

Friday, 12 August 2022

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(10.00 am)

LADY SMITH: Good morning and welcome to the last day this week of evidence in our oral hearings in relation to foster care and boarding out.

Now, we're hoping to cover three witnesses and maybe even a read-in today, we'll see how we go, and I think the first witness is ready; yes, Ms Innes?

MS INNES: Yes, my Lady. The first witness is 'Gavin'. He's using that as a pseudonym. 'Gavin' was in the care of Strathclyde Regional Council. He was placed in foster care with **JDK/JDM** in Glasgow from 1980 to 1984. Glasgow City Council is the relevant successor.

LADY SMITH: Thank you.

'Gavin' (affirmed)

LADY SMITH: Thank you.

Just a word about the microphone, 'Gavin'. If you keep in a good position to it, it will help you and it will help us. We need to hear you through the sound system, particularly to help the stenographers.

You'll see there's a red folder there. That has the typed version of your statement in it and you'll be taken to that in a minute or two. We'll also bring your statement up on screen and take you to particular parts

1 of it that we want to discuss with you as we go through
2 your evidence. You don't have to use it, but you might
3 find it helpful to have that in front of you.

4 Other than that, 'Gavin', do let me know if there's
5 anything I can do to help you give your evidence as well
6 as you can, and please bear in mind that, although no
7 doubt you've come along thinking you're ready to do
8 this, you know what's involved and you're organised and
9 it's not going to be a problem, asking people to talk
10 about their childhoods, and particularly things that
11 were distressing when they were children, can surprise
12 even the most organised of people and catch you out
13 unawares emotionally. I know that, I get that, and if
14 at any time you just want a break or a breather, let me
15 know, or if there's anything else that would help,
16 please let me know.

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

19 A. Yes, ma'am.

20 LADY SMITH: Thank you.

21 Ms Innes.

22 MS INNES: Thank you, my Lady.

23 Questions from Ms Innes

24 MS INNES: Now, 'Gavin', we understand you were born in
25 1972; is that right?

1 A. Yes.

2 Q. Okay.

3 Now, I'm going to refer to your statement, which we
4 give the reference WIT.001.001.7872, and if we can look
5 at the last page of that statement, in paragraph 152, we
6 see that it says there:

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 I understand that you signed your statement on
12 13 April 2018; is that right?

13 A. Yes, ma'am.

14 Q. Okay.

15 If we go back to paragraph 2 of your statement, you
16 tell us there that you were born in Glasgow, and you
17 don't have much detail of your family life before you
18 went into care. It was in fact in later life that you
19 found out that you had two older brothers. Is that
20 right?

21 A. Three older brothers.

22 Q. Okay. Did you find out about them when you were
23 an adult? Did you not know about them at all when you
24 were a child?

25 A. I knew -- it was probably when I was about 16.

1 Q. Okay.

2 A. When I was about 16.

3 Q. That you found out --

4 A. Yeah. They actually phoned the children's home I was in
5 at the time.

6 Q. Okay. And you say that you've hardly had any contact
7 with your brothers, even since you found out about them
8 and had some initial contact.

9 A. About four times in 50 years.

10 Q. Yes, okay.

11 You say at paragraph 3 that you understand that your
12 mum died, and you're not sure when that was in terms of
13 when you were in care, or before care.

14 A. No idea.

15 Q. Okay. And you say that you know that your father was
16 a raging alcoholic, and you learnt that when you met him
17 later in life.

18 A. Yeah, I met my father once.

19 Q. Okay.

20 A. And that's when I could see that he was a -- he clearly
21 had difficulties.

22 Q. Yeah. And did you try to contact him when you were in
23 care as well?

24 A. I didn't, no.

25 Q. Okay. I think we'll come in due course to a letter that

1 you tried to send to him.

2 A. Ah, that -- yeah. The letter, that was me giving it to
3 a social worker. I didn't know --

4 Q. I see.

5 A. I wrote it for my dad, but it was for the social worker.

6 Q. Okay. Right, we'll come back to that letter in due
7 course.

8 So you talk about being in care. At paragraph 4,
9 you say that the responsibility was passed from your
10 parents to the social work department, and you
11 understand that you were under what was called
12 a section 16.

13 A. Yeah.

14 Q. And is that something that you were aware of when you
15 were in care? Did people talk about that?

16 A. If I'm honest, it's when I get into trouble with the
17 police for the first time.

18 Q. Right.

19 A. The 16 -- the police would take you straight back to the
20 home instead of through the police system.

21 Q. Okay. And they would talk about you being under
22 a section 16?

23 A. Yeah.

24 Q. Okay.

25 You then go on to tell us that you were in a couple

1 of children's homes before you went to the foster care
2 placement that we're going to speak about first, and you
3 were in Dunclutha, and you say that you think you were
4 there from about 1974 to 1977, and then you moved over
5 to Blairvadach when you were about five.

6 A. That's correct.

7 Q. You stayed there, I think, until you went to live with
8 **JDK/JDM** which you think was around about 1981. It
9 **[REDACTED]** 1980 I think
10 was when you moved to **JDK/JDM**

11 At paragraph 18 on page 4, you tell us about being
12 introduced to a couple who were going to foster you.
13 Can you remember being told about them, meeting them for
14 the first time or anything like that?

15 A. I don't recall meeting them, if I'm honest with you.
16 I was actually introduced to -- I don't think it says in
17 my statement, but another foster family, but that fell
18 through for some reason, and then all of a sudden the
19 **JDK/JDM** appeared.

20 Q. Right. Okay.

21 You say that -- I think you're speaking at
22 paragraph 18 first of all about the first foster family
23 that you've just mentioned there.

24 A. Yeah.

25 Q. And you say you went to stay with them for a few

1 weekends but it never worked out.

2 "I was scared to leave the security of what I knew,
3 which was staying in a children's home."

4 A. Yeah, correct.

5 Q. Because basically, up until that time, it was probably
6 all that you could remember.

7 A. It was all I knew.

8 Q. Okay. And did you feel the same, can you remember,
9 about going to **JDK/JDM** or differently?

10 A. I don't know what I was feeling, you know. Probably
11 nervous, because obviously I knew I might have to leave
12 the home, you know, so ...

13 Q. Okay.

14 Right. We know that there came a point, as I've
15 said, in 1980 that you were moved to the
16 **JDK/JDM** and I want to look at the records that tell us
17 about the day that you moved. So if we can look,
18 please, at GLA-000001898, and page 15, 10 December 1980.
19 Now, there are bits blanked out in here, but I'll read
20 it out:

21 "Visit to Blairvadach to advise 'Gavin' of the
22 current situation. He seemed to be very happy today and
23 immediately asked whether he would be moving to the
24 **JDK/JDM** Informed him that he could move permanently to
25 the **JDK/JDM** on -- he was 'over the moon' with

1 this reply! He immediately phoned [REDACTED] to tell
2 them of the move. Made no reference to spending
3 [REDACTED] at Blairvadach. 'Gavin' was obviously
4 delighted on his move. Writer, on his request, agreed
5 to take 'Gavin' to [REDACTED] on the [REDACTED]"

6 And then there was a discussion with some other
7 people about the arrangements.

8 "Later phoned [REDACTED] who seemed overjoyed by
9 'Gavin's' decision."

10 Then if we scroll down -- there's entries about the
11 arrangements -- [REDACTED] 1980, and then it says --
12 there's an abbreviation, I'm not sure what that is, but:

13 "... to escort 'Gavin' to the foster parents.
14 'Gavin' appeared to be very anxious to leave and was
15 reluctant to say goodbyes to care staff and other
16 children."

17 And then at the top of the next page:

18 "On the journey to [REDACTED] 'Gavin' was extremely
19 quiet and did not seem to wish to make conversation. He
20 eventually fell asleep and did not awake till arrival at
21 [REDACTED] 'Gavin' settled fairly well although he
22 still remained quiet and spent most of his time watching
23 TV. Handed over various items brought by 'Gavin' and
24 arranged to forward birth certificate [and another
25 document] later. [REDACTED]"

1 [REDACTED] he still tended to be very pensive."

