

1 Monday, 30 May 2022

2 (10.00 am)

3 LADY SMITH: Good morning and welcome back to our hearings

4 in our foster care case study. You'll probably all

5 remember that we explained this week we move on to

6 hearing from applicants and I think we are planning to

7 hear from three different applicants today, Ms Innes; is

8 that right?

9 MS INNES: That's correct, my Lady.

10 LADY SMITH: And the first one is ready, yes?

11 MS INNES: Yes. 'Anne' is the first witness, and she was in

12 the care of Fife County Council, now Fife Council, in

13 [REDACTED] 1959 for a period of three to four weeks.

14 LADY SMITH: Thank you very much indeed.

15 Meanwhile, I don't know if everybody else is feeling

16 this, I wonder if I can put in a plea for the

17 temperature to be brought down a little in this room,

18 it's feeling a bit warm.

19 'Anne' (sworn)

20 LADY SMITH: 'Anne', you look well prepared, thank you for

21 that. You'll see also there's a red folder that has

22 a hard copy of your statement in it.

23 A. Yes.

24 LADY SMITH: You'll also see the document coming up on

25 screen as we refer to different parts of it. You might

1 find that helpful too.

2 A. Uh-huh.

3 LADY SMITH: Can I assure you at the outset, I do understand

4 it is not easy coming here to give evidence in public

5 about very personal matters in your own past. I'm very

6 grateful for your preparedness to do that.

7 A. Thank you, my Lady.

8 LADY SMITH: But I also understand that from time to time

9 people just find it so tough they want a break or maybe

10 just a pause while they're sitting here. That's

11 absolutely all right. I'll be guided by you as to what

12 works for you. You must let me know.

13 Also, if you have any queries or questions about

14 what's happening or why you're being asked something,

15 you must speak up. Do tell me, because it's very

16 important that I do what I can to make you as

17 comfortable as you can, going through this difficult

18 task.

19 A. Thank you.

20 LADY SMITH: I hope you understand that.

21 A. I do. Thank you, my Lady.

22 LADY SMITH: If you're ready, I'll hand over to Ms Innes and

23 she'll take it from there.

24 Ms Innes.

25 MS INNES: Thank you, my Lady.

1 Questions from MS INNES

2 MS INNES: You were born in 1956; is that correct?

3 A. That's correct.

4 Q. I think you have a copy of your statement in front of
5 you, but I'm going to ask if we can just have a quick
6 look at it on the screen, at WIT.001.001.7787.

7 You'll see that your details have been blanked out
8 on the screen but I think you have a copy of the
9 statement itself in front of you. I think you've been
10 able to review your statement before coming to give
11 evidence today; is that right?

12 A. That's correct, yes.

13 Q. And you're content with what's written in the statement?
14 I know that you want to say some additional things
15 during the course of your evidence?

16 A. I do, thank you, yes.

17 Q. Thank you. You tell us at paragraph 2 of your statement
18 that you were born in Fife and that you had three older
19 sisters and then there was you, your brother, and your
20 sister [REDACTED]. Can you tell us a little of what your
21 family life was like at that time?

22 A. We were a big family. We were a very happy family. We
23 were like all the miners in the area, we were poor but
24 my dad worked hard. We just loved each other. Very
25 much.

1 Q. And you say that you were a big family. How did you get
2 on with your siblings?

3 A. Well, there was bickering, but because we were a big
4 family, each of the siblings owned the next sibling
5 down, if you understand what I meant. [REDACTED] was my
6 baby. She was my responsibility. I looked after her.
7 And she was my wee pet and that's what I called her.

8 Q. Okay. You say that your father worked in the mines,
9 I think, at the time?

10 A. He did, yes.

11 Q. And your mum wasn't working, she was looking after the
12 family?

13 A. Yes, that's correct.

14 Q. And then you tell us at paragraph 4 that your mum was
15 pregnant with your younger sister and she was due to
16 give birth in [REDACTED] 1959, I think?

17 A. That's correct.

18 Q. And you say that she took ill and had to go into
19 hospital?

20 A. That's correct.

21 Q. If we go over the page in your statement, at the top of
22 page 5 you tell us that your mum and dad didn't really
23 have any family support to help them out at that time,
24 so what did your dad do?

25 A. My father couldn't take time off work. My father was

1 an indentured miner from Ireland. The coal board said
2 jump, and you said how high? It was just
3 an impossibility. So he went to Fife Council and he
4 asked Fife Council if they could help him.
5 Q. Okay.
6 A. To take care of the kids.
7 Q. Okay. I think we understand from what you say at
8 paragraph 6 in your statement that your three older
9 sisters went to a Children's Home at that point?
10 A. That's correct, yes.
11 Q. And yourself, your brother and [REDACTED] went to a foster
12 home?
13 A. That's correct, yes.
14 Q. This was in [REDACTED] 1959, I think, and you were nearly
15 four at that time; is that right?
16 A. That's correct, yes.
17 Q. And you say that your brother was about two and a half?
18 A. Yes.
19 Q. And your baby sister was 18 months old at the time?
20 A. Yes.
21 Q. Initially you thought you were only going for a few
22 days, but the stay was longer, it was three weeks. Do
23 you know why the stay was a bit longer than expected?
24 A. My mum took seriously ill. I don't know what, we think
25 it was preeclampsia she had, and she had to remain in

1 hospital.

2 Q. Okay. You say in your statement, if we go to the bottom
3 of the page, that you went into foster care?

4 A. That's correct, yes.

5 Q. Can you tell us about your first impressions of going to
6 this home?

7 A. When we got there, the woman came across as very
8 pleasant. My dad took us there with a children's
9 officer and left us there. My mum had prepared us by
10 saying that we were going on holiday and we were
11 actually quite excited about it.

12 Dad took us there and left us there. When we
13 actually got into the home, the husband was there and it
14 was very, very obvious that he did not approve of us
15 being there. He just did not pay the slightest
16 attention to us in the least. And at first I think we
17 were really excited to be there.

18 Q. Who else was in the house? You've mentioned there was
19 the man and the woman. Were there other children?

20 A. Yes. They had two boys and a girl. I at the time
21 thought it was their own kids, but it now appears that
22 they were adopted children.

23 Q. Okay.

24 A. They -- I don't know how to say this without it sounding
25 offensive, but the children were mentally challenged,

1 I think, and even at three, I recognised that. And they
2 were not happy about us being there either.

3 Q. How did you think that they weren't happy about you
4 being there? What made you think that?

5 A. They weren't nice to us. They bullied us. But that was
6 maybe because we were encroaching on their environment
7 and they weren't very nice to us at all, punching us and
8 kicking us and just taking wee nips, just what kids
9 would do to other kids.

10 Q. If we go on, we see at paragraph 13 of your statement
11 and just below that you talk about the routine and what
12 you were doing.

13 A. Yes.

14 Q. At paragraph 15, you say that you and your brother and
15 your sister shared a bed?

16 A. That's correct, yes.

17 Q. Was it a big bed or a single bed?

18 A. No, no. [REDACTED], [REDACTED] and I shared a single bed in the
19 parents' room, which was absolutely beyond -- when
20 I think back to it now, that the children's officer
21 raised absolutely no concerns to the fact that three
22 children were going to be sleeping in a single bed in
23 the parents' room, it just was nonsensical.

24 [REDACTED] and I slept at the top of the bed and [REDACTED]
25 was between our feet at the bottom. There was no cot

1 for a baby, and they were professional foster carers.
2 It just did not make sense that this was happening, that
3 this was allowed to happen.
4 LADY SMITH: At that time, you say [REDACTED] was about
5 18 months?
6 A. 18 months, yes, my Lady.
7 MS INNES: And when you say that they were professional
8 foster carers, what do you mean by that?
9 A. Well, according to one of the letters in here, they had
10 fostered lots of times for Fife Council, so you would
11 think that they would have checked out the facilities to
12 take in three young children, three babies, but
13 apparently not.
14 Q. Okay.
15 A. There was no cot for [REDACTED].
16 Q. At paragraph 17 at the bottom of this page you talk
17 about your brother and yourself being put outside of the
18 house --
19 A. Yes, regularly, yes.
20 Q. -- for a period of time. Do you know why that was?
21 A. We have absolutely no idea. The only thing I can think
22 is that the man wanted us out from under his feet, or
23 maybe she wanted us out from under her feet, but we were
24 always put on the back step and the door was locked on
25 us and we were left there for hours. We had no shoes,

1 no socks, no undergarments, just big jerseys, and we
2 stood there for hours.

3 Q. If we go over the next page, please, paragraph 18, you
4 talk there, I think, about your brother crying and
5 banging on the door.

6 A. Yes.

7 Q. What was the woman's reaction to that?

8 A. Well, she just really opened the door to make sure that
9 he would stay quiet and so she tried to distract us by
10 saying, "Watch for so-and-so coming from the school and
11 then tell us when they're here", and she just then left
12 us standing again and went in and locked the door.

13 Q. Okay.

14 A. But told to be quiet, stop making such a fuss.

15 Q. Then you talk at paragraph 19 about the man, and you've
16 told us about his attitude towards you. Over the time
17 that you stayed there, did his attitude change at all or
18 not?

19 A. Never. Never. He did not want us there, was not happy
20 we were there. Just was very dismissive. I don't think
21 there was very much interaction with him at all.

22 Q. Then in paragraphs 20, 21 and 22 you talk about the
23 behaviour of the other children towards you.

24 A. Yeah. They bullied us. And, as I said earlier, perhaps
25 it was because we had encroached into their environment.

1 That was their home and their mum was taking in other
2 kids. I wouldn't say she ever showed any affection or
3 anything towards us. And I think the kids could have
4 been slightly jealous. I have no idea. But they
5 weren't nice to us. They punched us, they kicked us,
6 they nipped us.

7 Q. Okay.

8 A. I was the big sister. I tried to protect the kids, but
9 unfortunately they were too big for me. I was unable to
10 do so.

11 Q. Then at paragraph 23, you talk about after bath times,
12 being put into your jerseys and tied up.

13 A. Yeah.

14 Q. Can you explain what happened?

15 A. We were actually -- I don't know if they were adults'
16 jerseys or the older kids' jerseys, but that's how we
17 lived in that household. We were tied up in jerseys,
18 24/7. We were arms down the sleeves, the sleeves
19 were -- arms were folded over and the sleeves were tied
20 in a huge knot at the back and that's how we lived in
21 that environment, no pants, no socks, no shoes, just
22 a big heavy jersey tied at the back with our arms tied,
23 like a straitjacket, almost like a straitjacket.

24 Q. Did that happen at night or did it happen during the day
25 as well?

1 A. Oh, it happened during the day as well, yes, absolutely,
2 unless of course someone was coming to visit and then
3 miraculously we would get clothes on.

4 Q. If we go on the next page, please, at the top of page 5,
5 paragraph 24, you say that that happened to the three of
6 you, so you and your brother and your sister?

7 A. Absolutely, yeah.

8 Q. It didn't happen to the other children?

9 A. No. No. They were older.

10 Q. In the next paragraph, in paragraph 25, you say that you
11 don't remember anybody coming in to you at night-time --

12 A. Oh, coming to us at night-time, not coming into us.
13 Coming to us. If [REDACTED] was upset and then I was
14 shouting because [REDACTED] was upset, we were just
15 ignored, we were just ignored. Two or three times, if
16 [REDACTED]'s crying disturbed the mum and dad who were in
17 a double bed not far away from us, they would come and
18 lift [REDACTED] out from the bottom of the bed and take her
19 into their bed between them.

20 Q. Okay. Then you say at paragraph 26 that in the morning
21 you had to stay in bed until the woman came to get you
22 out of bed.

23 A. Yeah, well, it was impossible for us to move. We were
24 immobile. It was just impossible. We had to just lie.
25 And if the bed was wet, you just lay in the wet bed.

1 Because [REDACTED] wet the bed regularly. So if the bed was
2 wet, we just had to lie there with these heavy jerseys
3 on, soaking wet, until they came over to us, yes.

4 Q. In the next section of your statement, you tell us about
5 the death of your sister [REDACTED].

6 A. Yes.

7 Q. Are you able to tell us about that?

8 A. I would like to tell you. I don't know if I'm going to
9 be able to, but I will try.

10 Q. Okay.

11 A. [REDACTED] was tied up. She was at the bottom of the bed
12 with [REDACTED] and I. She was crying. Screaming, in fact.
13 I couldn't get to her. I couldn't protect her.
14 I couldn't help her.

15 [REDACTED] thinks she was lifted out the bed and put
16 between the man and the woman and she was screaming and
17 she just went silent.

18 Q. Okay. You say [REDACTED] thinks that she was lifted out of
19 the bed. Is that your memory or --

20 A. No. My memory is that she was still in our bed, at the
21 bottom of the bed.

22 Q. Okay. Then can you remember what happened the next
23 morning, you talk about it in your statement, and what
24 you saw in the morning?

25 A. Yeah. [REDACTED] was in a high chair, still tied up. I was

1 standing by the sink. Mrs FTK had [REDACTED] in the
2 sink, splashing water on her. She had her hand up her
3 back to try and stop [REDACTED]'s head from rolling, but
4 [REDACTED]'s head did roll, it was rolled to the side.

5 While this was going on, I saw my father passing the
6 window. To let you understand, the sink was at the
7 window and the window, you passed the window to go to
8 the back door, which nobody used the front doors at that
9 time, that was the fancy room, and they came into -- my
10 dad came into the back door. And [REDACTED] was dead.

11 Q. Do you remember a doctor being sent for?

12 A. No. No. I -- I cannot recall ever seeing a doctor at
13 all. It's very possible there was one, but I certainly
14 don't recall that.

15 Q. If we can move on in your statement, please, to
16 paragraphs 34 and 35, you talk there about your dad
17 coming, what you've just mentioned in your evidence.
18 You say the next thing that you remember is the three of
19 you being in a taxi and your mum was also there?

20 A. Yeah.

21 Q. Can you tell us a little bit about that?

22 A. This was a wee bit exciting for three kids that had
23 never been in a car in their life. I don't remember the
24 journey to the hospital at all, but I do remember the
25 journey back. My dad was in the front seat. [REDACTED] was

1 sitting beside mum. And I was at the window. And mum
2 had my baby sister in her arms, and my mum was
3 absolutely distraught, absolutely distraught. And
4 I kept -- I kept my hand on her leg and said, "What are
5 you crying for, mum, what are you crying for, mum?" She
6 just said, "Oh, my wee hen, my legs are so sore because
7 I've been in the hospital so long. Don't worry. Don't
8 you worry. Mum will be all right."

9 I had no idea she was crying because [REDACTED] was
10 dead. No idea.

11 Q. Okay.

12 A. Excuse me. Sorry.

13 LADY SMITH: 'Anne', there's no need to apologise. Just
14 take your time. We'll go at your pace.

15 A. Thank you.

16 MS INNES: Okay?

17 At paragraph 38, you talk about the date of
18 [REDACTED]'s death.

19 A. Yes.

20 Q. You tell us that you had originally thought the family
21 had thought that it was on [REDACTED]?

22 A. Yeah, that was our understanding all our life, that she
23 had died on the [REDACTED], and not until we got the records
24 did we realise that [REDACTED] was -- died the morning my
25 mum was bringing our other baby sister out of hospital.

1 Q. After this, in your statement, you go on to talk about
2 remembering seeing FTA-FTK again a few weeks later.
3 A. Yeah.
4 Q. And you talk about another incident that took place on
5 that occasion.
6 A. That's correct.
7 Q. I don't know whether you want to say anything more about
8 that or not, 'Anne'.
9 A. My sister said I could say.
10 Q. Okay.
11 A. As I said earlier, the older children were somewhat
12 mentally challenged, and one of them got an older
13 sibling around the back of the hedges and he sexually
14 abused her.
15 Q. After that, you say at paragraph 41 of your statement
16 that you don't remember much about the time after you
17 went home.
18 A. I don't at all.
19 Q. You talk about your father.
20 A. Yes.
21 Q. And you say that he became withdrawn and had a nervous
22 breakdown within a few days of the burial.
23 A. Yes.
24 Q. If we go on to the top of the next page, you go on to
25 talk about the impact on his health and also at

1 paragraph 42 about the impact on his job.

2 A. Yeah.

3 Q. Can you tell us a little bit about that, please?

4 A. Well, obviously my father couldn't work. There were no
5 wages. And no coal allowance, which meant that
6 basically we had no heating, no lighting, nothing.

7 My dad had a dreadful breakdown. He got taken to
8 [REDACTED] within I would say a few weeks -- I've been
9 trying to find out the date when [REDACTED] was actually
10 buried to try and make a timeline, but we can't find out
11 when she was buried, but we do know that none of us were
12 at the funeral, only my dad was there. He buried her on
13 his own and he was absolutely distraught about it.

14 Apparently FTA-FTK [REDACTED] did at some stage come to see
15 us, but my dad was in bed with mental health issues at
16 that time and unfortunately my dad never ever recovered,
17 never recovered.

18 Q. Okay. Do you want to say anything more about the impact
19 on your family about your dad losing his job? You said
20 you weren't able to heat the house without the coal
21 allowance.

22 A. Yeah. Well, the house quickly descended into squalor.
23 We had absolutely nothing. We burned the furniture to
24 try and heat the house. We had to look after each
25 other. We actually ended up almost feral. We had to

1 scavenge in dumps, in people's buckets. We used to
2 steal out the farmers' fields, steal chickens.

3 When my dad was well and out of hospital, he had
4 a -- for goodness sake, I don't understand how, but he
5 had a licence for a double shotgun and he used to get
6 rabbits and stuff like that, and that's how we lived.
7 For years. Nobody, but nobody ever, ever offered us any
8 kind of help. Fife Council were quick enough to chase
9 my dad for monies owed for our care, three weeks of
10 care, and [REDACTED]'s care and [REDACTED]'s funeral. They
11 chased my father and mother. They hounded them. They
12 hounded them for years.

13 Q. You mentioned --

14 A. But --

15 Q. Sorry.

16 A. Sorry, I forgot my train of thought now. Sorry.

17 Q. That's okay. You mentioned that there, and we're going
18 to come back and look at a letter from the council in
19 a little bit. I just want to carry on talking a little
20 bit, if it's okay, about the impact on your family.

21 So if we go down to paragraph 45, you talk there,
22 I think, about the impact that it had on your
23 relationship with your youngest sister.

24 A. Oh yes, indeed, yeah. I mean, we were young. We didn't
25 understand these things and we actually thought, believe

1 it or not, that mum and dad had left [REDACTED] with the
2 FTA-FTK [REDACTED] because they had got a new baby, and we really
3 believed that [REDACTED] had been given away, for a while,
4 and we weren't very kind to the other sibling when she
5 was wee, but -- we've sorted it out now. But that went
6 on for a long, long time, that we actually believed that
7 [REDACTED] had been given away.

8 When you're young like that, you've no idea what
9 death is. You didn't understand death. Although,
10 saying that, I understood at three-year old exactly what
11 was happening, which is a bit strange. But that's the
12 way it was.

13 Q. At paragraph 46, you say that once you were back home,
14 you started saying first of all to your sisters and then
15 I think perhaps to your parents about what you thought
16 had happened.

17 A. Because my mum and dad were in such a state, I can't
18 even remember my dad had started -- had been a couple of
19 weeks in [REDACTED] and then let home and then obviously
20 he was at home when I told my mum this. And the reason
21 that I told my sisters was that I didn't want to upset
22 my mum anymore. My mum was in a terrible state as well.
23 She was crying all the time, upset all the time. She
24 was trying to cope with all these kids. My dad wasn't
25 working. We had no money. £2 family allowance because

1 there was a child cap at that time and you only got
2 allowance for the two oldest children in the family, so
3 that's what they were living on, £2 family allowance.

