, were you
7 already the house mother at Spey House?
- 8 A. Yes.
- 9 Q. So you were there when he joined Aberlour?
- 10 A. Yes, I was.
- 11 Q. Prior to Mr Lee joining Aberlour to be a house father in
12 Spey House, were you in sole charge?
- 13 A. Yes.
- 14 Q. Once he joined Aberlour as a house father, what was the
15 arrangement so far as Spey House was concerned? Who was
16 in charge?
- 17 A. Well, he sort of was in charge because he had childcare
18 training and I hadn't.
- 19 Q. I think he was a bit older than you when he came to
20 Aberlour.
- 21 A. He was.
- 22 Q. I think we've seen something that suggests he might have
23 been in his late 20s when he joined in 1961; would that
24 accord with your memory?
- 25 A. Yes. I would have put him older than that, but I could

1 be wrong.

2 Q. I think there's some records to suggest that when he
3 left he was around about 30 years of age. But you think
4 he looked a bit older to you at the time?

5 A. Yes.

6 Q. Do you happen to know why Aberlour chose to introduce
7 a house father to Spey House at the time?

8 A. No, I don't know. There were house fathers in all the
9 houses. In all the male houses there was
10 a house father.

11 Q. And so far as Spey House is concerned, which Mr Lee
12 joined in October 1961, was that a boys' house at the
13 time?

14 A. Yes.

15 Q. How many boys were in Spey House when Mr Lee joined at
16 Aberlour?

17 A. Probably about 25.

18 Q. Can you give us an idea of what their ages were?

19 A. From about 5 years to about 10, 12, 13 probably.

20 Q. I'm sorry?

21 A. 10 probably, about 5 years to 10, 11 years old, and then
22 they moved further on to further houses --

23 Q. We've heard some evidence about other houses called
24 Gordon House and Jupp House and places like that; were
25 they for older boys?

1 A. Yes, they were.

2 Q. We've heard expression to "Wee Kids' house". Was that
3 Spey House?

4 A. That was Spey House. It went from Wee Kids to Spey
5 House.

6 Q. You went from Wee Kids to Spey House?

7 A. No, Spey House was called Wee Kids and then it was
8 called Spey House. It changed its name to Spey House.

9 Q. So was it known as Spey House when Mr Lee joined
10 Aberlour?

11 A. Yes.

12 Q. I'll just call it Spey House today, if I may.

13 A. Mm-hm.

14 Q. You have told us that you really learned about being
15 a house mother from observing and being guided by more
16 senior house mothers in various houses; is that right?

17 A. Yes, that's right.

18 Q. So you watched and learned --

19 A. (Inaudible).

20 Q. When you became a house mother in your own right, was
21 there much time for any further training of any kind?

22 A. Not really, no.

23 Q. As a young house mother, were you given any written
24 guidance on how to care for children, or were you more
25 or less just left to get on with things?

- 1 A. No, you were just left to get on with things.
- 2 Q. Were there any rules for staff that you were expected as
3 a house mother to follow, any particular rules that you
4 can recall?
- 5 A. Well, you weren't allowed to punish the children; they
6 had to go to Mr Leslie. That was about it.
- 7 Q. That was the rule that you can remember, that you
8 weren't supposed to punish the children? Do you mean
9 punish in any way or punish in a particular way?
- 10 A. Punish in any way. Well, no, punish in a particular
11 way.
- 12 Q. Do you mean corporal punishment?
- 13 A. Yes.
- 14 Q. Was there a rule that Mr Leslie should be the person who
15 administered corporal punishment?
- 16 A. Yes, but I seldom ever remember ever sending a child to
17 be corporally punished by Mr Leslie.
- 18 Q. Did you do it on occasion?
- 19 A. Maybe once or twice, aye.
- 20 Q. And do you know what sort of punishment Mr Leslie would
21 give out on those occasions?
- 22 A. I have no idea.
- 23 Q. And did Mr Lee send children to be punished by
24 Mr Leslie, to your knowledge?
- 25 A. Yes, he did.

- 1 Q. Did he do it more often than you did?
- 2 A. I think so, yes. Aye.
- 3 Q. And what sort of behaviour would cause Mr Lee to send
4 children to Mr Leslie for punishment?
- 5 A. I don't know. Probably swearing and using bad language
6 and refusing to do which he wanted them to do.
- 7 Q. Just on the subject of rules, were there any rules that
8 the children were expected to follow that were laid down
9 by the warden or by the organisation?
- 10 A. No, not really, no.
- 11 Q. Was there anyone you could go to for assistance when you
12 were a house mother if you weren't sure what to do in
13 a particular situation? Was there anyone you could go
14 to and ask?
- 15 A. No.
- 16 Q. You tell us you worked as a house mother in Spey House.
17 Did you work there throughout your time at the
18 orphanage, until 1967?
- 19 A. Yes. From the time I started, yes, I did.
- 20 Q. And did Spey House remain an all boys' house until you
21 left?
- 22 A. Until I left, yes.
- 23 Q. My understanding from information we've seen from other
24 sources is that Eric Lee was the house father at
25 Spey House between October 1961 and about August of

1 1963. Does that accord with your recollection?

2 A. I honestly can't remember.

3 Q. You can't remember?

4 A. No.

5 Q. Well, if I tell you he was convicted of sexually abusing
6 boys in September 1963, would that help you?

7 A. Yes, I know that. I was there, yes.

8 Q. And I think by the time -- sorry?

9 A. It was myself that reported Eric Lee.

10 Q. Yes. I'll come to that.

11 LADY SMITH: I think at the moment, Catherine, Mr Peoples is
12 just trying to get the timescale and that's a date we
13 know as a definite date so he can't have been at
14 Spey House beyond September 1963.

15 A. Yes.

16 LADY SMITH: Does that fit with your recollection?

17 A. Yes. Dates don't mean anything to me. I can't remember
18 when Eric Lee left.

19 LADY SMITH: It's not easy.

20 MR PEOPLES: Don't worry. It's not an uncommon thing for
21 people to not remember precise dates. I'm just trying
22 to put some dates based on information that we have been
23 given and I'm just putting them to you, so don't worry
24 if you don't remember precisely the dates in question.

25 Can I take it that by the time Mr Lee was convicted,

1 he was no longer working as a house father at
2 Spey House?

3 A. That's correct.

4 Q. I'll just ask you this at this stage. After Mr Lee left
5 Aberlour in 1963, was he replaced? Was there another
6 house father put in post at Spey House?

7 A. Actually, no: it was another house mother.

8 Q. Can you remember who that was?

9 A. Yes, her name is Valerie Campbell. Valerie ... I can't
10 remember. Her married name is Valerie Marin. I can't
11 remember her name before. I'm not very good with names.

12 Q. Don't worry. There was a change in the arrangement,
13 that although it remained a boys' house, you had another
14 woman come in?

15 A. Another house mother.

16 Q. Was she a joint house mother or an assistant to you?

17 A. She was an assistant to me.

18 Q. When Mr Lee was the house father, how much contact did
19 you have with the Reverend Leslie during that period?

20 Did you have much contact with him?

21 A. Not really, no, no. I had no reason to have contact
22 with (inaudible: distorted) this happened.

23 Q. We'll come to that. Was he the sort of warden who spent
24 a lot of time visiting houses such as Spey House or some
25 of the other houses, do you know?

- 1 A. Oh yes. He always popped -- yes. On a regular basis,
2 yes.
- 3 Q. Would he speak to the children when he did so?
- 4 A. Yes, he would.
- 5 Q. Would he speak to them on their own?
- 6 A. No, I don't think so, no.
- 7 Q. How would you describe your relationship with Mr Lee?
- 8 A. We didn't have a great relationship. I found him very
9 aloof and very stand-offish. He thought he was better
10 than anyone else. But we jogged along. We didn't have
11 a good relationship, no.
- 12 Q. So did you spend much time in each other's company?
- 13 A. No.
- 14 Q. Was he a friend as well as a colleague?
- 15 A. No.
- 16 Q. How much time did you spend together caring for the
17 children? Did you work together or did you work in
18 a shift pattern?
- 19 A. No, we worked together. Yes, we did work together. We
20 used to walk together with the children. We'd play
21 games with them.
- 22 Q. So who would get the children up in the morning?
- 23 A. Usually both of us got them up in the morning.
- 24 Q. And who would be present at mealtimes, both of you?
- 25 A. Probably both of us, I guess.

- 1 Q. And what about at night-time? Who put the children to
2 bed?
- 3 A. Both of us.
- 4 Q. Did you do it together or sometimes on your own?
- 5 A. No, we usually done it together.
- 6 Q. So far as the accommodation was concerned, how many
7 dormitories were there when Mr Lee was the house father?
- 8 A. We had one large dormitory.
- 9 Q. So all the boys were in one large dormitory?
- 10 A. Yes.
- 11 Q. So beds on each side of the dormitory and a corridor
12 in the middle, something like that?
- 13 A. Yes, aye.
- 14 Q. Where did you sleep?
- 15 A. I slept in a room just off the dormitories. I was in
16 the room nearest the dormitories and Mr Lee was further
17 along the corridor in his room.
- 18 Q. So you were both quite close to the dormitories?
- 19 A. Yes.
- 20 Q. You had rooms close to the dormitories?
- 21 A. I was probably closer than he was, aye.
- 22 Q. Would you or he have occasion during the night to enter
23 the dormitory for any reason?
- 24 A. No.
- 25 Q. What if you heard a child crying or something like that

1 or there was some disturbance?

2 A. If the child was crying or maybe a child was sick, you
3 got up and went to the dormitory, yes.

4 Q. And could there be occasions when you might get up or
5 occasions when Mr Lee might get up and tend to a child?

6 A. I'm sure there was, yes.

7 Q. So there would be opportunities, I take it, for Mr Lee
8 to be alone in the dormitory with boys at night-time?

9 A. Well, maybe in my day off when I was away, away from the
10 orphanage overnight perhaps.

11 Q. So there were occasions --

12 A. Sorry, he was also the Scoutmaster. He was alone with
13 the boys then.

14 Q. Yes. So there would be various times when he'd be alone
15 with the boys in Spey House and with other boys in the
16 orphanage?

17 A. Yes.

18 Q. And if you were staying overnight somewhere else, maybe
19 visiting your parents -- I think they had [REDACTED] in the
20 area, did they?

21 A. Yes.

22 Q. Then he would be in charge, sole charge, of the boys?

23 A. That's correct.

24 Q. But you say he would also take the boys for activities
25 from time to time?

1 A. Mm-hm.

2 Q. And he ran the Scouts?

3 A. Yes.

4 Q. Did he ever take the boys to the woods on his own?

5 A. Sorry?

6 Q. Did he ever take the boys to the woods nearby on his
7 own?

8 A. Yes, I'm sure he did.

9 Q. Was there --

10 A. Yes, he would.

11 Q. -- a place called Linwoods?

12 A. Yes, aye. There's loads of woods round about Aberlour.

13 Q. So there would be occasions when he'd go with boys to
14 the woods on his own?

15 A. Yes.

16 Q. I think you indicated to me earlier that in terms of
17 authority within Spey House when Mr Lee came, really you
18 weren't equals, he had greater authority than you did;
19 is that what the situation was?

20 A. Yes. Possibly I resented that.

21 Q. Is that because you had been there before he came?

22 A. Yes.

23 Q. And you had been in sole charge?

24 A. Mm-hm, mm-hm.

25 Q. So you didn't really like someone coming in and taking

- 1 over?
- 2 A. No. Not the way he took over, no.
- 3 Q. Can you just describe what it was about the way he took
4 over that you found difficult or caused you not to have
5 a great relationship?
- 6 A. All of a sudden he decided he was going to change this
7 and change that and change the next thing. He would
8 decide where the boys would go for walks and he would
9 decide when we went out to play rounders or cricket or
10 football. He took over.
- 11 Q. Did he ever explain why he wanted to make these changes?
- 12 A. No.
- 13 Q. Did you discuss the changes before they were made?
- 14 A. No.
- 15 Q. He just simply said, "This is what's going to happen"?
- 16 A. Yes, exactly.
- 17 Q. Can you think of a particular example of a change that
18 maybe you didn't agree with? Can you think of any --
- 19 A. I was an 18-year-old and I probably didn't stick up for
20 myself.
- 21 Q. Do you think on reflection you maybe should have said
22 a bit more at the time to him or the Reverend Leslie
23 about what was going on?
- 24 A. In hindsight, yes.
- 25 Q. Did Mr Lee, to your knowledge, discipline boys in

- 1 Spey House?
- 2 A. No, not really, no.
- 3 Q. He didn't do any form of discipline, eg sanctions, loss
4 of privileges, sending them to bed?
- 5 A. The likes of that, yes, aye.
- 6 Q. Are you saying you didn't see him administer corporal
7 punishment to any boy?
- 8 A. Never, ever.
- 9 Q. But you might have an explanation why that is now, do
10 you? Because I think we now know that he administered
11 a different form of punishment, did he not?
- 12 A. Yes, that's true.
- 13 Q. Did Mr Lee ever discuss discipline or punishment of boys
14 with you when you were in Spey House?
- 15 A. No.
- 16 Q. Did you ever refer a boy to Mr Lee for punishment?
- 17 A. Did I ever?
- 18 Q. Did you ever send a boy to Mr Lee for punishment --
- 19 A. No.
- 20 Q. -- if he was the person in charge?
- 21 A. No.
- 22 Q. Was there any reason why you didn't do that?
- 23 A. I just didn't like the man, I didn't trust the man.
- 24 Q. What was it that you didn't trust about him?
- 25 A. I don't know.

- 1 Q. There was just something, was there?
- 2 A. A feeling I had about him, mm-hm.
- 3 Q. Was it a feeling that concerned you about the safety of
- 4 the boys, for example?
- 5 A. Yes.
- 6 Q. Yes, you had a feeling?
- 7 A. Mm-hm, I had a feeling, yes, aye.
- 8 Q. At the time?
- 9 A. At the time, yes.
- 10 Q. But you couldn't put your finger on precisely what it
- 11 was?
- 12 A. No, and I didn't feel I was in a position to say to the
- 13 boys, "Look, what's going on here?" you know.
- 14 Q. And you didn't feel in a position to say to the
- 15 Reverend Leslie you had a feeling or a concern, you were
- 16 quite young and you weren't sure?
- 17 A. No, no, I never said anything to Mr Leslie.
- 18 Q. Again, in hindsight, do you think, looking back, if you
- 19 had your time again, you would have been more
- 20 forthcoming and said something?
- 21 A. Absolutely.
- 22 Q. Do you know if Mr Lee kept any instruments with which he
- 23 used to punish boys in Spey House?
- 24 A. No idea.
- 25 Q. Did he have a belt, like a school belt?

- 1 A. I don't know. I certainly never ever seen a belt.
- 2 Q. Did he have a cane or a stick or a baton or anything
3 similar?
- 4 A. No.
- 5 Q. Not that you're aware of?
- 6 A. Not that I'm aware of.
- 7 Q. Did you ever see him with a piece of broom handle, which
8 was about a foot long?
- 9 A. No.
- 10 Q. You said you'd have days off and he would be in charge
11 overnight. When he had free time, how did he spend his
12 free time?
- 13 A. I'm not sure. He read a lot. He had books and he read
14 a lot and he would go into Elgin to the cinema or
15 something, but apart from that, I never knew him to do
16 anything else very much.
- 17 Q. So did he spend a lot of his free time in the orphanage?
- 18 A. Yes.
- 19 Q. And when he had free time, did he spend it in the
20 company of the boys?
- 21 A. No, no, no, he would spend it on his own.
- 22 Q. Okay. What did you know of Mr Lee's background before
23 he came to Aberlour?
- 24 A. I knew nothing of his background.
- 25 Q. Did he tell you anything about his background?

1 A. No. I just felt it was very strange that someone from
2 England would come up to the north of Scotland to work
3 in a children's home, you know.

4 Q. Did you know that he had worked in other establishments
5 where children were accommodated?

6 A. He never discussed what he -- and he never discussed his
7 background at all. Apart from the fact that he had
8 a brother, he never discussed parents or what he'd done
9 previous or ...

10 Q. Did he discuss his hobbies or interests?

11 A. No.

12 Q. Do you know what they were?

13 A. Sorry?

14 Q. Do you know what his interests were? Did you get any
15 sort of idea what he was interested in, apart from
16 reading books?

17 A. No, apart from his books.

18 Q. And did he keep his own collection of books?

19 A. Sorry?

20 Q. Did he have his own collection of books?

21 A. He had a collection of books, yes. Some hidden away.

22 Q. Sorry?

23 A. Some hidden away, which we found later.

24 Q. Yes. Where did he keep his books, his collection of
25 books?

1 A. We had a store cupboard, we had a large store cupboard,
2 and it had a very high shelf and there were books kept
3 in a box in the top of that cupboard (inaudible:
4 distorted) we didn't know about until after the
5 incident.

6 Q. These were his books?

7 A. These were his books, yes.

8 Q. And can you give us a general idea of what sort of books
9 they were?

10 A. They were pornographic --

11 Q. Did they have photographs and pictures of young men and
12 young boys?

13 A. Well -- yes. I didn't go into the books very much.
14 I was disgusted by them, but yes.

15 Q. But a collection of such books was found --

16 A. Yes.

17 Q. -- once Mr Lee's abuse came to light?

18 A. That's right.

19 Q. These books were not kept in his own private room, these
20 were kept in a cupboard?

21 A. Mm-hm.

22 Q. Were they out of reach of children?

23 A. Absolutely.

24 Q. Do you know if the children ever knew of their
25 whereabouts or content?

1 A. I don't think so, no.

2 Q. You don't think so. Did you ever ask them after the
3 event?

4 A. No. I don't think I did, no.

5 LADY SMITH: Was the cupboard locked?

6 A. No, it wasn't locked.

7 LADY SMITH: Where was it?

8 A. It was next door to the dining room -- the day room,
9 sorry -- a very thin, narrow cupboard with high shelves.

10 MR PEOPLES: Were any of the children in Spey House
11 frightened of Mr Lee?

12 A. In hindsight, yes, they probably were.

13 Q. With the benefit of hindsight, what is it you have in
14 mind that makes you conclude now that they were
15 frightened at the time? What sort of things do you
16 recall?

17 A. Well, sometimes they didn't want to be alone with
18 Mr Lee.

19 Q. In Spey House or elsewhere?

20 A. In Spey House, in the actual house, aye.

21 Q. And was there any reluctance on the part of boys in
22 Spey House to join his Scout group?

23 A. No, I don't think so, no.

24 Q. Or to go out for walks with him?

25 A. Not as far as I know, no.

- 1 Q. But you think there was a reluctance, was there, to be
2 around him in the house?
- 3 A. Yes, on their own.
- 4 Q. You're obviously recalling something that now you see as
5 more significant than you did at the time, so what sort
6 of things did you see, if you can help us?
- 7 A. Well, I don't know. Like if the boys were going for
8 baths or that, they would always go in twos or threes if
9 he was around, they wouldn't go on their own.
- 10 Q. Was that different when you were around supervising the
11 bath time?
- 12 A. Mm-hm.
- 13 Q. They would be happy to go on their own on these
14 occasions?
- 15 A. Yes, happy to go on their own.
- 16 Q. Did they ever, though, talk about why they were going
17 into twos and threes to the bathroom?
- 18 A. Never, ever, no.
- 19 Q. So whatever was happening -- and we know things were
20 happening -- they weren't confiding in you?
- 21 A. No.
- 22 Q. Did you have a good relationship with the boys?
- 23 A. I had a good relationship -- well, I think I had a good
24 relationship with the boys.
- 25 Q. Have you ever asked yourself the question, if you had

1 a really good relationship, why they didn't come and
2 tell you what was going on or why they were terrified or
3 frightened of Mr Lee?

4 A. I think they were frightened to come and say anything.

5 Q. What were they afraid of?

6 A. Afraid of what Mr Lee would do.

7 Q. If he found out they'd told you something?

8 A. If he found out they had told me.

9 Q. Do you know how many boys at Spey House Mr Lee pled
10 guilty to sexually abusing?

11 A. I really don't know. It was all kept very quiet. After
12 I reported it, it was all kept very quiet. Probably
13 five or six of them. I really, honestly don't know.

14 Q. Just on that point then, you say it was all kept very
15 quiet. Why was that? Why was it kept quiet?

16 A. How do you mean, why was it kept quiet?

17 Q. You remember or you recall it being kept very quiet.
18 You obviously have in mind --

19 A. I think they were afraid that it would get to the
20 newspapers and they would make a big thing out of it.

21 Q. You say "they"; do you have any particular individuals
22 in mind?

23 A. No, no, not really.

24 Q. Just the organisation? What about Mr Leslie?

25 A. Mr Leslie and the orphanage themselves, you know.

1 Q. So were steps taken to try and keep the matter as quiet
2 as possible?

3 A. I expect there was, yes. Aye, I expect there was.

4 Q. Do you recall whether you were ever told not to talk
5 about it?

6 A. Yes, I was told not to talk about it.

7 Q. Who told you that?

8 A. Mr Leslie.

9 Q. When did he say that to you?

10 A. After it all came to light and Mr Lee was taken away,
11 I was told to keep quiet about it.

12 Q. Were you alone with him when this conversation took
13 place?

14 A. Mm-hm.

15 Q. Do you know if he told other people to keep quiet about
16 it?

17 A. I think possibly all the house parents were told to keep
18 quiet about it.

19 Q. Was it the subject of discussion amongst the
20 house parents after the event?

21 A. Yes, it was, aye.

22 Q. So they knew about it?

23 A. The other house parents knew about it, yes, aye.

24 Q. So although you were told not to talk about it, at least
25 within the orphanage the staff discussed the matter?

- 1 A. Yes, but not outwith the orphanage.
- 2 Q. What was the kind of discussions that were going on
3 amongst staff? What was the discussion about?
- 4 A. Well, a lot of them were in disbelief that something
5 should have been ongoing that had never come to light
6 sooner than it did.
- 7 Q. Did they think that it should have come to light sooner?
- 8 A. Obviously they did, yes.
- 9 Q. Do you think that some other staff from these
10 discussions that were going on had concerns about
11 Mr Lee's behaviour?
- 12 A. I don't think so, no, I don't think so. They certainly
13 never said anything to ... about it.
- 14 Q. You thought there were maybe five or six boys; I can
15 tell you there were actually ten boys.
- 16 A. I know there was quite a few taken away from Aberlour
17 and put down to Aberdeen.
- 18 Q. I'll come to that in a moment. I'm just telling you for
19 information that there were ten boys --
- 20 A. I didn't know that.
- 21 Q. -- between the ages of 8 and 12 when he pled guilty to
22 sexually abusing them.
- 23 A. That was obviously kept very quiet because I didn't know
24 that.
- 25 Q. The information I'm telling you now, is that new

1 information in effect, to you?

2 A. It is indeed.

3 Q. And do you know the nature of the abuse to which Mr Lee
4 pleaded guilty, other than it was sexual abuse?

5 A. Just sexual abuse, yes.

6 Q. But do you know precisely what was involved in that
7 abuse?

8 A. No.

9 Q. Did you know, for example, that it had sadistic elements
10 to it?

11 A. No, I didn't know that.

12 Q. Just in relation to how this matter came to light,
13 because I think you told us earlier that -- did you
14 report something to Mr Leslie about Mr Lee, or the
15 Reverend Leslie? Did you report something?