2 So I think we've seen from the first entry that we
3 looked at there that it looked like you were really
4 happy to be going to [REDACTED], but then on the day
5 that you moved, it looks like you were a bit more quiet
6 and thoughtful and maybe nervous, as you've said in your
7 evidence.

8 A. I have no memory of being overjoyed at leaving the
9 children's home at all. It's not something that
10 I really wanted to do, I know that much.

11 Q. Okay. I suppose it was just in the lead-up to
12 Christmas, so maybe the thought of going somewhere to
13 a family for Christmas might have been attractive?

14 A. I've no idea, because I'd never had a family Christmas
15 at that point, so ...

16 Q. So you wouldn't have known what it was like?

17 A. I wouldn't have known.

18 Q. Yes, okay.

19 Right, if we can move back to your statement,
20 please, and you tell us at paragraph 20 on page 4 about
21 your first memory of the house.

22 What was the house that [REDACTED] lived in like?

23 A. It was a Victorian-built building split into two. The
24 staircase led up the side. The garden wasn't kept very
25 well. There was broken cars and then -- do you need

1 detail as in going up the stairs?

2 Q. So were they living upstairs or downstairs?

3 A. Yeah, they were living upstairs and the [REDACTED] family

4 lived down the stairs.

5 Q. Okay.

6 A. I went to school with the girl down the stairs as well.

7 Q. Okay. And you tell us here that it wasn't a nice

8 environment to be in.

9 A. Yeah.

10 Q. Why was that?

11 A. It was -- it was dirty. Dog hair everywhere. I'm not

12 talking just like wee dog -- I'm talking matted dog hair

13 in the corners and things. And it just wasn't -- you

14 know, it wasn't clean.

15 Q. Okay. And you describe them as being like hoarders; is

16 that in relation to what was outside or was there a lot

17 of stuff in the house as well?

18 A. A bit of both.

19 Q. Right.

20 A. A bit of both. They had a good room for visitors, but

21 everything else was quite squalid.

22 Q. Okay.

23 Then if we go on to the next page, you talk about

24 the good room in paragraph 22. Was that a room that you

25 were ever allowed to go into?

1 A. No.

2 MS INNES: What about **JDK/JDM** themselves? What was

3 Mr **JDM** --

4 LADY SMITH: Just before you tell me about **JDK/JDM**

5 themselves, of course you'd come straight from

6 a children's home that you'd been in for about four

7 years, I think, by then, would that be right, four or

8 five years?

9 A. Well, from -- at that point, yeah, for about -- I was in

10 Dunclutha before that.

11 LADY SMITH: Yeah.

12 A. So at the end I was obviously in Blairvadach up until

13 I was nine.

14 LADY SMITH: And Blairvadach is near Helensburgh/Rhu way, is

15 it?

16 A. Yeah.

17 LADY SMITH: What was the environment like at Blairvadach?

18 A. It was quite chaotic, if I'm honest with you.

19 LADY SMITH: I was thinking about the physical environment,

20 the buildings, the grounds.

21 A. Oh, the physical environment. Yeah, so -- I don't know

22 if you know Helensburgh or Rhu.

23 LADY SMITH: A little, yes.

24 A. It's a huge, huge building with vast amounts of, you

25 know, grounds. But it was clean, you know. The

1 children's home itself, it was clean and tidy, because
2 they had cleaners, you know.

3 LADY SMITH: I was just wondering whether what you were
4 faced with was somewhere that was physically a sharp
5 contrast to where you'd come from.

6 A. It was. It was, ma'am, yeah.

7 LADY SMITH: Thank you very much.

8 A. And at that age as well I noticed it. It's not
9 something a child would notice.

10 LADY SMITH: Of course. Thank you.

11 Sorry, we'll now talk about **JDK/JDM** thank you.

12 MS INNES: No, that's fine, my Lady.

13 So **JDK/JDM** What was Mr **JDM** like?

14 A. He wasn't a man that was around very -- a lot, to be
15 fair. But he -- you know, he was -- what he said went.
16 There's no doubt about that.

17 Q. Okay. Was he out working?

18 A. I don't know what he did, but he was out all the time.

19 Q. Right.

20 A. It was mostly his wife that was left, you know, to deal
21 with me and their own daughter.

22 Q. Okay. So Mrs **JDK** what was she like?

23 A. Mrs **JDK** had a ... she was evil, but she had
24 a disability, a physical disability. She had
25 a deformity in her arm and she walked with a worse limp

1 than mine. Yeah. **JDK** is, in my eyes, pure evil.
2 And I've seen evil.

3 Q. You said that she walked with a limp; did she have
4 a disability in her hand as well?

5 A. Yeah.

6 Q. And to what extent did that affect her mobility and her
7 ability to do things?

8 A. She could walk around no problem. She just dragged her
9 foot. If she was going to grab me, you know, it would
10 be with her good hand, and then run me in -- you know,
11 push me into her bad hand. But no, she could, no bother
12 at all.

13 Q. Okay.

14 Now, you mentioned **JDK/JDM** daughter and you
15 mention that at paragraph 24. She was, you think, about
16 seven at the time.

17 A. Yeah, I think so.

18 Q. So was she older than you or younger than you?

19 A. I believe she was younger.

20 Q. Yes, okay. And you think that she potentially had a bit
21 of a disability as well?

22 A. Yeah.

23 Q. In what way?

24 A. I can't ... she had speech issues, for a start. But
25 I noticed she kind of mimicked her mum with her limp.

1 I can only say if you'd seen her, you know, you would --
2 I don't want to say what handicap she had, you know, in
3 case I say the wrong thing, but she wasn't normal, for
4 me as a kid, to, like, hang about with.

5 Q. Okay.

6 You tell us at paragraph 25 that there was a divide
7 between you and the daughter.

8 A. Very much so.

9 Q. Were you able to form any kind of positive relationship
10 with the daughter?

11 A. No.

12 Q. And in terms of the way that **JDK/JDM** treated each of
13 you, was there a difference in the way that they treated
14 you?

15 A. Yeah. I was more to be in my room, whereas the daughter
16 was allowed out and watched more telly and things like
17 that than me.

18 Q. Okay.

19 You then talk at paragraph 26 about going to school,
20 that the routine was going out to school or, I think,
21 going outside; is that right? So at paragraph 26.

22 A. Yeah.

23 Q. And if you were going outside, where was there to go to?

24 A. Anywhere.

25 Q. Okay.

1 A. Anywhere but the house.

2 Q. Okay. I was just thinking if the garden was full of --

3 A. No.

4 Q. -- cars and things, you could go anywhere?

5 A. Across the road there was an old Co-op, which had

6 an area behind it where you could kind of -- out of

7 view, you know, so ...

8 Q. Did you have friends that you were able to play with

9 outside?

10 A. There was a children's home [REDACTED]

11 [REDACTED] and I found myself in there as

12 much as I possibly could be.

13 Q. Okay. And did you make friends with some of the

14 children that were in the home?

15 A. Yeah. We hung around for a while. But we knew at some

16 point they would vanish as well, you know.

17 Q. Okay.

18 You're talking about children vanishing; is that

19 an experience that you had when you were in the

20 children's home before, that children would be there and

21 then they would be gone?

22 A. Gone.

23 Q. And you wouldn't know --

24 A. No idea where they've gone. You would never be told.

25 They'd just be gone. And then someone's in their bed

1 space.

2 Q. Okay.

3 Okay, if we can move on in your statement, please,
4 to the next page, you say that you had a room of your
5 own at **JDK/JDM** at paragraph 28, but you say you can't
6 remember being allowed to put anything up in the room,
7 like posters.

8 A. Yeah, I wasn't allowed to do anything like that.

9 Q. Okay. Did you feel that it was your room or not?

10 A. No.

11 Q. Okay. And you say it was just a bed; was there no other
12 furniture in the room?

13 A. No, it was just a bed.

14 Q. Now, you talk in the next paragraph about your social
15 workers changing, and I think you mention a social
16 worker there called Janet Rooney.

17 A. Yeah.

18 Q. I'm not sure from your records whether she was with you
19 when you were at **JDK/JDM** I think there's other
20 people like Will Brown and Catriona Neil. I don't know
21 if you remember these names.

22 A. I kind of remember -- the Neil lady, I think -- I've no
23 idea, I don't remember her. Will Brown -- is it
24 Will Brown?