4 So I told my older sisters and they kept saying to
5 me, "You have to tell mum, you have to tell mum", and
6 I just didn't want to hurt her.

7 But I did. I told my mum. And it looks like mum
8 and dad actually believed me, because my dad did go and
9 ask questions, although he was dismissed completely.
10 They treated him absolutely dreadfully. Not only about
11 the money, which he was being chased for, but the way
12 that they dismissed what had happened to [REDACTED] like we
13 were nothing. Like -- like -- they just dismissed him
14 outright and it was just awful. The tone of the letters
15 tell you how dismissive -- that -- that [REDACTED] was only
16 a problem to them and they wanted to get rid of it as
17 quickly as possible.

18 So, yeah, I told my mum and dad, and they did
19 believe me.

20 Q. Okay. Now, I'm going to move away from your statement
21 and have a look at a couple of documents.

22 A. Yeah.

23 Q. I understand that I think your sister got some records
24 from Fife Council; is that right?

25 A. My older sibling, yes. She asked for a Freedom of

1 Information for the records and actually we were
2 horrified when we received them. Everything, but
3 everything was redacted. It absolutely made no sense
4 after 60-odd years that they had the audacity to keep
5 this information from us. They had no idea how our
6 lives had been impacted by this event, and they had the
7 cheek to redact these papers. I was absolutely
8 horrified.

9 However, a charity called Birthlink, I contacted
10 them and I'm not sure how I got the number, but someone
11 suggested I got that, and after a good year and a half,
12 maybe two years, they did get me the paperwork. It
13 wasn't complete, but it told a story. It told a story.

14 Q. I'm going to ask you to look at a couple of the
15 documents that you've given us from the material that
16 you've recovered. It's at WIT.001.003.1177, and if we
17 can look at page 6 to begin with.

18 You'll see this has been redacted by the Inquiry to
19 protect your family's anonymity.

20 A. Yes.

21 Q. I know that you have copies of the material in front of
22 you as well. This letter is a letter of [REDACTED]
23 1959. I think it's from the county's children's officer
24 to the Scottish Home Department.

25 A. I'm actually struggling to find the right paperwork.

1 LADY SMITH: Ms Innes, just while you have that up on
2 screen, let me mention one other thing.
3 A. Yes, I've got it.
4 LADY SMITH: Some of the redactions cover the name of the
5 foster carers --
6 A. Yes.
7 LADY SMITH: -- who are also anonymous in the Inquiry
8 processes. Their surname may have been mentioned
9 a little earlier this morning. It can't be repeated
10 outside this room. Thank you.
11 A. I've got the paperwork.
12 MS INNES: Okay, so you're familiar with this letter. This
13 is a letter, as we see, dated [REDACTED] 1959.
14 A. That's correct, yes.
15 Q. So the day after [REDACTED] died.
16 A. Yes.
17 Q. The children's officer says that they are reporting the
18 death of your sister and the explanation is death was
19 due to suffocation by the bed clothes.
20 A. Yes.
21 Q. And then the next paragraph explains the circumstances
22 or the time that you were in care.
23 The next paragraph:
24 "On Sunday morning, [REDACTED] 1959 ..."
25 It says:

1 "When [the foster carer] went to waken the children,
2 she found that [your sister] had wriggled down in the
3 bed and was completely covered by the bed clothes.
4 Thinking that she may have been in a fit, [the foster
5 carer] carried her downstairs and put her in a warm
6 bath, but when Dr Crighton arrived [your sister] was
7 found to be dead."

8 A. Yes.

9 Q. Can we just break down what's said here. Does the
10 explanation given in the letter about [REDACTED] wriggling
11 down in the bed, does that accord with your memory?

12 A. No, it's an absolute impossibility. [REDACTED] was tied
13 the same way as I was tied. There was no way she could
14 have wriggled anywhere. We were immobilised. We were
15 immobile. It was impossible. She couldn't have
16 wriggled anywhere. Absolutely impossible.

17 Q. Then if we look at the next bit where it talks about her
18 being put in a bath, when you saw this letter, what were
19 your reflections on that?

20 A. That actually vindicated me. For 63 years I have
21 consistently told the same story over and over again and
22 this vindicated everything that I'd said, that I had
23 from day 1, from three years old, had told the truth.
24 Had told what had happened. And although she says she
25 was in a warm bath, it was actually the sink she was in.

1 The sink was downstairs in the kitchen, so she carried
2 her downstairs. She wouldn't have been carrying her to
3 the bath, to the bathroom. She would have carried her
4 to the sink. And that's exactly how I remember, that's
5 exactly what I see in my mind's eye when I think about
6 that. I see that every day, every day, for 63 years,
7 I have saw that scenario, I have saw [REDACTED] lying dead
8 in that sink. And she didn't do it on her own.
9 Absolutely not. No way.

10 Q. You mean [REDACTED] didn't do --

11 A. [REDACTED] didn't wriggle anywhere. [REDACTED] couldn't
12 wriggle anywhere.

13 Q. Then there's reference to a doctor arriving.

14 A. Yeah.

15 Q. And signing a death certificate. Can you remember if
16 anybody spoke to you at the time about [REDACTED]'s death?

17 A. Absolutely never.

18 Q. Did the children's officer speak to you?

19 A. Never.

20 Q. Did the police come and speak to you?

21 A. Not till I contacted the abuse Inquiry. No, never.

22 Q. And did the doctor speak to you, can you remember?

23 A. No.

24 Q. Okay. I'd like to look at another document and it's the
25 letter that you've already mentioned. It's at page 9 of

1 this. So the letter that the council sent I think to
2 solicitors acting for your father on 14 October 1960.

3 A. Yes.

4 Q. We'll come back to the handwritten note at the top
5 later, but the first paragraph here says:

6 "I have now had an opportunity to investigate the
7 matters raised in your letter of the 11th instant in
8 regard to the family ..."

9 And it's your family that's being referred to here?

10 A. Yes, that's our family.

11 Q. And then I think there's some reference to the gender of
12 the children having been wrong in material that was
13 being shared.

14 A. Yeah.

15 Q. And if we go into the next paragraph that begins:

16 "As the county treasurer had not been advised ..."

17 A. Yes.

18 Q. It says:

19 "As the county treasurer had not been advised that
20 the children had been returned to the care of their
21 parents, he sent circular letters to your client on
22 17 March, 15 June and 29 September of this year showing
23 what he understood to be the arrears of contributions
24 due by [your father] at these times."

25 Now, what was your understanding of this?

1 A. Was that not only was my father being hounded for
2 funeral costs for [REDACTED] for care costs for [REDACTED]
3 for care costs for my brother and myself; apparently
4 a clerical error ensured that they were still being
5 hounded a year later for other arrears that did not
6 exist. No wonder my mum and dad almost went mad with
7 the worry, they were living on £2 a week. It was
8 just -- that's the first thing I thought when I saw
9 that. How -- how -- how could this have happened? How
10 could they still be chasing poor people for money that
11 they didn't have, and not only the arrears that they
12 owed, but imaginary clerical error arrears. It was
13 just ... just ... horrible to read. Horrible.

14 LADY SMITH: I suppose one can understand why the county
15 treasurer might keep sending out the invoices. The
16 point rather is who should have told the county
17 treasurer --

18 A. Absolutely.

19 LADY SMITH: -- and why didn't they tell them?

20 A. Absolutely.

21 MS INNES: At the end of this paragraph, I think we see that
22 there's reference to a payment still being due and
23 an invoice --

24 A. Yeah.

25 Q. -- being referred to, and it says:

1 "I trust that your client will see his way to settle
2 this account at his early convenience."
3 A. Yes.
4 Q. What did you think about that when you saw that
5 reference?
6 A. Why did they hound poor people? It didn't make sense.
7 They knew we had no money. And I don't know if my dad
8 did owe that money, I don't know if he made any
9 payments. I have absolutely no idea. But according to
10 the council, my dad still owed for [REDACTED]'s care, for
11 [REDACTED]'s death, for my care and for my brother's care,
12 and I just find that quite overwhelming to read, to be
13 honest.
14 Q. Before we go on to the next page, if we just go to the
15 top of page 9 again, we see a handwritten note, I think,
16 which says -- it's quite faint, but I think it might
17 say:
18 "Amount written off."
19 A. Yeah.
20 Q. And perhaps "FCC", which might be Fife County Council?
21 A. Yeah.
22 Q. "Paid legal expenses".
23 A. Expenses.
24 Q. Do you have any understanding from the papers that you
25 were given what that referred to?

1 A. Absolutely none at all, and if Fife County Council did
2 pay my father's legal expenses, why would they do that
3 when they were still hounding him for £14? It doesn't
4 make sense. I can't make sense of those handwritten
5 stuff.

6 Q. If we go back down to the bottom of the page, the bottom
7 of page 9, we'll see that there's reference to your
8 older siblings. Then if we go on to the top of page 10,
9 we see that the council refer to them having been
10 maintained free of cost.

11 A. Free of cost, yeah, like they were animals, pets.

12 Q. Then in the next paragraph, the writer goes on to say:
13 "The regret of all concerned has already been fully
14 expressed to both [I think it's your parents] ..."

15 A. Yeah.

16 Q. ... and following the unfortunate death of their child,
17 the assistant children's officer made a number of calls
18 on them. I also wrote to your clients conveying the
19 condolences of my council to them in their grievous
20 loss. I am sure that both [the parents] were very upset
21 by the loss of their child in such unfortunate
22 circumstances but I am satisfied that the cause of death
23 was purely accidental and that there was no negligence
24 either on the part of [the foster carer] or the
25 Children's Department of my council."

1 A. (Witness shook head).

2 Q. What was your reaction to that when you saw that?

3 A. My reaction is that they were trying to pass off this as

4 an accident and trying to move the blame from

5 themselves -- in fact, it's written three times that

6 they were not responsible, that the foster carer hadn't

7 been -- they had investigated it. But I don't know how

8 the investigation could have possibly be done. Who did

9 they speak to? Only the foster carer? Did they only

10 take her word for it? Was that their investigation?

11 I have no idea. I have no idea. But they were very,

12 very quick to try and pass off any involvement by

13 themselves.

14 Q. Were you aware from the file that you recovered whether

15 there was any investigation report or anything?

16 A. There is absolutely nothing. Nothing.

17 Q. Then in the next paragraph it goes on to say -- I think

18 this is your mother:

19 " ... told the children's officer that she and her

20 husband had visited [the foster carer] on [REDACTED]

21 1960, as they were very sorry for her. The children had

22 been very well looked after and happy with [the foster

23 carer] and it had been a most unfortunate accident."

24 I think it says that your mother had:

25 " ... expressed the hope that this unfortunate

1 accident would not prevent [the foster carer] having
2 more foster children placed in her care by the county
3 council and I would understand from this that she was
4 completely satisfied that there was no negligence on the
5 part of [the carer] in connection with [your sister's]
6 death."

7 A. It just does not make sense. Apparently earlier on my
8 father was -- when the children's officer called, my
9 father was in bed with nervous exhaustion, but on my
10 birthday, my fourth birthday, my mum and dad go and see
11 these people in [REDACTED]? For a start, they wouldn't have
12 the bus fare to get there. They wouldn't have the money
13 to get there in the first place. And who was going to
14 look after the children? There were six of us.

15 It just does not make sense. It doesn't sit well
16 with me at all.

17 LADY SMITH: In that paragraph, do you think, 'Anne', that
18 the reference to mother is to your mother or to the
19 foster mother?

20 A. I think it's to my mother and there's no way that that
21 could ever have happened. I don't know at that point if
22 I had told my mum how we were treated in the foster --
23 I don't know. I just cannot remember. But I cannot
24 read that and think that that actually happened. That
25 my mum and dad would go and see them. It doesn't make

1 sense. It doesn't make sense.

2 MS INNES: Perhaps if we can go back to page 7, and this is

3 a note of a meeting or it's a note of what happened on

4 [REDACTED]. This is dated [REDACTED] 1960.

5 A. Yeah.

6 Q. I think that we see this is -- if we just scroll down

7 a little, please, we see this is a report from the

8 childcare officer. There's reference at the beginning

9 to I think your mother being:

10 " ... very grateful for the toys taken for the

11 children and seemed to appreciate my visit. She was

12 remarkably calm and sensible although there is no doubt

13 that she was most attached to [your sister] - as she is

14 to all the children. The baby is very bonny and

15 thriving, and [your mother] said that she is so busy

16 with her family that she does not have too much time to

17 think. It has been harder on her husband who is in bed

18 with a nervous upset."

19 I think that's what you've been referring to?

20 A. Yes.

21 Q. Then there's reference to -- I think that was maybe you

22 had a gash on your leg from the furniture?

23 A. Yes, that's correct.

24 Q. And one of your sisters --

25 A. It wasn't actually done with the furniture, it was done

1 outside.

2 Q. Okay.

3 A. I've still got the mark. And it was done outside. It

4 wasn't done on the furniture.

5 Q. And then your sister was off school.

6 A. Yeah.

7 Q. Then it's noted that your mother told the childcare

8 officer, it's said:

9 " ... that she and her husband had visited [the

10 foster carer] on [REDACTED] as they were very sorry for

11 her. The children had been very well looked after and

12 happy with [the foster carer] and it had been a most

13 unfortunate accident."

14 Then in handwriting:

15 "She hoped that this unfortunate accident would not

16 prevent [the foster carer] having more foster children."

17 A. I don't believe that that actually happened. I do not

18 believe that that actually happened.

19 Q. So I think that's what we see referred to then in the

20 letter.

21 A. Yes.

22 Q. If we just for completeness go back to the letter at

23 page 10.

24 A. I have different numbers.

25 Q. Sorry. It's the letter of October 1960.

1 A. Yeah.

2 Q. So the second page of that. If we scroll down just
3 below the final paragraph there it says:

4 "In the circumstances of this case, I must make it
5 quite clear that I am of the opinion that there was no
6 negligence on the part of the county council or their
7 employees and I must request that the account for
8 maintenance of the three children which is enclosed
9 herewith be paid by your client."

10 A. Yeah.

11 Q. We see, if we just scroll down a little more, that that
12 was sent by the county clerk to your father's
13 solicitors.

14 A. Yes.

15 Q. That seems to summarise the council's position at that
16 time.

17 A. And in fact, if you look back, if you scroll back,
18 within two paragraphs the council have said there was no
19 negligence. They didn't say it just once in that
20 paragraph, they said it three times:

21 "There was no negligence on the part of either
22 Mrs FTK or the Children's Department."

23 Next paragraph:

24 "There was no negligence on the part of Mrs FTK."

25 And further down:

1 "I must make it quite clear that there was no
2 negligence on the part of the county council or their
3 employees ..."

4 Three times in two paragraphs they have denied any
5 kind of negligence. I think they were just trying to
6 pass -- pass up -- pass the buck, basically.

7 Q. And is what they say on this page, is that what makes
8 you think that your father was challenging what had
9 happened?

10 A. Absolutely. Absolutely. Absolutely. I think by that
11 time I had told mum and dad what I had witnessed, what
12 I had experienced, and my father had -- because he was
13 being hounded for these extra arrears as well, had went
14 to a lawyer and asked for advice, and I think the
15 council had taken fright by what my father had to say,
16 although we don't have that letter, which is very
17 unfortunate, and I think the council have taken fright
18 and that's why, within one paragraph, they've denied any
19 negligence, or their employees, at all. In those two
20 paragraphs, three times they denied negligence.

21 So my father had to have brought up the
22 circumstances. He had to have told them what I had
23 reported to him. And I think -- I don't think, I know
24 he had believed me, even though I was only three at the
25 time, and I think my dad wanted to know things like was

1 there a post-mortem, was there a police investigation,
2 how did the council investigate it? Did they just take
3 Mrs FTK s --
4 Q. It's okay.
5 LADY SMITH: The foster mother's.
6 A. Sorry.
7 LADY SMITH: Don't worry, I've reminded people that this can
8 only be used within this room and not outside it.
9 A. Yeah, the foster -- I've lost my track. Sorry, where
10 was I? Can you help?
11 LADY SMITH: You were going through what you think your
12 father must have brought up, probably through a lawyer.
13 A. Right, okay.
14 LADY SMITH: That was then communicated to the council.
15 A. Yes, yes.
16 LADY SMITH: And you'd mentioned that even although you were
17 only three, it got him thinking about whether there was
18 a post-mortem, whether there had been a police
19 investigation, had there been a council investigation or
20 were they just taking the word of the foster mother for
21 what had happened.
22 A. Absolutely, absolutely. And I've come to the conclusion
23 that there was no investigation at all. When
24 I contacted the Inquiry line, because of what I had said
25 to the supporter on the line about [REDACTED] dying and

1 that -- I always said she had been murdered. That was
2 how I expressed it when I was a three-year-old. I don't
3 know how I knew what "murdered" meant, I was only three,
4 but that was the word that I had used to my sisters and
5 to my mum and dad, that [REDACTED] had been murdered. That
6 I had let her be murdered. And I think my dad took that
7 very, very seriously. And with being hounded for the
8 arrears and everything as well, I think he thought he
9 needed advice and that's why he went to the lawyer.
10 I think had we had my dad's letter it would have been
11 very telling that it's obvious that the council are
12 trying to get away from the situation by denying any
13 negligence.

14 MS INNES: I think you were perhaps going to go on to tell
15 us that after you contacted the Inquiry, I think you
16 maybe spoke to the police?

17 A. I did, I did. When I spoke -- because of what I had to
18 say to the Inquiry line, they informed me that because
19 it had -- there was a death and because of what I was
20 saying about the death, that I didn't believe it was
21 accidental, that they had to contact the police, and
22 a detective did come and interview me alongside my other
23 siblings. He went away and I actually saw him, I think,
24 three or four times and he researched. He could find
25 absolutely nothing about [REDACTED], about her death, about

1 a post-mortem, about an investigation. He found nothing
2 at all. Nothing.

3 Q. Now, I'd like to go back to your statement, please,
4 'Anne', and speak a little about the impact on your
5 family and yourself. If we can go, please, to page 9 of
6 your statement, and paragraph 53.

7 A. Yeah.

8 Q. So there you talk, I think, about the impact on your
9 brother.

10 A. Yes.

11 Q. Can you tell us a little bit about that, please?

12 A. Yeah. My brother was extremely, extremely traumatised
13 by all these events. He had went through them, he
14 experienced it, just as badly as I did. And he could
15 not or would not feed himself. When we started school,
16 I used to get -- and you're talking about -- I mean, we
17 were three and two at the time, so you're talking about
18 two or three years later, I would get brought out the
19 classroom to spoonfeed him because unless he was
20 spoonfed, he would not eat.

21 He also -- I don't know whether it was voluntary or
22 not, but he was mute for years. Didn't speak, didn't
23 answer, until he was going to the high school. He wet
24 the bed continuously. And the doctors advised that to
25 get him to stop, what they would do was they would get

1 a rubber sheet and it had electrodes on it and it had
2 a big box with two buttons and [REDACTED] was to sleep on this
3 rubber sheet and when he began to wet, he would get
4 an electric shock.

5 LADY SMITH: 'Anne', I've heard about these systems being
6 used in children's homes in Scotland and in children's
7 homes in Australia at around this time.