16 A. Yes, I did.

17 Q. So were you the person who alerted the Reverend Leslie
18 to something that you'd been told by the boys?

19 A. That's right.

20 Q. What did you report, if you can recall, to Mr Leslie?

21 A. It was an evening and I heard the boys, one boy in
22 particular, saying, "I was offered his punishment or
23 other punishment", and so I came out and I said, "What
24 exactly did you mean by that?" and he looked at the
25 other boy and he said, "Well, he's been sexually abusing

1 us". I said, "Fine, that's okay, leave it with me", and
2 I went straight to Mr Leslie that night.

3 Mr Leslie owned a flat adjacent to Spey House, so
4 I went round and I spoke to Mr Leslie. He was very,
5 very distraught about it. And the next thing --
6 everything happened very quickly. The police were on
7 the scene and that was it, Mr Lee was gone.

8 Q. So the source of the information that Mr Lee was
9 sexually abusing boys came from you hearing
10 a conversation between the boys?

11 A. That's right.

12 Q. So they didn't come and tell you, you just overheard
13 something that caused you concern?

14 A. Yes, I overheard it.

15 Q. And you spoke to them?

16 A. Mm-hm.

17 Q. You didn't at that stage hear anything about sexual
18 abuse before, you just said there was something about
19 swapping punishments?

20 A. That's right, aye.

21 Q. Why would that make you concerned? Why did you need to
22 enquire about why there was swapping of punishments if
23 you had no concerns at that point?

24 A. I don't know, I just thought, well, what's ... His
25 punishment or ... Punishment by whatever or his own

1 personal punishment. I thought, "What do you mean by
2 his punishment?" and that's when the boys told me.

3 Q. And did you get the impression at that stage that it was
4 one boy that was being sexually abused?

5 A. No, I gathered there was more than one.

6 Q. Did that become apparent --

7 A. Yes, aye. I didn't know how many. He said, "I'm not
8 alone".

9 Q. So the boy that you were talking to said he wasn't alone
10 when he was talking about being sexually abused?

11 A. Mm-hm.

12 Q. But you didn't go into any detail about what the abuse
13 consisted of?

14 A. No. I didn't want to.

15 LADY SMITH: Did the boy use the words -- I appreciate this
16 is a long time ago, but did he use the words "sexual
17 abuse" or did he describe it differently?

18 A. No, he said "sexually abused".

19 LADY SMITH: And he didn't give you any details?

20 A. No.

21 LADY SMITH: Thank you.

22 MR PEOPLES: What age was this boy?

23 A. He would have been about 8, I would imagine. Seven or
24 8.

25 Q. Can you remember who he was?

1 A. I think it was [REDACTED].

2 Q. Right.

3 A. But then again, I'm 77 years old and my memory's not all
4 that great. It's 50-odd years ago.

5 Q. But the conversation left you in no doubt that they were
6 saying that --

7 A. Something was going on.

8 Q. It was involving sexual abuse and it was involving more
9 than one boy?

10 A. Mm-hm.

11 Q. And it was Mr Lee that was responsible?

12 A. Absolutely.

13 Q. And you took this information to the Reverend Leslie as
14 soon as you were told this?

15 A. Yes.

16 Q. On receiving this report from you, just talk me through
17 again how the Reverend Leslie responded. You said
18 he was distraught.

19 A. He was completely distraught about it all. He said,
20 "Are you sure you've got it right?" I said, "I'm only
21 repeating what the boys have told me. Something needs
22 to be done and done now".

23 Q. That's what you said?

24 A. I said that to Mr Leslie, yes.

25 Q. Did he need that saying to him though, do you think?

- 1 A. Sorry?
- 2 Q. Do you think he needed you to say that to him to cause
3 something --
- 4 A. Yes, I think -- I'm not sure that he was -- he was in
5 disbelief that anything should happen under his care.
6 He said, "Leave it with me and I'll sort it out", and I
7 said, "You need to do it now".
- 8 Q. So you were quite clear that something had to happen?
- 9 A. Yes.
- 10 Q. Were you clear in your own mind what you thought should
11 happen at that point in terms of action?
- 12 A. Yes.
- 13 Q. What did you think should happen?
- 14 A. I thought the police should be called in straightaway
15 and get him out of the place.
- 16 Q. So you were really thinking two things should happen:
17 the police should be involved and Mr Lee should be
18 removed immediately?
- 19 A. Exactly, which he was.
- 20 Q. Did you convey those sentiments to the Reverend Leslie
21 at the time? Do you remember saying in terms, "I think
22 the police should get involved, I think Mr Lee should
23 leave"?
- 24 A. Yes, I said that.
- 25 Q. His reaction at that stage was, "Leave it with me", and

1 the next you're aware, the police are involved?

2 A. The police are involved, aye.

3 Q. Do I take it then that as soon as Reverend Leslie got
4 the report, he didn't simply pick up the telephone and
5 phone the police?

6 A. I think he probably did, yes. Aye.

7 Q. But you didn't see that happening?

8 A. No. No. I went back to the house. Because I was on
9 duty myself that night. Mr Lee wasn't there. I think
10 he probably was in Elgin or somewhere and he wasn't
11 there when I went back.

12 Q. So how long after the conversation with the
13 Reverend Leslie did it take for the police to arrive
14 at the orphanage?

15 A. They were there within an hour anyway, I'm sure.

16 Q. Did they speak to you personally?

17 A. No, I don't think they did. I don't think they did.

18 Q. Did you ever give a statement at any stage prior to
19 Mr Lee pleading guilty?

20 A. No. I was kept very much in the dark about what
21 happened. That's why it was a surprise to me to know
22 that it was ten boys involved in that sexual abuse case.

23 Q. Do you know who the police did speak to or take
24 statements from?

25 A. No.

1 Q. And if the police took any statements from certain boys
2 in Spey House, were you present when that happened?

3 A. No.

4 Q. Were you told it was happening if it did happen?

5 A. Mm-hm.

6 Q. Were you told it was happening?

7 A. Yes, I was told but I wasn't there.

8 Q. Who told you it was going to happen?

9 A. Yes.

10 Q. Who told you that the boys were going to be --

11 A. Yes, Mr Leslie said to me that the boys were going to be
12 interviewed by the police regarding what had happened.

13 Q. Do you know if anyone was there when the statements were
14 taken to support them?

15 A. I have no idea. As I said, I was kept very much in the
16 dark about it.

17 Q. Looking back, would you have thought it would have been
18 a good idea if you were maybe there to at least support
19 them?

20 A. Yes, mm-hm.

21 Q. Can I just ask you: had the police not been contacted on
22 this occasion, what would you have done? You were young
23 and you said that in some respects, before that, you
24 didn't feel able to raise concerns about Mr Lee. But
25 what would you have done having heard this?

1 A. If Mr Leslie hadn't called for the police, I would have
2 called for the police myself. It's a village, it was
3 a village policeman who we knew personally, who had
4 dealings with runaways at the orphanage. I would have
5 contacted him myself personally, but it really wasn't my
6 place, it was the place of my superior to report it.

7 Q. Can I ask you this, Catherine: would you have been
8 content at the time if the Reverend Leslie had simply
9 dismissed Mr Lee with immediate effect and not called
10 the police?

11 A. Definitely not.

12 Q. Is it your understanding that at least some boys from
13 Spey House were taken to Aberdeen for a medical
14 examination?

15 A. Yes, I knew that.

16 Q. When did you find that out?

17 A. Probably the night before, I was told to get them ready
18 to go. But I don't think there were ten boys went to
19 Aberdeen.

20 Q. No. You have no recollection of that number going to
21 Aberdeen for an examination?

22 A. Definitely not, no.

23 Q. So far as the medical examination is concerned of the
24 boys who did go, you were asked to get them ready by
25 who? Who asked you to do that?

- 1 A. By Mr Leslie, to get them ready for the morning as they
2 were going to Aberdeen in the morning.
- 3 Q. We've heard some evidence from a boy who did go to
4 Aberdeen, that he went in some sort of van or minibus.
- 5 A. Minibus. They went in a minibus. I remember that, yes.
- 6 Q. And that he went to Aberdeen and that he -- apparently
7 they took him to the zoo first and then he had some
8 examination or something of that kind during the day and
9 he came back to the orphanage at night. Do you know
10 anything about that?
- 11 A. No.
- 12 Q. Were you asked to accompany the boys on this trip?
- 13 A. No, I wasn't, no. I was kept very much in the dark
14 about it all.
- 15 Q. Would you have agreed to go with them had you been
16 asked?
- 17 A. Yes, I would have gone with them, yes.
- 18 Q. And in hindsight, do you think it would have been a good
19 idea for some familiar face to have gone with them?
- 20 A. I would say so, yes. I can't even remember who went with
21 them.
- 22 Q. That was my next question: did you know who did go with
23 them?
- 24 A. No, no.
- 25 Q. We understand they came back the same day. I don't know

1 if that accords with your memory. I think one of the
2 boys who did go said he came back the same day --

3 A. Mm-hm.

4 Q. -- to the orphanage.

5 A. Yes, they probably all did, yes.

6 Q. Can I ask you this: what, if anything, was done by you
7 or others at Aberlour to support and counsel the boys
8 who had been sexually abused by Mr Lee?

9 A. We were just there for them and if there was anything
10 they wanted to talk about, I was there to talk it over
11 with them.

12 Q. Did you sit them down individually and say that to them?

13 A. No, no.

14 Q. So how would they know that they could talk about it to
15 you?

16 A. Well, I spoke to one or two of them, you know --

17 ██████████ AJK ██████████, for a start. I said to ██████████ AJK "If there's
18 any problems at all, feel free to talk to me".

19 I thought I had a good relationship with the children
20 that I cared for.

21 Q. Why did you identify that particular boy as one to speak
22 to? Did he seem particularly distressed?

23 A. Yes, aye. I think he was one of the older ones.

24 Q. Were you given any instruction or guidance as to how to
25 handle this situation and what support to give to the

1 boys?

2 A. None whatsoever, no.

3 Q. What was the Reverend Leslie doing at this stage?

4 A. Sorry?

5 Q. What was he doing? What was the Reverend Leslie doing

6 when the boys came back to address that matter?

7 A. I don't know. I didn't see very much of him at all.

8 Q. One thing he did do, as you've told us earlier, was

9 he was wanting to make sure it wasn't a matter that was

10 talked about. Is that --

11 A. Mm-hm, yes.

12 Q. He told you not to speak about it?

13 A. Yes, that's correct.

14 Q. You're giving the impression in your evidence, and

15 correct me if I'm wrong, that really he didn't want to

16 tell you any more than he needed to about what was going

17 on.

18 A. No, that's correct, aye.

19 Q. But you were the house mother in Spey House.

20 A. Yes.

21 Q. Do you feel you should have been given full information?

22 A. Well, I suppose I should have been, yes. I think they

23 were hell-bent on keeping everything quiet so it didn't

24 get out to the press and the board of governors and

25 things like that, I don't know. I think they probably

1 did get in touch with the different departments where
2 the boys came from, you know, the different places the
3 boys came from.

4 Q. Do you know whether that happened?

5 A. Sorry?

6 Q. Do you know whether they got in touch with the different
7 departments or the authorities that placed the boys at
8 the orphanage?

9 WITNESS SUPPORT OFFICER: Sorry to interrupt, Mr Peoples,
10 you're just a bit too near to the microphone, I think.

11 MR PEOPLES: Do you know whether the orphanage wrote to the
12 placing authorities about the boys?

13 A. That was the intention. Whether they ever did or not,
14 that was the intention: to go to the different
15 authorities where the boys were sent to Aberlour from.

16 Q. I think we've seen correspondence -- I'm not going to
17 take you to it, but there's correspondence that
18 indicates that the authorities were written to after
19 Mr Lee was convicted.

20 A. Right.

21 Q. But there's nothing to indicate they were contacted
22 before he was convicted?

23 A. Beforehand? No, no.

24 Q. Would it not have been appropriate, if they were the
25 placing authority, to let them know immediately what had

1 happened?

2 A. I would have thought so, yes. They should have been
3 told immediately about what happened.

4 Q. Do you know what steps, if any, were taken by the warden
5 or the orphanage to contact the families of the boys to
6 advise them what had happened?

7 A. I have no idea.

8 Q. You kept a diary, did you not, of significant events at
9 Spey House?

10 A. Mm-hm.

11 Q. Did you record anything about this in your diary?

12 A. I don't think so, no. That was afterwards. I didn't
13 keep a diary before that happened. That came
14 afterwards, I think.

15 Q. Was there any reason why you started keeping a diary
16 after this event?

17 A. Because Mr Leslie had asked me to do it, asked all the
18 house parents to keep a diary.

19 Q. So was that one of the changes that was introduced as
20 a result of what happened with Mr Lee, do you think?

21 A. Yes.

22 Q. Because I think you've got in front of you, in the file
23 that we've given you, some records or extracts from the
24 boys' files. You've had a chance to look through those,
25 haven't you?

1 A. Sorry?

2 Q. Have you had a chance to look at the extracts from the
3 files that we've --

4 A. Just for a few minutes, aye.

5 Q. What I was interested in is whether you have any entries
6 that you can recognise from these documents that you put
7 into --

8 A. Yes. Yes, some of them are my handwriting, yes.

9 Q. So these were entries taken from the children's files?

10 A. 1963? So that was after Mr Lee left then. That would
11 have been after Mr Lee left, wouldn't it? You said he
12 left in 1963.

13 Q. Yes. I think we think he left in about August 1963.

14 A. Well, that's my first report, end of August 1963.

15 Q. Can you tell us what document you're looking at to show
16 a report written by you? Which document?

17 A. ABE.001.008.9011.

18 Q. 9011?

19 A. Mm-hm.

20 Q. We'll maybe bring that up. Is that a document that has
21 got quite sort of distinctive writing? Is that your
22 writing?

23 A. That's my writing, yes.

24 Q. And that relates to one boy who -- and I won't ask you
25 to give his name, but he was born in 1955?

1 A. That's right, yes.

2 Q. And is the first entry on that page 27 August 1963?

3 A. That's correct, aye.

4 Q. So is that your writing then when we see that?

5 A. That's my writing, yes.

6 Q. If I just ask you, Catherine, to go to the next page
7 in that part of the file at 9012. This is about the
8 same boy.

9 A. Mm-hm.

10 Q. Do you recognise the handwriting?

11 A. I don't recognise the handwriting at all, no.

12 Q. Would you recognise Mr Lee's handwriting?

13 A. I honestly couldn't tell you.

14 Q. But we can at least tell which entries you wrote because
15 you've given us an example of your writing?

16 A. Yes.

17 Q. If I go to a document that's in the file, Catherine,
18 that you've been given. It's in divider number 6 in the
19 file and it's ABE.001.008.9026. Do you have that page
20 in front of you?

21 A. Yes.

22 Q. You'll see that's in a file of a boy and he was one of
23 the boys who was abused. Did you know that?

24 A. Yes. Yes, I did know [REDACTED] was one, yes, uh-huh.

25 Q. What appears to be written in his file are two names: is

1 it Sergeant Gore and Constable Ritchie?

2 A. Mm-hm.

3 Q. Does that say something -- is it "City CID"?

4 A. No.

5 Q. No? Something CID.

6 A. It's something CID, but no, it's not -- that wasn't

7 a local policeman.

8 Q. It wasn't the policeman you knew?

9 A. No.

10 Q. Because I think that's the only reference we've been

11 given that shows police involvement with any of the boys

12 that were abused by Mr Lee. That's the only reference

13 in the files to police officers.

14 A. Yes.

15 Q. Earlier, we were talking about writing to local

16 authorities. If I could take you to another part of the

17 file in front of you, Catherine, to divider number 11.

18 It's extracts from another file. It's ABE.001.008.8938.

19 Have you got that one?

20 A. Okay, uh-huh.

21 Q. Do you recognise the name there of the boy? I don't

22 want you to name him.

23 A. Yes, I recognise the name.

24 Q. Did you know that he was one of the boys who had been

25 sexually abused by Mr Lee?

1 A. I did know he was one, yes.

2 Q. You'll see there that there was a letter written on
3 3 October 1963 to the children's officer of Kirkcaldy --

4 A. Right.

5 Q. -- about this boy.

6 A. Yes.

7 Q. And it begins:

8 "I am sorry to have to inform you --"

9 LADY SMITH: Mr Peoples, can you hang on a moment? Is this
10 document available on screen or not? No? Carry on. If
11 you take it slowly, Mr Peoples.

12 Sorry, Catherine, I was just checking what the
13 position was with the screen here in the hearing room.

14 MR PEOPLES: This document is one of a number of similar
15 letters sent on 3 October 1963, Catherine, to various
16 children's officers about boys who were sexually abused
17 by Mr Lee. The first paragraph of this letter, which
18 was sent by the warden, begins:

19 "I am sorry to have to inform you that the above
20 named boy, with others, was the subject of indecent
21 interference by a former house father here."

22 And then there's some further information:

23 "Information was laid with the police in connection
24 with the house father concerned. He was prosecuted and
25 is now serving a prison sentence. The boys concerned

1 were medically examined and it was found there was no
2 physical damage, no evidence of interference and no
3 infection. I am deeply sorry to have to write thus to
4 you and, as you will gather, we have taken every step
5 possible to redress the situation. The inspectorate of
6 the department have been fully informed in this matter."

7 And that's the warden, Reverend Leslie's letter.

8 A. Yes.

9 Q. Do I take it --

10 A. That's a few months after the situation. That was two
11 months after the thingummy occurred, isn't it?

12 Q. Yes. It does appear from the letter that that's the
13 first indication that something had happened.

14 A. That the children's officers heard about it, yes.

15 Q. Yes. Were you aware of this letter until I showed it to
16 you today?

17 A. No.

18 Q. It seems a bit late in the day to be sending this
19 letter.

20 A. Well, I would have thought so. I thought they should
21 have been told at the time.

22 Q. Because if we go to the previous page, Catherine, of the
23 same file, it's at page 8937 of the same file for the
24 same boy, you'll see that there's another letter from
25 the warden to the same children's officer on

1 9 October 1963.

2 A. Mm-hm.

3 Q. Where, clearly, the children's officer has been wanting
4 a bit more information.

5 A. Yes.

6 Q. And the response given by the warden is:

7 "I feel it would be impossible to supply you with
8 precise dates as we could not ascertain this ourselves.
9 As near as we could say would be the offences occurred
10 between June and July, but were not discovered until
11 a later date. Investigations were made on 16 and
12 17 August resulting in the immediate suspension and
13 removal from Aberlour of the house father concerned on
14 17 August. The matter was handed over to the police and
15 the house parent was arrested on 19 August. He made
16 a statement admitting the offences. He pleaded guilty
17 so that the boys did not have to appear before any
18 court. I trust this information will help you in
19 reporting to your committee."

20 So again, it's supplying information some time after
21 the event.

22 A. Yes.

23 Q. It does rather suggest that the process of investigation
24 and ultimate arrest of the house parent took a few days;
25 do you see from the letter?

1 A. Mm-hm.

2 Q. Because it's suggesting some form of investigations were
3 made on 16 and 17 August and that resulted in immediate
4 suspension and removal on the 17th, but that the
5 house parent wasn't arrested until the 19th.

6 A. Uh-huh.

7 Q. And it's not clear from the letter whether the matter
8 was handed over to the police immediately or after an
9 interval of time. Do you see what I'm saying?

10 A. Yes, I understand. I can see what you're saying, yes,
11 aye.

12 LADY SMITH: Mr Peoples, can you remind me the date of the
13 conviction?

14 MR PEOPLES: 13 September 1963, I think.

15 LADY SMITH: The same year?

16 MR PEOPLES: Oh yes. It was a very quick process. It was
17 an accelerated indictment. But very quick, the
18 following month. It was -- September was the
19 conviction. I think he was certainly sentenced on the
20 13th. He may have pled on the week before, the 6th,
21 possibly, if I remember my dates.

22 LADY SMITH: Just confirm for me -- you may be going to go
23 to this, the details of the charges. But I see that the
24 warden was writing there was no evidence of
25 interference, that was on the physical examinations of

1 the boys in Aberdeen.

2 MR PEOPLES: Well, there were two sodomy --

3 LADY SMITH: Does that fit with the charges to which

4 Mr Eric Lee pled guilty?

5 MR PEOPLES: I think I said on an earlier occasion, there
6 were nine charges of lewd and libidinous practices and
7 behaviour, and two charges of sodomy involving two boys.
8 So that would have involved penetration -- at least
9 he was pleading to penetration.

10 LADY SMITH: He was pleading to penetration. It may be on
11 medical examination there was nothing to report.

12 MR PEOPLES: Absolutely. I'm not suggesting that the
13 medical examination revealed evidence of a particular
14 injury, but the charges that he pled to included two of
15 unnatural carnal connection with boys between the ages
16 of 8 and 12.

17 LADY SMITH: Yes. By the time the warden is writing these
18 letters to the children's officer and the placing
19 authorities, he was in a position to be in possession of
20 the full details of the charges to which Aberlour's
21 former employee had pled guilty?

22 MR PEOPLES: Well, one presumes so. It's difficult to think
23 otherwise. I don't think there's any clear evidence
24 in the records we've been given as to what information
25 he was given and when, but one I think has to presume

1 that he would be well aware of what was going on and
2 what the disposal was and what the charges may have
3 been.

4 LADY SMITH: He should have made himself aware.

5 MR PEOPLES: If not, he should have been. I think the
6 difficulty is that the records on this matter are not
7 terribly informative, either the records in the minutes
8 of the organisation or the children's records as to how
9 much was -- well, at what stage information was known to
10 the warden and to others and what steps were taken in
11 response to this matter coming to light. I think that's
12 perhaps the point that one can make on a reading of the
13 available records.

14 LADY SMITH: Thank you.

15 MR PEOPLES: Catherine, sorry, that was a bit of
16 a digression about the background and the records that
17 exist on this matter.

18 There is not a lot in the children's files about
19 this matter so far as we can see. Were you someone that
20 would have seen those files at the time anyway?

21 A. No. I wouldn't have seen the files, no.

22 Q. Would you have expected the files to be a bit more
23 informative about what had happened to each boy?

24 A. Well, I would have thought so, yes, aye.

25 Q. While there's a letter that has gone out to children's

1 officers, where the boys were placed by the local
2 authority, there appear to be some boys who were placed
3 under private arrangements. That would have been the
4 case in --

5 A. I don't know about that. I don't know about that.

6 Q. What I can say is that there are some records where
7 there is no letter like the letter of 3 October --

8 A. Right.

9 Q. -- and there were some boys who perhaps were not placed
10 by the local authority as such.

11 A. I understand, yes.

12 Q. And I think you maybe realise now why I asked you
13 earlier on, did -- even the families of those boys, were
14 they alerted to what had happened, were they told, did
15 they know?

16 A. I honestly don't know. I'm sure they would have been or
17 should have been.

18 Q. Yes. Can you recall whether any of the boys, after this
19 terrible episode, had any visitors, family visitors, and
20 whether the matter came up in discussion?

21 A. No, I can't recall. It was like a closed book. After
22 the court case and everything, there was nothing more
23 said about it.

24 Q. So apart from you having to keep a diary, did life just
25 go on as before?

1 A. As before, yes, aye.

2 Q. And the matter was not spoken about?

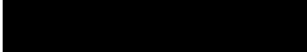
3 A. No.

4 Q. Officially?

5 A. I never had a house father after Eric Lee. It was
6 always house mothers I had with me.


7 Q. Do you know whether that was a conscious decision in
8 light of Mr Lee?

9 A. I think it maybe was. They were the younger ones. The
10 older boys all had house fathers, but the houses all had
11 house fathers, but Spey House was the youngest boys
12 in the home.