25 Q. Will Brown.

1 A. Will Brown. I think I have a memory of a social worker
2 with a big nose.

3 Q. Okay.

4 A. And it might be him.

5 Q. Okay.

6 A. So ... but then obviously Janet Rooney -- Janet took
7 a lot of interest, you know, in me.

8 Q. Okay. So she was a social worker that you had at some
9 point during your care experience and you had a positive
10 relationship with her?

11 A. Yeah. She -- you know, she cared. You know, she had --
12 for me I felt she had my best interests at heart.

13 Q. Okay.

14 A. Well, I hope she did.

15 Q. And how did that come across? How were you able to form
16 that view, that she had your best interests at heart?

17 A. She got me out of there. She got me out of **JDK/JDM**

18 Q. Okay.

19 A. I don't know how long it took, but ... after me putting
20 notes under my door to **JDK/JDM** because I couldn't
21 obviously speak to them, it was me asking to leave, to
22 get put back into a home, so ...

23 Q. Okay. And did she remain your social worker for a while
24 during your time in care?

25 A. If my memory serves me, she stayed with me right up till

1 my 18th birthday.

2 Q. Okay. And you say that you maintained a relationship
3 with her to some extent after you left care, or
4 a connection.

5 A. Yeah, only with the thanks to Facebook.

6 Q. Yeah.

7 A. I just reached out to say, "How are you doing?" Met up
8 for dinner.

9 Q. Okay.

10 A. So that was very nice. It was nice to see her.

11 Q. Okay.

12 Then at paragraph 30 you say that social work came
13 to visit you every couple of months. Do you remember
14 meeting the social worker at **JDK/JDM** ?

15 A. Yeah, because I had to get -- I showed her into the good
16 room.

17 Q. Okay, so you were allowed in the good room when the
18 social worker was there?

19 A. Yeah.

20 Q. Would you be left on your own in the room with the
21 social worker or not?

22 A. We would be left, but the door would be opened and
23 **JDK** would have line of sight on me.

24 Q. Okay. And did that impact on what you felt able to say
25 to the social worker?

1 A. Absolutely.

2 Q. Okay.

3 You say at paragraph 30 that you have a recollection
4 that the social workers wanted to try to limit their
5 contact with you and you remember having a conversation
6 about that. Can you remember that conversation?

7 A. I think bits of it, you know, it's a long time ago. But
8 I don't know if I had -- if I ever said to Janet that
9 I didn't want it to happen. I don't know if I would
10 have been brave enough to say that. I don't know. But
11 certainly I think my worry at that point would be if the
12 social work were out of my life, yeah, I would be -- I'd
13 be forgotten about, you know.

14 Q. Okay.

15 What you're saying here, I think, at paragraph 30,
16 is that the social work department or -- as Mrs. **JDK** --
17 sorry, as the social worker said, it seemed to be that
18 they wanted to see you less so that you could settle
19 with the family. That seemed to be the reasoning.

20 A. It could well have been.

21 Q. Okay.

22 You say at paragraph 31 that **JDK/JDM** would know
23 when the social worker was coming.

24 A. Yeah.

25 Q. And how would they know?

1 A. [REDACTED] would start being nice to me.

2 Q. Okay. And you say they would put on a false front?

3 A. Yeah.

4 Q. Right, if we can move on a little in your statement,
5 please, to paragraph 34, you talk about being at school
6 while you were at [REDACTED].
7 How did you get on at school when you were there?

8 A. Not very well.

9 Q. Okay.

10 You say at paragraph 35, I think, that -- you
11 describe that you were put in the dunce group at school.

12 A. I was put in the yellow group.

13 Q. Okay.

14 A. That was the dunce group.

15 Q. Okay. And you say that you remember Mrs [REDACTED] saying you
16 were in the stupid group for stupid people.

17 A. Yeah.

18 Q. Okay. And you say you don't remember having homework,
19 you don't remember doing any school work or anything at
20 home and being --

21 A. None.

22 Q. -- helped with that. No, okay.

23 At paragraph 38 you talk about the food, and what
24 was the food like when you were at [REDACTED] ?

25 A. It wasn't very nice.

1 Q. Okay.

2 A. Not that I had a good palate, but -- yeah. I would
3 probably leave most of it, which wasn't a good thing.

4 Q. And what would happen if you didn't want to eat it?

5 A. It would be there for breakfast the following morning.

6 Q. Okay.

7 A. And if I didn't eat it then, it would be there for me
8 coming back home from school.

9 Q. Okay. And you say in this paragraph that sometimes your
10 face would be pushed into the plate by Mrs **JDK**

11 A. Yeah.

12 Q. You remember that happening?

13 A. Yeah.

14 Q. And --

15 A. Many a times.

16 Q. Okay. And what would she be saying when she was doing
17 that?

18 A. "Eat!" Just, "Eat! You're not leaving the table until
19 you eat."

20 Q. Did you have to sit at the table for a long time when
21 others had left to finish?

22 A. Yeah. She would then put me in my room, you know, if
23 I wasn't -- wasn't going to eat it, so she'd offer me it
24 up for -- they had supper, as they called it.
25 I wouldn't eat it, so ...

1 Q. Okay.

2 At paragraph 39 you talk about going to a place
3 called Notre Dame. You say:
4 "I saw a doctor there of some sort. I don't know
5 what it was for."
6 I think it's a Child Guidance clinic. Do you have
7 any idea what that would be about?

8 A. My behaviour, maybe, I would guess. But I remember
9 being in there, but I don't remember exactly what I was
10 there for.

11 Q. Okay.

12 Then at page 8, paragraph 40, you talk about
13 clothing. What sort of clothes did **JDK/JDM** give you
14 to wear?

15 A. Second-hand clothes. Very -- clothes with rips, things
16 like that. Not new clothes, anyway, so that's for sure.
17 Shoes that didn't fit, type of things, like ...

18 Q. And you say that they put you in clothes that were too
19 small for you and you stood out at school.

20 A. Yeah.

21 Q. Did any of the other children make comments about what
22 you looked like?

23 A. A few did, but I wouldn't -- I wouldn't take it.

24 Q. Okay.

25 If we move on to paragraph 40, you say that you

1 didn't have any comics or toys or books or anything when
2 you were at **JDK/JDM** '.

3 A. No.

4 Q. And you weren't given pocket money.

5 A. No.

6 Q. You say:

7 "If I wanted something, I had to go and shoplift
8 things."

9 A. Yeah.

10 Q. Is that something that you did when you were at the

11 **JDK/JDM** ?

12 A. Yeah. Food.

13 Q. Food?

14 A. Yeah. Or if -- if I wanted a toy in Woolworths, I would
15 steal it, if I'm being honest.

16 Q. Okay.

17 And then at the bottom of this page at paragraph 43
18 you talk about the children's home, the Glenrosa home
19 that you've mentioned, and you say there that you
20 remember being desperate to be put in there.

21 A. Yeah.

22 Q. Why were you desperate to go back to a children's home?

23 A. It felt safe, you know. I could deal with kids my own
24 ages if I got in a fight, but, you know, you can't deal
25 with adults when they're hitting you.

1 Q. And you also mention a couple of children who were
2 friends, and we'll come back to them in due course, and
3 I think they're the [REDACTED]?

4 A. Yeah.

5 Q. Okay. And they must have -- were they at school or did
6 they --

7 A. They were at a different school.

8 Q. Okay. But they lived nearby?

9 A. Yeah.

10 Q. Okay.

11 At paragraph 45 you tell us about a conversation
12 that you had with the two boys one day, and they told
13 you that they were adopted.

14 A. Yeah.

15 Q. And you say that you remember asking them whether they
16 were beaten.

17 A. Yeah. I did, yeah.

18 Q. And why did you ask them that?

19 A. Well, I just asked if they get hit.

20 Q. And what did they say?

21 A. I just said, "Does your mum and dad hit you?", and they
22 says, "Absolutely not", and they kind of looked at me
23 strange, you know, so ...

24 Q. And how did you feel about that, when they said that
25 "Absolutely not", they weren't --

1 A. Oh, I thought I could come and stay with them. I would
2 kind of try, you know, find safe havens, you know, and
3 try and get -- get out of that house.