8 A. Yes. And that's ... it was barbaric. But that's what
9 mum was told to do to get him to stop wetting the bed.
10 And my brother to this day is horrifically traumatised.
11 He's a shadow of the person he should have been. He
12 can't or won't talk about [REDACTED]. I've managed to get
13 a couple of wee bits out of him about our different
14 versions of what we thought had happened. But even to
15 this day, if you speak to him, you've got to initiate
16 conversation. He still just sits there quietly and he
17 has suffered greatly. And he's still suffering today.
18 He's never had any counselling or anything. And he too
19 had a problem with drink for a while. And he sorted
20 himself out with that as well, but ... he's still
21 desperately, desperately traumatised.

22 MS INNES: And I think you feel, 'Anne', that one of the
23 reasons that you wanted to come and give evidence and
24 speak to us today is just to give him a voice as well?

25 A. When I started this journey, when I contacted the abuse

1 line, what I said to the sponsor was ... I wanted to
2 give [REDACTED] a voice. [REDACTED] has never been heard.
3 She was brushed aside like a -- like a gnat or
4 a beastie. She was, in their eyes, a nothing.

5 When I started this journey, I was speaking for
6 [REDACTED]. Her voice had never been heard. But as I went
7 on this journey, I've realised that [REDACTED] has never
8 been -- that my brother has never had a voice either.
9 And the reason I'm doing this and the only reason I'm
10 doing it is to give a voice to [REDACTED], to make her
11 alive, and to give a voice to my brother, who is so
12 traumatised. Actually it breaks my heart. It actually
13 breaks my heart that this man who could have been -- who
14 could have been ... a high-flyer is not even a shadow of
15 the man he should have been.

16 Q. Okay, 'Anne', I'd like to just speak to you a little bit
17 about the impact on yourself, if that's okay. You've
18 given us detail of that in your statement. At
19 paragraph 54 that we're looking at there, you talk about
20 understanding that you suffered from epilepsy.

21 A. Yeah.

22 Q. Is there anything that you'd like to tell us about that?

23 A. Following [REDACTED]'s death, I started having
24 hallucinations, wild, scary, hallucinations, the same
25 hallucination every night, of this wee girl putting her

1 arms to me and I couldn't quite touch her. And when
2 I did touch her, I was being throttled. And I kept
3 being throttled until I realised that it was actually
4 the devil throttling me and I had these hallucinations
5 and I have and I still have and I've had them for years
6 and years and years. I was diagnosed with epilepsy but
7 I don't think it was -- I think I'd been suffering night
8 terrors and trauma and PTSD since I was three.

9 I still have these hallucinations, but sometimes
10 I just have the night terrors, I don't get frightened of
11 the quiet ones any more, although my husband
12 unfortunately has to listen to me screaming and kicking
13 and being terrorised, and it's never stopped. It's
14 never stopped.

15 Q. If we go on to the next page, please, at paragraph 58,
16 you talk there about having been admitted to
17 a psychiatric hospital in your 20s. You say that you
18 told them what had happened to your sister?

19 A. Yes.

20 Q. And you were told that you were having false memories?

21 A. That's correct, yes.

22 Q. Can you tell us about your reflections on how that
23 impacted you? And how, I think, having seen the
24 material from the records, you mentioned earlier that
25 what you had been saying was validated.

1 A. Yes.

2 Q. Can you tell us about that?

3 A. I was in many psychiatric hospitals. I've seen doctors,
4 psychiatrists, psychologists, and I explained to them
5 that I remembered everything that happened when I was
6 three years old and they said it was impossible.
7 Three-year-old children can't remember things like this.
8 It was impossible. I was having false memories. And
9 that really had an impact on me. That really caused my
10 mental health to go absolutely nuts. I ended up in as
11 many facilities because I got confused. I was being
12 told that everything that I'd said was a lie and I knew
13 it was the truth, but at first it left me very confused
14 and doubting myself. And doubting my sanity. And it
15 was very, very difficult.

16 Q. I think as well as mental health difficulties, you've
17 also had some physical problems as well.

18 A. Yeah.

19 Q. What do you attribute those to?

20 A. I am absolutely convinced beyond a shadow of a doubt
21 that my mental health issues have impacted my physical
22 health. I have several quite serious chronic
23 conditions, some of them caused by stress, and I'm
24 convinced that because of all the mental health issues
25 that I've had over the years, and how I've reacted to

1 them, I've tried to commit suicide and taken extra --
2 I think that's impacted on my physical health now, yes.
3 Q. And in terms of the impact of what's happened, you've
4 talked about it being on yourself. Has that impacted on
5 your family, your family life?
6 A. Oh, absolutely. When my oldest child was born, I had
7 a very difficult labour. I thought I was going to be
8 the best mum in the world. But I think at that time
9 I had postnatal depression. It was never diagnosed, but
10 when I had my second child, it was very obvious that
11 I had a problem, a mental health problem. And when
12 I had my third child, it just kept rolling and rolling.
13 I ended up looking after them, being in a mental health
14 facility, coming home, and it just repeated and repeated
15 and repeated. And my kids have seen my suicide
16 attempts. They've seen my drinking. I don't drink any
17 more, my Lady. It's impacted their lives. I wasn't
18 a very nice mum, I don't think. And -- I did try, but
19 because of my mental health issues, nobody had made any
20 connection. When you went to the doctor, it was, "Oh,
21 you're depressed", or this or that or the next thing.
22 Nobody ever asked if there could have been a reason for
23 me being in the condition that I was in. Nobody ever,
24 ever made the connection that this trauma that we had
25 suffered, the life we had had, living like paupers,

1 living like vagrants, being scavengers just to allow us
2 to live all those years ago must have had an -- nobody
3 asked. Nobody asked.

4 And then my daughter recognised that there was
5 issues and it was all, all connected to what I had
6 witnessed, what I had been through, and it was all back
7 to when [REDACTED] died. She took a Masters in psychology
8 and psychoanalysed me and convinced me to go for
9 counselling, which I did, and convinced me to contact
10 the abuse line, which I did.

11 Q. And I think you now have grandchildren as well; is that
12 right?

13 A. Yeah. I have the most beautiful grandchildren and
14 I didn't want them to see their gaga like their mum --
15 like their mum saw her mum, and I wanted to be the best
16 gaga ever. I think I am, with a caveat, my Lady.
17 I don't sing. They don't allow me to sing. But --

18 LADY SMITH: Do they sing to you?

19 A. Oh, they sing to me, but I am definitely not allowed to
20 sing. And that's the only caveat, but I think they love
21 me. I think they do love me. And I think after 63
22 years, I'm starting to emerge out the other side.
23 I don't think I'll ever -- the panic attacks will ever
24 stop, I don't think the night terrors will ever stop,
25 but I don't drink any more and I take care of myself,

1 and hopefully for the last few remaining years of my
2 life, that I'll live my life and not just be alive,
3 because this has been a huge, huge burden and trauma for
4 every single member of my family. It was like a cluster
5 bomb had went off in my family and impacted every single
6 one of us, every single one of us. Not one of us came
7 out of that experience whole. Not one of us. Destroyed
8 our lives. Destroyed us.

9 MS INNES: Now, 'Anne', I think I've covered the various
10 points that we wanted to explore today. Just finally
11 are there any other things that I've not covered that
12 you wanted to say or are there any lessons that we
13 should learn from what happened to you and your family?

14 A. Well, I do understand that 60 years ago there weren't
15 the safeguards that there are now, but what I would like
16 to think, that people now would be aware that it doesn't
17 matter what age you are, you can understand stuff and
18 you do understand stuff, and if somebody is -- somebody
19 tells you, "I had this horrible experience when I was
20 three", I hope nobody ever, ever brushes off a child's
21 memories or concerns or anything. I hope every child is
22 listened to, regardless of their age, regardless of
23 their age.

24 MS INNES: Thank you, 'Anne'. I don't have any more
25 questions for you. Thank you.

1 LADY SMITH: 'Anne', I have no other questions for you.
2 Just let me check, are there any outstanding
3 applications for questions of this witness?
4 Nobody has any other questions for you. You've
5 given us such a lot, 'Anne', both in your written
6 statement, which is part of your evidence, and in the
7 oral evidence you've given this morning. I'm really
8 grateful to you for doing that. Thank you very much.
9 A. Thank you, my Lady.
10 LADY SMITH: And I hope you've got plans for a quieter day
11 ahead.
12 A. I hope so too.
13 LADY SMITH: And you can recover from the ordeal of coming
14 here.
15 A. Thank you so much.
16 LADY SMITH: I'm able to let you go.
17 (The witness withdrew)
18 LADY SMITH: Ms Innes.
19 MS INNES: We will have another witness, I think, scheduled
20 for 11.45.
21 LADY SMITH: Are you suggesting I rise now and we start
22 again at 11.45?
23 MS INNES: Yes, that would be helpful, my Lady, thank you.
24 LADY SMITH: I'll do that.
25 (11.20 am)

1 (A short break)

2 (11.45 am)

3 LADY SMITH: Welcome back. Ms Innes, I'm told the next
4 witness is here and ready. Is that right?

5 MS INNES: He is. The next witness is 'Gordon', and he was
6 also in the care of Fife County Council, predecessor of
7 Fife Council, initially for a period from 1962 to 1966
8 and then he had a later period in foster care in 1967.

9 LADY SMITH: Thank you.

10 'Gordon' (affirmed)

11 LADY SMITH: 'Gordon', the red folder there in front of you
12 has a hard copy of your written statement in it. You'll
13 also see parts of your statement coming up on screen.
14 You see there's the first page now, with appropriate
15 redactions in it. And if there are any other documents
16 that we decide to look at, those will come up on screen
17 as well.

18 Now, with those practicalities out of the way, can
19 I also assure you that I know it's not easy giving
20 evidence in these circumstances, it's not easy being
21 asked to speak in public about your own life and your
22 own life from many years ago. I do understand that. So
23 will you guide me as to what will work for you. If you
24 have any concerns or you want a break, please let me
25 know.

1 A. (Witness nodded).

2 LADY SMITH: Any questions, no question is a stupid question
3 if it's one in your head that needs answering, all
4 right?

5 A. (Witness nodded).

6 LADY SMITH: If you're ready, I'll hand over to Ms Innes and
7 she will take it from there.

8 A. Yes, I'm ready.

9 LADY SMITH: Ms Innes.

10 MS INNES: Thank you, my Lady.

11 Questions from MS INNES

12 MS INNES: Now, 'Gordon', I understand that you were born in
13 1957; is that right?

14 A. Yes, that's correct, yeah.

15 Q. I think, as Lady Smith mentioned, you have a copy of
16 your statement in the folder in front of you. If you go
17 to the final page of it, I think it's page 19 at
18 paragraph 87, it says there that you have no objection
19 to your witness statement being published as part of the
20 evidence and you believe the facts stated in the
21 statement are true.

22 A. (Witness nodded).

23 Q. And I think you signed that statement on 20 January
24 2020; is that right?

25 A. That's right, yeah.

1 Q. Thank you. Now, if we can go back to the beginning of
2 your statement and there's a heading, "Life before going
3 into care", you tell us at paragraph 3 that you were
4 born in Dundee.
5 A. (Witness nodded).
6 Q. Then I think in the next paragraph you refer to there
7 were 14 -- you were one of 14 children; is that right?
8 A. Yes.
9 Q. You say that all of the children that your mother had
10 were taken into care?
11 A. Yes, correct.
12 Q. You tell us, as we go over the page, that you went into
13 care in Fife?
14 A. Yes.
15 Q. Do you know how it was that you moved from Dundee to
16 Fife before you went into care?
17 A. I don't remember the first foster parents' names.
18 Q. Okay.
19 A. I'm not aware. I moved into the second family,
20 I remember them. I was too young beforehand.
21 Q. Okay. So this second family that you moved to, did you
22 go there on your own or did you go there with one of
23 your --
24 A. I went there with a -- with a brother called [REDACTED] or
25 [REDACTED] as we know him.

1 Q. Okay. So you --

2 A. [REDACTED] was fostered with me everywhere through my
3 childhood.

4 Q. Okay. So you and your brother [REDACTED] went to this foster
5 home, which I think was near Kirkcaldy; is that right?

6 A. Correct, yes.

7 Q. Can you remember who took you there? Anything about the
8 journey?

9 A. I was taken by what was known back in the day as
10 a welfare officer, which we'd now call a social worker.
11 A man by the name of Mr Ogilvie.

12 Q. Okay.

13 A. He worked out of the social work department in Cupar in
14 Fife.

15 Q. You talk there in the paragraph that we can see on the
16 screen about you remember being taken there in a car,
17 you and your brother, and Mr Ogilvie was driving. When
18 you got to the foster family, can you remember what your
19 first impressions were? What were they like?

20 A. I was happy because it was a different house from the
21 one I'd been used to, which was a bit glauy,
22 dirty-looking. And the foster parents had other
23 children, so I thought we would play with them and grow
24 up with them. So, yeah, I was fairly happy.

25 Q. Okay. First of all, just a little bit about the house.

1 Was it in a village or was it in the countryside?

2 A. Pardon?

3 Q. Was the house in a village?

4 A. Yes. It was in a village in Fife.

5 Q. Okay. You say there in paragraph 8 that you think that

6 they had four children. The elder two were quite a few

7 years older than you.

8 A. (Witness nodded).

9 Q. And then there were another two maybe just a couple of

10 years older?

11 A. Yeah.

12 Q. If we go on to paragraph 9, please, you say there that

13 you shared a room with your brother, I think?

14 A. Yes.

15 Q. Not only did you share a room, but you shared a bed; is

16 that right?

17 A. Yes. ██████ slept at the top using a pillow and

18 I slept at the bottom where his feet was.

19 Q. And when you say he had a pillow, did you not have

20 a pillow at your end of the bed?

21 A. No.

22 Q. And you say there was nothing else in that room?

23 A. Just curtains and a carpet. That was it.

24 Q. Was there any heating in the room?

25 A. No. It was freezing.

1 Q. You say in this paragraph that whenever you were back at
2 the house, you and your brother had to sit in that room.
3 A. Yes.
4 Q. Is that right?
5 A. We sat cross-legged looking at the four walls. Or
6 looking at the wall that was in front of us. It had
7 sunflowers on the wallpaper and we'd count the flowers
8 or do silly things like the mattress had cotton, like
9 had rabbit cottontails and we'd pull at them and get
10 fluff and make makeshift goalposts and then we'd pull
11 them and make a ball and we'd ping it with our fingers
12 back and forward to try and score in each other's goals.
13 Q. Okay.
14 A. And we always heard if someone was coming along the
15 hallway and we heard them, we'd just turn round and sit
16 cross-legged and innocent looking at the wall again.
17 LADY SMITH: So you were pulling fluff out of the mattress,
18 were you?
19 A. Yes. It was cottontails that were dotted along the
20 whole mattress, and that was mattresses from years gone
21 by used to have like rabbit tails on them.
22 LADY SMITH: Were there no sheets over the mattress?
23 A. Sorry?
24 LADY SMITH: Were there no sheets over the mattress?
25 A. No.

1 LADY SMITH: Right. Thank you.

2 A. No. We just had like a blanket to put over the top of
3 us. [REDACTED] had a pillow and I just used to put my head
4 on the bottom of the mattress.

5 LADY SMITH: Thank you.

6 MS INNES: You talk about that at paragraph 10 that we can
7 see on the screen. At the end of that paragraph I think
8 you say that the other children in the house were able
9 to play as normal and socialise with other friends.

10 A. Yes. They would go out and play with their friends
11 outside while we sat in the room until it was time to go
12 to bed.

13 Q. Did anybody tell you why you had to sit in the room?

14 A. No. No.

15 Q. You then go on to talk about the routine and at
16 paragraph 11 you say that you were never allowed to have
17 the light on in the room.

18 A. No.

19 Q. Is that at night-time?

20 A. No.

21 Q. Okay. And then at paragraph 12, you talk about not
22 being given any pyjamas to wear at night and you say
23 that you had a problem with bed-wetting.

24 A. Yeah.

25 Q. And you say that the foster mother would either put

1 a towel down -- or she would put a towel down and leave
2 you for the rest of the night, but you also say that she
3 would batter you with the belt and tell you, I think,
4 and your brother to get back in the bed. Can you tell
5 us about that, please?

6 A. Yeah. If I wet the bed, I used to get battered. With
7 like a school leather belt, tawse they called it, years
8 ago. I used to get it all the time.

9 Q. And you say that that happened regularly when you lived
10 in that house. You say that carried on when you were at
11 St Andrew's, which I think is a children's home?

12 A. Yeah.

13 Q. But there you say that they changed the bed and they
14 didn't punish you; is that right?

15 A. (Witness nodded).

16 Q. Okay. I'd like to talk to you next about the issue of
17 food in this house that you lived in. Can you tell us
18 about that? Were you given meals to eat?

19 A. No. No, I used to -- sorry. I used to steal to eat.
20 All the time. I would go -- I'd go to a shop or I'd go
21 round the builders yards and collect empty glass bottles
22 from the workers, from the bricklayers and things, and
23 take them to the shop and get old pennies and buy
24 something to eat.

25 LADY SMITH: That would be in the days where part of the

1 price of a bottle of fizzy drink included the deposit
2 that you could get back if you took the empty bottle
3 back to the shop?

4 A. Yeah, yeah. It was Barr's lemonade bottles. Used to
5 get tuppence, two old pennies, back and I was so silly
6 when it come to buying food, I didn't know what to buy,
7 so I'd go and buy a cream bun rather than go an buy
8 a bag of chips or something hot. I'd go to the bakers
9 and think I was doing well buying a bun with fresh cream
10 in it.

11 LADY SMITH: And when you went to this foster home, you were
12 about six; is that right?

13 A. Yeah.

14 LADY SMITH: And your brother was a bit older than you, was
15 he?

16 A. Pardon?

17 LADY SMITH: Was your brother a bit older than you?

18 A. [REDACTED] was a year older -- well, he's 11 months older
19 than me. He was born in [REDACTED] 1957 and I was [REDACTED]
20 1957.

21 LADY SMITH: You were growing children. Hungry.

22 A. He was a wee bit wiser, [REDACTED]. And still is to this
23 day.

24 LADY SMITH: Okay.

25 A. On doing things.

1 LADY SMITH: Thank you.

2 MS INNES: You talk about this at this point in your
3 statement, and we'll come back to it again a little
4 later.

5 At paragraph 15, over the page, you say that you
6 didn't get school lunches either.

7 A. No.

8 Q. And were you given anything --

9 A. We never knew what school lunch was until we were older.
10 I didn't actually know what school lunch was until I was
11 maybe 12 or -- and I went into a classroom and we were
12 given tickets and I had to ask what the ticket was for.
13 Because I saw everybody got a ticket and what do you do
14 with a ticket? But I found out that was the week's
15 school meal tickets to hand over at school lunchtimes.
16 When school dinners come, we didn't have anything, so we
17 used to bail out of school and we were always hungry,
18 like, so we would run down the street and grab a bunch
19 of grapes or two or three apples or oranges out of
20 the greengrocer boxes that were lined outside the shops
21 just so we would have something to eat for that day.
22 The only other time we got some meat would be a dry bit
23 of bread in the foster home that we'd eat -- a -- a full
24 slice and we had to eat it, but our foster mother was
25 busy doing things, so when she wasn't looking, the bread

1 that was in my mouth, chewed up, I'd put that in the
2 side of my gum or in my cheek here, then when she wasn't
3 looking, I'd take it out and slip it into my shorts or
4 my trousers or whatever I was wearing until I got
5 through to the bedroom and it went under the pillow,
6 ██████'s pillow, and he lay on it that night and it dried
7 out for the next day so I had something to eat the next
8 day. And ██████ would do the same. And he put his bit
9 at one side of the pillow underneath and I put mine at
10 the other side so we knew whose was whose for eating the
11 next day. It's the kind of thing you'd do to try and
12 survive.