13 Q. I think there were two boys in the file that I've given
14 you, and I don't want to mention their names, but
15 I think they at least had one parent who was based in
16 

17 A. Yes.

18 Q. Do you remember a family, two brothers?

19 A. It was  brothers.

20 Q. Two of them were at the orphanage certainly.

21 A. No, they were all at the orphanage.

22 Q. They were all there?

23 A. Mm-hm.

24 Q. I think two of them -- Mr Lee abused two of the boys.

25 A. Uh-huh.

1 Q. I think you know that now. I don't know if you knew it
2 at the time?

3 A. Yes, I do remember [REDACTED] yes. I do remember the two
4 boys, aye.

5 Q. And I think these boys, some time after this matter came
6 to light, went to [REDACTED] to be reunited with
7 their mother; is that right?

8 A. Their father, yes. They went to [REDACTED] aye.
9 Sadly, one died.

10 Q. Right. There is correspondence in the file about them
11 being returned to their father, and I think we can see
12 that happening, but what we don't see in the file is
13 anything to suggest that the father became aware of what
14 had happened to his sons.

15 A. Mm-hm.

16 Q. Do you know whether he ever did?

17 A. I don't think he ever did. He was never very much in
18 contact with the boys. It was just a last-minute thing
19 that he seemed to appear on the scene and wanted the
20 boys to join him in [REDACTED]

21 Q. But do you not think it might have still been sensible
22 to have told him what had happened?

23 A. Yes. Yes, but not on my part. It should have been on
24 the part of the Reverend Leslie. It wasn't up to me:
25 I was told to keep my mouth shut.

1 Q. I'm not for one minute suggesting you should have done
2 this. But I am just asking you to comment -- this was
3 the boys' parent who was --

4 A. Yes. In hindsight, he should have probably been told,
5 yes.

6 Q. Do you know whether the Reverend Leslie, or Aberlour as
7 an organisation, at any time apologised to the boys for
8 what had happened to them?

9 A. I have no idea. I honestly couldn't tell you.

10 Q. Were you not aware of any apology?

11 A. No.

12 Q. And did the Reverend Leslie ever discuss what redress of
13 the situation was being carried out?

14 A. No.

15 Q. Because you saw in the letter he told the local
16 authority steps were being taken to redress the
17 situation. I just wondered what steps you can recall
18 being done or taken at the time.

19 A. Nothing was ever mentioned to me, no.

20 Q. Do you recall whether this abuse by Mr Lee, which he
21 pled guilty to, whether it was reported in the local
22 newspapers?

23 A. It was. Well, I don't ... No, I think when he actually
24 came to court and he was given six years, I think it
25 went in the paper then. But I think it said

1 a children's home. I don't think it mentioned Aberlour.

2 Q. Was there a local newspaper that circulated in Aberlour
3 at the time?

4 A. No.

5 Q. Was it the Press & Journal?

6 A. The Press & Journal is an Aberdeenshire paper.

7 Q. But I think it has a circulation in the Aberlour area,
8 does it not?

9 A. Oh yes, it would have done, yes, it would have done,
10 aye.

11 Q. Was there anything more local than the Press & Journal
12 at the time? Any more local newspaper?

13 A. No.

14 LADY SMITH: The Inverness Courier, would that cover your
15 area as well?

16 A. No, the only one that would have covered Aberlour would
17 be the Northern Scot. It was an Elgin-based paper.

18 MR PEOPLES: Do you know if --

19 A. I don't recall anything ever being in the paper. The
20 only bit I remember being in the paper was when he was
21 finally jailed and it said for what he'd done and from
22 a children's home in the north-east of Scotland --

23 LADY SMITH: Right.

24 A. -- which could have covered two or three places.

25 LADY SMITH: Mr Peoples, was this the High Court sitting in

1 Aberdeen or was it on circuit in Elgin?

2 MR PEOPLES: No, it was the High Court sitting in Aberdeen
3 in September where the matter was disposed of.

4 LADY SMITH: Thank you.

5 MR PEOPLES: So your recollection is that it didn't get
6 a lot of press coverage at the time and the orphanage
7 wasn't necessarily identified as the place where this
8 sexual abuse took place on a pretty grand scale,
9 it would appear?

10 A. Mm-hm, mm-hm. No, I don't think there was very much
11 in the newspaper coverage about it at all.

12 Q. So far as the newspapers were concerned, generally
13 speaking, would boys in Spey House and other residents
14 in Aberlour Orphanage have access to newspapers at that
15 time?

16 A. Yes, of course they would, yes, aye. I got the
17 Press & Journal every day when I was in Aberlour, like
18 I still get it now.

19 Q. Was there any attempt to stop the boys reading any
20 reports about this matter?

21 A. No, I don't think so, no. No. I just don't recall
22 anything about it, apart from that article when he was
23 finally charged.

24 Q. Were there regular assemblies of all the residents in
25 Aberlour Orphanage that were conducted by the

1 Reverend Leslie as the warden? Did the whole orphanage
2 assemble together at any stage as a matter of routine?

3 A. Yes. On a regular basis, yes.

4 Q. And was anything said at these assemblies after this had
5 come to light about this matter?

6 A. Not a thing. Not a thing.

7 Q. Would you have expected something to have been said?

8 A. I don't know. I don't know.

9 Q. You mentioned there were a couple of changes. You had
10 a diary which you think Reverend Leslie wanted you to
11 keep and you started maintaining a diary. You've
12 identified entries that you made. I take it these were
13 entries that you put in your diary, is that correct, the
14 ones we have seen?

15 A. Yes.

16 Q. You said also --

17 A. I didn't even know what happened to the diaries, but
18 somebody must have got hold of them somewhere.

19 Q. You also said the other change was that you didn't have
20 another house father come to Spey House, you had an
21 assistant house mother?

22 A. Mother, uh-huh.

23 Q. But apart from that, were these the only changes that
24 you can recall?

25 A. Yes, that's the only changes I can recall.

1 Q. Were you ever asked at any time to take part in or
2 contribute to a review of what had happened, why it had
3 happened, and why it had not come to light? Was there
4 ever any review by the orphanage or the warden or
5 anyone?

6 A. Nothing at all.

7 Q. Can I move on to something different now, Catherine.
8 I've been asked to ask some questions about another
9 individual, [REDACTED] BBR . Does that name mean anything
10 to you?

11 A. Yes, it does. He was a house father.

12 Q. Did you have any concerns about him?

13 A. Mm ... He was a lovely man, [REDACTED] BBR but
14 he was ... I don't know how you'd put it ... you'd
15 think he was sort of into men, into males rather than
16 females, you know. But he was a lovely man,
17 [REDACTED] BBR .

18 Q. Did he form quite a special relationship with some of
19 the younger boys?

20 A. One boy in particular, aye.

21 Q. Did that boy subsequently go to live with [REDACTED] BBR ?

22 A. That's true.

23 Q. And change his name to [REDACTED] BBR ?

24 A. That's right. Mm-hm.

25 Q. But did that relationship begin when the boy was at

- 1 Aberlour?
- 2 A. I think it must have done.
- 3 Q. Were you aware of any concerns or rumours about
- 4 ██████████ BBR ██████████'s behaviour with boys in his charge about
- 5 he was at Aberlour?
- 6 A. No, no.
- 7 Q. Had you become aware of any concerns, what would
- 8 you have felt able to do? Say you'd heard something.
- 9 A. Well, if I had suspicions that he was interfering with
- 10 the boys, I would have gone to Mr Leslie about it, but
- 11 I never had any suspicions. He was a lovely man,
- 12 ██████████ BBR ██████████.
- 13 Q. So when you were comparing him with Mr Lee, were they
- 14 very different?
- 15 A. Very different, aye.
- 16 Q. Did he have a much better --
- 17 A. He was English as well.
- 18 Q. Did he have a much better relationship with the boys in
- 19 his charge?
- 20 A. Yes, he had a good relationship with the boys and the
- 21 boys all seemed to like him. There never seemed to be
- 22 any fear of him.
- 23 Q. Generally, if we're looking at the matter of awareness
- 24 of what was going on at Aberlour, we know about Mr Lee
- 25 now and you have told us about how that came to light.

1 But generally speaking, how much would you know about
2 what was happening in other houses and how children were
3 being treated at the time?

4 A. Not a lot, no. I wouldn't have known what was going on
5 in other houses.

6 Q. I think you've dealt with this point in your written
7 statement, Catherine, but were you, during your time
8 at the orphanage, aware of other staff abusing children,
9 including by, for example, beating them? Because we've
10 heard evidence that that did happen in other houses.

11 A. No, no.

12 Q. There was no talk of that that came to your attention?

13 A. Never heard any talk of that, no.

14 Q. There was no talk or rumour that in certain houses some
15 children were badly treated, there was nothing of that
16 kind that came to your attention?

17 A. No.

18 Q. Would one reason for that be that you basically were
19 concentrating on Spey House and you weren't really
20 conversant --

21 A. Exactly. It was my concern. I wasn't interested in
22 what was going on in other houses. If I thought for
23 a minute there was corporal punishment being dealt
24 within other houses, I think I would have been forced to
25 say something to them about it or go to Mr Leslie.

1 Q. I suppose you're fairly clear what you would do know in
2 these situations, but you were very young then, as you
3 said. Would that have been an inhibiting factor, your
4 age, at that time?

5 A. Yes, probably it would have been.

6 Q. You'd have to be on pretty solid ground before you would
7 say something?

8 A. Yes.

9 Q. Did you ever hear anything said about an individual
10 called **BGG** ?

11 A. Yes. I knew Mr **BGG** yes.

12 Q. Did you ever hear any rumours about what he was like and
13 what he did?

14 A. No.

15 Q. What about **BGJ**

16 A. Do you know, I can't even remember **BGJ** .

17 Q. I think he was a bit younger than Mr **BGG** , but they
18 were both house parents together?

19 A. Mr **BGG** was quite old, aye. **BGJ** , yes, I do
20 remember **BGI** .

21 Q. But you don't have any recollection of becoming aware of
22 any concerns about him?

23 A. No.

24 Q. What about Mr **BGX** ?

25 A. Well, he was in Spey House for a while. Then he moved

1 on.

2 Q. What can you tell us about him? Did you have any
3 concerns about him?

4 A. No. I worked alongside [REDACTED] BGX and he was okay.

5 Q. Do you happen to know why a Mr and Mrs [REDACTED] BGH/BGI left
6 Aberlour in about 1964? Do you remember them?

7 A. [REDACTED] BGH/BGI ?

8 Q. [REDACTED] BGH/BGI no? It's not a name -- a couple that ...

9 A. Sorry?

10 Q. That name doesn't mean anything to you? I think they
11 were at The Dowans for a while.

12 A. Oh well, if they were at The Dowans, The Dowans was
13 apart from Aberlour Orphanage.

14 Q. You didn't hear anything about them?

15 A. No, the name doesn't ring a bell at all.

16 Q. In terms of raising concerns, Catherine, at the time --
17 not now, but looking back -- at the time, if you put
18 yourself back to that time when you were quite a young
19 house mother, would you have been at all concerned that
20 you might lose your job if you reported another member
21 of staff in relation to concerns that you had about
22 them? Do you think there was any --

23 A. No, I never, ever thought of that, no.

24 Q. So do you think if something did come to your knowledge
25 that was sufficiently serious, you would have taken

1 action?

2 A. I think I would have done, yes.

3 Q. I think you did with Mr Lee, obviously.

4 A. Yes.

5 Q. So you did feel that that was an occasion when you had
6 to do something and you did something?

7 A. Mm-hm.

8 MR PEOPLES: I just have three more matters to deal with.

9 I wonder if maybe it's just as good a time as any to
10 take a short break; I think it's been quite a long
11 session for everyone.

12 LADY SMITH: Catherine, we usually take a short break at
13 this stage, so we'll do that now and then we'll come
14 back to the video link after that.

15 A. Thank you.

16 (11.28 am)

17 (A short break)

18 (11.48 am)

19 LADY SMITH: Hello again, Catherine. Are you ready for us
20 to carry on?

21 A. Yes, thank you.

22 LADY SMITH: Thank you.

23 Mr Peoples.

24 MR PEOPLES: Catherine, I only have a couple of matters now
25 to deal with. One of the matters I wish to deal with at

1 this stage is an allegation that was made by a former
2 resident, which you deal with in your second statement,
3 and I think you have that statement in front of you.
4 I just want to ask you about that, if I may, at this
5 stage.

6 Can I just say, before I do so, that when you
7 responded in writing to this matter, you were warned,
8 of course, that you didn't have to say anything about
9 the matter because you had the right not to answer
10 questions or to say anything, but if you did it would be
11 evidence and it could be used in other proceedings at
12 another time, and therefore you have the right not to
13 say anything. I'm just repeating that warning again.
14 It's the same right as you had before.

15 A. Okay.

16 Q. If you don't want to answer any questions on this
17 matter, just please say so. If I ask a particular
18 question and you don't want to answer, please say so as
19 well.

20 A. Yes.

21 LADY SMITH: Catherine, just let me confirm. Mr Peoples is
22 absolutely right in what he's just said: you have all
23 the protections he has just referred to. Any doubt,
24 just ask me; all right?

25 A. Thank you.

1 MR PEOPLES: You deal with this matter in your second
2 statement, Catherine, and you know the boy who made the
3 allegation. You know who he is?

4 A. I do, aye.

5 Q. He was in Spey House when you were the house mother.
6 Is that --

7 A. That's correct, aye.

8 Q. I think you tell us in your second statement a little
9 bit about that particular boy. Basically, what you say
10 is that it's all fairly good memories of the type of boy
11 he was. You didn't have a particular difficulty with
12 him; is that correct?

13 A. That's correct.

14 Q. And I think you tell us that he was, in your experience,
15 a nice boy, he wasn't a troublemaker, so far as you were
16 concerned, and you had a good relationship with him?

17 A. Mm-hm.

18 Q. And indeed you tell us he was part of a guard of honour
19 when you got married in 1967.

20 A. That's correct.

21 Q. Can I also say, before I put the matter to you that he
22 gave us evidence about, he agreed, he said he had a good
23 relationship with you, and this was the only matter he
24 raised about you. So I'm just wanting you to understand
25 that. He wasn't making any other suggestions, it was

1 something he recalled and he said that that was his
2 recollection.

3 A. Right.

4 Q. So bear that in mind. He is not suggesting that in
5 other respects he didn't have a good relationship or
6 that you weren't a caring house mother and treated him
7 well. So if I can put that to you so that you
8 understand what his general position was.

9 A. Yes, I understand.

10 Q. I think you know this boy went through quite a lot in
11 his time in Spey House because he was one of the boys
12 abused by Mr Lee.

13 A. That's right, aye.

14 Q. His recollection is that there was an occasion when
15 he had a stye on his eyelid and that his recollection
16 was that, for one reason or another -- and I think he
17 may have suggested he had done something wrong -- on one
18 occasion you slapped him with the back of your hand and
19 that caused the stye to burst, and he reacted by
20 slapping you back and his recollection was that he was
21 sent to see the warden for a punishment.

22 Do you have a recollection of that incident
23 happening?

24 A. I certainly do not have any recollection. I mean, if
25 I did slap him, then perhaps I did, but in all the times

1 I was in Spey House none of the boys ever lifted their
2 hand to me. So I think I would have remembered that
3 incident if it happened.

4 Q. So it's more because you don't have a memory of someone
5 reacting in that way, a boy that you were looking after?

6 A. Mm-hm.

7 Q. It was a long time ago and I think you've said that
8 a lot of these things happened a long time ago and
9 I suppose time can erase or dim memories.

10 A. Yes.

11 Q. I don't think you're excluding the possibility that with
12 a handful of boys and quite a challenging situation at
13 times, you might have used your hand to slap them?

14 A. Perhaps I did, but I certainly do not recollect using my
15 hand to slap any boy.

16 Q. Are you suggesting that he's got it wrong or at least
17 you just don't remember that?

18 A. I think he must have it wrong because I would recollect
19 that. At no time did any boy ever lift his hand to me.

20 Q. I suppose he might have reason to remember because
21 he had this stye injury and he remembered what had
22 happened. So you might say, how would he remember
23 a slap so many years on, but I suppose if you have some
24 reason to remember, it might be why you remember.

25 A. I understand.

1 Q. You follow?

2 A. Yes, I do.

3 Q. I think you say very fairly in your response that you
4 can't really offer an explanation why he would be making
5 this up.

6 A. No. I have no idea why he would say that, no.

7 Q. I think it's fair to say and I think now -- I don't
8 think he gave us evidence to the effect that the slap
9 was in any way a forcible one. It's simply that he had
10 this problem and it caused --

11 A. It caused the styte to burst.

12 Q. Yes.

13 A. But I have no recollection of that ever happening.

14 Q. But would I be right in thinking -- and I maybe said
15 this to you earlier -- there would be times, I take it,
16 in a house full of boys, and you were quite a young
17 person, that they could be quite a handful to deal with
18 and that they would sometimes be difficult to control?

19 A. Push you to the limit, aye.

20 Q. We all learn from experience, but you were quite young
21 and it was quite a difficult situation to be put in,
22 with the benefit of hindsight; is that correct?

23 A. Yes.

24 Q. I think you said you got a certain amount of learning
25 from other house parents before you started as

1 a house mother, but you were basically pitched in and
2 left to get on with it, I think was the way you put it.

3 A. That's right.

4 Q. So if I just leave the matter, we have your response to
5 that and I'll move on.

6 There's one other matter I want to cover with you
7 and it's this: we've heard some evidence of boys who
8 left Aberlour for one reason or another and the general
9 evidence, I think, is to the effect that they've said
10 that it was a rather abrupt departure and there was no
11 real preparation for them leaving or going to the next
12 stage in their life. How much preparation do you recall
13 residents getting?

14 A. We were told the day before to get the boys to go to
15 number 19, which was a clothing store, to get kitted out
16 as they were leaving in the morning, and that was as
17 much notice as we ever got. I didn't know where they
18 were going or who was taking them or anything. The
19 night before and that was it.

20 Q. Was that something that concerned you at the time that
21 it was done so quickly and abruptly?

22 A. Yes.

23 Q. Did you feel able to say anything, though, to either the
24 warden or anyone else, saying can we not deal with this
25 differently?

1 A. No, no. Because sometimes you saw the boys getting very
2 distressed about it: you had no time to say goodbye to
3 any of your friends or anything, that's it, you're up
4 and you're off in the morning and that's it, end of
5 story.

6 Q. In the case of the boys that left in that way, did you
7 maintain contact with them or --

8 A. I'm in contact with a few of the boys, yes, I am.

9 Q. Were you encouraged by the organisation or by the warden
10 to keep in contact or was that just something you did?

11 A. No, it's just something I did.

12 Q. I suppose now, looking back and with the benefit of
13 hindsight, do you think that it was satisfactory the way
14 that the leavers were dealt with at the time?

15 A. No, no, I didn't.

16 LADY SMITH: Was it left to you to tell a boy that he would
17 be leaving in the morning?

18 A. No, the warden told them. The warden told them. I got
19 a message the morning before: get such-and-such ready,
20 go to number 19, get him kitted out with clothes as he's
21 leaving in the morning.

22 LADY SMITH: Would the boy have been told by the warden that
23 day or would he have been told before then?

24 A. Yes, they would have been told that day.

25 LADY SMITH: So the boy would only have 24 hours' notice?

1 A. Less than that probably, aye. Some of them were
2 absolutely delighted they were going, others were upset
3 they were going.

4 LADY SMITH: Would the warden tell you where the boy was
5 going?

6 A. No, no.

7 LADY SMITH: So you weren't in a position to talk to the boy
8 about that at all?

9 A. No, no.

10 MR PEOPLES: In the case of boys who left around
11 school-leaving age, around 15, and went off to live
12 somewhere else and work in some capacity, do you think
13 they were equipped for that challenge at that age, just
14 to get out in the world on their own?

15 A. Well, I would say no. No.

16 Q. So generally speaking, they weren't really prepared for
17 that experience?

18 A. No.

19 Q. Am I right in thinking that in the case of Aberlour,
20 certainly in your period of employment, that a lot of
21 the boys that were there had been there for quite a long
22 time, from a very young age until 15?

23 A. From a very young age, yes, aye.

24 Q. So all they would know in some cases, if they came when
25 they were really young, was Aberlour. That was their

1 home?

2 A. That's right.

3 Q. And therefore they would have no experience of a big
4 city or of the outside world or how to manage their
5 lives?

6 A. No, absolutely not, no.

7 MR PEOPLES: I think, Catherine, these are all the questions
8 I have for you today. I would just like to thank you
9 for making yourself available today by way of the video
10 link. I can now say that I have finished my questions.
11 I don't think there are any other questions from other
12 parties, so I thank you for giving your evidence today
13 to the inquiry.

14 LADY SMITH: Are there any outstanding applications for
15 questions? No.

16 Catherine, that completes the questions we have for
17 you. It just remains for me also to thank you very much
18 for engaging with the inquiry, both by providing your
19 written statements, which have been very helpful to us,
20 and by making yourself available over the video link
21 today, which I'm delighted to say has worked very well
22 from this end and I hope you have found it quite easy to
23 use at your end. Thank you for that, and I'm now able
24 to let you go.

25 A. Thank you, Lady Smith. Thank you.

1 (The video link was terminated)

2 MR PEOPLES: I wonder if we could just have a short break
3 for me to prepare for the next witness.

4 LADY SMITH: Just before I rise for that break, can
5 I mention a couple of things in relation to my general
6 restriction order. A range of first names of children
7 who were in care were mentioned by Catherine. They are
8 covered by my general restriction order because they
9 relate to people who were children in care. She also
10 mentioned a name, a full name, [REDACTED]. Again
11 that related to -- I think she intended it to relate to
12 a child in care, so again, that name is covered by my
13 restriction order.

14 None of these names can be identified outwith the
15 hearing room as having been children in care.

16 Thank you. I'll rise for a few minutes.

17 (12.00 pm)

18 (A short break)

19 (12.05 pm)

20 LADY SMITH: Mr Peoples.

21 MR PEOPLES: My Lady, the next witness to give oral evidence
22 is Romy Langeland.

23 ROMY LANGELAND (sworn)

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

25 It's important that you use the microphone because it

1 really helps you to be heard everywhere in the room,
2 particularly by the stenographers, who listen to you
3 through the sound system.

4 I'll pass over to Mr Peoples and he'll explain what
5 happens next.

6 Mr Peoples.

7 Questions from MR PEOPLES

8 MR PEOPLES: Good afternoon. Do you have any objection if
9 I use your first name?

10 A. No.

11 Q. Can I say to begin with, Romy, that there is a red
12 folder in front of you and it contains a copy of
13 a statement that you have provided to the inquiry in
14 advance of giving evidence today. I intend to ask you
15 some questions about that statement. I might conclude
16 by asking you some more general questions, but I'll deal
17 with that towards the end.

18 You're welcome to use the folder at any time. Your
19 statement should also appear on the screen in front of
20 you, so if it's easier to work off the screen, feel free
21 to do so.

22 Before I begin, can I give the reference number
23 we've given to your statement: it's WIT.003.001.8186.

24 If I could ask you to open the folder at this stage
25 and turn to what I think will be the final page in the

1 folder, page 8195 of our numbering. Can you confirm for
2 me that you have signed your statement on that page?

3 A. I have.

4 Q. And can you confirm that you have no objection to your
5 statement, witness statement, being published as part of
6 the evidence to the inquiry and that you believe the
7 facts stated in your witness statement are true?