4 Q. Okay. And you say that you would be visiting -- at
5 paragraph 46 -- you would go up to their house to play
6 and you'd met their parents, and they ended up feeding
7 you.

8 A. Yeah.

9 Q. Okay, so you got some meals when you went up there, did
10 you?

11 A. Yeah.

12 Q. Okay.

13 Now, in the next section of your statement at
14 paragraph 47 you say that, quite quickly after you were
15 fostered, you started being beaten, as you've told us,
16 and you say, "They started leathering me".

17 A. Yeah.

18 Q. Who was it that was doing that?

19 A. JDK

20 Q. Okay, and what would she use to beat you?

21 A. She would use her hands, her knees, pull my hair, she
22 hit me with the dog lead a few times, which was chained,
23 so ...

24 Q. So the dog lead you describe as being -- it's a dog lead
25 that had a metal chain on it with a bit of leather at

1 the end.

2 A. Yeah, as a handle, yeah.

3 Q. And which end of the lead would she hit you with?

4 A. Well, the full thing would probably hit me over my
5 shoulders.

6 Q. Okay.

7 A. The leather strap would hit me just underneath or on my
8 back. But I would be hit with both.

9 Q. Okay. So would you be hit with the chain part of the
10 lead?

11 A. Personally I think she was always trying to hit me with
12 the leather bit.

13 Q. Right.

14 A. But both parts would hit me.

15 Q. Okay.

16 And you say that she would grab you and punch you.

17 A. Yeah.

18 Q. And how was she able to do that with her disability that
19 you --

20 A. She had a good hand. She's got a normal hand, you know,
21 so she'd pull my hair, pull me by my clothes. Yeah.

22 Q. And would Mr. JDM be in when this would happen or not?

23 A. No. He was out most of the time. You know, he's
24 only -- he's only hit me, you know, a few times. Thrown
25 me, things like that, like, so ...

1 Q. So you say he hit you on occasion as well. Did he hit
2 you with his hands or with an implement?

3 A. No, just his hands, or he'd throw me.

4 Q. Okay. And where would he throw you?

5 A. He'd lift me above his head and throw me into the wall.
6 So I'd hit the wall and hit my bed.

7 Q. Okay. I think you tell us about that a little bit later
8 in your statement, but you tell us about Mrs. JDK at
9 paragraph 48. You describe her as throwing you down the
10 sets of stairs that lead out of the house.

11 A. Yeah. When I say throwing me, she would usher me
12 somehow to the top of the stairs and knee me, sort of
13 use her body weight to get me down the stairs, and
14 obviously there's about 12 to 15 stairs inside the flat,
15 and then you'll get concrete another -- another bit,
16 maybe 15 steps down the right-hand -- down the side of
17 the house. But internally she would launch me down
18 them, and occasionally, if I'd try and open the door and
19 get out, she would launch me down the concrete ones.

20 Q. Okay.

21 A. She's fast, you know. Even with her disability, she
22 could move.

23 Q. Was there any reason why she was doing that, that you
24 were aware of?

25 A. I think it just became a habit. If I ever -- any time

1 I said no or I did something wrong -- minor, you know,
2 anything -- you know, she would just -- it was like she
3 didn't want me there. That's what I felt, you know.
4 I think she fostered not realising the complications of
5 taking a child out of care and what issues they might
6 have. Not that I knew I had any issues at that stage,
7 but a family environment wasn't a comfortable place for
8 me, so ...

9 Q. Okay. And you've talked about her hitting you and
10 beating you, and how often did this happen?

11 A. Every few days. Sometimes every day, you know. Just
12 depends what she wanted. She just -- it depended what
13 mood she was in as well, you know. If [REDACTED] the
14 daughter, did something wrong, I'd take the hiding for
15 it, you know.

16 And it could be anything, like split juice. "Who
17 did that?" I would say, "Me", you know, and I'd -- even
18 if it wasn't me.

19 Q. And did you see her behaving like that towards the
20 daughter?

21 A. Never.

22 Q. Okay.

23 A. I don't know why I would stick up and say, "Oh, that was
24 me", when it was her, because I would potentially have
25 got out of a beating that day, you know, but ...

1 Q. Okay.

2 Now, if we move on to the next page of your
3 statement, page 10 and paragraph 50, that's where you
4 talk about Mr JDM lifting you above his head and
5 throwing you into your room.

6 A. Yeah.

7 Q. And you say:

8 "He was trying to get me onto my bed but he threw me
9 too hard."

10 And you remember bouncing off the wall.

11 A. Yeah.

12 Q. And that's, I think, what you were describing earlier.

13 You also say in this paragraph that Mrs JDK would
14 threaten to call him.

15 A. Yeah. I wasn't scared of JDM you know. He was
16 never about. I was scared of Mrs JDK

17 Q. Okay.

18 A. So she could say that all she -- you know, she could
19 call him, you know.

20 Q. Okay.

21 You say at paragraph 51 that sometimes the daughter
22 would do things wrong and she would blame you for
23 things.

24 A. Yeah.

25 Q. Can you --

1 A. Just wee silly things. Like I never had pen and
2 pencils, but if I -- if I used her pen and pencil, you
3 know, I would -- you know, and I marked the table, I'd
4 take a hiding for that, like, kind of thing, you know,
5 so ...

6 Q. Okay.

7 A. Or if she marked the table. "Who done that?", and she'd
8 blame me.

9 Q. Okay.

10 You say at paragraph 52 that you used to write
11 notes. I think you mentioned that already in your
12 evidence, that --

13 A. Yeah.

14 Q. -- you would write things like, "I want to leave and go
15 back to a home", and you'd hide these notes in your
16 room, you say.

17 A. Yeah. I would also put them under my door so they were
18 left out in the hall so that **JDK/JDM** could see them.

19 Q. And did they ever -- what was their reaction to that?

20 A. **JDK** would be furious because I was -- she gave me
21 a home.

22 Q. Okay.

23 A. So ... she would just put them straight in the bin.
24 "You're staying here and that's it."

25 Q. You say at paragraph 53 that you would have a lot of

1 bruising. Is that as a result of the beatings?

2 A. Yeah.

3 Q. And what would happen? Were you able to go to school or
4 do things like PE or games or anything?

5 A. Never done PE.

6 Q. Right.

7 A. If I did do PE, I didn't have PE equipment. Like the
8 other kids had shorts and things like that. I never had
9 any of that stuff.

10 Q. Okay.

11 You say at paragraph 54 that you wouldn't cower from
12 them and you wouldn't let them see you cry.

13 A. Yes.

14 Q. Was that your sort of --

15 A. Well, the first few beatings I took, they seen me cry,
16 but then I just wouldn't. I would let them tear into me
17 and then I just wouldn't. I'd cry when they left, but
18 I would never let them see me cry.

19 Q. Okay.

20 Now, you say on page 11 about reporting of abuse.

21 First of all, going back to the [REDACTED] did you
22 tell the boys what was happening? So you'd obviously
23 asked them if they were being hit at home; can you
24 remember telling them what was happening to you?

25 A. I think they knew, but I don't think it was spoken.

1 Only when we were older, then obviously we spoke about
2 it, you know, but by this time I was already living with
3 them.

4 Q. Okay. And you say that you don't think that you told
5 their parents, the [REDACTED] at that time?

6 A. Oh, I thought it was normal.

7 Q. Okay.

8 At paragraph 56 you deal with speaking to social
9 workers. Did you feel able to tell the social workers
10 what was going on in terms of the beatings?

11 A. No.

12 Q. Why not?

13 A. In case I -- I was left there. In case they couldn't
14 take me out, you know, that day. I just -- I didn't
15 know the system, so I just -- I kept shut for a long
16 time.

17 Q. Okay.

18 Did you start telling the social workers or anybody
19 else that you wanted to leave or live with other people
20 or go to the children's home again?

21 A. I never spoke to Janet, my social worker Janet about it
22 initially. And I don't know how it happened. All of
23 a sudden I was -- "Get your stuff, you're coming", and
24 I was on the move.

25 Q. Okay.

1 A. That's the only memory I have of it. So I can't
2 remember if I told her or she'd got one of my notes or
3 [REDACTED] -- I really don't know, if I'm honest with
4 you.