13 Q. Did anybody notice at this point that you were not
14 eating or that you were perhaps getting thinner?

15 A. Years later I was in a place not far away from my home,
16 which is miles away from where I was brought up, and
17 I was working and there was a woman working next to me
18 that belonged to the same village that I was bought up
19 in. She kept on staring at me and it just so happened
20 that she lived two or three doors down from the foster
21 parents that I lived with. And she noticed -- she told
22 me that day that -- well, she said to me, "Did you used
23 to live with so-and-so?" and I said, "Yeah", and she
24 says, "Have you got a brother that lived there as well?"
25 and I said, "Yeah", and she says, "I remember yous, yous

1 got awfully skinny from the time that you went there to
2 the time that you -- to the last time I seen you." She
3 said, "I always wondered what happened to you". Nobody
4 knew what happened to us. So obviously nobody had
5 actually spoken to the foster parents and said, "Where's
6 the two boys went?".

7 Q. Did anybody notice at school that you were getting
8 thinner?

9 A. Pardon?

10 Q. Did anybody notice at school that you were getting
11 thinner or --

12 A. No, no. We used to play truant a lot. Basically just
13 to get away from the school because we -- being skinny
14 and dressed like a tinky, we used to get people calling
15 us names, like, and we would fight them and batter them
16 because they were calling us names, just the way we were
17 dressed and -- you know, go to school with a pair of
18 shorts on when it's six inches of snow on the ground,
19 shorts and plastic sandals on your feet, no socks, your
20 nose running down your face all the time and people
21 like -- and holey jumpers and things. Sometimes no
22 socks, a lot of times no socks. And they called you
23 names because they were standing there with their proper
24 flannels on and blazers and a shirt and a tie, and all
25 swanky looking, and glaury us. So a lot of times we

1 played truant from school so we didn't have to put up
2 with it, all the crap we were getting at school and then
3 all the crap we were getting from going home as well.
4 We'd go and hide somewhere and steal. We used to go
5 into the shops and our favourite trick was blow up
6 a bag, like a bag of swag, and walk into a shop and
7 steal two or three Mars bars or something and walk out
8 as if we hadn't touched anything like, but we had two
9 Mars bars in the bag of swag and nobody ever stopped us.

10 Q. You talk about school on page 5 of your statement and
11 the issues that you've mentioned there. If we go on to
12 page 6, please, and paragraph 24, you talk there about
13 Mr Ogilvie, who you've mentioned already, that you think
14 he would come to the house around once a month.

15 A. (Witness nodded).

16 Q. Did you know that he was coming in advance of him
17 turning up?

18 A. Yeah, yeah. We were told -- we were told to go and get
19 T-shirts and jumpers on to make us look fat. And then
20 get washed and things like that. And we had to sit down
21 next to the coal fire in the living room and sit and
22 watch TV and just tell him that we were enjoying
23 ourselves in the foster home and we got told what we had
24 for our dinner or our tea in case he asked that and tell
25 him that you went to the cinema and you watched

1 such-and-such a movie that I'd never seen before in my
2 life, just to -- just to cover up really what was really
3 happening. They were not feeding us properly.

4 Q. Did you ever have the opportunity to speak to Mr Ogilvie
5 on your own or were the foster parents --

6 A. No, the foster parents were always there up until the
7 time that we got taken away from that foster home. It
8 was one of the visits and I started crying and ...
9 Mr Ogilvie asked me what was wrong and I just blurted
10 out what was happening, that ... that I had two T-shirts
11 and three jumpers on, and I pulled them up and I told
12 him that actually I'm the only boy in the class that
13 could count the bones on his body. And he took me away
14 to the hospital.

15 Q. Okay.

16 A. And I remember being in the hospital, but I didn't know
17 what I was in for, and my brother [REDACTED] told me,
18 "You're in hospital -- you were in hospital because you
19 had malnutrition."

20 Q. Did your brother tell you that later on in your life?

21 A. Yeah, he told me -- I think I was 30, 31 or something.
22 And he said, "You had malnutrition. You actually had
23 two days to live."

24 Q. Can you remember when you came out of the hospital,
25 where did you go? Did you go back to the foster home or

1 somewhere else?

2 A. I was in the hospital twice. I went back a second time,
3 and then after the second time I went to the children's
4 home.

5 Q. Okay. And since you signed your statement, have you
6 been able to see some of your records from your time in
7 care?

8 A. I've applied to Birthright to get my records. Phoned
9 the hospital that I was in. Because the records I got
10 from Birthright were all blacked out, sentences blacked
11 out, which to me was just a waste of time, my time in
12 childcare. And I thought if -- I was sitting in the
13 house one day and it clicked, why don't you phone the
14 hospital, they'll have records, being in hospital, and I
15 phoned and I got the receptionist and the guy says to
16 me, "Oh, we don't keep records that far back", he says,
17 "They would have been destroyed years ago".

18 And the council changed their authority to
19 a different name and lost my records as well. In fact,
20 my family -- none of my family, which I've got five that
21 have been in childcare, have got any records in
22 (unclear) because the council lost their records.

23 Q. Which council was that?

24 A. Dundee District. They were Dundee District and they
25 changed to Angus or vice versa. Seems like in the

1 changeover, all the records were lost.

2 Q. And then did you eventually get some records from Fife
3 Council?

4 A. No.

5 Q. Okay. So within the records, I think you were saying
6 that you were able to find that you were in hospital
7 twice with malnutrition; is that right?

8 A. Yeah, yeah.

9 Q. And on the first occasion, at least after that you went
10 back to the same foster home?

11 A. Yeah. There was nowhere else for me and [REDACTED] to go
12 at that time, and we ended up going back -- we went to
13 the children's home and we were there up until my last
14 foster parents, when I joined the army.

15 Q. Can we move on, please, to paragraph 31 of your
16 statement. This is on page 7. You've already
17 mentioned, I think, that the foster mother would hit you
18 with a belt or something like a school tawse.

19 A. (Witness nodded).

20 Q. Here at paragraph 31 you say that you were also beaten
21 by the foster father?

22 A. Yeah.

23 Q. And did he also use a belt or did he use something else?

24 A. No, always the belt. Any time we got hit, it was with
25 a belt. None of them ever hit with their hand or

1 smacked or anything like that. It was always with
2 a leather belt.

3 Q. And you say that the beatings -- in paragraph 32, you
4 say that you were left with lots of severe bruising on
5 the legs and backside, and sometimes you would have
6 cuts.

7 A. (Witness nodded).

8 Q. Is that what then happened?

9 A. Yeah.

10 Q. At paragraph 33 you say that when the foster father was
11 beating you, he would be "screaming and swearing in our
12 ears so loud it would hurt."

13 What did you do about that?

14 A. He used to shout and swear at us, calling us -- just
15 calling us obscenities, and I used to try and cut this
16 out so I wouldn't listen to it, so I used to put toilet
17 paper down my ears, and push it right down the canal,
18 and it would stay there for three or four days and then
19 it would pop out my ears, normally when I was sleeping,
20 and I'd go and just put more in. And I actually damaged
21 my ears doing it. Now I wear two hearing aids, because
22 of my childhood.

23 Q. So that's affected your hearing throughout your life?

24 A. Yeah. I've got two perforated eardrums, according to
25 the person that tested my ears.

1 Q. If we go on to paragraph 34 that we see there, you talk
2 about something that happened when the foster mother had
3 been asking you about what you'd eaten and you told her
4 that you'd had some crisps, I think, that had been
5 dropped on the ground by another pupil in the school.

6 A. (Witness nodded).

7 Q. What was the foster mother's reaction to that?

8 A. She wasn't very happy. She shouted at me, called me
9 names, sent me to my room -- or sent me and [REDACTED] to our
10 rooms, and then we got called for our tea that night,
11 which we didn't know what tea was, but we got told that
12 we were away to eat and then they put dog poo down in
13 front of us and we were forced to eat it and she says to
14 us, "If you want to live like a dog, you'll get treated
15 like a dog", and I ate it. We done what we were told
16 because if we didn't eat it, we knew we were going to
17 get battered again.

18 Q. Okay.

19 A. So we ate it.

20 Q. You go on, I think, in your statement to talk about
21 being in hospital, and we've already talked about that
22 in your evidence. And then going on to paragraph 39,
23 you say that you were moved to a children's home in
24 St Andrew's, so you left that foster placement at that
25 time.

1 I think if we move on in your statement, please, to
2 page 14 and paragraph 65, after you were in St Andrew's,
3 you went into another foster care placement.

4 A. Yeah.

5 Q. This time in Newburgh; is that right?

6 A. Yeah.

7 Q. I think you were there from about 1967 until you went
8 into the army?

9 A. Yeah.

10 Q. Can you tell us a little about that foster placement and
11 how it compared to the earlier one that you had been in?

12 A. We went there for a two-week Easter holiday after two
13 boys had been there for three weeks, they just returned
14 and we took their place. And the foster parents took us
15 for the two weeks and then after the two weeks
16 Mr Ogilvie come and asked us if we would like to stay
17 there and [REDACTED] says yeah and I says no, and he says --
18 well, Mr Ogilvie told me, "If you don't want to stay
19 there, [REDACTED] will be staying there but you'll not, so
20 you'll not see [REDACTED] again", so then I decided, well,
21 I didn't want that, because he was my brother, and I'd
22 been with him all my days, so I then changed my mind and
23 says yeah, and we stayed there.

24 Q. Why was it that you didn't want to stay there to begin
25 with?

1 A. I didn't want to stay there because I wanted to go back
2 to the children's home. It was only because I had
3 a girlfriend at the time.

4 Q. Okay.

5 A. And I'd just met her and I didn't want to lose her sort
6 of thing.

7 Q. Okay. So you stayed with this foster family and I think
8 you say at paragraph 66 that they had four children.
9 What were the foster parents like in this placement?

10 A. What one is it?

11 Q. If we look at paragraph 66, you're talking there about
12 the foster parents that you lived with in Newburgh.

13 A. Yeah.

14 Q. And you say that they had four children.

15 A. Yeah.

16 Q. So I'll come to the children in a moment, but the foster
17 parents themselves, what were they like?

18 A. They were good, yeah.

19 Q. What about the children? How did you get on with them?

20 A. I got on with one boy and two of the girls. One boy
21 just didn't like us being there, me and [REDACTED], he
22 didn't take to us being there the whole time we were
23 there. But the older boy and the older girl and
24 a younger girl and me, got on great with them. But they
25 were like older -- well, one girl was younger, a year

1 younger, and the older girl was -- she's maybe seven,
2 eight years older than me. And similarly one of the
3 boys. And then the other boy was two years older than
4 me -- aye, two years older than me and one year older
5 than [REDACTED].

6 Q. So you say the foster parents here were good. It was
7 better than the previous placement?

8 A. Yeah, we were just treated -- I wouldn't say we were
9 treated like family. We were treated well enough. But
10 then we knew our place when it come to things like
11 pocket money. The younger daughter, a year younger than
12 me, she would maybe get a pound for her pocket money
13 a week, whereas I'd get a 10 shilling note, which is
14 like 50 pence, for my pocket money. And the foster
15 mother would put a pound in her daughter's piggy bank
16 account, Trustee Savings Bank account and I used to get
17 50 pence, a 10 shilling note again, to put in mine. And
18 we'd save 50 pence and have 50 pence to spend as well,
19 and I always saved mine for buying my clothes, so maybe
20 I'd go to school or I'd go -- I used to go to the youth
21 club in the town, in Newburgh, at the time, and I'd be
22 able to buy my Bay City Roller shirt, or whatever was
23 the style, stay press trousers, Doc Martins, that sort
24 of thing, with my savings.

25 Q. Okay.

1 A. I'd go up to Perth, I'd be taken up to Perth to a proper
2 male boutique to buy my gear for wearing at the weekends
3 or at nights and that.

4 Q. You had to buy that out of your own money rather than it
5 being provided?

6 A. Yeah, yeah. When I was there, we got jeans but we
7 weren't -- they weren't Wrangler or Levi's, brand names,
8 they were Natex or some cheap brand, which I didn't
9 quite take to. As you get older, you want to wear what
10 everyone else is wearing. Especially if you're going to
11 youth clubs. So I'd save my money up until I had enough
12 to go and buy a proper pair of jeans or shoes or
13 whatever.

14 Q. And were the foster parents' own children, were they
15 given branded jeans and things like that?

16 A. They got to pick what they wanted for their clothes,
17 whereas me and [REDACTED] never got the choice. We
18 would -- if you were a 26 waist and you needed jeans,
19 the mother would go and buy a pair of jeans. If you
20 needed socks, she would go and buy the socks. You never
21 actually got to go into the shop with her and say, "Oh,
22 I don't like them, but I like them ones there", and
23 maybe they were £2 dearer or whatever, you just never
24 got to do that, so you never got to pick your own style
25 of clothes. So a lot of times you were -- when you were

1 in company of guys and girls your age, they had sort of
2 trendy gear on while you didn't, that sort of thing, and
3 I didn't like that. That's why I saved my pocket money
4 until I was able to buy my own things.

5 Q. Okay. Then you stayed with those foster parents until
6 you went to the army, and I think you did that when you
7 were around 15 and a half, 16; is that right?

8 A. Yeah, 15 and a half, yeah. I became an apprentice baker
9 for about three months, but [REDACTED] had joined the army
10 the year before and he'd been in -- I think he was in
11 Hong Kong at the time and he'd come back all tanned and
12 with lots of money and all the best clothes and I'm
13 like, "That's for me", and I then went into the army
14 careers office and told them I wanted to join the army.
15 And my foster father, he was taking me back and forward
16 for, like, you had to get a fitness test and swear in
17 front of the Queen, allegiance to the Queen, and fill
18 out the papers. Because I was that age, I needed
19 a parent or guardian to countersign my forms and my
20 foster father done that for me.

21 Q. Okay. Did you keep in touch with that family after you
22 left them to go to the army?

23 A. I did at that time, when I joined the army. When
24 I joined the army, [REDACTED] was in the [REDACTED] and
25 I joined the [REDACTED] but I was up in Aberdeen and he

1 was -- at the time I think he was in Colchester in
2 Essex, and he put a bet on that I wouldn't have lasted
3 in the army, a £25 bet, and that's what kept me going
4 through my training because I felt homesick, lonely,
5 sometimes suicidal, but that £25 bet kept popping up in
6 my head and I wanted that £25 off of him and that's what
7 got me through my training.

8 Q. I would like to move on in your statement to
9 paragraph 75, which is on page 17. There you say that
10 during the time that you were with the family near
11 Kirkcaldy, you weren't able to tell social work about
12 the abuse there and you never spoke to anyone about them
13 afterwards. Why did you not feel able to speak to
14 anybody about what happened in Kirkcaldy?

15 A. Yeah. When I went to the hospital, I remember when
16 I was in the hospital and given food and eating it
17 quick, and after your meal you had to go and lie down
18 for an hour, have rest time for an hour, and then after
19 that hour you got sweets. I didn't know what sweets
20 were. And I was given a small red bowl with smarties in
21 it and I thought it was great, sweets, and I grabbed
22 a whole lot of them out the bowl and a nurse come across
23 and says, "You don't have to eat them all at once", and
24 they tried to prise open my fist which was full of
25 sweets and I just wasn't giving them up. And when she

1 stepped back a wee bit, I just threw them all in my
2 mouth and ate them.

3 I remember that, and I remember years ago people
4 used to take glass bottles of Lucozade Original into the
5 hospital, because that was the cure for when you were
6 not well, it was a glass bottle of Lucozade Original and
7 a bunch of grapes and a bunch of flowers if you were
8 a woman, or a girl, and somebody had dropped a glass
9 bottle of Lucozade on the floor and I was actually
10 playing with a plastic train with two carriages on it
11 out the toy box, which was on the ward, and I put my
12 hand on glass and it went into my hand, the palm of my
13 hand, and they had to take it out and that was my
14 hospital visit that I remember. And I remember
15 Mr Ogilvie coming and taking me out of there to take me
16 up to the children's home.

17 Q. Okay. If we move down this page, you go on to talk
18 about the impact and you've already told us about the
19 hearing issues that you've suffered. You also say at
20 paragraph 78 that sometimes, for example, if there's
21 music from the 60s, that will bring back memories of the
22 time in Kirkcaldy; is that right?

23 A. Yeah. I just can't listen to a lot of 60s music because
24 it brings back so many bad memories. Not just music,
25 like, but if I seen an advert for smarties, for

1 instance, I remember me being in the hospital with
2 malnutrition so much. Just in my head, basically.
3 I think about it a lot of time, like.

4 LADY SMITH: Can I ask you about this toilet paper. In the
5 1960s, some people used toilet paper that was very
6 hard paper.

7 A. Yeah, paper --

8 LADY SMITH: Not the soft paper we have now.

9 A. No, no, it was hard. It was shiny, white, like --

10 LADY SMITH: IZAL?

11 A. The last time I actually seen it was in the army and it
12 had "government property" written on it.

13 LADY SMITH: There was a brand called IZAL that was quite
14 common, and it smelt of disinfectant.

15 A. Yeah.

16 LADY SMITH: Something like that?

17 A. Yeah.

18 LADY SMITH: So when you rolled it up into a little ball, it
19 would have jagged edges?

20 A. Yeah.

21 LADY SMITH: I get the picture. Thank you.

22 A. That was the -- I used it all the time when I was in
23 that foster home because it didn't block the swearing
24 and that out, but it muffled it a bit so you weren't
25 hearing it as loud, because it was getting screamed at

1 you from here, like.

2 LADY SMITH: Thank you.

3 MS INNES: You go on in your statement to talk about the

4 impact on your life. If we go over the next page to

5 page 18, paragraph 80 and 81, I think, you talk about

6 the effect that it had on your own children and how you

7 dealt with them. Can you tell us a little bit about

8 that, please?

9 A. Well, just as it says, I just spoilt them. Had I been

10 a millionaire, they would have been half millionaires,

11 put it that way. If they wanted anything and I had the

12 money for it, they got it. My wife would probably vouch

13 for that.

14 Q. You go on to talk about your records, and we've already

15 covered that. If we can go on to the final page now and

16 paragraph 85 and 86, you talk about some of the lessons

17 that you think should be learned from your experience

18 and perhaps your hopes for the Inquiry.

19 A. (Witness nodded).

20 Q. Can you tell us about that, please?

21 A. Paragraph what was that, sorry?

22 Q. So paragraph 85. First of all, you say that you hope

23 that the Inquiry can be so successful that you never

24 hear of a child being hurt or abused in care.

25 A. Yeah.

1 Q. And you talk about your own experience. And then at
2 paragraph 86 you say:
3 "I would like to see that a child can have somewhere
4 safe to talk and tell someone."
5 A. Yeah. In my day, I didn't speak about things like that.
6 I was afraid of getting battered the whole time, but
7 I always wish that I could have, I had somebody just to
8 speak to about what I bottled up all my days. If it
9 wasn't for this Inquiry, it would still be bottled up,
10 so I'm glad the Inquiry came along. I just wish this
11 Inquiry had been 20 years ago, 30 years ago. The people
12 that ... the people that hurt me when I was a child,
13 I wish they were living so I could do something about it
14 as well.