8 A. Yes.

9 Q. If I could begin by turning to the first page of your
10 statement. Can I just take from you that you were born
11 in the year 1945? I don't need your exact date of
12 birth.

13 A. Yes.

14 Q. On that page, you tell us a bit about your background in
15 terms of qualifications and also employment. You're
16 principally here today, I think, because you were
17 chief executive of the Aberlour Child Care Trust between
18 2001 and 2006; is that correct?

19 A. Yes.

20 Q. You have a number of qualifications which you tell us
21 about on page 8186. Can I take it that really your
22 whole professional life has been in social work in
23 various posts?

24 A. That's right.

25 Q. Indeed, you tell us that before -- you have worked for

1 local authorities, you have worked for charitable
2 organisations providing services to vulnerable persons,
3 including children and so forth. So you've had quite
4 a wide range of experience, have you?

5 A. Yes.

6 Q. I think you tell us -- and I'm just going to ask you
7 briefly about this -- you did have a spell working for
8 Barnardo's Scotland; is that correct?

9 A. Yes, I was an assistant director in the Edinburgh
10 office.

11 Q. Was that their head office in Scotland?

12 A. Yes.

13 Q. And in that capacity, what was your general role?

14 I don't need too much detail, but just an idea of what
15 you were doing.

16 A. Well, assistant directors manage a range of projects, so
17 five or six projects spread across Scotland, probably
18 the east and south of Scotland mostly.

19 Q. Can you recall when approximately you were working for
20 Barnardo's in that capacity?

21 A. 1987 to 1995.

22 Q. Then I think you moved on to become depute director of
23 social work in Glasgow; was that for the local
24 authority?

25 A. Yes, I had a spell as head of children and family

1 services and then depute director.

2 Q. So far as your position as chief executive of
3 Aberlour -- I'll just call it "Aberlour" if I may as
4 it's a bit of a mouthful to say Aberlour Child Care
5 Trust each time. In that capacity, I think as you tell
6 us in your statement, the day-to-day management of
7 services for children was something that was carried out
8 by your director of operations and a team of four
9 assistant directors; is that correct?

10 A. Yes.

11 Q. Can you tell me who the director of operations was at
12 that time?

13 A. There were two in that time: Stella Everingham and
14 Addie Stevenson.

15 Q. You tell us in your statement that what your role
16 involved was essentially -- I think the expression you
17 use is:

18 "Strategic management of the organisation with
19 responsibility for the overall policy of the
20 organisation."

21 A. Yes. When I arrived it was made clear by the board that
22 there were a range of issues in relation to finance and
23 infrastructure, fund-raising that were immediate. So
24 that was my immediate concern.

25 Q. So do you understand that that was one of the reasons

1 why you were brought in, to address those issues as
2 a priority?

3 A. Well, that wasn't apparent at the time, but as soon as
4 I was in post that was the priority.

5 Q. When you talk about issues concerning infrastructure,
6 did this mean that the organisation wanted you to look
7 at the structure of the organisation and how it would be
8 best organised to carry out the services that it was
9 involved in?

10 A. It was largely around the financial viability and the
11 financial information that was available to people who
12 were running the day-to-day services, which needed a bit
13 of updating, together with the fund-raising effort,
14 which was struggling in some ways. So those were the
15 immediate issues.

16 Q. One of your tasks then, do I understand, would be to
17 ensure the organisation would be run on a sound
18 financial footing or basis?

19 A. Yes.

20 Q. Was there a concern at that stage that if you hadn't
21 made some review and changes that the financial side of
22 the organisation could create problems for delivery of
23 the service?

24 A. It was more that it was old-fashioned and rather heavy,
25 rather than -- there wasn't an immediate crisis, but it

1 needed updating.

2 Q. I think we've heard evidence in the case of another
3 large organisation, Quarriers, there was a point in time
4 when they did have a major crisis and had to
5 professionalise the organisation and brought in various
6 people whose function was to do that, a bit earlier than
7 the time you became chief executive for Aberlour, but
8 I don't know if you had any awareness of that going on
9 during your time in your other roles, that they were, to
10 some extent, in a degree of crisis in the late 1970s,
11 early 1980s in Quarriers?

12 A. I didn't know much about it but, yes, I was aware there
13 were some difficulties. It's an issue about these
14 organisations, that were set up in the 19th century,
15 moving slowly forward.

16 Q. To some extent, you say that perhaps that applied
17 equally to Aberlour, that there were some things that
18 had to change?

19 A. Yes.

20 Q. One thing you tell us, I think, in your statement
21 is that by the time you arrived in 2001, in the case of
22 Aberlour, there was a wide range of written policies in
23 place.

24 A. Yes. My concerns were not about the professionalism of
25 the service delivery.

1 Q. I think some of the policies -- and I don't need to know
2 them all, and I think you tell us it was a long time ago
3 so you're not going to be able to give me chapter and
4 verse, but I think the policies would have included
5 policies on -- written policies on recruitment, child
6 protection, care and control of children, and discipline
7 and punishment and sanctions and so forth.

8 A. Yes.

9 Q. Would these all be matters that were covered by written
10 policies?

11 A. Yes.

12 Q. One of the functions that you had as chief executive was
13 overall responsibility for the direction of development
14 of services. Now, I just wonder, were there any changes
15 during your period as chief executive in terms of the
16 direction of travel in terms of what services Aberlour
17 were going to be providing then or in the future? Was
18 that something that you addressed and made changes to,
19 the type of service?

20 A. There was quite a diverse portfolio. So there were
21 projects around helping drug misusers, there was
22 a sexual health clinic, there was a parenting project,
23 there was a young runaways project. So there was
24 considerable diversity. One of the issues is that local
25 authority funding was by then increasingly directed to

1 being specific about their own needs. So increasingly
2 business had to be done with local authorities directly.
3 So in the old days, a voluntary organisation could set
4 up a new project of some kind and then say who would
5 like to use this and that was increasingly less so then.

6 Q. So to some extent the organisation would have to match
7 its services with local authority requirements because
8 the local authority would be a significant funder to the
9 income of the organisation?

10 A. Exactly, yes.

11 Q. When you say that when you came in there was quite
12 a range of services and diversification of services, was
13 that in your view a good thing or a bad thing or was it
14 going to be difficult in the climate where you were
15 having to, to some extent, anticipate the needs of local
16 authorities and the direction that they were travelling
17 in?

18 A. It was really good in that they were leading-edge
19 services, innovative, thoughtful. For example, the
20 young runaways project, which I thought was a brilliant
21 project, was always very difficult to fund, very
22 expensive, and in the end it did fold. It's kind of
23 getting that balance between being interesting,
24 innovative and doing something new and helpful and being
25 able to pay for it.

1 Q. So did that particular initiative, which you obviously
2 are complimentary of, founder on financial grounds
3 because it was too expensive to run?

4 A. Essentially, yes.

5 Q. When you say it was too expensive to run, is that
6 because if the funder is in part a local authority, if
7 they're not prepared to match the costs required, then
8 something's got to give?

9 A. Well, a project like that is funded by a number of local
10 authorities when they have the need. But no local
11 authority would want to say, well, we'll book five
12 places there for runaways from our authority. That
13 really doesn't work any more. So yes, it was very
14 difficult.

15 Q. In terms of policies, could I just ask you this: you say
16 there was a wide range of written policies. In your
17 time was there any policy or strategy to deal with
18 allegations or disclosures of non-recent abuse? Can you
19 recall whether there was such a thing?

20 A. I don't remember a specific policy, no. I'm sorry,
21 there may have been.

22 Q. It doesn't jump out as something that was there?

23 A. No.

24 Q. You tell us what you were responsible for and what you
25 were not responsible for in your statement and I'll

1 maybe just summarise, if I may, and you can tell me if
2 I'm wrong, that in terms of -- if I say you tell us
3 there were no establishments run by Aberlour that
4 reported directly to you; is that correct?

5 A. That's correct.

6 Q. You didn't manage staff directly, at least -- is that
7 also correct?

8 A. I managed the senior management team.

9 Q. But otherwise you weren't directly involved in
10 management of staff of the organisation?

11 A. No.

12 Q. And I think you say you were not normally involved in
13 staff recruitment; is that again correct?

14 A. That would have been done by the people directly
15 externally managing them.

16 Q. And again, in terms of training, you weren't directly
17 involved in the training or personal development of
18 staff or indeed of staff supervision, these were left to
19 others to be responsible for within the organisation;
20 is that correct?

21 A. Yes.

22 Q. Am I right in thinking that you derived knowledge of
23 what was happening and of any significant matters that
24 affected the organisation generally, you acquired that
25 knowledge mainly through monthly management sessions

1 with your director of operations and meetings with your
2 senior management team; is that the way it worked?

3 A. Yes, although on a day-to-day basis, you know, people in
4 the head office would talk and you would have a better
5 idea of what was happening.

6 Q. So can I ask you this: if during your period as
7 chief executive, a current or former resident had made
8 an allegation of abuse, would that be something that you
9 would automatically be told about?

10 A. I would expect to be.

11 Q. As chief executive?

12 A. Mm-hm.

13 Q. So any allegation, whether from an existing resident or
14 former, you'd have expected in those days to be alerted
15 to that?

16 A. Yes.

17 Q. I think, and we'll maybe discuss this in due course,
18 there was one particular allegation that was brought to
19 your notice by Anne Black --

20 A. That's right.

21 Q. -- in 2006?

22 A. Yes.

23 Q. So far as policy is concerned in your time as
24 chief executive, was there any policy of reporting
25 non-recent allegations to the police as a matter of

1 course?

2 A. No. The one issue that arose, it had already been dealt
3 with by the police. I think we would have dealt with it
4 in pragmatic terms. If we'd become aware of something
5 that hadn't been dealt with then we would have had to
6 find a way of dealing with that.

7 Q. Because I think some organisations -- and I hope I'm not
8 wrong -- some organisations, maybe later than your
9 period as chief executive, adopted an approach of
10 effectively a mandatory reporting of anything that came
11 to their notice about non-recent allegations, but in
12 your time at Aberlour it wasn't as rigid as that,
13 it would be looking at on a case-by-case basis?

14 A. Yes.

15 Q. While you're no longer able to -- you no longer carry
16 with you in your head the detail of the various policies
17 and procedures that were in place in your time as
18 chief executive, am I right in thinking that you're
19 satisfied that Aberlour, during your period, had in
20 place what I think you describe as:

21 "... robust policies and procedures to keep children
22 safe and to ensure that any abuse or ill-treatment would
23 be identified"?

24 Are you reasonably satisfied that that was the
25 case --

1 A. Yes.

2 Q. -- during that period?

3 A. Yes.

4 Q. I take it that the historical position before you came
5 is not something you'd be able to comment on in regard
6 to the robustness of policies and procedures?

7 A. No. From what I remember, the policies that were in
8 place when I arrived were what I would have expected to
9 see and whilst I would always be pressurising people to
10 update those and modernise them all the time, I don't
11 remember having a sense of concern that something wasn't
12 being covered.

13 Q. I think another point that you tell us or you make in
14 your statement is you have no recollection of any
15 specific concerns about particular establishments that
16 were operating during your period as chief executive.

17 A. No.

18 LADY SMITH: What was it that you had been expecting to see
19 as appropriate policies?

20 A. Well, well-established and well-understood policies on
21 child protection particularly, so that all members of
22 staff would know what they needed to do if they became
23 aware that a child had been in some way injured or
24 distressed. There's a range of policies, particularly
25 in relation to residential care, for example, care and

1 control policies. Those had had a national profile for
2 some years before this. So being sure that all of those
3 policies and procedures were in place because
4 systemically, if one part of the system is weak, then
5 you're only as strong as the weakest point in your front
6 line.

7 LADY SMITH: Indeed.

8 A. Those would have been the main things.

9 LADY SMITH: Mr Peoples.

10 MR PEOPLES: We've heard some evidence about a particular
11 project called the Sycamore Project or Services.

12 I think that was operating in your time as
13 chief executive.

14 A. Yes.

15 Q. It was based in the Fife area and had a number of units
16 as part of the project. Did you have any views about
17 that particular project? You have already referred to
18 a different project that you were very complimentary of.
19 What was your view of the Sycamore Project?

20 A. I'd heard of Sycamore Project before I moved to
21 Aberlour. It was very well thought of nationally and
22 provided care for some extremely damaged and vulnerable
23 young children. So, yes, my impression was that they
24 were able to hang on to children and provide care for
25 them where it had become apparent to me in previous jobs

1 that often, if children were too demanding or too
2 difficult, they would be moved on. Sycamore managed to
3 really care for some of these children, primary school
4 age children particularly, who were particularly
5 damaged.

6 Q. Was that the type of specialist service, if you like,
7 that you saw the organisation as providing in the longer
8 term as part of the strategic direction of the
9 organisation, these specialist units like Sycamore?

10 A. Yes. I think voluntary organisations had over those
11 years got a good name for being able to manage and to
12 stick with difficult children, whereas local authorities
13 often found that they would have to move children on.
14 And that move in placements is so disruptive for
15 children that, yes, I think that would have been one of
16 the things that we saw ourselves as being good at.

17 LADY SMITH: Did you visit the Sycamore Project yourself?

18 A. Yes.

19 LADY SMITH: How often?

20 A. I think it was the first project I went to see after
21 I was appointed because it had been so well-known.
22 Beyond that, I don't know. Maybe once or twice a year.
23 Not on a regular basis.

24 LADY SMITH: Thank you.

25 MR PEOPLES: So in terms of the strategic direction or the

1 development of services, was that the type of service
2 that you saw as one that the organisation should
3 continue and indeed perhaps develop?

4 A. Well, there were a number of residential services. The
5 other ones tended to be respite care for children with
6 a disability; there were several of those around
7 Scotland. But the other area that the organisation was
8 involved in was more preventative work and trying to
9 support children and their families at home, so through
10 family centres or local family support services and the
11 drug services, for example. So there would have been at
12 least two arms to this: providing sound residential care
13 but also trying to prevent children coming into care.

14 Q. I follow that and I think that's probably the prevailing
15 philosophy, is it, that has been around for some time
16 now? Maybe not historically. But I take it you are not
17 one of those who would see no place for residential care
18 in the care system? Because it has to be an option for
19 some children, it's perhaps the best placement for
20 certain children; do you subscribe to that view?

21 A. Absolutely, and for some children it's a more positive
22 option than I think it's often given credit for. Often
23 children who have been quite damaged and are very
24 vulnerable when they're young find it difficult to
25 settle and will challenge any placement they're in. So

1 in fact, it may be more feasible to support them in
2 residential care than in foster homes. A series of
3 foster home breakdowns is very disruptive.

4 Q. You have made a general point and I suspect it's not
5 just multiple foster placements but also multiple moves
6 in residential care settings.

7 A. Yes.

8 Q. I suspect your position is that is a bad thing and
9 damaging for the child's well-being?

10 A. Yes, and the care plan for the child should be to
11 provide continuity and certainty and the feeling that
12 however badly they behave they won't be moved on.
13 That's the difficult bit.

14 Q. So having stability, continuity of relationships?

15 A. Yes.

16 Q. And a setting that something is your home and it's not
17 going to be something different the next day or in
18 a couple of years' time. That, you think, is one of the
19 ingredients of a successful system of care, that it
20 provides places that give stability, don't have children
21 moving on repeatedly, with all the consequences that
22 that would entail? Would that be your view generally?

23 A. Yes. In the last, I suppose, I don't know, 15 or
24 20 years we've got much more focused on care planning
25 for each child. So each child who comes to be looked

1 after has a care plan which should lay out what their
2 particular individual needs are in terms of education,
3 health, emotional support, and that we should all be
4 doing everything possible to make sure that's met on
5 a consistent basis.

6 Q. I take it that historically, care planning is now
7 perhaps -- is taken as read in all settings where there
8 are perhaps vulnerable people or people who are in need
9 of some sort of care away from home. But when
10 approximately would care planning have become a regular
11 feature of the care system? Can you put a kind of
12 approximate date or time to that development?

13 A. I would have said -- I can't be precise, I'm sorry, it's
14 all a bit run-together, but I'd have thought some time
15 in the 1980s. There had begun to be much more national
16 interest in providing national guidance, for example, on
17 care planning. So the children's hearings were
18 introduced in the early 1970s, and alongside that
19 I think local authorities realised they needed to
20 provide some parallel planning so that they were going
21 to a children's hearing with some plans for what was
22 needed. But I think it probably got more into its
23 stride in the 1980s and thereafter.

24 Q. What about another aspect to care which is risk
25 management and risk assessment? How modern a concept

1 is that in the context of children in residential care?

2 A. I don't remember that expression being used until later.

3 I'd have said maybe in the 1990s and even later when

4 people began to do risk mitigation strategies, so

5 looking at what the particular risks would be with

6 particular activities or particular children.

7 Q. I think we've heard some evidence that in the context of

8 care planning -- I think this is perhaps to do with

9 Sycamore in fact -- care plans would in part involve a

10 risk assessment that's tailored to the individual child

11 or resident.

12 A. Yes.

13 Q. It wouldn't just be a generalised risk assessment for

14 the establishment but it would look more specifically at

15 the risks relating to a particular child given their

16 background, their needs.

17 A. Yes. For a particular child undertaking a particular

18 activity. So if a child with particular behavioural

19 difficulties was undertaking some kind of outside

20 activity, there would be an assessment made of what

21 support needs to be provided for that.

22 Q. But there'd also be an assessment in the case of such

23 a child if they were a behavioural challenge, if you

24 like, an assessment of risk in the context of them

25 living in a residential care setting and how one would

1 manage that behaviour if it manifested itself. Would
2 that be part of the risk assessment process in your
3 experience?

4 A. I think so, yes.

5 Q. Well, would it not be an important part of the process
6 because in that way you can perhaps seek to reduce the
7 risk of harm, deal with the situation in an appropriate
8 way, given the knowledge you have of the particular
9 child that you're dealing with?

10 A. Yes. And I think Sycamore was probably quite good at
11 that because they had children whose behaviour could be
12 quite challenging and pushing the limits.

13 Q. Just on the matter of significant developments, we
14 talked about the advent of care planning and perhaps the
15 concept of risk management when these features began to
16 emerge in the overall care system. One other feature
17 that may be significant, and I would like your views on,
18 is how significant was the ban on corporal punishment
19 that came in in the early 1980s perhaps or late 1970s in
20 some places, following certain challenges in the courts?
21 Do you recall that being a key moment in terms of --

22 A. That was an absolute ... The kind of report, "Another
23 Kind of Home" in 1992, actually laid that out as one of
24 the absolutely forbidden punishments. So, yes, it
25 shouldn't have been anywhere thereafter.

1 Q. But how significant was it to remove the power to
2 discipline by use of corporal punishment in terms of the
3 care system as a whole?

4 A. I don't recall that ever being a major issue in any
5 place I have worked that children would be slapped or
6 strapped or smacked.

7 Q. I suppose the point I'm putting to you is I suppose that
8 when you have a legitimate power to discipline by using
9 corporal punishment, there is always an inherent risk
10 that that power would be abused and what could be
11 reasonable chastisement can become excessive
12 chastisement or indeed something amounting to physical
13 abuse or assault. And I suppose if you ban any use of
14 such punishment, then do you not automatically reduce
15 the risk significantly?

16 A. Yes. But what I'm saying is I don't recall physical
17 punishment as being an issue in my professional life in
18 any of the organisations I worked with. I don't
19 remember ever hearing that residential staff had used
20 that.

21 Q. We've heard quite a lot of evidence that, certainly in
22 residential care settings, residents were subjected to
23 corporal punishment and in some cases it was used
24 excessively and amounted to beatings or things of that
25 kind. But that's not something that you came across

1 personally?

2 A. No.

3 Q. Would you have had much direct experience of how care
4 establishments were run during your professional life,
5 much direct experience of how they were run and how
6 staff behaved and used the power to punish?

7 A. Well, I mean, I don't know what I don't know, obviously.
8 I would have been much more -- the things that I heard
9 about was, for example, in earlier years people being
10 put in their pyjamas at 6 o'clock and sent to bed early,
11 being grounded, being stopped pocket money, and even all
12 of those require careful thinking with children who have
13 been through all kinds of distress already.

14 Q. Did you hear about things like how bed-wetting was
15 treated and whether it was treated in an inappropriate
16 way?

17 A. Well, I certainly am aware it was in earlier years.
18 I don't remember -- and I think I would have responded
19 pretty forcibly if I'd heard that that was happening
20 under my watch.

21 Q. I'm not suggesting we're talking about the period 2001
22 to 2006, I'm just trying to get your general experience
23 from your full career, which I think began in the early
24 1970s.

25 A. Yes, and I'm certainly well aware that there are lots of

1 accounts of bed-wetting being treated in a very harsh
2 manner.

3 Q. Just looking at maybe things that have changed over
4 time, we've heard some evidence that at the
5 Sycamore Project, at least at some point during its
6 existence, there was involvement in the establishment by
7 workers from Who Cares?, their involvement in the lives
8 of the children who were being looked after there. Was
9 that something you were aware of?

10 A. Yes.

11 Q. That involvement?

12 A. Yes, Who Cares? was involved. We also had in
13 Aberlour -- and I think I forgot to put this in -- we
14 also had our own children's rights officer, who
15 developed various activities with children and young
16 people over those years.

17 LADY SMITH: Is that something that began during your period
18 as chief executive?

19 A. Yes. We had an active director of policy. She's always
20 been very keen on involving children in participation
21 and so we did have -- I think she was called the
22 children's participation officer or something like that.
23 She ran various activities in various different units.

24 LADY SMITH: Of course by the time you went there, there
25 should have been awareness of the terms of the

1 United Nations Convention on the Rights of the Child.

2 I don't know whether you had occasion to look at that or
3 not, did you?

4 A. Yes.

5 MR PEOPLES: I suppose, though, one of the things that's
6 maybe been said when we ask former residents, well, were
7 there people you could report to or confide in who you
8 trusted enough to tell them things about maybe abuse by
9 staff or ill-treatment, and many didn't feel able to do
10 that and didn't feel there were people within the
11 organisation they could turn to. Is one of the
12 advantages of someone more independent like Who Cares?
13 that they don't work for the organisation as such,
14 whereas a children's rights officer is still a member of
15 the organisation and might be perceived as such by the
16 child? Do you see the point I'm making?

17 A. Yes. It's really hard to tell. I mean, I think that
18 there were a lot of people going in and out of Sycamore
19 in terms of the school, in terms of psychologists and
20 various therapists as well as Who Cares?. I think one
21 of the things that you have to ensure with residential
22 care is, it is permeable, it isn't just closed, and
23 I think there were a number of people going in and out,
24 including the children's own local authority
25 social workers. But it's really hard to tell how easy

1 it would have been to speak to ...

2 Q. I think one thing that's said, if I can just pursue that
3 with you -- I have already made the point that about the
4 person's independent of the organisation might be one
5 concern from the standpoint of the child and I suppose
6 in the case of the local authority social worker who
7 might be allocated, some of the evidence has been along
8 the lines of, they changed frequently, they didn't visit
9 very often, we didn't build up the necessary
10 relationship that perhaps might have enabled them to say
11 more about their experiences. That doesn't, I take it,
12 come as any great surprise to you?

13 A. No, it's regrettable, but that is right.

14 Q. Would that be the reality, because social work
15 departments, as you will know, from working in
16 a social work department in the past, have got huge
17 pressures, limited resources, they find it difficult
18 perhaps to manage their very wide case loads and
19 therefore something sometimes has to give and does give?