5 Q. Okay.

6 Well, perhaps if we have a little look at some
7 things in your records again, please, so at
8 GLA-000001898, and if we go to page 6, please. I think
9 it's at the bottom of the page. Now, this is after you
10 left [REDACTED] and I think it's at the time that you
11 lived with the [REDACTED] which we'll come onto, and
12 under "Case history" it says.

13 "Most of 'Gavin's' life has been in care, starting
14 when he was a toddler. He spent several years in
15 Dunclutha, then Blairvadach. He was then a foster
16 placement with [REDACTED] family in Pollokshields. This
17 was a rather strange family and the placement had
18 problems from quite early on. 'Gavin' still has quite
19 a lot of anger about his time with [REDACTED]"

20 And then it talks about when the placement broke
21 down, you were admitted to the Alva Children's Home,
22 I think, where you remained for several months before
23 moving to live with the [REDACTED].

24 A. Yeah.

25 Q. So that's a sort of summary of what happened.

1 But if we look at page 17, the first entry on this
2 page is an entry from 23 July 1981, so about [REDACTED]
3 [REDACTED] after you've gone to live with [REDACTED]
4 and this says.

5 "Phone call from Mr [REDACTED] 'Gavin' found pilfering
6 money and shoplifting? whilst on holiday last week. The
7 [REDACTED] feel he has shown no signs of remorse. Also
8 alleged that his relationship with [their daughter] has
9 shown no signs of improving. Requesting social work
10 support."

11 And then if we go to the next entry, 28 July 1981,
12 it says that a couple of social workers, the senior
13 social worker and the writer, visited [REDACTED] and
14 family:

15 "[REDACTED] are obviously feeling they are not
16 'managing' 'Gavin' properly and that 'Gavin' is not
17 responding to them as they had hoped."

18 So that's probably consistent with the history that
19 we saw a moment ago, that there were problems from quite
20 early on in the placement.

21 A. (Witness nods).

22 Q. And the issue with your relationship or lack of
23 relationship with the daughter was highlighted at that
24 stage.

25 A. Yeah.

1 Q. If we go on to page 19, there's an entry here on
2 10 August 1981, so still in the same year, and there are
3 various tasks identified.

4 If we go on to the next page, there's an entry
5 which -- if we just scroll down a little, please. So
6 the paragraph that starts "[blank]". So:

7 "'Gavin' was flighty and difficult to pin down but
8 he said he didn't like JDK/JDM and gave several
9 'silly' reasons, for example they didn't let him wear
10 his Wellingtons. He said he wanted to go and stay with
11 the couple downstairs and when asked why replied
12 'because they've got chickens'. 'Gavin' also asked
13 about why he couldn't stay with his dad and got the same
14 answer as always (i.e. no house, no job, dad not able to
15 look after him), which seemed to satisfy him."

16 Then it says:

17 "'Gavin' looked happier than the last
18 time and was told we would be back in 3 weeks ..."

19 Do you have any recollection of saying to a social
20 worker that you might want to live with the couple
21 downstairs?

22 A. I don't remember saying that, but I can imagine that
23 I did, because the lady down the stairs, Mrs [REDACTED] if
24 I was beaten and thrown down the stairs, she took me in.
25 And I suppose for that age, I would just go where

1 someone -- I just wanted to be with someone that
2 actually cared for me, or showed me a bit of attention
3 and love, I suppose.

4 Q. Okay. And was the downstairs neighbour aware of the
5 beatings that you were suffering?

6 A. I think so.

7 Q. Do you know if she did anything about that?

8 A. I don't think she did, no.

9 Q. So we move on to page 22 of this, and at the bottom of
10 the page we see an entry beginning 21 December 1983, and
11 this is described as a "Visit by myself", and I think
12 the writer here is Will Brown:

13 "Visit by myself and Marion Duncan, senior social
14 worker. We spent about an hour and a half discussing
15 things with **JDK/JDM** and during this it became
16 clear that they still have serious difficulties with
17 'Gavin'. Both feel that 'Gavin' has still not really
18 become a part of the family and his tantrums and moods
19 pose problems in terms of them finding a satisfactory
20 way of handling them."

21 Can you remember having tantrums and things when you
22 were at **JDK/JDM**?

23 A. No, I don't think so. Might have been a wee -- well,
24 what age was I there?

25 Q. It's 1983, so ...

1 A. So I was about 10, 9, maybe, 11?

2 Q. You'd be 11.

3 A. So -- I'm sure I may have had tantrums -- well ...

4 I don't know.

5 LADY SMITH: You told us about Mrs. **JDK** being violent

6 towards you. When this happened, was she in control or

7 had she lost it, to use a colloquialism?

8 A. I would say she -- she loses it, because she gets that

9 angry her false teeth falls out.

10 LADY SMITH: Oh, right.

11 A. Which was quite horrific at that young age, when all of

12 a sudden there's a set of teeth coming towards you.

13 Yeah, because I didn't know what false teeth were at

14 that time. I thought, "Oh my God". But, yeah, that's

15 a memory that's in my head that has rent-free space.

16 LADY SMITH: So between the age of 9 or so and -- it must

17 have been nearly 12 when you left, certainly it's about

18 three years you were with **JDK/JDM** --

19 A. Yeah.

20 LADY SMITH: -- the adult in the household with whom you

21 spent most time and to whom you had most exposure was

22 somebody who could be frighteningly violent; is that

23 right?

24 A. Yeah.

25 LADY SMITH: That was your role model; is that right?

1 A. Role model?

2 LADY SMITH: Well, an adult showing you how to behave.

3 A. Yeah. Yeah. She's taught -- she taught me. Secondary Instituti

4 Secondary Institutions - to be published later

5 Secondary Institutions - to be pub but she confirmed that, yeah, you

6 know, violence is the way to get things done.

7 LADY SMITH: Yes. Thank you.

8 MS INNES: Now, if we move on to page 23, so it's still the

9 same entry, and the paragraph beginning:

10 "Afterwards I saw 'Gavin' for a while. 'Gavin'
11 quickly said he would like to return to Blairvadach to
12 see his old friends. I explained he was likely to find
13 things much changed and few of his previous friends
14 left, but left the possibility of a visit open and to be
15 picked up at a later visit. 'Gavin' also indicated that
16 he was unhappy where he was and wanted to return
17 permanently to Blairvadach. He could not say why he
18 didn't like being with JDK/JDM and it would be fair to
19 say that he is rather unrealistic in that he has
20 a notion to return where he came from and pick up where
21 he left off. However, he is quite definitely saying
22 things which need to be followed up with and played out
23 with him.

24 "It would be easy to jump to the conclusion that the
25 placement is failing and that perhaps reconsideration of

1 it is necessary. Certainly there are respects in which
2 it is presently not meeting satisfactorily the needs of
3 either 'Gavin' or JDK/JDM. However, it would be
4 better to hold off for two things, (1) to find out if
5 the assistance from Notre Dame makes a significant
6 difference ..."

7 So there's a reference to Notre Dame there. And:

8 "... (2) to learn a bit more about 'Gavin' and
9 assess just how he is functioning and why he currently
10 does not feel secure [I think] or a wish to be secure
11 with JDK/JDM. As regards the second point, I plan to
12 spend a day with 'Gavin' during the October school break
13 and use his life story book as a tool to get to know him
14 better. Following that it will be a question of what
15 seems to be the best way forward for all involved."

16 So this is an entry by Will Brown and it looks,
17 I think, from the records overall as though he's just
18 become your social worker, so I think that's why he's
19 maybe talking about getting to know you.

20 A. (Witness nods)

21 Q. So I think we see here that obviously when you've seen
22 Will Brown, the first thing that you've said to him is
23 you want to go back to Blairvadach.

24 A. Yeah.

25 Q. And I think you can remember saying things like that,

1 that you --

2 A. Yeah, absolutely.

3 Q. -- wanted to go back to the home. Okay.

4 Then if we just go on over the page, at the bottom
5 of the next page, page 24, on 9 April 1984 there's
6 a summary there, and it says:

7 "There have been a number of developments over the
8 last few months which are briefly as follows.
9 Notre Dame Child Guidance clinic have been involved and
10 the conclusion of their initial assessment was that
11 neither 'Gavin' nor **JDK/JDM** were happy with the
12 placement and it should terminate."