15 MS INNES: Thank you very much, 'Gordon', for coming along
16 today and sharing your experience with us. I don't have
17 any more questions for you.

18 LADY SMITH: 'Gordon', I don't any more questions for you.
19 Are there any outstanding applications for questions?
20 'Gordon', that completes everything we need to
21 trouble you with today. Thank you again for coming. As
22 I said at the outset, I know it's not easy, but you've
23 contributed valuable information to the work of the
24 Inquiry, and that adds to my understanding of where we
25 need to go from here. It's really helpful.

1 So thank you for that, and I hope you can have
2 a quiet day ahead, because I'm sure you'll be exhausted
3 by the time you leave here. I'm able to let you go.
4 A. Thank you.
5 (The witness withdrew)
6 LADY SMITH: Ms Innes.
7 MS INNES: My Lady, we have time for a read-in
8 before lunchtime.
9 LADY SMITH: Yes, let's do that.
10 MS INNES: If I might be excused just to speak to Gordon
11 before he leaves.
12 LADY SMITH: Certainly. Thank you for doing that.
13 MS INNES: Ms Rattray will deal with the read-in and I'll
14 come back.
15 LADY SMITH: Thank you.
16 Whenever you're ready, Ms Rattray.
17 'Charles' (read)
18 MS RATTRAY: Thank you, my Lady.
19 My Lady, this is a statement of an applicant who
20 wishes to remain anonymous and has chosen the pseudonym
21 'Charles'. His statement is at WIT.001.001.1700.
22 My Lady, by way of introduction from the records,
23 'Charles' was boarded out to a village near Buckie from
24 [REDACTED] 1952 to [REDACTED] 1962. The placing Local
25 Authority, who also supervised the placement, was

1 Glasgow Corporation, which is now Glasgow City Council.
2 The receiving Local Authority was a predecessor of
3 Aberdeenshire Council, probably [REDACTED] County
4 Council.

5 "My name is 'Charles'. I was born in 1948. I have
6 no memories of my family and early life, but I have
7 discovered things later in life as an adult.

8 I know that I was from a strong Catholic family that
9 lived in Glasgow. My birth certificate reads that my
10 father was killed in action in 1944, although I was born
11 in 1948, four years after his death. This must refer to
12 my mother's husband, who was killed in the last days of
13 the war.

14 My mother had a legitimate son with her husband, who
15 was about six years older than me. After she was
16 widowed, she turned to drink to deal with what had
17 happened and the lonely future ahead. In the years
18 following her husband's death, she had two illegitimate
19 children. I was one of them and my sister was born
20 a year after me.

21 My mother was drinking a lot and she left us and ran
22 away to London in 1952. Her family made the decision
23 that they couldn't look after us all. They kept our
24 older legitimate brother, and my sister and I were put
25 into the care of Glasgow Corporation, who fostered us

1 out separately.

2 I was separated from all of my family when I was
3 about five years old and I had no memory of them.
4 I grew up thinking I didn't have a family.

5 I remember the train journey going north to my
6 foster mother's house and changing trains at Aberdeen.
7 A very stout lady took me on the train and to the house.
8 She must have been from Glasgow Corporation. She handed
9 me over to my foster mother and I never saw her again.

10 I remember crawling under a table when I got there
11 and apparently I cried for two days.

12 I was placed into the care of a 78-year-old lady who
13 I had to care for. I believe she had fostered for many
14 years. Her husband had died young and fostering was her
15 way to keep busy and get some money.

16 There were five foster kids in the house, including
17 me. I had four older foster brothers, and I was the
18 youngest by six years so they were all much older than
19 me. They were good with me. They gradually moved out
20 as they got older and got jobs. She also had her own
21 biological son who was a farmer. I only saw him about
22 once a year when he would come around for food.

23 My childhood was rough and ready. I was led to
24 believe that I was an orphan and had no family or
25 relations at all.

1 When I was growing up, I had to do all the household
2 chores because my foster mother was unable to do them
3 because of her age. I scrubbed the floors, did the
4 dusting, washing, ironing, bringing in the coal and
5 collecting driftwood from the beach every day after
6 school to keep the fires burning.

7 I was not allowed to go and play until all the
8 chores were completed. I can't recall any other child
9 in the community having to do these kind of chores in
10 their homes. I was looked down on by all of my
11 schoolfriends and other children as the poor boy in the
12 community.

13 I was good at sports so I was always picked first
14 for any team. Everybody wanted me in their team for
15 football, running, tig or anything else. I had to play
16 all those games in heavy black leather boots with steel
17 heels and toe undersides with studs on the bottom.

18 I never received or owned a pair of shoes other than
19 the tackity boots. I got a package once a year from
20 Glasgow Corporation with new boots and that is all I got
21 from them in all the time I was fostered out.

22 The community boys gave me a nickname because
23 shopping would be delivered by horse and cart in those
24 days and they thought I sounded like that with my loud
25 tackity boots and they could hear me coming from

1 a distance.

2 I know Glasgow Corporation sent money to my foster
3 mother because I remember her talking to my older foster
4 brothers about getting the money monthly. She used that
5 money for household costs and I never got anything.

6 When I became of age for secondary school, I had to
7 walk two miles each way to the Catholic school. We had
8 no spare money for bus fares. Rain or shine, I was
9 kicked out of the door every morning and would be
10 grateful when I saw the school gates for warmth and
11 security.

12 I recall being sent to the local shop for goods
13 without a coin to pay for them. I was refused on one
14 occasion. Mum moved faster that day than I ever saw her
15 move. She went to the shop and got the messages, and
16 the bill was paid at the end of the month as usual.

17 In those days, holidays was just a word for being
18 off school. I would usually be made to do potato
19 picking in the field for some extra money for the house.

20 Nobody from Glasgow Corporation ever came to visit
21 me. Nobody came to see how I was living or to ask if
22 I was okay.

23 Everyone called me by a nickname. Because I had
24 never seen my birth certificate or been told otherwise,
25 I thought my name was a different name.

1 I was good at football and the school wanted me to
2 play for the village, but my foster mother wouldn't
3 understand because she felt that I had my duties around
4 the house that I should have been doing.

5 On a few occasions when a football match was to be
6 played after school, I would throw my school bag in
7 through the house door and run out to play. I knew
8 I would get a horrendous beating from my foster mother
9 with a washing stick later for not doing the chores, but
10 it was worth it to play. That was just the way it was.

11 The beatings from my foster mother happened mostly
12 when I was in secondary because that was when I was
13 making the decision not to do my chores and go and play
14 football instead.

15 Nobody knew what was happening at home.

16 We lived near the harbour and sometimes if you
17 shouted to a boat they would take you out with them and
18 you could have a day out and give them a hand. One day
19 it was a very hot day and I took my shirt off and one of
20 the men was a bit taken aback because he saw the marks
21 on my back. I just shrugged it off."

22 LADY SMITH: Ms Rattray, I see there was a word on the first
23 line of that last paragraph, crawlers. I take it it's
24 meant to be trawlers?

25 MS RATTRAY: I suspect it is, which is why I used the word

1 "they".

2 LADY SMITH: Thank you.

3 MS RATTRAY: "I don't know if he reported it to anyone, but
4 a month or two later, I was taken away from my foster
5 mother. It came out of the blue and I can't recall my
6 mother being in hospital or anything else that would
7 have caused this to happen. Maybe she had requested
8 that I be taken away because I was the only child left
9 there.

10 I still loved my foster mum and called her mum, and
11 that was my home, so it was quite traumatic to just be
12 taken away one day, not knowing anything about the place
13 I was going to.

14 A lady from Glasgow Corporation just turned up one
15 day when I was 12 years old and said I was going to
16 St Ninian's. We got on a train and when we got off, we
17 got in a car and drove. I recall the journey as full of
18 fear and apprehension.

19 I was apprehensive as I drove up to this big house.
20 I didn't know if I was going to be locked in or if it
21 was a borstal. I was just going to have to accept
22 whatever was going to happen to me. I had no idea what
23 to expect on arrival.

24 The lady, who must have been a care worker, left me
25 there and I was placed in the care of the Christian

1 Brothers at St Ninian's Children's Home in Falkland.
2 I stayed there from 1960, aged 12, until I was about 15
3 years old."

4 My Lady, before we move on, I should say that
5 although 'Charles' recalls no visits from Glasgow
6 Corporation or receiving anything other than the boots
7 sent once a year, the records, which I'm not going to
8 look at now but for reference are at GLA-000001951, the
9 records show that visits were made to the placement two
10 or three times a year and there was a supply of clothes
11 and footwear. However, the records do not tell us
12 whether 'Charles' was aware either of the visits
13 themselves or the identity of any visitor, and they also
14 don't tell us whether in fact 'Charles' received any of
15 the clothing or footwear that was sent.

16 From paragraphs 33 to 114 'Charles' speaks of his
17 very positive experiences in the care of the Christian
18 Brothers at St Ninian's, Falkland.

19 Now moving to paragraph 115 on page 16.

20 "When I was 15 years old, it was time to leave
21 St Ninian's. I had seen boys leave before me and saw
22 that some went home to their family and some went into
23 the army. When it was my time, one of the senior
24 brothers asked to have a word with me.

25 He sat me down, like a father would, to discuss my

1 future and where I saw myself going after I left.
2 I said I hadn't given it much thought. He explained
3 that my foster mother's health was failing and
4 unemployment was high back home. He recommended that
5 I join the infantry junior leaders battalion of the
6 British Army, which I did.

7 I told my mother that I would be joining the army
8 but that I would be coming back whenever I was on leave.

9 When the day came to leave St Ninian's, I got
10 a train and was met by the army at the other side, who
11 took me to the barracks."

12 My Lady, at this point, 'Charles' tells us about
13 some time in the army, and at paragraph 121, he says:

14 "A few months after joining the army, someone
15 informed me that my mother was ill, so I got leave and
16 went home. She was in hospital and she died soon after.
17 I like to think that she held on until she knew that my
18 future was secure before she passed over.

19 I was 15 years old without a friend or relative in
20 the world. I was on my own with no place to call home
21 and nowhere to go when I got leave from the army.

22 The education and grounding that the Christian
23 Brothers gave me in those few years at St Ninian's was
24 to guide my path in life."

25 From paragraphs 124 to 140, 'Charles' tells us of

1 his life after care, where after the army he worked as
2 an insurance salesman, a miner, and then set up his own
3 successful businesses. He was involved in community
4 enterprises and received an MBE for his work in the
5 community.

6 Turning now to paragraph 141 on page 20:

7 "I have had an interesting life and I am very
8 grateful for what I have had. I have been fortunate in
9 so many ways.

10 I was never told about any relatives or family,
11 until my mother was killed in London and my older
12 brother was returning to Glasgow. This was in 1972.
13 I was contacted by a cousin in Glasgow, who explained
14 the circumstances and asked if I would like to meet my
15 brother, which I did, and we became brothers and
16 friends, until his recent death.

17 I met my sister later in life ..."

18 LADY SMITH: Sorry to interrupt. That would be when he was
19 early 20s, 24, 25, something like that, 1972?

20 MS RATTRAY: Yes, I think that would be right. He was born
21 in 1948.

22 LADY SMITH: Thank you.

23 MS RATTRAY: "I met my sister later in life, but we had too
24 different a lifestyle to continue meeting and I didn't
25 see her again.

1 My childhood, like many other boys, was hard. I am
2 not looking for sympathy because it has made me the
3 proud and happy dad I am today, with a family who think
4 I am the best dad whoever walked the earth. I know,
5 however, that if I could do it again, I would do it
6 better, but then so could we all."

7 Moving now to paragraph 148 on page 22, where
8 'Charles' speaks about impact:

9 "The kindness and example of the Christian Brothers
10 encouraged me to look beyond my own garden and
11 contribute to the wider community. I followed their
12 leadership example and used my acquired life skills to
13 help those less skilled, able or fortunate than me.
14 I joined various committees and gave back to the
15 community.

16 I had various successful businesses and made a lot
17 of money. It was the grounding and life skills that
18 I received in St Ninian's that gave me the life skills
19 to achieve this.

20 I share my MBE medal with all those Christian
21 Brothers at St Ninian's for their work and teaching
22 while I was there."

23 Now to paragraph 153 on page 22:

24 "Glasgow Corporation never visited me the whole time
25 I was in care. Other than taking me to my foster mother

1 and then to St Ninian's. They had nothing to do with me
2 and should have been checking up on me.

3 Once I left care at 15 years old, I was on my own.
4 Nobody followed up to see if I was okay. I was alone in
5 the world."

6 And now to the final paragraph at 158:

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

11 And the statement was signed by 'Charles' on 26 May
12 2021.

13 LADY SMITH: Thank you.

14 MS RATTRAY: My Lady, that completes the evidence for this
15 morning, and at 2 o'clock we will hear oral evidence
16 from another applicant, who will be speaking in relation
17 to Barnardo's.

18 LADY SMITH: Thank you very much. Before I rise for lunch,
19 people may have noticed a couple of names were used in
20 the oral evidence of the previous witness. They are
21 protected by my general restriction order and the names
22 can't be repeated outside this room.

23 I'll rise now for the lunch break and sit again at
24 2 o'clock. Thank you.

25 (12.53 pm)

1 (The luncheon adjournment)

2 (2.00 pm)

3 LADY SMITH: Good afternoon. As promised, we have a witness
4 ready, I think, to give evidence; is that right,
5 Ms Rattray?

6 MS RATTRAY: Yes, my Lady. The first witness this afternoon
7 is an applicant who wishes to remain anonymous and has
8 chosen the pseudonym 'Elizabeth'. By way of background,
9 'Elizabeth' will be giving evidence about her late
10 husband, who has the pseudonym 'Andrew', and 'Andrew'
11 was in the care of Barnardo's, who arranged for him to
12 be boarded out to a foster placement in Edinburgh. The
13 Local Authority for Edinburgh at the time was Edinburgh
14 Corporation, which is now the City of Edinburgh Council.
15 However, the provider was Barnardo's.

16 LADY SMITH: Thank you.

17 'Elizabeth' (sworn)

18 LADY SMITH: 'Elizabeth', you'll see there's a red folder in
19 front of you and that has a hard copy of the statement
20 you've provided so helpfully to us already. You may
21 find it helpful to have that open, but you'll also see
22 parts of your statement coming up on screen as we look
23 at it.

24 Can I say at the outset I'm grateful to you for
25 coming along to talk about what you know of your

1 husband's life. It's going to be very useful to my
2 learning to hear that from you.

3 But also I know that for anybody to come along and
4 give evidence about the matters we're discussing here
5 isn't easy and I'd like to do anything I can to make it
6 comfortable for you. So let me know if you want a break
7 or if you don't understand anything or if things are
8 going too fast. You let us know what will work for you
9 so that we can hopefully give you an experience that
10 isn't too awful.

11 If you're ready, I'll hand over to Ms Rattray and
12 she'll take it from there. Is that all right?

13 A. Yes, thank you.

14 LADY SMITH: Thank you. Ms Rattray.

15 Questions from MS RATTRAY

16 MS RATTRAY: Hello, 'Elizabeth'.

17 Now, 'Elizabeth', you've given a statement to the
18 Inquiry and your statement has a reference, which I will
19 read out, and that is WIT.001.002.0505, and you'll see
20 that, the first page of it, appearing on the screen in
21 front of you.

22 To start, I'd like you to go to the paper version in
23 the folder in front of you and ask you to turn to the
24 back page of your statement, which is at page 23.

25 A. Yes.

1 Q. Do you have that?

2 A. Yes.

3 Q. Can you confirm that you have signed your statement?

4 A. Yes.

5 Q. Do you see that at paragraph, just above that, 122, you

6 say that:

7 "I have no objection to my witness statement being

8 published as part of the evidence to the Inquiry.

9 I believe the facts stated in this witness statement are

10 true."

11 Is that right?

12 A. Yes.

13 Q. We're going to turn back to page 1 and you can either

14 use the paper version or the screen in front of you.

15 Can you tell me the year in which you were born?

16 I don't need the date or the month, simply the year.

17 A. 1960.

18 Q. You've come today to tell us not only about some of your

19 own experiences but also those of your late husband, who

20 today we're calling 'Andrew'?

21 A. Yes.

22 Q. And in particular, what you know about his life when he

23 was placed in foster care by Barnardo's?

24 A. Yes.

25 Q. 'Elizabeth', I'm going to ask you some questions about

1 your statement, and I'll do that in three broad parts.
2 The first part is just looking at some general
3 background. The second part will be about what you can
4 tell us of 'Andrew''s experiences in foster care. And
5 then we'll move on and look at what happened after
6 'Andrew' left foster care, including the impact that
7 experience had upon him and indeed yourself.

8 A. Yes.

9 Q. Turning firstly to the background, can you tell us what
10 'Andrew''s year of birth is?

11 A. It was [REDACTED] 1957.

12 Q. Okay. And when and how did you and 'Andrew' meet?

13 A. It was -- I was out with a friend who was a friend of
14 his and we just kind of just sort of struck a -- we
15 got -- we liked each other and we've both got a -- well,
16 we both had a dry sense of humour. That kind of helped.

17 Q. And which year was that? Do you remember?

18 A. Yeah, that was 1976 going into 1977.

19 Q. At what stage in your relationship did you learn that
20 'Andrew' had been in care as a child?

21 A. Well, it was rather strange because near the beginning
22 I had -- for some strange reason I -- I had gone into
23 what I believed was his father's house and I picked up
24 a piece of paper and, well, I opened it because I just
25 thought it was a piece of paper. It turned out it was

1 my husband's birth certificate and it had a different
2 name on it, and I handed it to -- well, I've always
3 known -- although it wasn't his dad, it was what he
4 called -- who he called his dad, who told me that he had
5 been adopted and that was an old birth certificate.

6 But I was quite young and naive, so I believed what
7 he told me, that my husband was actually adopted.

8 Then I just -- I just didn't know any background.
9 That was always his -- that was his dad. Do you know
10 what I mean? And I didn't know any real circumstances
11 until about six weeks before we were getting married in
12 1978, because you have to produce your birth certificate
13 to the registrar to get a marriage licence. Mine was
14 okay, I just handed it in, and I says to his dad,
15 because I presumed that that was his birth certificate
16 because that was all the knowledge I had, and he said he
17 couldn't find it so he would go and get him a new one
18 and he would take it down to the registrar.

19 And as I say, being young, you just thought that's
20 what happened, and it wasn't until -- I reckon we'd been
21 married a couple of years that he said that -- that's
22 when he just -- his dad said that he had adopted BKF
23 through Barnardo's and that was the last anything was
24 ever mentioned about, you know, his life.

25 Q. So although you might have been told or understood that

1 'Andrew' had been adopted, I think you know now that
2 'Andrew' wasn't in fact adopted?

3 A. No.

4 Q. He was in foster care. And in your statement, you do
5 tell us a little bit about that, what you understand of
6 'Andrew''s family background. I appreciate that it's
7 quite complex, so it might help if I gave a summary
8 about that.

9 A. (Witness nodded).

10 Q. Because we in fact touched upon some of 'Andrew''s
11 background when we heard evidence from Barnardo's on
12 12 May.

13 A. Yes.

14 Q. As a brief overview, and you can correct me if I'm wrong
15 here, 'Elizabeth', 'Andrew' was the middle child of
16 three siblings, who shared the same birth mother but
17 each child had a different birth father. 'Andrew''s
18 father was the only one who was married to the mother,
19 and when 'Andrew''s parents separated, his mother took
20 'Andrew' and his older sister to live with another man,
21 and I think this is the man that 'Andrew' talked of as
22 being his dad.