20 A. And sometimes the distance -- children who are placed
21 far away from the local authority, that makes it harder
22 for the journey to be made. There's no excuse for it,
23 but there's no question that that's the reality.

24 LADY SMITH: Romy, a few moments ago you commented that
25 there was a need or there is a need to ensure that

1 residential care is permeable and not just closed. Can
2 I ask you to unpack that a little? What do you mean
3 when you say you need to ensure residential care is
4 permeable?

5 A. I think one of the biggest downsides of an institution
6 is that people inside it don't get to see what it's like
7 in the outside world and the outside world isn't coming
8 in. So it would always have been my objective to make
9 sure that children had -- there were people coming in
10 who didn't have an axe to grind and were not just of the
11 organisation, but also that children had opportunities
12 to go out. So it's doing away with the closed
13 institution, I think is the ...

14 LADY SMITH: How do you go about achieving that if the
15 residential institution is geographically in a remote
16 location?

17 A. That is harder. So if you have the school and the care
18 facility in the same place, that's obviously a downside.

19 LADY SMITH: So are you saying you just have to try harder
20 and be conscious of it being more difficult but
21 important to achieve?

22 A. Yes. I mean, if parents or family are involved, that's
23 great. There are a range of people that could be
24 involved with any child. But for some children I have
25 no doubt that they didn't have much or they don't have

1 much, probably.

2 MR PEOPLES: Can I just pursue another perhaps change that
3 kind of flows from -- you mentioned your proactive or
4 very active director of policy and that she was keen on
5 involvement or participation in children. Is this in
6 the policy making and decision-making processes that
7 affect their lives? Was that what you had in mind or
8 did you have some other form of participation in mind?

9 A. Well, her job was about policy for children and families
10 more generally and establishing the organisation's
11 position and having something to say about children's
12 rights and children's welfare.

13 Q. But in order to know what you should be saying, is it
14 not axiomatic that you should be talking to the children
15 themselves and the former residents to find their
16 perception of what they believe should be the direction
17 of policy and the content of policy --

18 A. Yes.

19 Q. -- they should participate actively in that process?
20 Do you agree with that proposition?

21 A. Yes, I think increasingly -- I don't think when I first
22 started in social work that was seen as a big issue.
23 Everybody knew what was good for children. I think
24 that's much less so now.

25 Q. Maybe children know what's good for themselves and

1 former children in care know better than sometimes the
2 professionals.

3 A. Absolutely.

4 Q. And do you see a discernible change in that the
5 professions have recognised that they're an audience
6 that should be consulted?

7 A. Yes, absolutely.

8 Q. And indeed should be involved in the process?

9 A. Yes.

10 Q. Just more generally, trying to put some kind of context
11 to when things have changed, her Ladyship mentioned the
12 1989 Convention on the Rights of the Child and we've had
13 the Children Act of 1995 and these were quite
14 significant developments nationally and internationally.
15 If you were trying to tell me in broad terms at what
16 point in your professional career, which I think began
17 in the early 1970s, am I right? You became --

18 A. Yes.

19 Q. From that point onwards, at what point would you say
20 children in care particularly were beginning to get an
21 effective voice?

22 A. I think Who Cares? Scotland, I think that must have been
23 set up in the mid-1980s, and has grown since then. It's
24 had several manifestations, but I think that was the
25 point at which people began to recognise that there was

1 a lot that we weren't hearing because we didn't have the
2 voices of children.

3 Q. One of their principal functions was to facilitate
4 children having an effective voice by having advocates
5 that would speak for them if necessary or at least speak
6 to them, ascertain any problems or issues that were
7 affecting them, and would help them with those matters?

8 A. Yes.

9 Q. Is that one of the functions that Who Cares? exists to
10 carry out?

11 A. Well, I could be wrong about this. I think it may have
12 started in the west of Scotland in the mid-1980s with
13 the principal officer, Cathy Jamieson, who later became
14 an MP, and I think that what developed from that -- it
15 was -- for a few years, it was quite slow, but has
16 spread across Scotland and now is really quite a well
17 regarded organisation, and well respected, because
18 I think people wouldn't try to not take account of what
19 they're saying.

20 Q. One of the ways they operate is to put their workers
21 into establishments and other places to see how children
22 are being cared for as an extra layer of protection and
23 support that they can access?

24 A. Mm-hm, yes.

25 Q. Can you help me with this? We have heard evidence from

1 one person who said that one of the big developments in
2 terms of abuse of children generally, both in the
3 community -- well, particularly in the community -- was
4 the setting up of Childline in the mid-1980s, the
5 confidential telephone line for children to speak to
6 someone about issues they might have, such as domestic
7 abuse and so forth. Are you able to say or help me with
8 this: to what extent would the setting up of Childline
9 have benefited children in a care setting, looked-after
10 children? Are you able to give me any feel for that,
11 whether they were making calls to Childline or not?

12 A. I'm afraid I don't know.

13 Q. Because one thing we did hear recently is that -- and
14 again I'm using the Sycamore Service because I think it
15 came out through evidence about that unit -- apart from
16 giving children a degree of choice in things like their
17 rooms and spaces and so forth, there were posters within
18 the unit with numbers and organisations that children
19 could contact if they felt the need to do so. Is that
20 a fairly recent development in your experience in terms
21 of residential care settings, both the choice of the
22 place you live in and indeed having that information
23 readily available to children who are in a care setting?
24 Is that something of a relatively recent origin?

25 A. I couldn't say when it started. But yes, I mean -- I'm

1 afraid I just don't know the extent to which Childline
2 was an important issue for children in residential care.

3 Q. More generally, just giving information in a readily
4 accessible form, rather than saying -- if someone
5 child's in trouble, they can't instantly see a poster
6 and say, "Oh well, I can get in touch with them, I could
7 do something, they might be able to help me", I'm trying
8 to get a feel for when that sort of initiative was
9 beginning to emerge. Can you help me with that? No?

10 A. I can't, I'm afraid. I can't remember.

11 Q. It wouldn't be something that -- if you'd been routinely
12 walking into a children's home in the early 1970s, would
13 you have seen posters up on the wall telling them where
14 they could go if they had problems?

15 A. No, no, absolutely not. I don't know when that
16 recognition of that need arose and when the posters --
17 did you say Childline was established in the mid-1980s?

18 Q. I think it's the mid-1980s, approximately. 1984/1985.
19 I think it's about then.

20 A. So yes.

21 Q. I think it came out of Esther Rantzen's programmes.
22 I think she started the whole process and it's developed
23 since then.

24 Can I ask you about another feature, which I think
25 is now maybe an established feature of the childcare

1 system, including establishments that have operated
2 recently within the Aberlour organisation. We've heard
3 some evidence about the key worker system, which means
4 that I think each child has a particular individual
5 within the establishment that cares specifically for
6 them, almost like their guardian, in a sense, or their
7 go-to person. Can you tell me again when did that sort
8 of system start to take root in care settings, can you
9 give me an approximate idea, the recognition that a key
10 worker would be a feature that would benefit the process
11 or the system?

12 A. Well, I would have thought from the late 1980s. When
13 you develop care planning, then it's helpful to have
14 somebody who knows -- who can hold on to the main
15 information for the child. So I think from the late
16 1980s through the 1990s that would have been an issue.

17 Q. And another feature that we heard evidence about,
18 particularly following the passage of the Social Work
19 (Scotland) Act 1968, some organisations, and this may
20 include -- it certainly included Quarriers -- some
21 organisations established within the organisation
22 social work teams and departments, in-house
23 social workers. It may have been in part due to the
24 bedding-in of the Act itself and perhaps it hadn't
25 fully -- the local authorities hadn't fully set up

1 arrangements that would allow local authority
2 social workers to perform all the functions. But
3 do you see in-house social workers again as
4 a significant improvement in a childcare system rather
5 than maybe a traditional system that you have carers,
6 primary carers such as house parents or project workers,
7 or whatever description you call them, but they're in
8 charge? Do you see that as an improvement of the system
9 to introduce that layer of oversight and support?

10 A. I think there have been various models. I think at one
11 point Barnardo's had a family support team who supported
12 families of children in residential care. Essentially,
13 I think one doesn't want to complicate it too much. The
14 aspiration should be, where possible, that children are
15 returned to their families or, where they can't be
16 returned, they at least retain a strong relationship
17 with the family because it will always be their family.

18 Q. So in not over-complicating it then, you have to be
19 careful not to put in too many layers to the system, but
20 do I take it that you consider that the key worker is
21 an important ingredient of a residential care
22 establishment in a properly run care system?

23 A. I think it can be helpful if one person is the
24 repository of information and maybe is responsible for
25 keeping up to date with what's written down.

1 Q. One thing you mention in your statement is the
2 importance in your time of the safety and well-being of
3 children and that that was a key message that you felt
4 that had to be delivered and no doubt reinforced from
5 time to time. One thing I wanted to ask you is, in the
6 case of Aberlour, how in your time was the message that
7 safety and well-being of children in the care of
8 Aberlour -- how was that message that that was a prime
9 consideration delivered to staff? Can you help us with
10 that?

11 A. I think the one hallmark of Aberlour that I would have
12 known in advance and when I got there is the kind of
13 absolute dedication that people had to children's
14 welfare. It really was very strongly in the culture
15 that we're here for the children and they're the most
16 important thing. Sticking with children. It didn't
17 feel like something that had to be pressed home. In
18 a sense, staff at all levels hated having to give up on
19 a child and so I think the culture was very much one of
20 the child's welfare.

21 Q. But that's the culture in your time?

22 A. Yes.

23 Q. So did you feel that the culture already existed,
24 therefore there wasn't maybe the same necessity to
25 hammer home the message? It was already there?

1 A. I didn't feel I had to hammer that message home. I felt
2 that the staff that I had contact with and the staff
3 that I -- when I visited the units, were hugely
4 committed.

5 LADY SMITH: Let me take you back a moment to the concept of
6 a key worker. Do you remember how many children an
7 individual key worker would have as their
8 responsibility?

9 A. No, and I guess that would have varied in different
10 units.

11 LADY SMITH: Any idea at all? If I was a key worker, how
12 many children would be on my list?

13 A. Well, most of the units were fairly small, they didn't
14 have any huge units, so I would have hoped that people
15 didn't have more than one or two children for whom they
16 were key worker, but I don't remember.

17 LADY SMITH: What was going through my mind, as you have
18 probably guessed, is in principle it sounds like a good
19 idea, but much must depend on how many children an
20 individual key worker is charged with having
21 responsibility for.

22 A. And the ability and quality of the key worker.

23 LADY SMITH: Of course. Take that as read.

24 A. That's even more important.

25 LADY SMITH: Take it as read they're capable of developing

1 this relationship of support of and trust with the
2 child, but there must be limits realistically to how
3 many children they can do it for.

4 A. There's no question that the child is the responsibility
5 of the unit and the unit manager and that leadership is
6 absolutely critical to the quality of care.

7 LADY SMITH: Yes.

8 MR PEOPLES: So strong leadership at every level, not just
9 chief executive but at unit level, is again a key
10 ingredient to an effective and protective care system?

11 A. Yes.

12 Q. Is that your view?

13 A. Absolutely. I think there's lots of research that shows
14 the importance of leadership in residential care in
15 providing a positive environment.

16 Q. And leadership, as you're considering it, does that
17 include the need to provide regular advice, guidance,
18 support to staff, which conveys the message that the
19 leader wants the values of the organisation and so
20 forth -- are these key parts of being a good leader that
21 you have to be active in those directions to be there,
22 to be guiding, to be instructing and so forth, to ensure
23 that the standards are good and the care is appropriate?

24 A. Yes, a combination of leadership and setting the
25 culture, but also supervision and ongoing support.

1 Q. Was there any written policy between 2001 and 2006 on
2 the use of restraint in residential care establishments
3 run by Aberlour?

4 A. I can't remember. That had been a major issue in
5 previous jobs I'd been in, but I can't remember whether
6 there was anything specific. I'm sorry, I don't have
7 any access to ...

8 Q. So what was the nature of the major issue in your
9 previous employments? What was the issue or debate
10 surrounding restraint?

11 A. When children became distressed or challenging, the
12 extent to which they should be held and the ways in
13 which they should be held. There was certainly a number
14 of training programmes that were available and which
15 were nationally taught around the residential units and
16 schools in Scotland. My memory would be that Aberlour
17 used a kind of de-escalation -- was it called CALM?

18 Q. We have heard of CALM holds and restraint techniques and
19 we have heard there was some training given in those
20 techniques at some point in the life of, for example,
21 the Sycamore Service.

22 A. That seems likely. It doesn't seem to me that that was
23 the kind of issue it was elsewhere though. I may not be
24 remembering well.

25 Q. In your time, would it have been official policy to

1 train staff at Aberlour in the use of CALM? Can you
2 remember or is it too far back?

3 A. I think that would be -- that's the only bit that I can
4 think of, that we used CALMs.

5 Q. And these training centres that were growing up
6 in relation to teaching about restraint and appropriate
7 use of restraint and no doubt the appropriate
8 circumstances in which to use restraint, when do they
9 date from, these centres that you had in mind when there
10 was this ongoing debate about issue or restraint? When
11 did they emerge?

12 A. Certainly there seemed to be a number of quite
13 well-known trainers around in the late 1980s and 1990s.

14 Q. I've already asked you about a number of things that
15 have been happening over your professional life and
16 quite a lot of them seem to be emerging perhaps from the
17 late 1980s, 1990s and beyond. Is there a reason for
18 that, that they didn't happen earlier?

19 A. That's a good question. The legislation -- the 1968 Act
20 I don't think had too much to say about that. I think
21 the changing recognition that led towards the 1995
22 Act -- I think what was leading up to that, there were
23 a lot of regulations and guidance from the 1995 Act, and
24 I think that was where things were brought together that
25 had been becoming apparent.

1 LADY SMITH: I think you're probably right about that. The
2 1995 Act was the first time there had been enshrined in
3 legislation that the welfare of the child was
4 a paramount consideration --

5 A. Yes.

6 LADY SMITH: -- and we stopped talking about parental rights
7 and talked about parental responsibilities instead.

8 A. Yes.

9 LADY SMITH: That any right, for example, a parent had only
10 existed to enable them to fulfil their responsibilities
11 towards the child. That followed through in the part of
12 the Act that dealt with the public law aspect of
13 childcare. But it was a huge shift in thinking by the
14 early 1990s in the lead-up to the promulgation of the
15 legislation, I think.

16 A. Yes.

17 LADY SMITH: Mr Peoples, lunch break?

18 MR PEOPLES: I think there are one or two matters I want to
19 continue exploring with this witness.

20 LADY SMITH: Very well. We'll pause for the lunch break and
21 I'll sit again at 2 o'clock.

22 (1.03 pm)

23 (The lunch adjournment)

24 (2.00 pm)

25 LADY SMITH: Romy, are you ready for us to carry on?

1 A. Yes.

2 LADY SMITH: Thank you.

3 Mr Peoples.

4 MR PEOPLES: Good afternoon.

5 Could I go back to the period when you were
6 chief executive. In that period, if one is looking at
7 matters from the perspective of the children who were in
8 care at that time in the care of Aberlour, how were
9 those children made aware of their rights and what they
10 could expect from the organisation and its staff and
11 what they could do if they had concerns or felt they
12 were being subjected to abuse or ill-treatment? Can you
13 help me with that, how they were made aware of rights
14 and what they could do?

15 A. I would have hoped that when children arrived at a unit,
16 they would be -- there would be some kind of discussion
17 with them about what they could expect from the unit and
18 what would be expected from them. Beyond that, it
19 really would have been the responsibility of people
20 coming in and out of the unit, including the local
21 authority staff, the children's rights staff.

22 Q. I have a vague memory that at some point, nationally,
23 there may have been something called a Children's
24 Charter produced. Was that in your time or before or
25 after?

1 A. I can't remember the date of that. Yes ...

2 Q. Which was setting out, I think, what rights and
3 expectations and entitlements children could expect.

4 A. Yes.

5 Q. Do you recall that?

6 A. I'm afraid I can't remember when that was.

7 Q. I was exploring with you before lunch some of the
8 changes over time in the care system generally and their
9 relative significance. Could I raise with you another
10 point. Historically, would you agree there were
11 institutions and residential care establishments for
12 children which, generally speaking, accepted children in
13 need of care away from home without exploring in any
14 real depth whether those children had complex needs or
15 behavioural problems or emotional problems or perhaps
16 mental health issues that would require, in their case,
17 carers with special expertise, training and
18 qualifications? Would that be fair to say, that
19 historically there was no distinction made, they were
20 just put in general establishments for children in need
21 of care away from home?

22 A. Yes. I think probably if children needed to be removed
23 from home there would not have been much differentiation
24 in the kind of units that would have been available.
25 That's changed a bit over time.

1 Q. I think over time -- and I was going to ask you about
2 this and I don't know how much you have studied it or
3 looked into it, but over time, as I understand it, there
4 were some establishment, especially educational
5 establishments, which provided placements for -- and
6 I'll use a historical term to begin with -- maladjusted
7 children, such as special residential schools. I don't
8 think they are a common feature of the care system
9 today, but they historically did feature at least for
10 a period of time.

11 A. Yes.

12 Q. I suppose that was a form of recognition that there were
13 certain children for whom some form of special or
14 specialist care provision was required. I'm not seeking
15 to comment on whether it worked well or not, but for the
16 moment that was a recognition, was it?

17 A. It was. I think it was seen as especially helpful for
18 children who weren't going to school for whatever
19 reason, whether that's because of family reasons or
20 their own behaviour because if they went to
21 a residential school, they would at least go to school
22 and get an education.

23 Q. At some point there appears to have been a clear
24 recognition on the part of those involved in the
25 childcare system as a whole that there were children

1 with special and complex needs for whom a setting that
2 might be described as a traditional residential care
3 would not meet such needs. I think there was
4 a recognition, was there not, over time that the
5 traditional model would not fit that kind of child who
6 had special needs? Would that be fair to say?

7 A. I think that's right, but I think one of the things that
8 was pointed out in the review in the late -- in 2009 was
9 the fact that children go through a number of
10 placements. Whatever their difficulty has been at an
11 early age, they are then likely to have a sequence of
12 placements, possibly through foster homes and
13 residential care, and it's that consistent tracking of
14 their needs that needs to be accomplished. In other
15 words, that's what the care plan is about.

16 So there would have been a recognition that, yes,
17 the residential units maybe weren't providing
18 everything, but then no placements were.

19 Q. If you were then tracking their needs in a sense, based
20 on something I think you said earlier, if you were
21 approaching the matter in this way, it's better to track
22 their needs in one place rather than moving them around
23 to meet those needs, if you can?

24 A. Yes. It's certainly not helpful for children to be
25 moved from one placement to another and to start again.

1 It also gives them the sense that they're not wanted,
2 they're not loved and nobody can cope with them, which
3 is not a good message.

4 Q. Again, trying to put some kind of time frame on these
5 changes, are you able to help me with when there was
6 this recognition that, as the modern tendency seems to
7 be, as it appears, as regards residential care today,
8 there are small units that provide for special and
9 complex needs. That seems to be the general provision
10 at the present time. At what point was that beginning
11 to be seen as the way forward? Can you help me with
12 that? Can we put it into a particular decade or
13 a particular development that kind of the penny dropped
14 or that became the mainstream thinking?

15 A. I think there had probably been some differentiation,
16 for example with children with disabilities. That would
17 have been from the early 1990s, I think. I think from
18 the late 1990s, a recognition that especially young
19 children who have had a very bad start in life could be
20 worked with in small residential units more effectively
21 than in the kind of forced intimacy of a foster home,
22 for example.

23 Disability and young children, in particular, were
24 early recognised.

25 Q. And I suppose until there was a recognition that these

1 smaller units catering for special needs were maybe the
2 appropriate way for certain types of children, would it
3 go almost without saying that historically, when we're
4 in the era of the large traditional residential
5 establishments, there must have been many children in
6 them and in the care system generally whose needs were
7 unmet?

8 A. And possibly unrecognised.

9 Q. And unrecognised?

10 A. Yes.

11 Q. Can I move back to Aberlour again, if I may, and ask you
12 a few questions about non-recent abuse. You tell us in
13 your statement that, I think at 8192 and 8193, you were
14 made aware by Anne Black in 2006 of one incident
15 involving a former resident at Aberlour Orphanage;
16 is that right?

17 A. Yes.

18 Q. Indeed, I think as you will confirm and I think you say
19 in your statement, you and Anne Black met with that
20 individual to discuss his situation and his experiences;
21 is that correct?

22 A. Yes.

23 Q. Why did you consider you as the chief executive needed
24 to meet with this particular individual?

25 A. I was representing the organisation currently. It felt

1 important to recognise what he wanted to say. I don't
2 think I've thought of any other way of doing it.

3 Q. At that time did you know the full extent of Mr Lee's
4 abuse? This former resident had been abused by a former
5 house father at Aberlour Orphanage called Eric Lee, who
6 had pled guilty in 1963 to sexually abusing ten boys in
7 his care who were between the ages of 8 and 12 at the
8 time of his plea. Did you know in 2006 the full extent
9 of that abuse?

10 A. No. What we knew about was what had appeared in this
11 letter that had gone to, I think, the Corporation of
12 Edinburgh.

13 Q. Was it only because that letter had been unearthed or
14 uncovered by Anne Black that the matter came to your
15 attention and indeed you then met with the former
16 resident?

17 A. That's right, yes.

18 Q. Were you aware that there were a number of files with
19 similar letters in them?

20 A. No.

21 Q. Did you take any steps or cause steps to be taken at
22 that time to review the records to ascertain whether
23 there were persons with similar experiences to those of
24 that former resident who had been mentioned by
25 Anne Black? Did you think of doing that?

1 A. No. I think we based our intervention on that one
2 letter.

3 Q. Do you think, looking back, it might have been a good
4 idea to have had a wider search?

5 A. With the benefit of hindsight, yes, but it didn't --
6 there didn't seem to be any reference to anything
7 further.

8 Q. I think at that time, and I may be wrong, did the
9 individual give any indication himself of the extent of
10 Mr Lee's abuse? Did you get some flavour of how many
11 boys were involved?

12 A. I think he said there were three.

13 Q. So his recollection was that there were three, that was
14 the extent of his knowledge?

15 A. That's my recollection of what he said.

16 Q. One point you do make in your statement and I suppose
17 it's one that we all have to bear in mind. On page 8194
18 at paragraph 21.1, I think a point you make is that:

19 "[You] cannot guarantee with the most robust
20 policies and systems in place that a child in care
21 will not be abused or be at risk of abuse."

22 Do you see that as a matter of common sense?

23 A. Yes.

24 Q. But presumably, notwithstanding that point, risk
25 management, risk assessment, including avoiding

1 opportunities for abuse to take place and go undetected,
2 are all important aspects of any sound child protection
3 safeguarding arrangement?

4 A. Yes. I think the professionalisation of staff and
5 clarifying what good professional caring relationships
6 should be about is critical.

7 Q. Did an individual called Adrian Snowball work for
8 Aberlour when you were chief executive?

9 A. He was the training officer.

10 Q. We know now that he had a previous conviction
11 in relation to a young person before he joined Aberlour
12 and indeed he has a subsequent conviction for
13 downloading indecent images of young children since he
14 left Aberlour.