13 And then:

14 "A childcare review was held and this decision
15 formalised with the plan being that 'Gavin' should be
16 moved to a children's home on the south side of the city
17 during the Easter school holidays."

18 And then it says:

19 "However over time it became apparent [if we go to
20 the top of the next page] that **JDK/JDM** were finding
21 things very strained and 'Gavin' was proving rather less
22 biddable on a day-to-day basis. To complicate matters,
23 **JDK**'s mother became terminally ..."

24 There's a word missing, it must be "ill".

25 "... and this brought things to a head. As a

1 result, 'Gavin' was moved to Alva Children's Home on
2 [REDACTED] where he will remain until decisions are made
3 about his long-term future."

4 So that's the explanation in the records that we
5 have of the placement coming to an end.

6 A. Best day of my life.

7 Q. And were you happy to be going back to the children's
8 home or was it just about getting away from [REDACTED]?

9 A. Well, it was both. But getting away from [REDACTED]
10 was -- oh, it was amazing. I can still remember that
11 day, leaving there to go to Alva. Brilliant.

12 Q. Okay.

13 Now, after that, I think at paragraph 58 of your
14 statement, you tell us -- we'll just stay with the
15 records, sorry, stay with the records for the moment --
16 that you sent a letter to your dad, which you gave to
17 the social worker, I think, because you didn't have
18 direct contact with your dad.

19 A. (Witness nods).

20 Q. Okay. So if we start, please, on page 3, and over on
21 the right-hand side, I think we see here it says:

22 "Dear Dad,

23 "How are you, this is going to be a long letter so
24 sit down and relax. When I left mum and yourself I was
25 very young. There are only two memories of you which

1 I can remember. The first is when yourself and my
2 brothers came to see me at Dunclutha, when I had the
3 mumps, and the second is when you came to visit me at
4 Blairvadach, I think it was in 1977, you gave me
5 a birthday present, it was a large jigsaw."
6 And then over to the left-hand side:
7 "I remember it very well. I would still have it to
8 this day if I wasn't careless in losing it, when I was 9
9 years old ..."
10 LADY SMITH: "... losing it when I was 9 years old",
11 I think.
12 MS INNES: Yes, sorry, "losing it when" --
13 LADY SMITH: Well, no, I think you're right, yes.
14 MS INNES: Well, comma --
15 A. I'm sorry.
16 MS INNES: No, it's okay.
17 LADY SMITH: It's okay, we're not going to mark this for
18 grammar.
19 MS INNES: "... when I was 9 years old I was fostered to the
20 **JDK/JDM** family [I think it says there] for three years.
21 They treated me like dirt, they used to hit me for no
22 reason, so I left notes saying that I wanted to leave
23 but they didn't pay any attention till I told my social
24 work (Will Brown). After a week or two Will found
25 a home in Pollok called Alva CH [children's home]."

1 Then if we move on to the next page, again on the
2 right-hand side, I think, it says:

3 "I enjoyed being part of that home, I got on great
4 with the staff. My favourite staff was Ally, a young
5 guy. We used to have water fights in the summer. Once
6 we went to Maxwell Park, we walked all the way out from
7 Pollok to Pollokshields. Then after a while I was
8 fostered to the [REDACTED] family. I am very happy where
9 I am, dad, my stepfather is a minister ..."

10 And I think that's Mr [REDACTED] is that right?

11 A. That's correct.

12 Q. "... and my stepmum is a housewife. I love them both
13 and I call them mum and dad. When I was living with the
14 [REDACTED] I didn't call them mum and dad because I didn't
15 love them. Enough about me, dad, I want to meet
16 you ..."

17 And then some of the other -- I think it's maybe --
18 you mention names of other children, perhaps.

19 "... and my cousins, etc. I have got pictures of my
20 brothers and cousins but it is not the same. Dad,
21 please I want to meet you. I am old enough to
22 understand. Please ask my social worker to arrange
23 a date. I understand why I was put into a home ..."

24 And then the next page, it says, again on the
25 right-hand side:

1 "I will always forgive you, it had to be done.
2 I still think of you all and my mother, may she rest in
3 peace ..."

4 So by that stage you must have been aware that your
5 mum had died.

6 "... I pray for her and you, and the rest of my ..."

7 I can't read it at this distance, I'm trying to read
8 it off the screen at the moment, so it says something:

9 "... and my family, I pray and ask God to take good
10 care of her in heaven and to protect you from all ill."

11 And I think, reflecting back on that, that comes
12 from the time you were living with the [REDACTED] and he
13 was a minister.

14 A. Yeah. Yeah, I didn't believe in God, but yeah.

15 Q. That sort of language was --

16 A. Yeah.

17 Q. -- part of your environment at the time.

18 A. Yeah. They were lovely.

19 Q. You talk about that, and then I think you go on at the
20 top of the next page:

21 "I love you and the rest of my family and I always
22 will ... I will come looking for you when I am 18, just
23 2 years ..."

24 So maybe you were 16 at the time.

25 A. I was 16, so -- uh-huh, two years. So ... I think there

1 might be a mistake in there somewhere.

2 Q. You think you were younger when you were at the

3 ██████████; is that right?

4 A. Yeah.

5 Q. Okay. And then it's signed off from you.

6 Now, I think you've seen this. You say:

7 "Contact my social worker. Love you, dad."

8 I think you say that you gave this letter to your

9 social worker and you never knew what became of it.

10 A. Yeah.

11 Q. And I think you did see it again when you saw your

12 social work files.

13 A. I don't even remember writing it until I seen my -- you

14 know, I requested my files.

15 Q. Yes.

16 A. Yeah. It's -- the English is terrible, but ... I blame

17 my teachers.

18 Q. We obviously saw from the letter that you said some

19 things about ████/JDK/JDM there, that they hit you --

20 A. Yeah.

21 Q. -- that they didn't treat you well, they treated you

22 like dirt, and you didn't feel able to call them mum and

23 dad.

24 A. Yeah.

25 Q. In comparison with the ██████████

1 A. I struggled with the word "mum" and "dad". I didn't --
2 I tried to avoid it like the plague, because I felt
3 uncomfortable calling even the [REDACTED] mum and dad.

4 Q. Okay.

5 If we go on back to your statement now, thank you,
6 at page 12 and paragraph 62, you say that you were
7 fostered by the [REDACTED] you think, from when you were
8 about 11 until you were about 15.

9 A. Yeah.

10 Q. And what were the [REDACTED] like?

11 A. Professor [REDACTED] was the [REDACTED]
12 [REDACTED] and he was a gentle, gentle soul.
13 And his wife, [REDACTED] was just -- if you wanted
14 a mum, she'd do the job.

15 Q. And you talk about your experiences there. You say at
16 paragraph 64 how you felt uncomfortable -- so on the
17 next page, paragraph 64, you say what you've just said
18 in your evidence, that you felt uncomfortable with
19 calling them mum and dad.

20 A. Yeah.

21 Q. But you say at paragraph 65 that being fostered by the
22 [REDACTED] made you happy.

23 A. It did make me happy. I wasn't beat.

24 Q. Yeah.

25 A. Never ever, you know, I wasn't shouted at, you know.

1 They did -- they did things totally different, you know,
2 which, for me, coming out of care, then [REDACTED] it
3 was like -- it was alien to me, you know, because I was
4 expecting, you know, a wee slap at some point along the
5 way, and it never came. And they gave me everything
6 a little boy -- I say a little boy; I was there from age
7 11 till about 15, I think. They gave me everything.
8 They made me part of their family and they took me
9 places, you know. But -- a beautiful family.

10 Q. We know from your statement, if we go on to page 14,
11 that you weren't able to stay with the [REDACTED] for the
12 rest of your childhood.

13 A. Yeah.

14 Q. And why was that?

15 A. I think unfortunately -- I think I was already damaged
16 at that point. When I say damaged, in the context of
17 discipline. I had gone from a children's home that was
18 pretty strict, [REDACTED] that were out of this world,
19 and then no discipline at all. That's the one thing
20 that the [REDACTED] lacked, was disciplining me for my
21 behaviour. And then I started getting in with the wrong
22 crowd, and I ended up being a -- a soccer hooligan,
23 unfortunately, was constantly getting into fights out in
24 the streets. Hang out -- you know, I'm not going to say
25 I was hanging around with the wrong people, but I was.