23 A. Yes.

24 Q. And they had a third child together.

25 A. (Witness nodded).

1 Q. And the children's mother then left, and then this
2 man -- and I'll call him the foster dad, if that's
3 easier to identify him.

4 A. Yes.

5 Q. He was left with care of all three children.

6 A. Yes.

7 Q. And a few weeks later, he passed all three children into
8 the care of Barnardo's.

9 A. Yes.

10 Q. And that was in [REDACTED] 1961, and they were placed in
11 Haldane House?

12 A. Yes.

13 Q. Is that your understanding so far?

14 A. Yes.

15 Q. And later we know that the foster father married a lady,
16 who we'll refer to as the foster mother, and they
17 applied to Barnardo's for all three children to come and
18 live with them.

19 A. (Witness nodded).

20 Q. And the records detail how Barnardo's tried to trace
21 'Andrew''s birth parents to find out who had legal
22 custody of him, but without success, and ultimately they
23 decided to board out or foster 'Andrew' with this
24 couple.

25 A. Yes.

1 Q. So the younger sibling, a girl, was restored to them
2 first.
3 A. Yes.
4 Q. And indeed the foster father was in fact that child's
5 birth father.
6 A. Yes.
7 Q. And then 'Andrew' and his older sister were boarded out
8 with them, and the dates we have from the records, they
9 were boarded out on [REDACTED] 1965?
10 A. Yes.
11 Q. And also according to the records that we have, he
12 remained boarded out until [REDACTED] 1974.
13 A. Yes.
14 Q. Does that generally accord with your understanding of
15 'Andrew''s background?
16 A. Yes, yes. Eventually.
17 Q. If we look at paragraph 6 of your statement,
18 'Elizabeth', I think you tell us here about what the
19 source is of the information you have. So when you're
20 speaking to the Inquiry today about 'Andrew''s
21 experiences and what you understand by that, what were
22 the sources of that information?
23 A. Well, it was -- first of all, I contacted Barnardo's
24 head office and they confirmed that he had been in
25 foster care with them. I asked if it would be possible

1 to get any background information for him and a lady
2 from the London head office came up with some files, and
3 it was just like a -- like a sort of a rough background,
4 you know, like the grandmother's name and grandfather's
5 name -- you know, a family tree, just a short one.

6 And I remember that when she left, I lived across
7 the road from a library and I took it in my head to look
8 and see that -- I kind of reckoned that people don't
9 move far from where they lived and I was really naive.
10 I didn't know that there were so many people by that
11 name in London. So I took the phone book and I thought
12 how am I going to do this? I thought I can't phone
13 every single one. I thought I'd break it down and I'd
14 pick a few names that are the same to phone first.

15 It just so happened that the second number that
16 I called was his grandmother. So I found his
17 grandmother, and from that phone call I found extended
18 family, and then I found -- you know, like some of the
19 background, his background, although it wasn't a lot.

20 But then my husband kept getting in touch with
21 Barnardo's for more files and the files kept coming, and
22 then I sort of realised his father's side of the family
23 were from Edinburgh and it was a large family, so I sort
24 of started looking for his father's side of the family.

25 But it was too large, I couldn't find them. So

1 the -- I remember the Salvation Army found his father
2 through -- his father was found through the Salvation
3 Army.

4 Q. So I think you're telling us that when 'Andrew' was
5 still alive, you helped him --

6 A. Yes.

7 Q. -- trace members of his birth family?

8 A. Yes, yeah.

9 Q. And the information you have now is gathered from
10 speaking with 'Andrew', what 'Andrew' has told you,
11 other things you might have gathered --

12 A. Yes.

13 Q. -- from family members and also the records --

14 A. Yes.

15 Q. -- which you recovered from Barnardo's?

16 A. Yes.

17 Q. At this stage, 'Elizabeth', if we can move to page 4 of
18 your statement, this is where we're moving to the second
19 section that I spoke about earlier and for you to tell
20 us what you can of 'Andrew''s life when he was in foster
21 care. I think at paragraph 18, I think the first point
22 you make, that you didn't understand how he could have
23 been placed in a flat which was perhaps overcrowded.

24 A. Yes. It was -- the flat that they were living in was
25 a one-bedroom basement flat. It was a kitchen, living

1 room, with a small bedroom off the living room. They
2 already had two children of their own and they had
3 [REDACTED] so that was like five people or -- you know,
4 like, five people living in a tiny one-bedroomed flat
5 and he wanted [REDACTED] and BKF [REDACTED] to go as well, which
6 meant -- what, there were seven people in this tiny
7 one-bedroomed flat.

8 Barnardo's had said that while they wouldn't --
9 even -- what I learned -- at the time, overcrowding back
10 then was -- you couldn't foster, you know, if it was
11 overcrowded anyway. And Barnardo's still went ahead and
12 permitted -- you know, they said normally they
13 wouldn't -- I remember it. Normally they wouldn't
14 allow, you know, them to be foster parents in the size
15 of house that they were living in, but there were
16 exceptional sort of circumstances that, you know, they
17 would like them to be restored.

18 Q. I think it might help if we had a quick look at one of
19 the records, which is at BAR-000000076, page 2.

20 A. Yeah.

21 Q. That will come on the screen in front of you. I think
22 what we have here is a record that we have already
23 looked at with Barnardo's on 12 May and what this
24 appears to be is a letter of 15 February 1965 and it's
25 a letter written by Barnardo's to the children's officer

1 at Edinburgh Corporation.

2 A. Yes.

3 Q. I think in this letter towards the foot of page 2 we see

4 in the last three paragraphs they are making the point

5 that the house is very small and it will be overcrowded

6 when the children go and live with them. And they say:

7 "We would not normally consider boarding out in

8 these overcrowded conditions, but in view of the history

9 and the good relationships which these children have

10 with the family, we would like to do this with regular

11 supervision and support."

12 And I think they suggest at the final paragraph that

13 the family may possibly sell this house when they're

14 offered a house by the Corporation.

15 A. Yes.

16 Q. I think you also tell us that, as far as you're aware,

17 they then did in fact move to a larger home; is that

18 right?

19 A. Yes. The -- they were offered -- I know they were

20 offered a house in an area that they didn't want to go

21 to because the foster mother would lose her friends, you

22 know, that were in the area. Then the -- I went to

23 the -- to the council offices that keep records for

24 property and purchases and things and I found that they

25 had bought -- they had sold the house that they were

1 living in and purchased one sort of across the road,
2 which was bigger. It had, you know, more bedrooms. And
3 that's -- I do remember asking Barnardo's how could they
4 sell a house they didn't own to buy -- you know, like --
5 because they did sell the house that they were living in
6 and purchased the one that they moved into.

7 Q. So moving to back to your statement, which will appear
8 on the screen shortly in front of you, and page 4 at the
9 foot of the page at paragraph 22, I think you make the
10 point at this stage that it's your understanding that
11 sexual abuse that 'Andrew' was subjected to, and indeed
12 his sisters, happened at the larger house that they had
13 moved to.

14 A. Yes.

15 Q. You say that you didn't find out about any of it until
16 years later, when 'Andrew' and you had been married for
17 some time?

18 A. Yes, yes. It was -- I recall it. I think it was
19 a Saturday night and he says to me, "BFB [REDACTED]", he says,
20 "Will you phone the police?" and I went, "Why would I
21 phone the police?" and he says, "I can't tell you, will
22 you just phone the police?" and I thought that's really
23 strange. And I called the police and the person -- the
24 police officer that I spoke to said was it urgent or
25 could it wait and they would send somebody on Monday,

1 and I said well, no, it wasn't -- you know, a couple of
2 days, plus I had no idea why he wanted me to phone the
3 police.

4 And sure enough, the police sergeant came up on the
5 Monday and he said that he would like to report abuse
6 that took place upon him when he was a child. I was
7 quite shocked because I had known nothing about this.

8 The police -- it was a long time. The police used
9 to visit and take statements and I'd be there when he
10 was giving these statements, but then there's times that
11 he would ask me to leave so I would leave the room and
12 then go back in. It was horrible, but what I -- what
13 I -- certainly listening to these statements, it was
14 also making sense to me why there was parts in the files
15 that were referencing what he had sort of said.

16 Like, there was a -- 'Andrew' and his sister looked
17 upon eating as a -- not a necessity, but a privilege.
18 And it was because they were -- they stayed -- they both
19 says to me the only time they were fed was like three
20 days before there was going to be a visit from
21 Barnardo's, they would get sausage rolls and cakes and
22 sponge, you know, like a real -- a real feast to them.

23 When a visitor from Barnardo's would come, they --
24 they were sort of -- they'd been asked if they'd eaten
25 and they said yes because they had eaten. You know,

1 they'd eaten what they'd never dreamt of eating.

2 And then they -- I remember that they said like --
3 it's strange because there was a statement in the file
4 that said that they -- the children look malnourished
5 but they're healthy, and I used to think that you can't
6 be malnourished and healthy.

7 We'd go -- I remember we went out for a meal once
8 with his sister, after the court case we went out for
9 a meal with his sister, and I sat there watching the two
10 of them and they used to play with their food and
11 I just -- me being me, I said to them, "Why are yous
12 playing with the food? Do yous not like the food?" and
13 they just went, "No, it just gets in your head that
14 eating's a privilege and not a necessity", and that was
15 when I sort of started to realise just how much of
16 an impact it had had upon them, because they used to --
17 I have two children and he used to starve himself,
18 right, and I used to say -- I could never -- this is
19 before I found out about the abuse. I could never
20 figure out why he would never eat with us. And he used
21 to say, "Oh, you have to make sure they're being fed",
22 and I'd say, "But they've just eaten their meal". "No,
23 you have to make sure they've been fed". I was like,
24 "Okay."

25 It was like I think deep down even he didn't

1 recognise the extent -- he'd kind of put it away, the
2 abuse that had gone on. And it was like, "They must
3 eat. I never ate, but they will eat". Do you know what
4 I mean? It was like they'll not realise that it's --
5 they would not think it's a privilege to eat.

6 Q. I think you tell us about this. If we turn to page 5 of
7 your statement, and I think here you start to set out
8 the nature of the abuse that 'Andrew' suffered whilst in
9 foster care.

10 A. Yes.

11 Q. Perhaps if we just work our way through this.

12 A. Yeah.

13 Q. What are you telling us happened at paragraph 23?

14 A. Well, what it was was that Helen -- Helen used to have
15 parties and the -- this is when I found out about the
16 sexual abuse. Helen -- sorry, Helen used to have --

17 Q. To be clear, when you say Helen, and we'll come to it
18 eventually, but we know that this is the foster mother
19 who was in fact convicted --

20 A. Yes.

21 Q. -- in relation to abuse. When Helen had -- it's just
22 that you say Helen, and no one else will understand, but
23 she is someone who has been convicted, therefore we can
24 name her. You say that the foster mother started to
25 have house parties; is that right?

1 A. Yes.

2 Q. Carry on.

3 A. Sorry. She -- when I found out about the sexual abuse
4 and how it had happened, BKF used to have this thing.
5 He used to say, "I'll know you're coming if you ring
6 three times on the doorbell", and we used to think --
7 people have their own, you know, sort of foibles, so we
8 used to ring three times so he would know it was us,
9 right? And I says to him -- even he didn't know,
10 really, and he said -- he said when Helen used to invite
11 her friends, right, she had a boyfriend and her
12 boyfriend would come to the house and when the
13 parties -- when she started having parties, she would --
14 they would -- the people would ring three times on the
15 doorbell.

16 'Andrew' and his sister said they would freeze,
17 because when the doorbell went there was -- people would
18 come in the house and they'd say, "Please don't let it
19 be me", right? And I said, "What do you ..." you know,
20 they said, "Please, please don't let it be me", and
21 that's when he explained that they -- his foster mother
22 used to allow people in to abuse them. There was my
23 husband and his sisters, so it was whichever their
24 choice was.

25 There was one particular person that chose my

1 husband, and the abuse went on for years and he recalled
2 that there was one time that he got -- he says he got
3 brave and he threatened his foster mother that he would
4 tell his foster father, who he thought was his dad, what
5 was really going on. And she stabbed him. It was not
6 enough to need hospital treatment, but it was enough to
7 terrify him. You know, to cut him.

8 Therefore it continued, it continued until he
9 couldn't -- you know, he -- they -- he ran away, and it
10 was Christmas Eve and he got picked up not far from here
11 by the police and taken to the police station and he
12 remembers his sister, his older sister telling them what
13 had been going on -- the police, sorry, what had been
14 going on, and he remembers being taken back to the
15 house. His foster father had been called by the police,
16 you know, to come home. So he came home and they were
17 really, really, really thrashed badly by both -- both
18 foster parents.

19 They remember being -- although it wasn't unusual,
20 they were locked in the room for, like, three days.
21 None of the -- because I was in the house, I can
22 remember it. None of the doors had handles on the --
23 you know, on the inside of the room, and as I say, I was
24 naive, I thought they just fell off, do you know what
25 I mean? I didn't realise that they had been removed so

1 they couldn't get out the room. And so it wasn't
2 unusual that they were locked in the room for days on
3 end without any food anyway, that's what ...

4 And I remember she used to -- they said that she
5 would humiliate them for wetting the bed, but they had
6 no access to the toilet, and the only time they were
7 allowed to go to the toilet was to be beaten.

8 And I think that they were -- they were told not to
9 say anything to anybody, you know, that they would
10 get -- they would -- I think -- I recall both of them
11 saying that their lives were actually threatened, that
12 they would be killed if -- and my husband was terrified
13 of heights. He says "I can tell you why I was terrified
14 of heights", I says "Why?", and he says "Because she
15 made me stand out on the windowsill. And the windowsill
16 was narrow and there was a huge drop."

17 LADY SMITH: 'Elizabeth', I can hear that there's so much
18 clear in your head from everything that you were told by
19 your late husband. I wonder if it would be helpful to
20 you if Ms Rattray just guides you through particular
21 parts of your statement.

22 A. Yes, thank you. It's so hard, there's so much.

23 LADY SMITH: She'll help you go to which bits we want to go
24 to next. And at the end, if you think Mr Rattray's
25 forgotten anything or something else comes into your

1 head, you must feel free to tell us.

2 A. Thank you.

3 LADY SMITH: Ms Rattray.

4 MS RATTRAY: Thank you, my Lady.

5 If we go to paragraph 23, I think that's where you

6 tell us about the house parties.

7 A. Yes.

8 Q. And that men and women would come to the parties and

9 they would be paired up with one of the three children.

10 A. Yes.

11 Q. But they were never paired up with Helen's own birth

12 children.

13 A. That's right, yes. That's correct.

14 Q. You then, at paragraph 24, I think you're also telling

15 us -- you'd made mention of the issue of food that

16 'Andrew' had in later life.

17 A. Yes.

18 Q. And you tell us that the children rarely ate.

19 A. Yes.

20 Q. And when they did, it was only when Helen said they

21 could eat?

22 A. Yes.

23 Q. Is that right?

24 A. Yes, that's correct.

25 Q. I think, as you have told us at paragraph 25, you're

1 talking about his foster father --

2 A. Yes.

3 Q. -- hitting him?

4 A. Yes.

5 Q. And he'd talk about a leathering as a punishment?

6 A. Yes.

7 Q. Do you know, when you say leathering, was he using

8 a belt or was there something else being used? Do you

9 know?

10 A. It was a belt. It was a leather belt. They -- I asked

11 what he meant by leathering, and I thought it's hand

12 or -- and he said no, it was a leather belt that he used

13 to keep at the side of the chair.

14 Q. And you've told us, and you set it out at paragraph 26,

15 about the children being locked up.

16 A. Yes.

17 Q. And you say that they were kept in a darkroom with no

18 lightbulbs.

19 A. Yes.

20 Q. And there were no handles on the doors. And that's

21 something that you --

22 A. Yes, I seen.

23 Q. -- when you met 'Andrew' as an adult, you in fact saw

24 that?

25 A. Yes.

1 Q. I think in the same paragraph you refer to the three
2 rings of the doorbell.

3 A. Yes. That is why -- you know, he'd say, "Ring three
4 times" if you didn't -- I didn't understand what he
5 meant by that. So he would know it was me. And I was
6 like, okay.

7 Q. I think you're saying here that three rings of the
8 doorbell was the sign.

9 A. Yes.

10 Q. What was it a sign of?

11 A. It was a sign that one of Helen's parties were going to
12 take place. Oh, sorry -- one of Helen's parties were
13 going to take place, the three rings of the doorbell
14 meant people were coming in and they used to -- it was
15 paedophiles, and that's when 'Andrew' says to me,
16 "Fingers crossed it wasn't me", and it would be. Or it
17 would be both -- you know, like, the three children.

18 LADY SMITH: So you mean that when 'Andrew' heard three
19 rings, he'd be hoping it wouldn't be for him.

20 A. Yes.

21 LADY SMITH: But his experience was --

22 A. It was.

23 LADY SMITH: -- it would be for him?

24 A. (Witness nodded).

25 LADY SMITH: Thank you.

1 A. I'm sorry.

2 LADY SMITH: No, that's okay.

3 MS RATTRAY: And I think moving to the foot of that page,
4 'Elizabeth', you once again say that Helen's birth
5 children were never abused. But you also tell us about
6 something that happened at Christmas involving a Tiny
7 Tears. What happened there?

8 A. That was in the -- there was a doll called Tiny Tears.
9 Every wee girl wanted Tiny Tears. And his sister had
10 begged her dad for Tiny Tears. You know, that was all
11 she wanted, was everybody wanted Tiny Tears. So what
12 had happened was Helen had got a box, a Tiny Tears box,
13 and wrapped it with nothing in it. It was like a -- it
14 was -- it was just cruel. Do you know what I mean? It
15 was -- she found it fun that her -- all her children had
16 brought their presents and I think that because it was
17 her husband's daughter, that, you know, she would get
18 what she wanted for Christmas and there was nothing
19 there, just an empty box.

20 Q. I think if we move over the page to page 6, at
21 paragraph 30 you refer again to the issue of the
22 children not being given food to eat or enough food to
23 eat.

24 A. Yes.

25 Q. You say that the children used to rake the bins for food

1 on their way to school.

2 A. Yes.

3 Q. So the children were acting in a way to try and get food

4 somewhere else?

5 A. Yes. They -- it was really strange because they were --

6 they were always getting punished for stealing, right,

7 and all they ever stole was food and it was desperation.

8 Because they got a beating for it, for stealing.

9 I think it was his two sisters, actually, that had been

10 caught stealing at school, you know, like snacks and

11 food, and they got one severe punishing, and they had

12 said to the visitor that maybe they had hurt them a bit

13 too much, you know, for more than warranted for the

14 offence, but then I remember saying that -- seeing that

15 it was -- they -- his older sister was getting a reward

16 for finding a wallet and handing it in. So it was

17 like -- even he -- the two of us were sitting and

18 talking about it, we couldn't figure out why would you

19 get punished -- why would you steal food and then hand

20 in, you know, money? It's even now confusing, because

21 they only ever stole food.

22 Q. I think, moving on to paragraph 31, you're telling us

23 about --

24 A. Yeah.

25 Q. -- the children standing all night in their vest and

1 pants.

2 A. Yes.

3 Q. What happened there?

4 A. The flat that they -- when they -- the small flat they

5 were living in was a basement flat and the foster

6 father's brother was an electrician and he was trying to

7 renovate it for them so as they could sell it, and it

8 happened to be -- the wall that they knocked down to do

9 the renovations was actually into a shop, you know, the

10 basement of a shop, and they had to sort of stop working

11 and we had this big hole.