15 LADY SMITH: I think we should probably add that the second
16 conviction did result in a prison sentence --

17 MR PEOPLES: Yes.

18 LADY SMITH: -- because of the number and nature of the
19 images involved.

20 MR PEOPLES: I think the report suggested there were 10,000
21 images involved of quite a serious category.

22 So we did look at some documentation relating to his
23 recruitment when he joined Aberlour and various
24 applications by him for promoted posts and what he
25 disclosed and said in forms that were then in use.

1 Leaving aside that issue of what he said and whether he
2 disclosed things and so forth, can I just ask you
3 a general point: had it come to light during your tenure
4 as chief executive that Mr Snowball had a previous
5 conviction, a relevant previous conviction, that he
6 should have disclosed, involving offences against
7 children, what action would you have taken in light of
8 that knowledge?

9 A. I think the fact that he had misled us or deliberately
10 lied on his application, I think we would have
11 considered dismissal. It's a serious thing to do.

12 LADY SMITH: Can I just put that to one side? Because
13 of course, much depends on what the person is actually
14 being asked in their application.

15 A. Right.

16 LADY SMITH: If you had simply discovered, after appointing
17 somebody, that they had a previous conviction for
18 indecent assault -- two charges, I think, of indecent
19 assault -- of a child, what would you have done?

20 A. Well, I think the risk of somebody with that background
21 working in a situation in a children's organisation
22 would be considerable. I don't know anything about what
23 happened and so on, but I think we would have taken
24 a very serious view. My first thought would have been
25 that this person shouldn't be in amongst young children.

1 LADY SMITH: And if you discovered such a conviction in the
2 course of your pre-employment procedures, would it have
3 ruled him out?

4 A. Yes.

5 MR PEOPLES: Just one other point arising out of the
6 process. There were forms in use and one specific
7 section of the standard form of application required an
8 answer to be given to whether someone had convictions
9 that required to be disclosed, if that section of the
10 form was blank or had been left blank for any reason,
11 would you have expected those who were handling the
12 recruitment process to note the matter and address it
13 before taking any further action?

14 A. Yes.

15 Q. So if the form was left blank and the whole matter was
16 processed without anyone raising it or taking it up with
17 the individual applicant, that was a serious omission?

18 A. It's not good enough for the recruitment procedures, no.

19 Q. Because that's a particularly important piece of
20 information in the context of an application for a job
21 with an organisation providing services for children, is
22 it not?

23 A. Yes, absolutely.

24 Q. Can I turn to some general questions and can I begin,
25 before I ask you them -- if I ask you these questions

1 today and you feel you haven't had enough notice of the
2 questions, I'm perfectly content if I ask you a question
3 and you want to think about it, I can provide you with
4 the questions and you can provide me with a written
5 response if you felt that you would be better equipped
6 to do so.

7 A. Okay.

8 Q. If I just say that, so just say to me if you feel I'm
9 asking a question that you've not had enough preparation
10 to answer in the way you'd wish to do so. I will try
11 and raise a few matters with you and just see if you can
12 help us today, but I am perfectly prepared to do things
13 in that way if it assists you and it helps us to get
14 answers to these questions.

15 Am I right in thinking that in the course of your
16 professional life, you have become quite familiar with
17 child abuse research, policy and practice in the UK and
18 perhaps elsewhere? Would that be fair to say, is that
19 part of what you have --

20 A. Yes. I was involved in quite a lot of policy
21 development around that.

22 Q. So far as children in the care system concerned -- and
23 I'm really looking at the Scottish care system -- have
24 you formed a view what has to be done to ensure that, so
25 far as possible, children in care are at all times kept

1 safe from abuse, whether sexual, physical or emotional,
2 and are not exposed during their time in care to the
3 risks of such abuse? It's quite a general question, but
4 have you formed some views of your own of what has to be
5 done at an absolute minimum?

6 A. Yes, and I'd put it in a slightly wider context that
7 it's about not just prevention of abuse but about
8 children's well-being. It's not good enough to say,
9 we've stopped them from any harm happening, but actually
10 if we take children away from their own homes then
11 we are responsible for trying to enhance their
12 well-being. So I would have some views about that.

13 Q. And are there particular steps or particular features of
14 a system that have to be in place to ensure that
15 children are kept safe? If we take the safety angle or
16 the protection from abuse angle. I accept the point you
17 make about well-being, but taking that side of things,
18 are there particular steps that are essential steps in
19 your view that have to be present or certain conditions
20 or arrangements? Have you got a view as to whether a --
21 because we've discussed some features of change over
22 time and I just wonder if any of these particularly
23 maybe stand out as absolutely essential.

24 A. Yes. I suppose I would see it as a hierarchy. So
25 keeping children safe is absolutely the bottom line and

1 the other things are on top of that. But -- yes, it may
2 be better to put it in writing, so I can be more
3 coherent.

4 But certainly in residential care you must have all
5 the systems in place. So you've got your staffing,
6 you've got the nature of the environment and the
7 transparency of the environment, externally and
8 internally. And making sure that children have access
9 to people who don't have an investment in what's going
10 on. So the very bottom line is that kind of
11 transparency, what I call before permeability.

12 There's no alternative for knowing your staff and
13 knowing their strengths and weaknesses, and that comes
14 from the leadership. That's at all levels.

15 Q. If the aspiration is to do everything to keep children
16 safe but the reality is you have to turn that into an
17 action plan, to use the sort a phrase that's sometimes
18 used in these situations, do you think you could draw up
19 an action plan, if you had to, to say, well -- to create
20 as safe a system as you can? Do you think that's quite
21 achievable? And if it's not you, who would you look to
22 to be involved in the preparation of such a plan?

23 A. Well, I think we have had -- there was a National
24 Residential Childcare Initiative, which reported in
25 2009. It had some very specific recommendations about

1 the things that needed to be put in place. Some of them
2 would be costly, some of them require changes in
3 attitude, but that would be the basis of -- you could
4 simplify that. There were quite a lot of
5 recommendations from that. But none of them are rocket
6 science and that would be the starting point.

7 Q. Were they implemented?

8 A. Well, I'm out of touch now, so I'm not sure.

9 Q. Was there a commitment to implement them?

10 A. Well, I'm not sure. They were under consideration. One
11 of the things that I felt most strongly about was the
12 implementation of a recommendation that everybody
13 working in residential care should have a level 9
14 qualification, in other words, a qualification
15 equivalent to an ordinary degree, because the
16 difficulties presented by children and young people are
17 such that it requires a degree of professionalism
18 that is not necessarily available if you haven't -- you
19 can't do it just by being a nice person.

20 So I understand that still hasn't been implemented,
21 but to me, that would be -- it's like running an
22 intensive care unit in a hospital with unqualified
23 staff. And it seems to me that these children who are
24 in some of these residential care units are the most
25 needy and they do require better qualified people.

- 1 Q. So it's a highly specialised skill to look after
2 vulnerable children, particularly those with complex
3 needs?
- 4 A. Yes. Not necessarily specialised, but certainly highly
5 professional.
- 6 Q. But that does require training qualifications to achieve
7 that degree of professionalism?
- 8 A. Education and training, yes.
- 9 Q. Maybe this is putting it a different way, but I'll ask
10 the question anyway. Assuming in the ideal world that
11 all the necessary resources were available -- and that's
12 a big assumption -- and you had the freedom to create
13 a system that was designed to provide the greatest
14 possible protection from abuse for children who were
15 looked after away from home, can you provide an answer
16 to what your system would be or at any rate what would
17 be the key features of that system? Is that a question
18 that you'd rather respond to in writing?
- 19 A. I could probably do it more lucidly in writing, but
20 essentially you would have a good care planning
21 system --
- 22 LADY SMITH: This would be very helpful. It's a big ask.
23 Mr Peoples may in one fell swoop may be asking you to
24 tell me what my answer should be in a couple of years'
25 time or more. I'd be very interested even in just your

1 off-the-cuff remarks, drawing on your experience, and if
2 you'd be able to give us anything in writing later that
3 would be great.

4 MR PEOPLES: Are you able to give us any kind of thoughts at
5 the moment of the key aspects of the system where
6 resources are not an issue?

7 A. The difficulty is that some of my strongest views would
8 be about the support from health and education that they
9 would be entitled to. The children who come into our
10 care have often been neglected or abused in their early
11 years. They badly need mental health support, probably.
12 Many of them have bad teeth or other health problems,
13 which are unattended and therefore it's not a level
14 playing field for them until that's dealt with.

15 The same way as if their education has been
16 neglected, either because they haven't got to school for
17 whatever reason, they're behind, and whereas ordinary
18 families would provide remedial support for their
19 children, these children need more help to help them to
20 achieve. Each small achievement that they make gives
21 them a better sense of self-esteem. All of these
22 things, each might make a small difference, but at the
23 end of the day, we should be holding on to the fact that
24 what we're trying to do is to send them out into the
25 world as citizens who can play their part and will be

1 positive. If we bring them up in a system where we're
2 not meeting these needs, which are apparent to us, but
3 maybe we can't resource, then we really are failing
4 them. That's why they're in Polmont or get pregnant
5 very quickly.

6 Q. I take it part of your system means it's important to
7 simply see the value of incremental steps in
8 improvements in the child's development and well-being
9 and particular needs?

10 A. Yes. But it also needs integrated, coordinated support
11 from all the agencies.

12 Q. What in your view is the best way of ensuring that
13 unsuitable persons are not employed to look after
14 children in need of care away from home? What's the
15 best way to ensure that? Have you got an answer or
16 a solution for us?

17 A. Well, I would think our disclosure systems are better
18 now than they were.

19 Q. Can they be improved?

20 A. I'm not ...

21 LADY SMITH: Disclosure, of course, can only take you so
22 far.

23 A. Yes.

24 LADY SMITH: Ordinary disclosure will give you previous
25 convictions; enhanced disclosure will give you previous

1 convictions plus any other information recorded by the
2 police. But if somebody has managed to avoid being
3 noticed in that way, they could have a clear disclosure
4 check and yet they're still a risk.

5 A. So the next steps are adequate supervision so that
6 whoever the line manager is is alert enough to pick up
7 when things don't feel right. And working in -- I mean,
8 in a group care setting, you often will find that there
9 are other members of staff -- and I have seen this
10 in the past -- who have not been particularly
11 comfortable with somebody's behaviour, but haven't done
12 anything. So making sure that the staff team is open
13 and cohesive enough so that they feel it's okay to speak
14 up. But supervision and just kind of observing what's
15 happening is critical.

16 MR PEOPLES: Whistle-blowing can be quite a controversial
17 thing because lots of people say it's all very well to
18 have a whistle-blowing policy and legislation, but in
19 large organisations people feel they don't necessarily
20 think that the system works well for them or they fear
21 reprisals.

22 A. Yes.

23 Q. That seems to be a common complaint.

24 A. That's right. Actually, you are so dependent on
25 management, first line management, within a unit or

1 within a project. I don't think even inspections should
2 be where you pick -- you hope not to pick things up in
3 inspection, you hope to deal with it in the first
4 instance. So yes, that vigilance is absolutely first
5 line.

6 Q. But it would be a benefit to a leader of any
7 organisation to have whistle-blowers because it tells
8 them what the organisation is like?

9 A. Yes.

10 Q. They don't just simply need people that tell them what
11 they want to hear, they should have people who tell them
12 how it is?

13 A. Absolutely, there is a place for whistle-blowers, but in
14 a sense you would hope things would be healthy enough
15 that you would pick it up sooner. But, yes, if that's
16 how it comes out, then --

17 Q. Can I ask you another question: in your view what has
18 been the impact or the lasting impact of previous
19 inquiries and reviews into the abuse of children in
20 residential care settings in Scotland? Because there
21 have been a number. What's your view on that?

22 A. I suppose I -- the question I always ask is: what is it
23 we don't know? Because I think they have elucidated the
24 same kind of things. I think we do know what we need to
25 do with systems. There has been incremental improvement

1 and things aren't the same as they were 20 or 30 years
2 ago. But we do need to put some resources in. Having
3 50 years in the system, I feel we knew what we needed to
4 do and we've not succeeded in doing it.

5 Q. One point that might be made, because you said it's not
6 rocket science in some ways, is that a lot has been
7 written on the subject of child abuse during your
8 professional lifetime. Is there a danger of not seeing
9 the wood for the trees here? Because a lot gets
10 produced, but ultimately if it's not rocket science, can
11 someone reduce it to something that people can
12 understand and apply in their daily practice?

13 A. For me, that has already happened.

14 Q. You think that's happening now?

15 A. I think it has happened and I think we are very clear,
16 for example, that children need mental health support,
17 that they need help with education, that we need to
18 stick with them longer when they leave care, we have to
19 stay with them. I think all of those things have been
20 fairly clear. But they are resource-heavy.

21 Q. I think you keep coming back to the issue of resources
22 and I suppose, ultimately, we can all, no doubt, find
23 examples of very good recommendations in any area where,
24 if you don't put the resources in, you are not going to
25 get the result you desire.

- 1 A. Yes.
- 2 Q. So resources are a key component of any attempt to
3 improve a system or devise a good system?
- 4 A. I'm afraid so, yes.
- 5 Q. That's a key point to keep in mind?
- 6 A. Yes. You can't do everything by changing attitude and
7 culture; you have to have something to buoy that up.
- 8 Q. I suppose it comes without saying then that if you have
9 to make changes and there is a resource implication,
10 then the last thing you would want is someone to tell
11 you, for example, any changes have to be cost neutral?
- 12 A. Indeed.
- 13 Q. Because that's sometimes a restriction that's placed on
14 people who have to carry out root and branch reviews.
- 15 A. Yes.
- 16 Q. But if you're wanting a good system that is not
17 a restriction that should be imposed, is it?
- 18 A. Well, it makes it meaningless. We ensure that more
19 children are looked after at home in their own homes
20 now. Fewer of them come away from home. For those that
21 do, we need to be much more intensive about the
22 resources that we put into them.
- 23 Q. Would you agree that if major inquiries and reviews
24 in the UK and elsewhere have taught us anything, it's
25 that abuse of children has been a widespread problem in

1 society and can occur both in community and residential
2 care settings?

3 A. I can't disagree with that, no.

4 Q. And, in the case of residential care settings, can be
5 perpetrated by persons holding positions of trust within
6 those settings?

7 A. Yes.

8 Q. And these can be people who have managed to get through
9 the disclosure and vetting procedures and recruitment
10 procedures that were the initial hurdles to entry into
11 the setting?

12 A. Well, I would hope that is less the case now.

13 Q. But there still might be a gap, there's still the
14 possibility that they can evade those checks and
15 balances?

16 A. Yes. I can't ...

17 LADY SMITH: And if we don't face up to and recognise the
18 mistakes of the past in relation to children, we will be
19 condemned to repeat them.

20 A. Yes.

21 MR PEOPLES: Again, I'll ask you a big question, I suppose,
22 and maybe it's not an easy one to answer: what, in your
23 view, is the most important thing that's been learned
24 since you began your career in social work in the early
25 1970s about the abuse of children looked after away from

1 home in residential care settings? What's the most
2 important thing you think has been learned in that
3 period? Do you want to think about that one?

4 A. Yes. It is such a large question. I think the
5 loneliness and the isolation of children away from home
6 can't be underestimated.

7 Q. I'll maybe let you reflect on that one and maybe I'd
8 welcome maybe a written response in due course if you
9 could.

10 I'll ask you another large question if I may -- I'm
11 getting to the end of them, so don't worry: what in your
12 view are the major issues facing the childcare system
13 today?

14 A. Oh ... Well, I have spent a large part of my career in
15 social work trying to improve conditions for children
16 who do come away from home, trying to make sure that
17 we have good standards in place. I think in the later
18 years it has become apparent to me that we should be
19 doing more to try to keep children safely at home with
20 their own families.

21 I can remember when I started in social work,
22 children were rescued from their families and very often
23 there was no intention to care plan or anything to get
24 them back to their families. Not all children can stay
25 safely in their families, but I think we should be

1 spending much more of our attention and resources to try
2 and make that happen safely. It would require help from
3 health and education as well for children to be kept
4 safe and to be monitored, but to me, that's the biggest
5 remaining thing.

6 We cannot continue to increase the number of
7 children who are taken away from home, especially when
8 we don't do very well by them.

9 Q. I'm not going to raise this issue very much at this
10 stage because I think we're going to look at this at
11 a different stage, but have you got real concerns about
12 the foster care system today? Because you've already
13 talked about some of the risks in a foster care setting,
14 if we're talking about risk assessments and people being
15 placed in foster care and breakdowns in foster care.

16 Is that still an issue for you?

17 A. There's a rather different set of issues. Children are
18 possibly even more isolated in foster care. If it works
19 well, it's absolutely brilliant. If it doesn't, then
20 they may be even lonelier.

21 Q. Are you in favour of professional foster carers?

22 A. I think there's a place for that. There are some
23 schemes that work very well.

24 Q. So that's something that is worth debating?

25 A. Yes.

1 Q. I'll put this question to you, but I'm not expecting an
2 answer to it. It's maybe one for a written response.
3 The question is: do you have any advice to offer to this
4 inquiry on how the childcare system might be improved so
5 as to provide greater protection to children in
6 residential care from abuse or the risk of abuse?

7 I put the question but I don't expect you to come up
8 with an immediate answer. Can I perhaps put that
9 question to you at some point in writing and ask for
10 such response as you feel able to give?

11 A. Yes.

12 Q. Would you be willing to do that?

13 A. I'll do that. I think I'd probably say all of the above
14 that I have already mentioned.

15 Q. I think we would welcome your written response on some
16 of these questions in due course. I think that would
17 help the inquiry in its work.

18 LADY SMITH: As you may appreciate, Romy, for your own
19 assistance, a transcript of everything you have told us
20 today will be on the website quite soon.

21 A. With the questions as well?

22 LADY SMITH: Everything.

23 MR PEOPLES: I do have a note of the questions in case it's
24 not apparent what I've been asking. So don't worry.

25 LADY SMITH: It's a full transcript.

1 MR PEOPLES: We can give you a format of the questions in
2 due course.

3 With that large question left with you for
4 consideration, I have completed all the questions
5 I wanted to ask you today, and would just like to
6 thank you. I should perhaps apologise for springing
7 some of these larger questions on you, but I think,
8 given your experience and expertise, it was useful to
9 explore them with you today as well as your time at
10 Aberlour. So I thank you very much.

11 LADY SMITH: Are there any outstanding applications for
12 questions of this witness?

13 Romy, thank you very much indeed for engaging with
14 the inquiry, both in terms of your written answers,
15 which were enormously helpful when they came in, but
16 coming along today and being prepared not just to answer
17 what you thought you were coming here to talk to us
18 about, but going beyond that. It was very, very helpful
19 and I look forward to hearing further from you once
20 you've had time to think about these other questions
21 that we have asked you to address. I'm able to let you
22 go now. Thank you.

23 (The witness withdrew)

24 LADY SMITH: Yes, Mr Peoples.

25 MR PEOPLES: I think we're about to have another oral

1 witness, but that witness is to be taken by Ms Rattray,
2 so perhaps we could have a short break.

3 LADY SMITH: We'll do that.

4 (2.40 pm)

5 (A short break)

6 (2.50 pm)

7 LADY SMITH: Yes, Ms Rattray.

8 MS RATTRAY: My Lady, the next witness is Alexander Murphy.

9 ALEXANDER MURPHY (affirmed)

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

11 If you can stay in a good position for the microphone
12 for us, that'd be very helpful.

13 Ms Rattray.

14 Questions from MS RATTRAY

15 MS RATTRAY: Can you give your full name to the inquiry,
16 please?

17 A. My full name is Alexander Turnbull Murphy.

18 Q. What is your date of birth?

19 A. [REDACTED] 1973.

20 Q. And what is your current occupation?

21 A. I am an employability skills tutor.

22 Q. Normally, Alex, we would have your written witness
23 statement on the screen in front of you to help you give
24 your evidence, but we don't have that today and you've
25 been asked to give oral evidence because our requests

1 for a written statement weren't forthcoming.

2 Moving on to some questions here, can you tell us
3 what childcare qualifications you have?

4 A. I have an HNC in social care with SVQ level 3.

5 Q. When and where did you obtain that?

6 A. I got that between 2010 and 2011 and that was at
7 Carnegie College, Dunfermline.

8 Q. In general terms, before you obtained your childcare
9 qualification, what sector or type of work had you been
10 working in?

11 A. Most of my career was based in retail sales, but I was
12 made redundant from one of my jobs. Because my son has
13 autistic spectrum disorder I applied to Scottish Autism
14 in the hope I maybe taken on there and I was actually
15 employed in the relief pool with them and I also worked
16 for another care company called Ark Housing on their
17 relief pool at the same time as I was putting myself
18 through college.

19 Q. At some point you were working for the Aberlour Child
20 Care Trust; is that right?

21 A. Correct.

22 Q. When did you start to work for Aberlour?

23 A. It was August of 2011.

24 Q. What was your job there?

25 A. I initially started off as a relief pool worker for the

1 Sycamore service, which meant that I, if requested,
2 could be tasked to any one of the Sycamore Service
3 residences, Bellyeoman Road, Chestnut Avenue and
4 Sycamore Avenue.

5 Q. What was your role as a relief worker?

6 A. It was basically as a sort of residential support
7 worker. So I would basically go into the residences and
8 do as the staff would do. So look after the kids,
9 taking them on outings, encouraging them to do
10 activities, taking them to activities, help preparing
11 meals, encourage the guys to tidy their rooms, follow
12 their proper bathing routines. All manner of different
13 sort of aspects. Included in that would be the
14 recording of daily notes for the client.

15 So if I was based with one client on that day,
16 I would basically at the end of the day fill out the
17 diary with notes, giving an accurate representation of
18 what they did throughout the day.

19 Q. You may have already answered this question when you
20 made reference to your son: why was it you wanted to
21 work with children?

22 A. It was never specifically a desire to work with kids, it
23 just kind of happened that way. My job, when I applied
24 for it with Scottish Autism, was purely because my son
25 had autism and I had seen an advert for them there.

1 I honestly had no idea if I had the right
2 qualifications, if I had the right stuff, as it were,
3 I just thought I'd put myself in for the interview in
4 the hope that they may be able to guide me forward if
5 I did need to get a qualification, then I could seek to
6 get that qualification and continue to apply for them
7 there.

8 But it was never specifically kids. It ended up
9 that I was working with adults with autism for
10 Scottish Autism in the Plantation Street residence and
11 because it was relief pool work, I didn't know how often
12 I was going to get shifts, and that's why I went with
13 Ark Housing as well.

14 It wasn't until when I went to college my tutor --
15 my course tutor, I think, overheard me basically voicing
16 what I consider now is an incorrect opinion that all
17 troubled young people were a nuisance and so on and so
18 forth, and I believe she put me into a residential
19 school to show me the error of that judgement.

20 When I went to work and do my placement at
21 Hillside School, that's when I decided that it would be
22 really rewarding to work with kids.

23 Q. When you were working at Bellyeoman Road -- firstly,
24 whereabouts is the home at Bellyeoman Road?

25 A. It's nearer the sort of centre of Dunfermline. I can't

1 remember the address. Just off Townhill Road.

2 Q. Who was in charge there?

3 A. It was Angela. I can't remember her second name,
4 unfortunately.

5 Q. And who were you accountable to when you were working
6 there?

7 A. Because I was under the relief pool, the relief pool
8 manager was a lady called Moira. Again, I can't recall
9 her second name, but she was the relief pool
10 coordinator. But when we were in the residences, yes,
11 basically I would look to my lead for all staff, but
12 I would be answerable to the assistant managers and the
13 manager.