1 But I was choosing to do that, so ...

2 They just didn't understand -- I just don't think
3 they were -- I don't know the word, I'm trying to think
4 here. They would -- they would never have any concept
5 of soccer hooliganism and things like that in their
6 world, you know, because it was all about the Bible to
7 them and ... but, yeah.

8 LADY SMITH: I see from your statement, 'Gavin', that two
9 successive schools you went to -- so this would be early
10 days at the [REDACTED] -- you ran into real difficulty.

11 A. Yeah.

12 LADY SMITH: And you were expelled --

13 A. Twice.

14 LADY SMITH: -- from each of them.

15 A. Yeah.

16 LADY SMITH: What was happening there? What was going on
17 with you at that stage?

18 A. I don't really know, if I'm honest. Obviously I got
19 expelled in Shawlands from I think it was around in
20 third year. But my behaviour was terrible. Rightly so.
21 I don't know if it was authoritative figures, people
22 trying to be authoritative over me, I would push back.

23 Then I would -- I think I lasted one day in my -- my
24 new school.

25 LADY SMITH: Yeah.

1 A. When someone said something to me and I attacked them.
2 You know, I've lived a life of violence. I've given
3 violence and I've had violence taken against me, not
4 just from **JDK/JDM** but out on the streets, so ...
5 Unfortunately I've been stabbed, I've been slashed, and
6 I used to live that life. But that was then, you know.
7 As soon as I turned 18, it was a game-changer. It was
8 my choices, so I made some good choices.

9 LADY SMITH: I'm getting a picture of a teenage lad growing
10 up, and you'd learnt to survive through being violent
11 from when you were really quite little.

12 A. My -- my first time I was ever violent to someone was
13 a staff member told me to take a pole and hit another
14 boy's head because he took my bike.

15 LADY SMITH: Yes.

16 A. And he said, "If you can't batter him, there's a big
17 pole that can", and that stuck with me forever.

18 LADY SMITH: I can see that. And then as you've explained,
19 you lived in a home environment that was dominated by
20 violence for three years.

21 A. Yeah, and through the kids as well.

22 LADY SMITH: Thank you, 'Gavin'. That's very frank and
23 helpful to me.

24 Ms Innes.

25 MS INNES: Thank you, my Lady.

1 And I think you obviously moved from the
2 ██████████ -- we're at page 14 and paragraph 72 -- but
3 you say at paragraph 73 that you remained in contact
4 with the ██████████

5 A. Yeah.

6 Q. And I think that both of the ██████████ have since died,
7 the parents.

8 A. Yeah.

9 Q. But you maybe kept in contact with the family.

10 A. Yeah. I keep in touch with some of the grown-up kids.

11 Q. Okay. And you say that you apologised to the ██████████
12 later in life.

13 A. I did, yeah.

14 Q. Okay, and you feel that they only wanted to do good by
15 you.

16 A. Absolutely.

17 Q. Okay.

18 Okay, so moving on in your statement, you obviously
19 tell us that you were in other institutions, so
20 a children's home, and then you spend time at Redheugh
21 Adolescent Unit as well.

22 A. Yeah.

23 Q. And then I think you spent a period in supported
24 lodgings. And then ultimately, as you say, you turned
25 18, and I think initially you lived with your girlfriend

1 for a period, on page 26, then you joined the army, and
2 I think you were in the army for 14 years; is that
3 right?

4 A. Yeah.

5 Q. Now, I'm just going to move to the lessons to be learned
6 section at the end of your statement, which is at
7 page 30, and first of all you have some reflections on

8 **JDK/JDM**

9 You say at paragraph 142 that you wonder how they
10 passed the vetting. That's something that you've
11 questioned yourself.

12 A. Yeah. As an adult, of course -- I'm not saying disabled
13 people can't foster, but I think maybe that -- that --
14 children should go into the families for periods of
15 times, not just "Boom, you're in". I think that's for
16 me -- it's a bit -- I'm talking about kids like myself
17 that know nothing of a family life, but are just
18 children that have been in care. They don't know what
19 a mum or dad is or a normal family. So I don't -- you
20 know, they just shouldn't be parachuted in. There
21 should be a phase, a big phase, you know, because I'm
22 sure these issues with **JDK** would have probably --
23 the red flags would have shown, you know, after a few
24 meetings for sure.

25 Q. Okay. And you talk about seeing Mr **JDM** later on in

1 life at paragraph 143. You say that you can remember
2 seeing him in Asda.

3 Other than that, do you remember having any other
4 contact with **JDK/JDM** at any other time?

5 A. I remember seeing him in Asda, yeah. That's it.

6 Q. So if we hear evidence from Mr **JDM** that you called them
7 up once on the phone and that on another occasion you
8 spoke to them perhaps on the street in Shawlands?

9 A. I wouldn't be able to speak to **JDK/JDM** face to face,
10 you know. That's -- the fact that when I first seen him
11 in I think it was Asda in Toryglen, **██████** was with me,
12 and I said to her, "There's **JDK/JDM** I'm doing him".
13 Now, I said "him". He wasn't the abusive one. But ...
14 you don't hit women, so -- but **██████** stopped me, or I'd
15 have probably -- I'd have lost my career in the military
16 and I'd have been in jail. There's no doubt in my mind,
17 because I'd probably have killed him. So he was lucky
18 that day that **██████** was there.

19 Q. And who is **██████**?

20 A. **██████** my girlfriend. I met **██████** in care.

21 Q. Oh, right, yes.

22 A. And I've got two children with **██████** and a few
23 grandchildren.

24 Q. Yes.

25 A. So, yeah. He was a lucky man that day.

1 Q. Okay.

2 Now, again, if we hear evidence from Mr. JDM that
3 the things that you say didn't happen and that the
4 process of discipline in JDK/JDM household was
5 encouragement and verbal admonition, is that something
6 that's consistent or not with your experience?

7 A. Absolutely not.

8 Q. Okay.

9 A. It's okay to discipline a child, but you can do that
10 with verbal. You don't need to put your hands on
11 a child. Ever. You know? No. He's -- yeah, they're
12 just not nice.

13 Q. If we can move on a little in the lessons learned
14 section, and at paragraph 145, at the bottom of page 30,
15 you say that you can't remember ever being at
16 a Children's Hearing.

17 A. (Witness shakes head).

18 Q. And you only had the social work looking after you,
19 there wasn't any Children's Hearing involvement as far
20 as you were aware.

21 A. No, I don't --

22 Q. Do you think that would have made a difference?

23 A. I don't know, because I don't really know what
24 Children's Hearings do. I just assumed that grown-ups
25 got around a table and made choices on my behalf.

1 I think the fact that although I had a dad, granted
2 who was a raging alcoholic, and three brothers, and
3 there's a ten-year age gap between me and I believe
4 [REDACTED] although I don't see them, but they should never
5 have -- they should have encouraged at least some
6 contact with your biological family and not just cut it
7 dead out of a child's life, or I would have
8 relationships with my brothers now.

9 Q. At the top of the next page, page 31 and paragraph 146,
10 you mention there something that you've just alluded to.
11 You talked about adults getting around a table and
12 making a decision about you, and you say here:

13 "I would have liked to have had a bit more of
14 an input into my life as a kid."

15 Did you feel that you didn't have a voice?

16 A. Oh, I never had a voice at all. I didn't get to choose

17 [REDACTED] JDK/JDM

18 Q. Okay.

19 Then if we go down to paragraph 147, I think you
20 talk there about needing support on leaving care, and in
21 fact at paragraph 148 you say:

22 "The support should have been there whilst I was in
23 care. I should have been helped to understand the 'big
24 bad world'. I was moved around here, there and
25 everywhere but not given support or preparation."

1 So that's kind of support or preparation for life in
2 the world.

3 A. Well, at the age of 18, you're cut loose. That day, you
4 know, you're no longer part of the social work system.
5 You're an adult. And I was basically told to go and
6 fend for myself. Granted, they put me into a -- or they
7 put me into someone's house that rented out the room and
8 it's called supported lodgings. I'd never met these
9 people in my life, and I was getting put out at
10 5 o'clock in the morning because these people had bad
11 experiences with someone from care, so they'd lock all
12 the rooms. But they'd put me out at 5.00 in the
13 morning.