12 And she made them stand in the -- you know, where

13 the hole was made, with nothing but their vest and pants

14 on and she says to them that if they moved, she would

15 make sure that they were bricked up in the wall and that

16 nobody would ever look for them. So that was -- you

17 know, that to me or to anybody is totally horrific to

18 imagine and I understand now why my husband would never

19 sleep with a light off. If that makes sense. I'd turn

20 the light off and, no, there had to always be a light

21 on.

22 Q. I think, 'Elizabeth', the next paragraph, paragraph 32,

23 this is where you tell us about what you had mentioned

24 before, that an 'Andrew' was made to stand on the window

25 ledge.

1 A. Yes.

2 Q. And the window was closed behind him.

3 A. Yes.

4 Q. You say although it was ground floor there, there was
5 a drop of about 15 feet and he just had to stand there?

6 A. Yes. I said, "What happened?" and he says, the reason
7 he'll never forgot, he says, she says it was to see how
8 long he could hold on and if he fell, she would just say
9 it was an accident.

10 Q. At paragraph 33 you've made reference before to the
11 children being hit with a belt by the foster father.

12 A. Yes.

13 Q. But you're referring here to Helen also beating the
14 children?

15 A. Yes. They both did it. They both used their belts on
16 the three of them.

17 Q. Was it any different, that paragraph 33, with Helen than
18 it was with the foster father?

19 A. Yes, because she used to -- they said that she would
20 make them put their head over the toilet so when they --
21 the pain -- the -- you know, like their head would go
22 down the toilet. And it also -- the bathroom being the
23 smallest room, it would restrict their movements. When
24 the foster father hit them, it would be in the rooms
25 or -- you know, not in the bathroom. So at least they

1 could sort of move, but she made it in the bathroom
2 where they couldn't move. So it was really more
3 painful.

4 Plus, as well, he used the buckle -- she used the
5 buckle, sorry, and he used the strap.

6 Q. And I think you also tell us that Helen would belt their
7 bare backsides.

8 A. Mm.

9 Q. So they weren't hit over clothing?

10 A. No. No.

11 Q. The next paragraph, paragraph 34, you tell us about the
12 bed-wetting, you've mentioned this before, but what are
13 you telling us here would happen if the children wet
14 their bed?

15 A. She would fill the -- she would fill the bath with cold
16 water and she'd put one or two bottles of bleach into
17 the bathtub with the cold water and then she would put
18 the sheets that had been wet into the bath and then
19 she'd actually make them walk up and down, up and down
20 in the cold water with the bleach to wash the sheets
21 that they had urinated on.

22 Q. At the next paragraph at the foot of page 6, I think
23 this is the incident you tell us about --

24 A. Yes.

25 Q. -- when 'Andrew' and his older sister ran away and they

1 were taken to the police.

2 A. Yes.

3 Q. And they were punished on their return, but that was the

4 occasion that I think you said that the older sister

5 reported the abuse.

6 A. Yes, that was -- yes.

7 Q. But nothing came of that?

8 A. No.

9 Q. If we turn down to paragraph 38 on that page, from here

10 you actually tell us not of what you learned about

11 'Andrew''s experiences but something you actually saw

12 yourself.

13 A. Yes.

14 Q. Can you tell us about that?

15 A. I remember that we were -- it -- don't -- sorry, his

16 foster father came back drunk with his friends and he --

17 we were babysitting for him, for his younger -- youngest

18 daughter. And then he -- he used to keep this bucket at

19 the side that was -- it was like a spittoon. Sorry,

20 that's just ...

21 All of a sudden, I remember his friends were sitting

22 on the settee and he was sitting on this chair with this

23 bucket, right, and he picked -- he just suddenly went

24 crazy. I don't know if it was alcohol or -- you know,

25 what it was, but he picked up this bucket and he went to

1 hit him with it. And 'Andrew' just froze. I mean, he
2 actually literally just froze and it was like, "I'll
3 just take it". I didn't understand it, you know, at the
4 time, because me, I was like -- you know, "Sit down,
5 behave!" just -- I couldn't understand it. But he just
6 froze.

7 And then that was -- that was -- that was the time
8 when I realised that he just picked up something to hit
9 him and he just stood there and took it, and that's when
10 I should have realised that -- you know, that that's
11 where it was just a first sign of the abuse that had
12 been inflicted. You know, it was like: just freeze.

13 Q. I think you tell us over the page, page 8, paragraph 40,
14 of something else that happened and a conversation that
15 you had with the foster father.

16 A. Yes.

17 Q. Tell us about that.

18 A. In the 1980s, they had moved from that house to the next
19 street, right, and he'd suffered a stroke, and then
20 he'd -- I would visit him, but 'Andrew' wouldn't, he
21 wouldn't go near him. He says to me, "BFB" he
22 said -- oh, sorry, he says to me, "Will you please
23 apologise on my behalf to 'Andrew' for what happened",
24 he says, "I swear I never knew anything about it". And
25 I'm like -- I was, what, just 20. I -- I did say to

1 him, "What for?" and he says to me, "Oh, nothing", he
2 says, "He'll know, he'll know", and I -- I didn't
3 apologise because I didn't know -- you know, I didn't go
4 to him and say, "By the way, I have to say I'm sorry on
5 behalf of your foster dad because he didn't know what
6 was happening". It just went out from my head.
7 I didn't apologise for what had gone on, which I'm glad
8 I didn't, because I'd -- if he wanted to apologise, he
9 should have done it himself to him.

10 Q. And I think you said that this was in the early 1980s
11 and I think later in the statement you tell us that the
12 foster father died in the early 1980s. Is that right?

13 A. Yes. It wasn't long after he suffered another stroke
14 and died. On the day -- he was in the hospital and on
15 the day he was to be released, he died.

16 Q. What I'm going to do now, 'Elizabeth', throughout your
17 statement you sometimes refer to having seen something
18 in the records, which might be linked to the experiences
19 that you've learnt 'Andrew' suffered.

20 A. Yes.

21 Q. So it might be helpful if we look at some of those
22 records now.

23 A. Yes.

24 Q. There are a lot of them, so we won't look at all of
25 them, but perhaps if we look at some.

1 A. Yes.

2 Q. I think if we start at WIT.001.003.1196. I'll try not
3 to jump about too much because the records are in
4 different documents, but what I'm going to try and do is
5 follow them through in a time order.

6 A. Yes.

7 Q. So it makes quite sense. Perhaps at this document if we
8 start at page 13, I think if we scroll up that page.
9 Just to be clear, whilst the Inquiry has recovered
10 documents direct from Barnardo's, these are documents
11 that you in fact recovered, you and 'Andrew' recovered?

12 A. Yes.

13 Q. Is that right?

14 A. Yes.

15 Q. And I think some of the markings on them will be
16 redactions that have been put in place by the Inquiry.

17 A. Yes.

18 Q. But other blanks and redactions were there when you in
19 fact got the records?

20 A. Yes.

21 Q. Is that right?

22 A. Yes.

23 Q. I think what we're referring to here is simply the
24 mention of bed-wetting.

25 A. Yes.

1 Q. And that it says:
2 "'Andrew' is still wetting his bed every night."
3 A. Yes.
4 Q. At the foot of the page it says the wetting still
5 continues, and that seems to be a record of a visit by
6 Barnardo's on 12 May 1965.
7 A. Yes.
8 Q. Then if we move to page 14, and the top of page 14,
9 I think we see a record of a visit on 26 May 1966.
10 A. Yes.
11 Q. In the second line down it says:
12 "About a month ago, 'Andrew' took some money from
13 his mother's purse on the mantelpiece and the foster
14 father, who was so angry, thrashed the boy rather more
15 than the incident merited."
16 A. Yes.
17 Q. Is that --
18 A. Yes.
19 Q. -- the occasion that you were referring to earlier in
20 your evidence.
21 A. Yes. The -- yes.
22 Q. I think if we turn to page 16 of this record. I think
23 what we have in this page, if we move towards the foot
24 of the page, is the record of another visit on
25 25 November 1966.

1 A. Uh-huh.

2 Q. In the final paragraph we see a reference:

3 "There is quite a lot of discipline from their

4 mother and they seemed to accept this quite reasonably."

5 A. Yes.

6 Q. So there aren't any details, but the impression has

7 clearly been formed that the mother is involved in --

8 A. Yes.

9 Q. -- keeping the children in order.

10 A. Yes. That -- that's -- when -- when I say that he just

11 froze that time, the incident with the bucket, that was

12 the norm is -- was just to stand and freeze. And

13 I says, "Why do you freeze?" and he says, "Because if

14 you freeze, it hurts less physically", and I was like,

15 "Okay". I couldn't say anything else because I don't

16 know, I've never been in that situation, to be thrashed

17 that -- you know, and couldn't feel pain.

18 Q. If we move on to page 17 of these visiting records,

19 I think this is a visiting record of 15 June 1967. If

20 we move towards the last paragraph, I think we see:

21 "The foster mother does remarkably well in cramped

22 conditions, and is quite strict with the children who

23 each have small chores to do according to their age.

24 There is a tendency for the three older children to

25 stand to attention and to speak as if they were in

1 class, but this may be for my benefit."

2 A. That -- that was -- that was the norm for them. There
3 wasn't -- for the visitor's benefit, that was the norm,
4 was just to stand to attention and wait to be spoken to.

5 The -- can I tell you the tasks they're referring
6 to, in accordance with the age, was that his older
7 sister was sent to the public launderette with bags and
8 bags of washing, that was her job, was to do the family
9 wash at the launderette and then carry it all back. She
10 wasn't that old. I would -- me, I was never asked to go
11 to the launderette with bags of washing that, you know,
12 you couldn't physically carry. But that was considered
13 she was old enough to perform that.

14 Q. And what about 'Andrew'? Did 'Andrew' tell you anything
15 about what chores he had to do?

16 A. He -- he -- like, it will sound very strange when you
17 say, but he did the ironing and the cooking and the
18 cleaning, and he had to take the younger -- her
19 younger -- you know, her younger children to nursery and
20 pick them up. You know, the various tasks that maybe
21 their mother would have done. Like wash and feed them
22 and change them and take them to school and nursery and
23 back. But that was his job.

24 And the -- they were -- basically the three of them
25 were left to do -- to run the household.

1 Q. If we can now turn to page 18 of this record, if we
2 could scroll up the page, we'll see that this is
3 a record of a visit on 22 December 1966. The middle
4 paragraph says -- and it refers to one of the children
5 receiving a reward from the police for finding a purse
6 containing £5 and handing it in to the headmaster.

7 A. Yes.

8 Q. And a lady called at the house to thank the child
9 personally. Soon after this, both the child and her
10 sister were pilfering at school from children's coats in
11 the cloakroom and the headmaster reported this to the
12 family and the foster father thrashed both children.
13 A day or two later, 'Andrew' took a bar of toffee from
14 a shop. He bought one bar and helped himself to
15 another. Same punishment for Andrew.

16 A. Yes.

17 Q. The next paragraph says the police called at the foster
18 father's work bringing with them the older sister and
19 'Andrew', who had been found at St Andrew's Square.

20 "They had slipped out of the house during the night
21 after being punished by their father and the mother had
22 not heard them. Apparently the younger sister had
23 refused to go, staying in bed."

24 Is this related to what you've told us earlier --

25 A. Yes.

1 Q. -- about the event before Christmas?

2 A. Yes. Yes. That was the -- you see, even at my husband
3 age, he says he clearly remembers his older sister
4 telling the police what had been going on, but nothing
5 was done, absolutely nothing was done because -- I don't
6 know why.

7 Q. If I could now turn to page 19 of this record, and what
8 we have here is from pages 19 to 22, it appears to be
9 a letter sent by a psychiatrist at the Royal Hospital
10 for Sick Children on 5 August 1969 to a psychologist.

11 A. Uh-huh.

12 Q. On page 19, we see that there is some information
13 regarding the children. At the first paragraph we see
14 that it says in relation to 'Andrew' that the school
15 still find him "small, fidgety, anxious and depressed".

16 A. Yes.

17 Q. And if we move to the second paragraph, we see that
18 there's a reference to the father's worries being more
19 about one of the other children, who is stealing,
20 repeatedly, both food and money.

21 A. Yes.

22 Q. And particularly from her stepmother at home.

23 A. Yes.

24 Q. It goes on to say:

25 "The school finds her a very small, tense and

1 unhappy child and in the past she has stolen from both
2 her teachers and the other children."
3 A. Yes. That was -- what they were stealing was food.
4 LADY SMITH: At this stage, your husband would have been
5 about 12 and she would have been about 10, something
6 like that?
7 A. Yes, yes. That was not -- that was happening not long
8 before their foster mother left with a boyfriend that
9 she had. That was -- yeah. Yeah, that's definitely not
10 long before.
11 MS RATTRAY: Yes, I think so.
12 If we see more, at the final paragraph on that page,
13 the second sentence, it refers to the child, that's the
14 younger sister:
15 " ... raids the pantry at night despite the fact
16 that it is now padlocked."
17 A. Yes.
18 Q. And towards the end of that paragraph the suggestion is
19 that:
20 "The stepmother feels the child's behaviour is aimed
21 to get at her."
22 A. Yes.
23 Q. Yeah, that -- I can tell you exactly what happened. It
24 was just prior before she left. And they were -- they
25 were starting to get desperate for food and they -- any

1 opportunity to get access to food of some description
2 was -- they were small so they could squeeze into what
3 they thought -- what their foster parents thought was
4 tiny, they could squeeze through just to get -- there
5 was a -- there was a -- 'Andrew''s bedroom and his
6 sister's bedroom, there was a door. It was obviously --
7 the house was Victorian and when it was built it was
8 like a changing room that was turned into a bedroom. So
9 it was like a door that led to both --

10 LADY SMITH: There was a door that connected between the two
11 bedrooms?

12 A. Yes. And it couldn't -- they couldn't find the key so
13 they couldn't lock it. So what would happen was he just
14 had enough -- he just had enough strength to pull the
15 bed away from the door and she'd squeeze through, right,
16 and because there was no windows in her bedroom but
17 there was in his, the window only -- it was a huge old
18 window and it used to open up just enough and she would
19 sneak out, so then she could -- it was really crazy, the
20 plans that they used to make, just to access food. That
21 was all they wanted, was food. Because I was like, "How
22 did you do that?" but it was she'd squeeze out through
23 the door, through the window, and then there was like
24 a vestibule, so she'd go into the vestibule, and then
25 basically go right through the whole house to get to the

1 food cupboard, just for food, whatever she could sneak,
2 and they'd share it.

3 LADY SMITH: So she would go out and then back in again --

4 A. Yeah.

5 LADY SMITH: -- to get access to where the pantry was?

6 A. Yes, because it was like that was her bedroom door. You
7 came in the vestibule, and you walked all the way along
8 the hall, it was very big. The foster parents' bedroom
9 was on the left. The husband's bedroom with the
10 brothers, foster brothers, was right opposite it but
11 then you'd walk along and then there was a cupboard and
12 then there was the dressing room, and then that was his
13 sister's bedroom, and then you go -- and then there's
14 a pantry and sort of a cooking annex with a cupboard,
15 and then the bathroom and then what they used as
16 a living room, which I presume must have been the
17 kitchen, but I -- I can still see it. I can -- and it
18 had a cellar and an attic.

19 MS RATTRAY: My Lady, I'm looking at the clock. I wonder if
20 it's time for a quick break for the shorthand writers.

21 LADY SMITH: I think that would be a good. We usually take
22 a short break at this point of the afternoon,
23 'Elizabeth', if that would work for you, I'll do that
24 now and then we'll get back to your evidence after the
25 break. Is that okay?

1 A. Thank you.

2 (3.06 pm)

3 (A short break)

4 (3.20 pm)

5 LADY SMITH: Are you ready for us to carry on, 'Elizabeth'?

6 A. Thank you.

7 LADY SMITH: Thank you. Ms Rattray.

8 MS RATTRAY: We're going to look at another record now,

9 'Elizabeth', and that's at WIT.001.003.1198 and at

10 page 2. If we scroll further down the page, I think we

11 see reference to notes of February 1970 and a reference

12 to Ms Hunter, I think, from Barnardo's, speaking to

13 a Ms Barrie of Rillbank and arranging meetings between

14 the various professionals who were involved with the

15 children at this time.

16 Below that we see a note of 15 February 1970:

17 "Ms Mutch telephoned."

18 This particular record doesn't tell us who Ms Mutch

19 is, but having read other records, I can suggest that

20 Ms Mutch is the headteacher of the school the children

21 attend.

22 We see this record to:

23 "Strictness at home. Feels it would be better if

24 all three children were returned to the Home."

25 A. Yes.

1 Q. And do we see that "Home" has a capital H?

2 A. Yes.

3 Q. Do you know what reference that might be?

4 A. Would that be to Haldane House or a care home situation.

5 Q. It appears certainly that at least someone is taking the

6 view that the children would be better off leaving the

7 foster placement, all three, and going back into the

8 Barnardo's home.

9 A. Yes.

10 Q. If we can return back to the previous record,

11 WIT.001.003.1196 and page 23, if we scroll up, I think

12 initially we see that this is a visit of 8 June 1970,

13 a home visit.

14 A. Yes.

15 Q. We see reference to the foster mother in that paragraph:

16 " ... resplendent in a gold blouse and yellow

17 trousers. The room was untidy and the dinner dishes

18 were still in the sink despite it was 4.30 pm."

19 A. Yes.

20 Q. But if we can actually move to the foot of that page, do

21 we see towards the foot a comment:

22 "There was a marked difference in the appearance of

23 the three foster children and all the other three."

24 A. Yes.

25 Q. I should qualify, when I say "three foster children",

1 I mean the children who came from Barnardo's, albeit one
2 wasn't in fact a foster child.

3 A. Yes.

4 Q. There isn't any detail of what that difference might be,
5 but certainly there is such a difference that it's noted
6 here.

7 A. When I asked about that, it was -- both my husband and
8 his sister informed me that the foster mother's children
9 were quite plump and well fed and well dressed. And
10 they used to sit and watch them eating. They -- her own
11 children were treated completely differently, physically
12 and emotionally and ... they were -- they were not
13 cruelly treated.

14 Q. If we can now perhaps look at a different record in
15 a different document, which is at BAR-000000076, and go
16 to page 11 of that document. I thinking what we have
17 here is a report on a visit to a foster child. The date
18 of the visit is on 28 December 1970.

19 A. Yes.

20 Q. If we turn over in particular to the narrative on page 2
21 of that report at page 12 of this document, we see at
22 the top paragraph:

23 "Things are much as usual in this home. The house
24 was very untidy and dirty, really worse than I have seen
25 it. The living room cum kitchen was chaotic to say the

1 least of it."

2 And there's reference to the foster mother being out
3 helping a hairdresser friend, the oldest foster daughter
4 looking after the younger children.

5 A. Yes.

6 Q. The youngest child from Barnardo's was in bed "in
7 disgrace" as she had been stealing food.

8 "This child is wretched, I feel."

9 Then there is concern expressed about the older
10 girl:

11 "I feel she will be exploited by the foster mother
12 and have to look after the younger children quite
13 a lot."

14 A. Yes.

15 Q. If we scroll to the bottom of this record, the final few
16 lines, I think it says, with reference to the foster
17 mother:

18 "I feel she is much too young and inexperienced to
19 have had these three given to her but it is done now and
20 she is coping after a fashion. She says 'those three'
21 seem to be against her sometimes and stick together.
22 I said this would be because they had all been at
23 Haldane House together and had this in common for
24 a start. This is a cheerless home but the children are
25 cared for as far as their physical needs are concerned."