14 Q. And at Bellyeoman Road, how many children were in the
15 home?

16 A. I think it was five or six.

17 Q. Were they boys and girls or just boys, just girls?

18 A. One girl, the rest boys.

19 Q. What was the age range of those children?

20 A. I believe between 8 and 10/11.

21 Q. What was the staff/child ratio?

22 A. I don't know if it was supposed to be one-to-one because
23 a lot of the time when I was called in, it was for
24 relief purposes, so it may have been that there was one
25 or two staff members down, basically. But generally,

1 I would usually be supervising two children.

2 Q. So for how long would you be working in the one location
3 for any particular time?

4 A. It could vary because one day I could be working at
5 Bellyeoman, the next day I could be working along at the
6 Sycamore Avenue project. It really was a case of I got
7 a call as and when I was required.

8 Q. How did that affect your ability to get to know the
9 children where you were working at any particular time?

10 A. It did affect it quite a bit, actually, because there
11 was times when I feel that if I'd had a better working
12 relationship with the kids, I might not have had some
13 examples of behaviours that they displayed towards me.
14 As a new member of staff I was tested quite a lot, the
15 guys and girls would sort of push the boundaries to see
16 what they could get away with. But again, I was lucky
17 that there was always a member of staff close by that
18 I could refer to to find out either what the correct
19 procedure was or if such a request was indeed allowed or
20 not.

21 Q. What were the particular needs of the children who were
22 in care at Bellyeoman Road?

23 A. It varied, really, from child to child. Some of the
24 kids had no family access, some of them did have limited
25 family access. Some of them got full family access as

1 well. For most of them it was more sort of positive,
2 like a positive role model sort of thing and trying
3 to -- from my point of view, trying to put out positive
4 examples to the kids in order to --

5 Q. Can I just perhaps stop you there? It's my fault, I'm
6 sorry, I didn't ask the question properly. What I'm
7 trying to get at is are the children in the
8 Sycamore Cluster, and particularly at Bellyeoman Road,
9 are those children who have particular problems
10 in relation to their behaviour or other problems?

11 A. I wouldn't say -- yes, they did have behavioural
12 problems, but usually that had been because of some sort
13 of catalyst. Realistically, I think because of my time
14 there and how I worked there, I didn't see a huge amount
15 of aggressive behaviour or sort of out of context
16 behaviour. Yes, kids would play around and such, but
17 never so much and to the point where they needed to be,
18 for instance, restrained or segregated from the other
19 children. A lot of the time they were quite happy being
20 together.

21 Q. So what induction were you given when you first started
22 there?

23 A. There was an induction at Westbridge Mill with Moira,
24 the relief pool coordinator. We went over policies and
25 procedures, had a read-through of the staff handbook and

1 such. I also visited each of the Sycamore Service
2 residences, so Bellyeoman Road, Chestnut Avenue and
3 Sycamore Avenue as well.

4 I think the way that it was told to me when I was
5 doing my shadow shifts -- I'd do the shadow shifts, go
6 in, read the policies and procedures for each house,
7 like fire evacuation and so on and so forth. It was
8 a case of if -- I believe from what the staff told me,
9 if you went into any one house and the staff in any one
10 house liked you, then you would be getting requested
11 mostly by that residence to go and work there.

12 Q. Whilst you were working there, what checks were made by
13 staff within the home or other staff within Aberlour to
14 see whether you were doing your job properly?

15 A. Generally, we would have end of shift meetings as such
16 and discuss how things had gone over on the shift. For
17 the most part, everything was absolutely fine. We could
18 discuss things and in some cases the staff would point
19 out maybe things that they believed that I could have
20 done differently, and in that case I would ask, okay,
21 how I could have done that differently in order to get
22 a bit of feedback. Because, as I was newly qualified,
23 I was always looking to better my knowledge and be able
24 to work with the kids more effectively.

25 Q. Can you describe for us how you dealt with children who

1 misbehaved at Sycamore or Bellyeoman Road?

2 A. Yes. Basically, again, as I was newly qualified,
3 I would try to defer to a more senior member of staff or
4 the child's key worker. Because as a new member of
5 staff I obviously felt that if I doled out a punishment,
6 it could maybe seem unwarranted because a new guy who
7 comes walking through the door, sees one of the kids
8 doing something, and immediately hands them a sanction,
9 a punishment, however you wish to call it -- basically,
10 I would always try and defer to the other staff up until
11 a point where I believed that they would listen to my
12 authority.

13 Q. What kind of sanctions and punishments were given to
14 children?

15 A. I believe, as far as I can recall, the most common one
16 was not to be allowed to watch TV. Sometimes it was
17 a case of, I believe, radios were taken from rooms.
18 Scheduled trips might not have been attended, for
19 instance, going to the swimming or something like that.
20 I can't remember if there was any deduction to any sort
21 of pocket money as such.

22 Q. Alex, did you ever see behaviour at any of the homes you
23 were working in with Aberlour that you considered to be
24 abuse of children?

25 A. No.

1 Q. Did children ever speak to you of abuse that you didn't
2 personally witness?

3 A. No.

4 Q. And with the benefit of hindsight, do you consider that
5 there was any practice within the homes that might have
6 been abusive?

7 A. No.

8 Q. Who, either inside the home or outside the home, could
9 children speak to about any concerns or worries?

10 A. I believe that children would have been able to speak to
11 their social workers, but I believe that children were
12 encouraged to speak to any member of staff. I suppose,
13 again, as a newly qualified sort of person, the children
14 weren't very trusting of me. As one quote goes, "Why
15 would anyone want to ask him, he'll just say no".
16 Because I was always wary of answering yes to something
17 if I thought they might have been trying something on.

18 If there was anyone they would have spoken to,
19 I believe they would have spoken their key workers.

20 Q. Children in the home had social workers who were outwith
21 the home. Did they have the facility to contact the
22 social workers at any time they wished to without
23 permission of home staff?

24 A. Not that I'm aware of.

25 Q. Alex, we know that I think you parted company from

1 Aberlour in 2012.

2 A. Yes.

3 Q. I think it was around August 2012 in circumstances --

4 A. October.

5 Q. October 2012. In circumstances where there was
6 a divergence of views, shall we say, between you and
7 staff at the home regarding certain practice issues.

8 A. Mm-hm.

9 Q. The outcome of that, as I understand it, was that you
10 were removed from the pool of relief staff for Aberlour
11 and an offer of permanent employment with them was
12 withdrawn.

13 A. Yes.

14 Q. We don't need to go into any of the detail of that
15 today, but ultimately one of the things that Aberlour
16 did was to report you to the SSSC. What was the outcome
17 of that report?

18 A. Basically, the SSSC had put sanctions on my working with
19 children in so much that if I ever chose to go and work
20 with children again, I would have to complete learning
21 exercises and fill out reflective accounts.

22 Q. Is that something that you have since done?

23 A. No.

24 Q. If I understand correctly, you have moved on and you're
25 now working with young adults rather than children?

1 A. That's correct, yes.

2 MS RATTRAY: It just remains for me to thank you for
3 answering my questions, Alex. I don't have any further
4 questions for you.

5 My Lady, I'm not aware whether there might be
6 questions.

7 LADY SMITH: Are there any outstanding applications for
8 questions of this witness? No.

9 Alex, that completes the questions we have for you
10 today. Thank you very much for coming and answering
11 them. I'm now able to let you go.

12 A. You're welcome. Thank you.

13 (The witness withdrew)

14 LADY SMITH: Yes, Ms Rattray.

15 MS RATTRAY: My Lady, that concludes oral witnesses for
16 today, but there is some time perhaps to undertake some
17 read-ins.

18 LADY SMITH: Let's do that.

19 MS RATTRAY: I don't know whether the stenographers will
20 need another break.

21 (Pause)

22 Witness statement of "RUTH" (read)

23 The first read-in today is a statement of an
24 applicant who wishes to remain anonymous and has chosen
25 the pseudonym "Ruth". Her statement can be found at

1 WIT.001.001.9716:

2 "My name is Ruth. I was born in 1956. My contact
3 details are known to the inquiry.

4 "My parents were from the travelling fraternity.
5 Later in life I discovered I had a brother who was about
6 six years younger than me. He had been abandoned by our
7 parents in a field outside Elgin when he was about
8 6 weeks old.

9 "He was immediately fostered at [REDACTED] with
10 a Miss [REDACTED] and she was the house mother there. Like
11 me, he was extremely ill when he went into care.
12 Miss [REDACTED] found out from social work records that
13 we were brother and sister and she made attempts to
14 trace me.

15 "I don't have any memories of my life before going
16 into care. When I was about 9 months old, Miss [REDACTED]
17 who later went on to become my foster mother, saw my
18 parents selling my clothes in the pub and I was nowhere
19 in sight. She reported this to the police and after
20 a search, I was found in Advey(?) Forest just outside
21 Grantown-on-Spey.

22 "When I was traced, I was in my days old nappy.
23 Initially, I was taken to Miss [REDACTED] and she tried to
24 feed me but I couldn't keep any food down and was sick
25 all over the place. When I was placed in the bath, she

1 found my skin was almost dropping off. I was taken to
2 Raigmore Hospital in Inverness and spent around nine
3 months recovering.

4 "Miss [REDACTED] wanted to make me into her foster care
5 but my future foster brothers had chickenpox. I was not
6 allowed to be in contact with them because my immunity
7 was so low and could not therefore move in. I was
8 placed into care at Aberlour Orphanage when I was about
9 18 months old."

10 Aberlour records state that Ruth was admitted to
11 Aberlour Orphanage on [REDACTED] 1958 and was discharged
12 on [REDACTED] 1967:

13 "I do not have many memories as I was very young.
14 My first memory was sitting in the open air in a big
15 pram and there was also a boy there. The nursery itself
16 was called Princess Margaret Rose, and was in a separate
17 area from the main orphanage on the outside of the
18 village.

19 "I moved into the main orphanage from the nursery
20 when I was 5 years old. It was a huge building and was
21 run by the Church of England. There were six or seven
22 large and very long buildings. At the end of the
23 buildings was the school and then a farm. If you
24 followed the road right round, it took you back into the
25 village itself. All the buildings are down now, but

1 there is a bell tower with the name of the canon who
2 started it in the 1800s.

3 "Princess Margaret Rose Nursery had hundreds of
4 young children that passed through during my time. The
5 only staff member I can recall was a Miss Heap and she
6 was really nice. My time there was really good.

7 "There were many buildings with five dormitories in
8 each building. The dormitories had maybe 18 or 20 iron
9 beds. In the sets of dormitories I was in the age range
10 between 5 and 11. The oldest children in the orphanage
11 would have been about 16 years old. The older girls
12 were in different buildings. Likewise, boys were kept
13 in separate buildings from the girls. Each of the
14 buildings had a dining room to cater for the residents
15 within.

16 "When I moved into the main dormitory I was just
17 finishing my day at nursery school. After school, about
18 teatime, I was told to go to my new dormitory. I didn't
19 even get to say goodbye to the other kids at the
20 nursery. I was about 5 when I moved there and stayed
21 until I was about 7. It was regimented there, but if
22 you behaved it was not all bad.

23 "Miss **BBG** was **[REDACTED]** Aberlour.
24 There was also Canon Leslie who was to do with the
25 church as I'm sure he did some of the preaching.

1 Miss **BBG** said I was thrawn, a difficult or stubborn
2 child, and she would call me a 'red-headed bastard'.

3 "On arrival, when I got to my bed, it was covered in
4 cow dung and I refused to go into the bed. The
5 house mother -- I can't remember her name -- got angry
6 and beat me in the corridor with a long-handled brush.
7 She hit me so hard and so much that she broke the brush.
8 Only later did she check the bed and saw the cow dung.
9 She came to me to apologise but it was a bit late.
10 I was taken to another room for a while and when
11 I returned, my bed had been changed.

12 "After the first night in the dormitory I was
13 introduced to two girls who told me they were my
14 cousins. But prior to this, I never knew them. They
15 were two and three years older than me. They took me
16 down to the dining room for my first breakfast there.

17 "In the mornings, the staff would shout to waken
18 you. You were expected to clean under your bed with a
19 mop and bucket and then get washed and dressed. The
20 same mop was used by all and if you were at the end of
21 the line, you may be late for breakfast. Being late for
22 breakfast often meant you were not fed.

23 "We were sent to bed around 6 o'clock and after
24 washing and cleaning our teeth, we were all told to have
25 the lights turned off. When it came to brushing my

1 hair, there was no help offered and everyone used the
2 same brush. I was always having problems brushing my
3 hair because of it being long, curly red hair and it
4 usually got tangled.

5 "We were not allowed any playtime during the week.
6 There were no toys to play with and no books to read.
7 On Saturdays, we would move the furniture to make sure
8 we cleaned underneath. The only people we interacted
9 with were people from our own house. After the
10 cleaning, we would sit in the dining room for the rest
11 of the day with no toys or books. On a Sunday I was
12 allowed to go out of the grounds for a walk. I would
13 make my way through and then round the village and back
14 to Aberlour.

15 "There was a lady, Miss Allan, who came on the bus
16 each day to clean the house. She would normally be
17 there Monday to Friday and between 9 and 3. She always
18 had time to talk to you and she was really nice.

19 "Breakfast was always what they called porridge. It
20 was very thin and completely unappetising. The food in
21 the nursery was much better. In the dining hall there
22 were long tables with seating for around 20, including
23 one staff member at each table. There were probably
24 five or six tables in the dining room.

25 "At the table you were not allowed to have any

1 conversations with the other children. Anyone caught
2 talking would be told off by the staff member and
3 sometimes objects were thrown at you for talking. This
4 happened to me on a couple of occasions and one of the
5 items thrown was a salt cellar, which bounced off my
6 head. If you didn't eat the food, it was put away and
7 you were fed the same dish at the next meal. Most of
8 the time you ate it at the next meal because you were so
9 hungry. This happened to all of us regularly.

10 "When I was about 7 years old, I moved to the Dowans
11 building and under the care of the house parents Mr and
12 Mrs [BCJ/BCI] They were in their 40s, maybe early 50s.
13 We were all a mixed-age group of girls and I roomed with
14 five other girls. There were maybe ten rooms in total
15 in the Dowans building and the [BCJ/BCI] were [REDACTED]
16 [REDACTED]

17 "Each night in the rooms you had to say prayers.
18 I can remember it being, 'Dear God, please make me
19 a better child'. This [BCJ/BCI] would stand by and wait
20 to make sure we all said the prayer. On other occasions
21 they would have us say the Lord's Prayer.

22 "One of the meals Mr [BCI] made us was beetroot in
23 a white sauce. It was disgusting. When I didn't want
24 this at lunchtime, he left me there while the other
25 children were allowed to leave. He came back an hour

1 later and told me if I didn't eat it, I would be given
2 it at teatime and, if necessary, at breakfast.
3 Eventually I put it in my mouth and kept it there.
4 I was able to keep it there until the end of mealtime
5 and went to the laundry room where I spat it into some
6 of the washing. I didn't know that it would cause any
7 problems, but the cloths turned pink. He knew it was me
8 and beat me until I was bleeding. I have never eaten
9 beetroot since.

10 "Another of the foods that he cooked and we later
11 hated was mashed turnip. None of us liked that but he
12 made us eat it. For lunch we ate in our dining room.
13 I remember we had mince, tatties and vegetables for our
14 lunch and then back to school afterwards. Tea usually
15 consisted of some soup but not always. Although the
16 food was not always bad, it was rarely nourishing.

17 "When it came to bath time, we all used three baths
18 within each of the five bathrooms. Usually it was in
19 order of age from youngest to the oldest. The bathwater
20 was not changed and this meant nearly 100 children were
21 using the nine available baths and the same water.
22 Whichever house mother was on duty would be checking we
23 all washed, but I never felt clean despite the bath.

24 "When I moved to Dowans House, some of the older
25 girls would talk about Mr BCI. They would talk

1 amongst themselves and about how he would come into the
2 bathroom while they were in the bath and would try to
3 touch their private parts. One time while I was having
4 a bath he came in and he tried to touch me. It was on
5 a Sunday night and he said he was going to make sure
6 I was washing myself properly. He tried to touch my
7 bottom and I hit him. He retaliated by hitting me
8 across the face. We could hear people coming up the
9 stairs and that was when he left.

10 "For school I was issued with a kilt and a white
11 blouse. Sometimes they fitted, sometimes not. Whenever
12 you had grown out of the current set you were given
13 a second-hand set by Aberlour. They were washed once
14 a week. For my other day and night clothing, I was
15 given two sets to wear.

16 "School was okay at Aberlour, but there were times
17 when I left the school. I went down to the river and
18 over the bridge. I would sit and watch the wildlife.
19 Lots of times the staff were not aware I had left the
20 building. I would try and be back for lunch, as I was
21 hungry. If any of the house parents found me missing,
22 I was beaten as a punishment.

23 "Any time we were caught skipping school by
24 Miss **BBG** she would take you to her room and she
25 would use the leather strap on your hands, bare back and

1 bottom until you were black and blue. While she was
2 handing out this punishment, Canon Leslie would not take
3 part but stood within the room and watched.

4 "The teachers for the school came from the village.
5 One of the teachers -- I can't remember her name --
6 would take me to her mothers' house for some orange
7 juice and cake. I learned quite a lot at the school
8 and, when I moved to Speyside, I found I was at
9 a similar level to the other kids.

10 "When I was about 8 years old, Dowans House had been
11 donated a week's break at Butlins. When we got to the
12 bus station, the other kids were allowed to go to
13 Butlins but I was told by the **BCJ/BCI** I was not getting
14 to go. They called me a 'dirty red-headed bugger' and I
15 was then put on a bus to Elgin and told to wait for
16 someone who would come and collect me. I was then taken
17 to a home in Hopeman to stay with people there.
18 I stayed there for two weeks while the others went to
19 Butlins. I was the only one from Dowans not allowed to
20 go.

21 "The couple who looked after me behaved like parents
22 would. When I was put to bed, I was given a kiss
23 goodnight and made to feel so welcome. If I wanted,
24 I could go into town on my own and sometimes was able to
25 go to the beach. I was in the top floor and you would

1 look at the lights at the radio tower at Burghead. You
2 could go down to the shops and get the bread. You told
3 them who it was for and they put it on the bill.
4 Although I missed out at Butlins, the people at Hopeman
5 were really nice and treated me well. At that time
6 I wished I could have stayed there forever.

7 "When I was at Aberlour I didn't know when my
8 birthday was. Neither mine nor the other children's
9 birthdays were recognised or celebrated. It was the
10 same at Christmas. There wasn't even a tree decorated
11 and definitely no presents handed out.

12 "At Aberlour if we needed any medical help the local
13 doctor from the village would come to the home. The
14 only time I had to see the dentist there was when I was
15 about 5 years old. I was told all my baby teeth needed
16 to come out as they were bad. I don't recall much about
17 that as I was given gas to knock me out.

18 "When I was 5 and moved to Aberlour main building,
19 I was having issues with bed-wetting. This would happen
20 once or twice a month. The house parents who covered
21 the night shift would check your beds. They would turn
22 everyone over and feel for any wet patches. If you were
23 found to have wet the bed they stood you up and rubbed
24 the wet sheets over your face. They then took you to
25 the bathrooms where you were given a cold bath. You

1 were issued with a fresh nightie and clean sheets from
2 the cupboard and had to make your own bed.

3 "Depending on the mood of Miss **BBG** the
4 house mother, she would sometimes make us mop or brush
5 or scrub the corridor. We were given a large bucket of
6 water and some red-coloured soap. If there were more
7 than one of us who wet the bed, then we had some help to
8 do the floors. Miss **BBG** and whoever she was working
9 with would check us regularly to make sure we were doing
10 it right. You could not talk in case anyone came back.

11 "When I went to Dowans House and wet the bed the
12 difference was the night shift staff gave me a warm bath
13 to clean myself. They also helped me by changing the
14 bed. They did not routinely tell the **BCJ/BCI** but if
15 Mr **BCI** found out, he would beat you.

16 "The worst time I had at the hands of Mr **BCI** was
17 after wetting the bed. It wasn't the first time that
18 week it had happened. He told me I would learn and
19 I was not to be stubborn with him. He then locked me
20 in the cupboard under the stairs for four days. I could
21 hear everything going on in the house from the cupboard.
22 He didn't give me any meals while I was locked in the
23 cupboard. There were no toilet facilities and I had to
24 go in my clothes. It was disgusting the way he treated
25 me.

1 "One of the other residents who was about 6 years
2 old was aware I was locked in the cupboard. He offered
3 to try and get me some food and said he would slip it
4 under the door. He got caught talking to me by Mr
5 **BCI** and was given a beating for helping me.

6 "After the four days it was Mrs **BCJ** who let me
7 out. I was given a quick bath and then sent to school
8 with no breakfast. At the school I didn't tell anyone
9 what happened. I think the school had been told that
10 I was off ill for the four days. I was so hungry
11 I stole a pie from the shop on the way to school.
12 I felt so ashamed that I had to resort to this. I have
13 never stolen anything before or since.

14 "For every time Mr **BCI** caught us skipping school
15 we were taken to his room, which was next to the
16 dining room. There he would use the belt and hit us on
17 the bare skin.

18 "Whenever I or any of the other children were crying
19 from the beatings, the **BCJ/BCI** always seemed to enjoy
20 that. For that reason I tried to hide how I was feeling
21 during the beatings.

22 "When I was about 9 years old, I shared a room with
23 some older girls who were about 11, maybe as old as 13.
24 There were a couple of babies in cots and they were
25 a brother and sister. During the night Mr **BCI** would

1 come into the room and waken me. I was told to take the
2 babies to the bathrooms and change their nappies. I was
3 told to take my time and not come back too quickly.
4 I was also told to make sure I took time to have a pee.
5 This happened on many different nights. Each time
6 I came back the three older girls were no longer in the
7 room. I believed he was taking the girls to his room
8 and he was sexually abusing them. I could see no other
9 reason for him to go taking them away during the night.
10 I was usually asleep when they came back.

11 "It wasn't just girls he was abusing. A boy told me
12 Mr **BCI** would take some of the older boys out of their
13 beds during the night and take them to his office. The
14 boy thought he was too young and that was why nothing
15 happened to him.

16 "I later found out Mrs **BBP** a house parent at
17 Aberlour, and Miss were on the same training
18 courses in Edinburgh and became good friends. I had
19 a visit from Mrs **BBP** and she said she had seen my
20 brother and that he was the spitting image of me. At
21 that time I was not aware of having a brother. I asked
22 Mrs **BCJ** if this was true about me having a brother.
23 She said, 'You have nobody in this world, why would
24 anyone want you?' and called me a red-headed bastard.

25 "When I was about 9 years old, Mary Marquis from the

1 television came to visit Aberlour with a camera crew.
2 We were asked to sing 'Nobody's Child' for them. This
3 was to be used in a documentary about our home.
4 Aberlour was closing and they were hoping to use this to
5 find us homes and the song was used in that campaign.
6 As a result of the programme being aired, Miss [REDACTED]
7 saw me and contacted social work.

8 "The day I left Aberlour in [REDACTED] 1966, I had been
9 at school in the morning as usual and was called out of
10 the classroom to see the doctor. It was strange as
11 there was nothing wrong with me and I was given an
12 examination. I came home to the Dowans at lunchtime.
13 I was told by Mrs [REDACTED] BCJ that I didn't have to eat my
14 neeps if I didn't want to. In the afternoon, she met me
15 from school and took me to the hairdresser where my long
16 hair was cut short. After tea I was sitting on the
17 stairs with my clothes in a bag. I was not able to say
18 goodbye to anybody, including my friend.

19 "Miss Grant arrived and said she was my
20 social worker and took me away in her green Mini. She
21 told me she was taking me to my brother. I was so
22 excited. I was taken to Speyside, at the square in
23 Grantown-on-Spey, and reintroduced to Miss [REDACTED] who
24 was still the house mother there.

25 "When I arrived at Speyside House, my brother was at

1 the door dressed in a cowboy outfit. He looked so much
2 like me and gave me the biggest hug of my life."

3 From paragraphs 50 to 67, Ruth tells us of her life
4 with her foster mother at Speyside House. It was a very
5 positive experience and I will read parts as Ruth
6 compares her care at Speyside with her experiences at
7 Aberlour:

8 "It didn't take me long before I called Miss [REDACTED]
9 'mum'. She introduced me to everybody in the house.
10 I was shown to my room and the bed and mattress were so
11 comfy. She took my bag that had all my clothes in it
12 and threw them all in the bin. I was taken to the shops
13 for a new set of clothes.

14 "She also bought me new shoes, wellington boots and
15 slippers. The shoes Aberlour had me wearing were
16 size 11 but it turned out I needed an adult size 1. She
17 also bought me four sets of for school. This was the
18 first time I had ever been given new clothes."

19 Now to paragraph 54:

20 "Whenever I did anything wrong there were no
21 physical punishments. I was never smacked. She would
22 sit you down and ask you why you were doing those things
23 and she would find a way to let you know how not to do
24 it again. She never raised her hands to any of the
25 kids.

1 "My brother suffered from grand mal epileptic
2 seizures. As I was still wetting the bed, Miss [REDACTED]
3 thought I might have this as well and I was taken to
4 Raigmore Hospital in Inverness for tests. I was in
5 hospital for about a week and found to be suffering from
6 petit mal epilepsy and was having seizures during the
7 night. It was also found that when I was having
8 seizures, that was causing me to wet the bed. I was
9 given medication and the bed-wetting stopped. At the
10 house, before the diagnosis, if I wet the bed, I was
11 never punished. The sheets were just changed and I was
12 cleaned up.

13 "Miss [REDACTED] cooked great food and there was no
14 issue if you were not liking it. All you were asked to
15 do was to try what she made and if you didn't like it,
16 there was to be no trouble and she would try to find an
17 alternative."

18 Now to paragraph 60 on page 9728:

19 "When we were at Aberlour, we were not encouraged to
20 join any youth clubs or anything like that. When we
21 stayed with Miss [REDACTED] she positively encouraged it."

22 Now to paragraph 66 on page 9729:

23 "Miss [REDACTED] who I now called mum, retired from
24 [REDACTED] but took myself, my brother and four
25 other boys with her and continued to foster us. Mum

1 always tried to make sure we knew how to look after
2 ourselves in later life in and taught us how to cook and
3 clean."

4 Now to paragraph 68:

5 "I left mum when I was about 16 years old and went
6 to Elgin College where I passed my exams. I joined the
7 nurse cadets. I tried to get work at St James' Hospital
8 in Leeds but when they found out I suffered from
9 epilepsy, they turned me down and I went back to stay
10 with Miss [REDACTED]. I was working at a hotel for a while
11 and went back to college to learn cookery."

12 Ruth then describes getting married, having children
13 and grandchildren, and working in the catering industry
14 for most of her life.

15 Paragraph 73, page 9730:

16 "I didn't tell mum about what happened to me at
17 Aberlour. It was because she was an adult and at that
18 time I still did not trust any adults. I thought if
19 I told her, she wouldn't care for me anyone.

20 "As a result of being locked in the cupboard at
21 Aberlour, I can't stand being in dark rooms or closed
22 spaces. I always have to keep a light on.

23 "I always made sure that there were no way my kids
24 were ever going to end up in care. I have a good
25 relationship with my family but I do overcompensate

1 sometimes, just to make sure they got the things they
2 needed or wanted, especially at Christmas.

3 "I never allow myself to go hungry. I always eat
4 lots of food and sometimes I would make myself sick like
5 bulimia. This might have been the reason my teeth were
6 rotten.

7 "About three years ago I was diagnosed with
8 fibromyalgia. I never told any of the doctors what was
9 happening when I was at Aberlour, but when I was
10 treated, the doctor told me it could have stemmed from
11 a traumatic experience as a child.

12 "I have tried to get my records that should be held
13 by Moray Social Services. They told me it was unlikely
14 they would have any from that far back. It was staff
15 from there that recommended I get in touch with the
16 inquiry to see if that would assist.

17 "I would hope that the inquiry can see that every
18 child in Scotland is placed in care as if they were in
19 a family environment. Speyside was a good example of
20 the care a child should receive. The social work should
21 visit and build up the trust where the child will feel
22 safe in disclosing any issues. Aberlour made me feel
23 like I should not be on this earth. That's no way for
24 any child to be brought up."

25 Moving to paragraph 81 on page 9731:

1 "Miss [REDACTED] died in 1997 when she was about
2 81 years old. During the latter part of her life she
3 was awarded an MBE and an OBE for her services to
4 childcare and received her honours at Holyrood Palace.
5 She looked after over 400 children during her life.

6 "I have no objection to my witness statement being
7 published as part of the evidence to the inquiry.
8 I believe the facts stated in this witness statement are
9 true."

10 The statement was signed by Ruth on 22 June 2018.

11 LADY SMITH: Thank you.

12 Witness statement of "MARTIN" (read)

13 MS RATTRAY: My Lady, I think we do have time for a second
14 one before 4 o'clock.

15 The next statement is from a witness who is
16 anonymous and has chosen the pseudonym "Martin". Martin
17 has provided a statement in the form of answers to
18 a series of questions, written questions, put to him by
19 the inquiry, which is a handwritten response, which can
20 be found at WIT.003.001.5603.

21 His handwritten responses to the questions have been
22 formed into a statement, which can be read out. At
23 times words have been added simply to provide the
24 context of the question he was answering:

25 "My name is Martin. I was born in 1929. From 1946

1 to 1949 I completed a degree in German and French at
2 Oxford University. From 1949 to 1951 I undertook army
3 national service. From 1951 to 1953 I studied theology
4 at [REDACTED] Oxford. From 1953 to 1959 I was
5 a curate in the [REDACTED] with special
6 responsibility to work with youth. I was also
7 a Scoutmaster with training for the [REDACTED]
8 Training Centre for Scouts in Hertfordshire.

9 "From [REDACTED] 1957 to [REDACTED] 1958 I was a member of
10 the Aberlour staff at Aberlour Orphanage, Aberlour,
11 Banffshire. I combined the post of part-time priest at
12 the Episcopal Scottish Church of [REDACTED]
13 [REDACTED] for three days with the post of relief
14 housemaster at Aberlour Orphanage for three days. I was
15 also Scoutmaster for both Aberlour and Fochabers Scouts
16 in one shared camp.

17 "From [REDACTED] 1958 to [REDACTED] 1959, I worked
18 full-time for five months [REDACTED]
19 at Aberlour Orphanage and [REDACTED]
20 [REDACTED]. This appointment listed my duties and
21 responsibilities as follows:

22 "'To assist the warden of the orphanage in the
23 supervision of the boys' wing. Administrative duties
24 when called upon. To teach [REDACTED] in the
25 day school for three periods a week. After care work.

1 Office work and compiling the orphanage magazine as
2 required. Organisation, recreational works amongst the
3 boys. To act as relief housemaster in home supervisory
4 duties for not more than three days per week. [REDACTED]

5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 "Although my part-time and full-time membership of
9 the Aberlour staff from 1957 to 1959 was for only
10 17 months and now 60 years ago, I have a reasonably
11 clear memory of the experience. Basically, a happy
12 time, but ending sadly in [REDACTED] 1959 with my
13 resignation, not dismissal, because of a corporal
14 punishment episode which I fully describe later in my
15 statement.

16 "I heard about the post from an advertisement and
17 word of mouth. I applied in writing. I wanted the post
18 as I wished to work with children in care. I considered
19 that I had experience of work with youth and children.
20 I was interviewed by all the members of the
21 Aberlour Orphanage governing body.

22 "I was asked questions relevant to the job and about
23 my suitability and qualifications. I provided
24 references from the headmaster of the orphanage school
25 and the bishop of the Diocese of Moray, Ross and

1 Caithness. I was not informed of any checks made to
2 find if I was suitable to work with children. I had
3 five years' experience of part-time teaching, work with
4 youth and children, and experience of working in two
5 parishes.

6 "I knew Aberlour Orphanage well from 15 months as
7 relief housemaster for three days per week working from
8 Fochabers. There was a boys' wing and a girls' wing to
9 house all the children. There was a nursery school,
10 playing fields, laundry, swimming pool, gardens, a farm
11 with cattle, poultry, pigs and crops, and the Scottish
12 Episcopal Church of St Margaret's. It was a very
13 self-sufficient institutional home.

14 "The management structure comprised the warden,
15 that is the chief executive officer, sub-warden, lady
16 superintendent for the girls' wing, housemasters for
17 four houses, one house mother for boys aged 5 to
18 8 years, and house matrons for girls in three houses.
19 The number of children in the houses varied and ranged
20 from 20 to 30 children. There was also a working girls
21 house for girls who had left school and had not left the
22 orphanage.

23 "Other staff working there included the kitchen
24 staff, laundry staff, nursery staff, infirmary staff,
25 farm workers and short-term relief staff as required.

1 "Ultimately, the warden was in charge. I was
2 accountable to the warden and the governing body.
3 Altogether there were probably a hundred staff from all
4 the departments including the school.

5 "I was told that there were 400 children at the
6 orphanage in the 1920s and 1930s. During my time there
7 were about 300 children depending on how many were sent
8 by local authorities. About half were boys and half
9 were girls, near enough. Their ages ranged from babies
10 to school leavers. Children left school at the age of
11 14 unless they were bright pupils who went on to the
12 Aberlour village high school. There weren't many of
13 those.

14 "Some children stayed for all their school years
15 unless they were withdrawn by local authorities because
16 the children's original circumstances had improved. The
17 staff/child ratio varied according to the departments.
18 For example, kitchen, laundry and nursery. In the house
19 for the boys and girls, there were 20 to a maximum of 30
20 children with one house parent. The numbers of children
21 would often change.

22 "I didn't live in the orphanage. I always slept at
23 home with my wife and baby. I was provided with a house
24 in Fochabers and then an independent house in Aberlour.
25 I didn't stay long enough at Aberlour for further

1 training, which might have been helpful.

2 "When children were admitted to the orphanage, boys
3 were warmly welcomed in the main office by the warden
4 and girls by the lady superintendent. They were shown
5 around and introduced to the housemaster or
6 house mother, the staff and the children of the
7 appropriate age group in the house.

8 "Children got up at 7 am and made their beds. They
9 had breakfast in large dining halls for all. House
10 duties were allocated for older boys and shared. This
11 was general cleaning and tidying before going to school
12 at 9 am.

13 "A few of the younger ones wet their beds.
14 Occasionally this was reported to the nurse for both the
15 boys' and girls' wing, who was always available to help
16 and advise. There was no recourse to any discipline on
17 these occasions.

18 "There was no uniform. The older boys wore kilts on
19 Sundays and special occasions. It was the Gordon tartan
20 for Gordon territory. Clothes and shoes were all
21 brought in, stored in central cupboards and stored as
22 appropriate for different ages. Clothes were changed
23 every week and sent to the laundry. Children polished
24 their own shoes. Every child had their own clothes and
25 shoes.

1 "After grace, the children sat at their house tables
2 in the large dining hall. There was one hall for the
3 boys' wing and one for the girls' wing. They had
4 a two-course meal. If the children didn't want to eat
5 the meal they were not forced but encouraged to eat. If
6 children didn't eat or finish the food, this was just
7 accepted.

8 "I can only speak for the boys about washing and
9 bathing. There was a bath and washrooms in the house.
10 The children washed and bathed every night. They washed
11 at sinks alone and baths were often shared. There were
12 no showers in those days. The children were checked on
13 an occasional basis by the housemaster, not least for
14 cleanliness.

15 "The children slept in dormitories, more than one if
16 necessary. There were up to 20 children in each
17 dormitory. Each bed had lockers and the children had
18 their own cupboards in the house common room. 7.30 pm
19 was bedtime for younger house boys and 8.30 pm for the
20 older ones. Then it was lights out if it was winter.
21 The housemaster had his own private room, bedroom and
22 toilet as part of the house premises. He could be
23 called upon if necessary. He would quietly call round
24 before turning in himself.

25 "The children played their own games both

1 individually and together. There were no TVs but there
2 were radios. There wasn't a library but there was
3 a limited supply of boys' story books and comics such as
4 the Beano and Dandy, et cetera. Reading was encouraged.

5 "Children had their own toys in their own house
6 room, locker and cupboard. The children had organised
7 playing field games which were organised by the
8 housemaster, sub-warden or school games master. There
9 were playing fields and football pitches for the
10 children and they could go sledging if there was snow.
11 The children got pocket money and sweets and toffee on
12 a Saturday as well as birthday treats. The children
13 were free to visit the local shops on Saturday and spend
14 their pocket money. There were also occasional visits
15 to the local cinema.

16 "The orphanage had a large house or holiday house in
17 Hopeman by the seaside to which every house, both boys
18 and girls, went separately during the summer holidays.
19 They would visit for a week and it was very popular.
20 There were also day trips to Elgin for older boys and
21 girls for birthdays. They were free to go by bus to
22 Elgin usually, which was 15 miles away, for a visit to
23 Woolworth's. The older ones went unescorted. The
24 children were not escorted on their visits to the
25 village on a Saturday to spend their pocket money.

1 "The children attended the local orphanage school
2 from the age of 4 to 14. The brighter pupils, of which
3 there were just a few, went to Aberlour High School.
4 There were reports from the village high school to the
5 warden for these few. Homework, if given, was done in
6 all of the small house rooms.

7 "Religious instruction was given at the orphanage
8 school. There was assembly each morning and three
9 religious instruction lessons per week. This was
10 mandatory and everybody took part.

11 "The nurse, one for the girls and one for the boys,
12 was available for all health problems. There was one
13 room for the infirmary with several beds. Three local
14 village doctors were very generous with their visits
15 when necessary. Children were seen immediately at the
16 doctor's surgery, if necessary, which was about
17 three-quarters of a mile in the orphanage. There were
18 regular dental visits to the orphanage for dental
19 checks. The children's head and hair were checked and
20 there were other appropriate inspections by qualified
21 persons. If a child needed to go to hospital they went
22 to the Fleming Hospital in the local village. Records
23 were kept in the main office.

24 "Children did do manual work. Duties were allocated
25 to older boys in each house to keep the area clean and

1 dusted. This is for a quarter of an hour after
2 breakfast before school. They also tidied up briefly at
3 night. There was no pay for these duties.

4 "At Christmas there were parties and a Christmas and
5 New Year dance in the big dining hall for staff and all
6 the boys and girls aged 9 years and over and cheers to
7 see in the New Year. The children had birthday treats:
8 a present from the warden and a Saturday outing if they
9 were older, for example a trip to Elgin.

10 "The children had very few visitors. If they had
11 any, permission was given to take them out. Children
12 did not go out visiting others. Contact with parents
13 was usually non-existent. Sometimes interested groups
14 visited to learn about the work of the orphanage and
15 were taken round. There was no visitors' book to my
16 knowledge. Visits by local authority social workers
17 were not often if at all. Perhaps they would write
18 enquiry letters.

19 "I was not long enough on permanent staff, only five
20 months, to be able to answer questions about internal
21 monitoring, except that all grievances could be reported
22 to the warden or sub-warden.

23 "I was not long enough on the staff to be able to
24 answer questions about external inspections.

25 "In relation to whether there was any review to

1 consider whether children should continue to live at the
2 home, the local authority would withdraw a child if the
3 child's original home circumstances improved, but this
4 was not very often.

5 "Siblings lived separately in the home. They could
6 meet at school, on days off and on holidays, for
7 example, on Saturdays for older children. Letter
8 writing was encouraged to keep in touch with family
9 members not living in the home. This was always
10 difficult.

11 "I wasn't on the staff long enough to be able to
12 answer questions about who had access to children on
13 their own. The children's safety was protected by a
14 roll call or equivalent to check the presence of all.

15 "The orphanage had a hostel on the premises for
16 older boys and girls to return after leaving for
17 a weekend or so, many did, this being the home, maybe
18 the only one they knew.

19 "A logbook for punishments, if severe, was kept.
20 This was kept in the main office. The main office kept
21 files on all the children. Information was kept about
22 the children's origin, the local authority and main
23 events. These should now be with the successor body of
24 the Aberlour Orphanage, which is the Aberlour Child Care
25 Trust in Stirling.

1 "Answers to questions about discipline and
2 punishment are best answered by me describing an
3 unfortunate episode which resulted in my leaving after
4 only five months on the permanent staff.

5 "The discipline in the house was more relaxed than
6 in the school, where it was very strict and when the use
7 of the slap on the hand was in those days, the 1940s and
8 the 1950s, common. I remember in my own boyhood
9 receiving strap and cane punishments.

10 "Punishments for minor offences in the home, such as
11 for persistent lateness, swearing, being out of bounds,
12 out without permission or not carrying out household
13 duties, consisted of, for example, loss of privileges or
14 weekly pocket money or outings. For major and serious
15 offences, such as for bullying, defiance, causing
16 disruption, upsetting others, stealing, continued
17 disobedience, or getting out of control, there were
18 often two warnings. Permanent but not relief or
19 short-term housemasters were authorised to use the
20 strap, always in the presence of another staff member
21 and always recording the offence and punishment in the
22 punishment logbook.

23 "Sometimes in support of relief housemasters, and if
24 permanent housemasters thought appropriate, the offences
25 would be sent to the warden or sub-warden, usually the

1 sub-warden, who would accordingly administer the
2 punishment witnessed and duly recorded. During my time
3 at Aberlour I knew of no cases of sexual abuse.

4 "My own personal experience, which causes me great
5 pain and distress, led to my resignation but not
6 dismissal at the end of [REDACTED] 1959, after only five
7 months on the permanent full-time orphanage staff, as
8 [REDACTED] following the previous part-time
9 three days per week relief work for over a year from
10 Fochabers.

11 "During my part-time three days per week as relief
12 housemaster working and travelling 20 minutes from
13 Fochabers to Aberlour my relations with the boys in the
14 four houses were happily good and without trouble.

15 "When full-time, from [REDACTED] 1958 onwards, it
16 was in support of a relief housemaster that a 12
17 year-old boy was sent to me 'out of control' and after
18 warnings. His offences, as recorded in the punishment
19 logbook, included the following: smashing crockery and a
20 crockery trolley; upsetting house discipline by cheek;
21 impudence; bullying; wielding chains; sleeping in
22 another boy's bed with another boy; being in cook's room
23 after lights out; absence from church services. What
24 was I to do?

25 "The usual authorised punishment in the presence of

1 the relief housemaster was up to six with the strap, and
2 this was duly given. During and after this, the boy
3 continued to swear and give cheek with insulting words
4 and moved away. In response to my order to come back,
5 he ran off and tried to hide in the small staff
6 dining room, where the table was set for lunch.

7 "I followed and, when entering, he threatened me
8 with one of the knives. Just at that point, quite by
9 accident, the warden, CW Leslie, who had been the warden
10 since September 1958, was walking by, entered, seized
11 the knife from the boy and dismissed him. Incident
12 closed, I thought.

13 "The day was Saturday 21 December 1958, as far as
14 I can recall the date, a few days before Christmas.
15 However, within the [REDACTED] I received a letter
16 from the warden (a) reprimanding me for handling the
17 matter badly, including the recorded punishment,
18 although since his arrival as warden in the September
19 before he had not indicated that he wished to change
20 procedures for punishment, especially for serious
21 offences, and (b) advising, not dismissing me, that
22 I was not suitable for care work and therefore I should
23 return to parish work as soon as convenient.

24 "Within the [REDACTED], I was interviewed by the
25 chairman of the governing body of the orphanage,

1 Mr Webster, and by the warden Reverend CW Leslie.

2 Mr Webster confirmed the contents of Mr Leslie's letter
3 to me saying that he had made his own investigation and
4 agreed with both the reprimand and the advice to seek
5 parish work elsewhere.

6 "I was deeply hurt by the judgment given. I was
7 prepared to accept the reprimand but deeply hurt by the
8 suggestion that I was unsuitable for care work. I wrote
9 to the warden immediately making the points, adding that
10 I had loyally supported him since his arrival; that
11 I agreed wholeheartedly that the orphanage should be
12 converted into small family units and home projects, for
13 which he had ideas, which happened from 1967 onwards
14 when the home closed, eventually becoming the Aberlour
15 Child Care Trust with headquarters in Stirling; that it
16 was clear that the new warden preferred not to have me
17 [REDACTED]. So on these
18 grounds I submitted my resignation, giving [REDACTED]
19 notice, leaving at the end of [REDACTED] 1959.

20 "I was always grateful for the support at this
21 painful time of housemaster colleagues and other staff.
22 Though no longer since then involved directly with care
23 work, I have always retained an interest in the Aberlour
24 Child Care Trust's work, with annual financial support
25 as a subscriber and receiving reports, now with over 50

1 home projects all over Scotland, meeting different
2 childcare needs, the latest project being a home for
3 refugees.

4 "On two occasions later, I was invited to [REDACTED]

5 [REDACTED] and [REDACTED]
6 [REDACTED]

7 Then I have often been invited to speak about the 'old
8 home' in Aberlour. I'm still in touch with a few
9 contemporary oldies, though only a very few of my age
10 remain. I was reliably informed that a 12-year-old boy,
11 whose name I know, and we always used Christian first
12 names in the home, a few months into the year 1959 had
13 to be withdrawn from the orphanage because of further
14 uncontrollable behaviour.

15 "In retrospect, I've often thought that at the time
16 we were unable to recognise and deal appropriately with
17 special needs care children, and was glad when, in my
18 view rightly, corporal punishment was later declared to
19 be illegal. The response to the said boy's behaviour
20 would be very different today.

21 "I have given my response to the best of my memory
22 and as accurately as it is possible for me, some
23 memories being very clear, even after 60 years."

24 The statement was signed by Martin on
25 14 September 2018.

1 LADY SMITH: Thank you. I take it that's the end of the
2 evidence that we're going to put before the inquiry
3 today.

4 MS RATTRAY: Yes, my Lady. Tomorrow we will not have oral
5 witnesses, but we will have at least a morning, possibly
6 longer, for read-ins. The first read-ins will be
7 in relation to Quarriers.

8 LADY SMITH: That's very helpful, thank you.

9 Just before I rise, I think in the statement you
10 read from Ruth, there was mention of some people that
11 are covered by my general restriction order,
12 particularly Mr BCI and his wife, Mrs BCJ and
13 a brief mention of Miss BBG all of whom cannot be
14 identified as people against whom allegations of abuse
15 have been made outwith the hearing room.

16 Thank you very much. I'll now rise until tomorrow.

17 (3.56 pm)

18 (The inquiry adjourned until 10.00 am
19 on Wednesday, 19 December 2018)

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"CATHERINE" (sworn) (via video link)1

 Questions from MR PEOPLES2

ROMY LANGELAND (sworn)74

 Questions from MR PEOPLES75

ALEXANDER MURPHY (affirmed)141

 Questions from MS RATTRAY141

Witness statement of "RUTH" (read)152

Witness statement of "MARTIN" (read)171

1

2

3

4

5

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