1 A. No. No. I don't think being physically and sexually
2 abused is being well cared for. It's really the
3 complete opposite. And I think that statement there
4 that "it's done now, just get on with it" doesn't --
5 doesn't say very much caring to me.

6 Q. If we could go to another document, which is
7 WIT.001.003.1190, this bears to be a report for
8 a Children's Hearing of 16 June 1971. My understanding
9 of the record is that this is not a Children's Hearing
10 in relation to 'Andrew', in relation to one of the other
11 children.

12 A. Yes.

13 Q. And takes place at a time when the foster mother had
14 moved out of the house?

15 A. Yes.

16 Q. I think if we turn to page 4, the final page of this
17 document, which is the final page of this report for the
18 Children's Hearing, if we scroll to the bottom of that
19 page I think we see the reference to:

20 "It's a cheerless house, and the foster father goes
21 through spells when he drinks heavily."

22 At the foot of this page it says:

23 "Each member of this family is very much at risk
24 emotionally - and one senses that often the unity of the
25 family is one of fear and is focused on humouring the

1 foster father."

2 A. Yes.

3 Q. If we could now go back to WIT.001.003.1196, and

4 page 33, you can see that we're now in -- well, a date

5 of a review of a boarded-out child and we're now at

6 19 November 1971.

7 A. Yes.

8 Q. We see --

9 LADY SMITH: So that's just a few months after the

10 Children's Hearing, which was June 1971?

11 MS RATTRAY: Yes, my Lady.

12 LADY SMITH: This, of course, would have been quite early in

13 the development of the Children's Hearing system.

14 MS RATTRAY: Yes.

15 LADY SMITH: I can't remember when the Act came into force,

16 but it wasn't long before then. Thank you.

17 MS RATTRAY: If we could scroll down that page so we see

18 more of what's written, that's fine. We see at

19 paragraph 1 there's reference to 'Andrew'.

20 A. Yes.

21 Q. And 'Andrew' being very affected by his older sister

22 leaving home.

23 A. Yes.

24 Q. And he has nightmares, sleepless nights.

25 A. Yes.

1 Q. We also see it looks like the foster mother is back on
2 the scene here.

3 A. Yes.

4 Q. "Foster mother talked of 'my' children and 'them'."

5 A. Yes.

6 Q. Referring to the three children who had been placed
7 there through Barnardo's?

8 A. Yes.

9 Q. In paragraph 2 we see something we've referred to
10 previously, that 'Andrew' is a:

11 " ... very puny looking boy, almost looks
12 undernourished. But recent medical suggests he is quite
13 healthy."

14 A. That is -- you -- you can't -- you can't be malnourished
15 and healthy. It's impossible. It's ... malnourished is
16 lack of food, so ... it's they that's just
17 impossible to be, in my opinion, and I'm not medical,
18 sorry.

19 LADY SMITH: Well, it all depends what was looked at when
20 the medical was done and by whom. We don't have the
21 medical report, do we, that that's referring to?

22 MS RATTRAY: We do have and I will move to that, my Lady.

23 LADY SMITH: Would it be helpful? If you don't think it
24 would be helpful, Ms Rattray, you don't need to, but it
25 might.

1 MS RATTRAY: I think if we move to page 11 of this document.

2 LADY SMITH: Are these GP records?

3 MS RATTRAY: I think if we actually move to page 10, where

4 the record starts, it does appear to be perhaps

5 a medical. There is reference in the middle of this

6 page -- sorry, if we could look at -- we are on page 10.

7 If we scroll down, there's reference to a medical

8 officer's signature, and this particular one:

9 "Despatch this form to the case department, Stepney,

10 Causeway."

11 Which is a Barnardo's' address. So I think these

12 were check-ups that were made by statute in terms of

13 regulations of a boarded-out child.

14 LADY SMITH: And the start date was when he first went into

15 Barnardo's' care?

16 MS RATTRAY: Yes. I think if we turn over to page 11, we

17 see what appears to be medical notes, clinical notes,

18 but appear to be presumably related to those check-ups.

19 LADY SMITH: But there's nothing there for 1971.

20 MS RATTRAY: No, but what we have, I think, if we look

21 further down the page, I think we see at 24 October

22 1970, we see a reference, something about a school

23 dental examination and then a comment:

24 "Rather small for age but robust."

25 LADY SMITH: But again that's almost a year earlier. And

1 the next entry, which suggests "well nourished",
2 is November 1970, but the entry we were looking at a few
3 minutes ago was 1971.

4 MS RATTRAY: Yes.

5 LADY SMITH: When it was noting that he was -- what was the
6 language? Suggesting he was undernourished?

7 MS RATTRAY: Undernourished.

8 LADY SMITH: Yes. But the comment "but medical suggests
9 otherwise" is relying on something that was noted by
10 a doctor almost 12 months earlier.

11 MS RATTRAY: Perhaps that's the one. The other medical, it
12 is a later one, but we can whilst we're on medicals
13 perhaps look at that, it's at BAR-000000076, and at
14 page 13 of that document. This is another medical, but
15 this one is later, it's 6 January 1974, where there
16 doesn't appear to be any particular comments about being
17 undernourished, just a record:

18 "General physical condition, posture, good general
19 condition."

20 And posture is what's said in January 1974.

21 LADY SMITH: Over two years later.

22 MS RATTRAY: Two years later. Although we see at this stage
23 as well, might as well take -- as we're on this
24 document -- the bottom right-hand box, that:

25 "The foster mother has left the husband so the

1 foster father is coping alone. 'Andrew' is off school
2 before Christmas to look after the family when the
3 foster father had a septic foot."

4 And I think if we can turn back to WIT.001.003.1196,
5 at page 37 of that record. We see at the bottom,
6 towards the bottom of the page we have another note of
7 a visit on 21 March 1972 now. There is reference to the
8 foster father being "very irritable with the children"
9 and a comment:

10 "I feel at times they are almost frightened of him."

11 A. Yes, yes. That refers back to when my husband froze
12 when he went to attack him.

13 Q. If we now turn to page 39 of this document. This is
14 a record of 5 April 1972. Once again, a visit to the
15 foster father and all the children at home. Going to
16 the foot of the page, where the social worker has
17 inserted a comment:

18 "I felt very clearly again today aware of the
19 hysterical patterns of interaction in this family - the
20 superficial wanting-to-pleaseness, exaggerated in
21 communication and in actions."

22 A. Yes.

23 Q. I'm obviously focusing on those particular aspects of
24 the records and we have to take into account that there
25 are positives in there too.

1 A. Yes, yes.

2 Q. And things have not reached a stage, as far as those
3 observing are concerned, where they think it's right to
4 remove the children.

5 A. Yes.

6 Q. But is it fair to say we're getting a sense, all the way
7 through this journey of visiting, of those observing
8 that something's just not right?

9 A. Yes. Yes, that is it. It was -- the -- I, at the very
10 beginning, when I -- can I go back to the beginning when
11 I said that I only ever met his foster father? That was
12 because his foster mother was never ever mentioned and
13 I just presumed that she'd passed away, because the way
14 she was never ever mentioned once. And the only reason
15 that I ever met her and found out that she was still
16 alive was we -- there's a shopping centre, a local
17 shopping centre that we used to shop at and there's
18 a butcher that has long ceased existence and she worked
19 in there.

20 We happened to go into the shop and 'Andrew' froze
21 again and I was like -- I didn't know who it was. I was
22 just ordering what I wanted and things, and I says to
23 him, "Come on, get out, hurry", you know, like --
24 because he literally froze. And I says to him, "What is
25 wrong with you?" and he says "It's her", and I says,

1 "Who?" and he says, "It's my foster father's wife", and
2 I went "Eh? I thought she'd passed away" because nobody
3 ever mentioned ..." and, "No", he says, "we have to go,
4 we have to go", and I said, "Yes, we'll go", and it was
5 just like sheer terror at the very sight of this woman.
6 And it was like --

7 We went to see his foster father and he says,
8 "I seen her, I seen her, I seen her", and I said,
9 "Okay", personally, and he said, "Wherever?" and he
10 said, "She's working in this shop where we live",
11 shortly after that, she left the job and we went -- we
12 were at a function and she was there again working and
13 it was like oh no! Until I -- I asked him. I says,
14 "What is it? Do you know this woman?" and he said,
15 "She's evil", and I was like, "What do you mean, she's
16 evil?" and he was like, "She's evil, that's all I'm
17 saying is she's evil."

18 When it came out, I says, "Why did you focus on --
19 you know, like why was it mostly her you were terrified
20 of?" and he says, "Because she was more evil than him so
21 you had to go for the best of the two."

22 So that's his reaction. It was need to please, need
23 to please, they'll leave me alone. Because it was also,
24 going back with the "hysterical patterns", he was
25 bullied at school because he was small, he was dirty, he

1 was -- he was just bullied because he was completely
2 different, and he would fall asleep -- and that's where
3 the headmistress is referring -- he said, "I'd fall
4 asleep in the class because it was the safest place to
5 sleep", and I said, "Okay" and he said, "I was always
6 getting belted for it", and I said, "Oh, that's
7 terrible". "No", he says, "it didn't matter, you didn't
8 feel it". I went, "What do you mean?" He says, "They
9 didn't use the buckle, it was only the leather, so you
10 didn't feel it" and I went, "Wow".

11 So we came -- my sister had a friend who was married
12 to somebody that was in his class at school and he said,
13 "I have to apologise to you", he says, "We were really
14 cruel to you", he says, "It was because you were small
15 and skinny and smelly and you always fell asleep in the
16 classroom", and he says, "I'm so sorry we did that", and
17 that's where the -- the need to exaggerate sort of comes
18 from. It was like: if I'm nice, if I'm nice, they'll
19 leave me alone. And sadly it never happened that way.

20 Q. At this stage, 'Elizabeth', moving on to the question of
21 impact upon 'Andrew' and indeed yourself, you've told us
22 a lot about that already, all the way through, the
23 effect it had upon 'Andrew'. I think if we turn to
24 page 14 of your statement at paragraph 74, I think you
25 provide us a lot of information but I think in this

1 paragraph you summarise it very clearly. 'Andrew'
2 suffered from mental illness and you've told us that he
3 suffered a breakdown.
4 A. Yes.
5 Q. He was diagnosed with PTSD.
6 A. Yes.
7 Q. He always had an issue with eating?
8 A. Yes.
9 Q. And you say here, it's at paragraph 74:
10 "He died in 2014, his whole life had been impacted,
11 affected by the abuse he was subjected to. Mental
12 health, physically, never eating, never exercising,
13 everything, just as I have been describing. It had
14 a huge impact on his life and undoubtedly led to his
15 death. It really is what put him in his grave if you
16 ask me."
17 A. Yes.
18 Q. That's your view?
19 A. Yes. He tried everything. He went -- he'd seen
20 psychologists, he -- the biggest thing was the -- the
21 biggest impact was the sexual abuse. There was -- at
22 the time, there was two psychologists specialising in
23 childhood sexual abuse and he was fortunate enough to
24 speak to one. Even although it was -- they -- the
25 sessions had ceased, you know, had finished being paid

1 for by the NHS, she kept going with him in her own time
2 and it was -- he was just starting to -- to get a wee
3 bit positive.

4 When he passed away, there was a photograph I put on
5 his memorial leaflet and it is the most beautiful
6 photograph. And it just looked so peaceful and that --
7 what he did was he had spoken with the psychologist who
8 said, "There must have been something positive in your
9 childhood, right?" and he said "The only positive
10 memories I have are of Haldane House", he said.

11 We discussed it and we weren't sure if it still
12 existed and it turned out the building was still there,
13 and he visited -- it took a lot, it took about six weeks
14 for him just to pluck up the courage to leave the house
15 to go there, and it was the first time I had actually
16 seen him ever relax and it was the most beautiful
17 surroundings. There was -- there was lilac trees and it
18 was just beautiful, and he was standing in a paddock
19 that was there and it was actually nice because you
20 could see him having just that wee bit glimmer of
21 a childhood that was not full of abuse and physical,
22 sexual, neglect, everything, bullying. And I snapped it
23 and it was just how his life should have been. Not just
24 thinking that he was -- that he was nobody, that he
25 didn't matter to anybody, that he was there to be

1 abused. He was a thing, a them.

2 It was -- it was -- it just took -- I think the
3 post-traumatic stress disorder, it was constantly
4 sparking memories. He didn't eat properly. I used to
5 have to buy snacks and leave them in the fridge and hope
6 that he would eat them secretly. Because it was like he
7 was just constantly living what he'd had to live before
8 and that is the -- as he says, the physical abuse, the
9 sexual abuse, was over, but he could not get it out his
10 head. He kept seeing it, even although it was -- it
11 was -- it was strange. I didn't know what
12 post-traumatic stress disorder was. I just knew it was
13 something really bad and that we couldn't help him.

14 He wouldn't sleep unless he had sleeping tablets.
15 He wouldn't eat. He had to make sure everybody ate
16 before he would eat anything. It was like everything
17 that happened to him, he would never let happen to
18 anybody. It was like he would take it instead of them,
19 if that makes sense. He would rather it was him than
20 anybody else.

21 He says, "I can't do anything for the wee boy
22 I was", he says, "But I'd like to do something for the
23 future, to try and make sure that it never happens to
24 them or impacts on them", what he went through.

25 Q. I think you tell us in your statement, and if we could

1 turn to page 20 of your statement, paragraph 104 and
2 105, you told us previously that ultimately 'Andrew'
3 reported it to the police and we know that the foster
4 mother was prosecuted.

5 A. Yeah.

6 Q. And she was convicted of much of the abuse that has been
7 described today on 7 October 2003.

8 A. Yes.

9 Q. And whilst I'm not bringing it on the screen, just for
10 the record that conviction and details of the conviction
11 are at GUS-000000063 in the bundle.

12 If we could move back to the statement, at
13 paragraph 104 you tell us that the foster mother, you
14 heard on the radio, was sentenced to two years but ended
15 up doing only a year.

16 A. Yes.

17 Q. And you remember it was Lord Hardie that sentenced her?

18 A. Yes.

19 Q. And he said it was unfortunate he was restricted by
20 legislation otherwise he would have given her a far
21 lengthier sentence.

22 A. Yes.

23 Q. And she died about a year or so after she got out of
24 jail.

25 A. Yes.

1 Q. And at 105 you tell us what 'Andrew''s reaction was to
2 the conviction. Can you tell us about that?

3 A. Yeah. For the very first time he actually cried for
4 hisself. And I says, "That's okay", I says, "You're
5 allowed to. You're allowed to cry for yourself",
6 because he said -- I says to him, "What does it mean to
7 you?" and he said to me, "More than anything", he says,
8 "I was telling the truth and I was believed", he says,
9 "That's all I ever wanted, was to be believed", and
10 that's -- he said, "That's all -- " sorry -- anybody
11 that's been in his situation wants, is to be believed,
12 that it really did happen, that they weren't some kind
13 of strange person and imagining all this horrific abuse
14 that had been inflicted on them", and I said -- he said
15 that if he told anybody else what had happened, that
16 they would have called him a liar and I said, "You're
17 not ..." I says, "No person that's explained what you've
18 explained is a liar". I says nobody. I says "What
19 happened was when you were a small child, you had no
20 voice, you had no vocabulary to explain what was going
21 on." So he was crying for the wee boy that he was.

22 Q. And finally, 'Elizabeth', I think you've been made aware
23 by the Inquiry that when Barnardo's gave evidence here
24 on 12 May, they offered an apology.

25 A. (Witness nodded).

1 Q. If I might read that to you:

2 "We acknowledge that some children were abused while
3 in our care and it's a matter of deep regret to
4 Barnardo's that we failed to protect these children. We
5 are deeply sorry to those who suffered abuse and for the
6 harmful impact this may have had on their lives. In
7 reviewing 'Andrew''s file and having had access to other
8 material relating to his and family members' contact
9 with Barnardo's, there is no doubt that 'Andrew'
10 suffered significant harm and abuse and that Barnardo's
11 failed to protect him from that abuse, and we wish to
12 offer a genuine and heartfelt apology."

13 What's your response to that?

14 A. That was all my husband ever wanted from them, was just,
15 "We're sorry. We should have listened to you, we
16 should have asked you individually what was going
17 on." That was all he ever wanted, was, "Sorry, we've made
18 mistakes and we've learned", and I hope that all the
19 people involved in the past, which is a very black part
20 of his -- our society, is feeling vindicated for coming
21 and speaking and being believed, because that's all he
22 ever wanted. It's the start of the healing process is,
23 "We're sorry", and that's all he -- if Barnardo's could
24 have come and says to him, "We're sorry" when he was
25 here, maybe that could have started him back further

1 along the road to healing for himself. Because he was
2 the kindest person you could ever meet. He had
3 an empathy for everybody and he had patience to sit and
4 listen and understand what people were saying and where
5 they were coming from, because the --

6 It was really funny. Because he'd been told that he
7 was -- he couldn't read and write properly, right, and
8 he says -- I says to him, "It's got to be something",
9 and it turned out -- so I managed to get him tested for
10 dyslexia. And it was so funny because the one colour he
11 didn't like was purple and that was the colour he could
12 see well.

13 So maybe if he -- if -- if organisations had just
14 shown that little bit more understanding and care, who
15 knows what -- what people could have achieved and what
16 would have been progressive for the whole -- he just
17 didn't have the care and the understanding that every
18 child needs, regardless of their situation.

19 It's just very, very sad and I'm here today speaking
20 on his behalf because this is what he wanted. This is
21 his final statement, that please make society and people
22 who care -- you know, a duty of care, just listen to the
23 children that are -- that are telling you something,
24 they just don't have the voice or the vocabulary to say
25 "Things aren't right, please help me".

1 And that's not just in Scotland, that's the whole
2 world, and I'm just pleased that I have been given the
3 opportunity to speak for him because that's all he did
4 was care, and I hope that we learn, because that's all
5 we can do, is learn.

6 MS RATTRAY: 'Elizabeth', thank you for that, and that
7 concludes my questions for you.

8 My Lady, I'm not aware of any further questions
9 being put forward.

10 LADY SMITH: Can I just check, are there any outstanding
11 applications?

12 'Elizabeth', I'd like to add a regret of my own, and
13 it is that 'Andrew' hasn't been able to hear what you
14 have done for him today. It's been quite remarkable.
15 Thank you for everything you've given us in bringing to
16 life what happened to him.

17 A. Thank you.

18 LADY SMITH: I can't think how you could have done it
19 better.

20 A. Thank you.

21 LADY SMITH: So I'm really grateful to you for that and the
22 way in which you've added to my learning and
23 understanding what foster care was like at the time that
24 'Andrew' was in care.

25 A. Thank you.

1 LADY SMITH: I'm now able to let you go, and I hope you now
2 manage to get a bit of a rest for the rest of today.

3 A. Thank you.

4 (The witness withdrew)

5 LADY SMITH: Well, Ms Rattray, that's 4 o'clock. That's
6 everything for today, is it?

7 MS RATTRAY: Yes, my Lady. That concludes the evidence for
8 today and tomorrow we'll be hearing from more applicant
9 witnesses.

10 LADY SMITH: Starting at 10 o'clock.

11 MS RATTRAY: At 10 o'clock.

12 LADY SMITH: Thank you very much. Until 10 o'clock tomorrow
13 morning.

14 (4.00 pm)

15 (The Inquiry adjourned until 10.00 am
16 on Tuesday, 31 May 2022)

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