14 LADY SMITH: What time would you be allowed back?

15 A. I'd get back about dinnertime.

16 LADY SMITH: At night?

17 A. Yeah. I'd go on the buses. I had no family to go and
18 visit, so I'd just drive -- I'd just sit on the buses,
19 you know. I just didn't know what to do, you know, with
20 my life, and obviously when █████ fell pregnant, I had to
21 put the big man boots on and say, "Right, I need to be
22 a man", and I joined the army.

23 MS INNES: If we look again on this page at paragraph 150,
24 you say there that the social work department were your
25 guardians under the section 16, and you say:

1 "They have to be held accountable for what
2 happened."

3 A. Yeah.

4 Q. And can you tell us your thoughts in relation to that?

5 A. Well, they made the decision that I was never allowed to
6 see my dad. They made the decision I wasn't allowed to
7 see my brothers. They made the decision that put me
8 into an abusive home. They made the decision to put me
9 back into care. They got a good decision right when
10 they put me into the [REDACTED]. And then they made
11 a bad decision in not helping me get ready for the
12 outside world at the age of 18.

13 You just don't cut kids out. I was a kid at 18, you
14 know. I was technically an adult, maybe in the eyes of
15 the law, but I was quite immature as well.

16 Q. And at paragraph 151 of your statement, you talk again
17 about how children aren't in care out of choice. Adults
18 put them in these places:

19 "The reality is that most kids, irrespective of how
20 badly they are treated would still want to be with their
21 parents."

22 Over the top of the next page, you say:

23 "Children need to be treated with dignity and
24 respect. They need to be involved in the process. They
25 shouldn't just be standing on the sidelines being told

1 what is happening."

2 Is that what you felt, that you were on the
3 sidelines?

4 A. I don't think I was even in the stand, never mind at the
5 sidelines. Yeah.

6 MS INNES: Okay.

7 Okay, thank you very much, 'Gavin', I don't have any
8 more questions for you and there are no applications,
9 my Lady.

10 LADY SMITH: Are there any outstanding applications for
11 questions of 'Gavin'?

12 'Gavin', that does complete the questions we have
13 for you. It only remains for me to thank you so much
14 for engaging as you have done, both by providing your
15 extremely valuable written statement and by coming here
16 today to elaborate on that and really make your evidence
17 come alive. Your insight and careful, thoughtful
18 analysis is, may I say, impressive, as is the fact that
19 you realised, when you did, that you had a choice to
20 make and turned into a responsible adult that maybe the
21 JDK/JDM didn't predict.

22 A. (Witness nods).

23 LADY SMITH: So thank you for that, and I'm now able to let
24 you go.

25 A. Thank you.

1 LADY SMITH: And I hope you have a restful day, what's left
2 of it.

3 A. Thanks, everyone.

4 (The witness withdrew)

5 LADY SMITH: I should mention for those who have not already
6 noted it that we used **JDK/JDM** names, the **[REDACTED]**
7 names, and 'Gavin' also referred to his own partner and
8 his brothers. These are people whose identities are all
9 protected by my general restriction order and the names
10 and identities can't be used outside this room.

11 Ms Innes, time for the break?

12 MS INNES: Yes, my Lady.

13 LADY SMITH: Another witness after the break?

14 MS INNES: Yes.

15 LADY SMITH: Very well.

16 (11.29 am)

17 (A short break)

18 (11.50 am)

19 LADY SMITH: Ms Innes.

20 MS INNES: Thank you, my Lady. The next witness is using
21 the pseudonym 'John'. 'John' was in the care of Central
22 Regional Council. After a period in Weedingshall
23 Children's Home commencing on **[REDACTED]** 1979, he was
24 placed in foster care with a Mr and Mrs **FJW-SPO** in
25 Sauchie on **[REDACTED]** 1981. He was removed from there and

1 returned to Weedingshall on [REDACTED] 1982.

2 It appears that the Stirling area office was
3 responsible for John and therefore Stirling Council are
4 the relevant successor. However, in addition, the
5 foster carers lived in Clackmannanshire and a social
6 worker from the Alloa office, described as being
7 a senior practitioner in the home-finding team, also
8 appeared to be involved. Therefore, Clackmannanshire
9 may also have an interest.

10 LADY SMITH: Thank you very much.

11 'John' (affirmed)

12 LADY SMITH: 'John', that microphone should help you, but it
13 will also help us to hear you.

14 A. Yes, no problem.

15 LADY SMITH: Including the stenographers, who listen to you
16 through the sound system.

17 A. Okay.

18 LADY SMITH: If you can keep in that good position for it,
19 please.

20 A. No problem.

21 LADY SMITH: That red folder we'll take you to in a moment.
22 It has a typed copy of your statement in it, the one you
23 signed.

24 A. Yeah.

25 LADY SMITH: But we're also going to bring the statement up

1 on that screen in front of you. You might find that
2 helpful, I don't know.

3 A. Okay.

4 LADY SMITH: But it will be there at the places in your
5 statement that we go to as we discuss your evidence with
6 you.

7 A. Okay.

8 LADY SMITH: Could you also, please, bear in mind, 'John',
9 that I do understand how difficult it is to come here to
10 a public inquiry, to the public hearing space, to talk
11 about what happened to you when you were a little boy.

12 A. Yeah, yeah.

13 LADY SMITH: A long time ago, so you have to access your
14 memory, but also maybe taking you back to parts of your
15 life that caused you comparable distress that's lived
16 with you a long time, and however prepared people think
17 they are, you know, sitting where you are, they can be
18 taken by surprise as they experience emotional reactions
19 of talking to us about it.

20 I understand that, I get that, and if there's
21 anything I or we can do to assist you to give your
22 evidence as well as you can, please let us know, whether
23 it's a break, out of the room or just sitting and taking
24 a pause, or something else, or whether it's feeling that
25 you're free to ask questions, because you can ask

1 questions here. You're not a little child being told to
2 keep quiet, all right?

3 A. That's fine. Thank you.

4 LADY SMITH: So I'll hand over to Ms Innes for now, but
5 please bear that in mind.

6 A. Okay, thank you.

7 Questions from Ms Innes

8 MS INNES: Now, 'John', we understand that you were born in
9 1972; is that right?

10 A. That's correct, yes.

11 Q. I'm going to refer to your statement. We give it the
12 reference WIT.001.002.1505. I'm just going to look at
13 the last page of it, paragraph 82, where it says:

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

18 And I understand that you signed this statement on
19 28 September 2018; is that right?

20 A. That's correct, yes.

21 Q. Okay.

22 Now, if we go back to the beginning of your
23 statement, you tell us a little bit about your life
24 before you went into care.

25 You were living, I think, in Stirling.

1 A. Yeah, [REDACTED].

2 MS INNES: Okay, and --

3 LADY SMITH: 'John', I wonder if we can get that microphone
4 into a better position for you. We can help you if --

5 A. Is that better?

6 LADY SMITH: That's better. Is that comfortable for you,
7 sitting like that?

8 A. Yeah, yeah, that's fine. Yeah, yeah.

9 LADY SMITH: Is that okay?

10 A. It's just me sitting back too far. Yeah.

11 The address was [REDACTED] Bannockburn.

12 MS INNES: Okay, and you lived there with your parents?

13 A. Yes.

14 Q. And you say that you had two older brothers.

15 A. Yes, yeah.

16 Q. And then a younger brother and sister.

17 A. Yes, that's correct, yes.

18 Q. Were all of you living in the house --

19 A. No, [REDACTED] lived with my -- his gran, and had done since
20 birth, I believe.

21 Q. Right. That's your oldest brother?

22 A. That's my oldest brother, yeah.

23 Q. And you say at paragraph 4 of your statement that things
24 had been that bad that your oldest brother had gone to
25 stay with your gran.

1 A. Yeah.

2 Q. And you think he had been there from birth.

3 A. Practically, yeah.

4 Q. And then you tell us in your statement about an incident
5 that happened when you were about six or seven --

6 A. Yeah.

7 Q. -- when your dad, I think, attacked your brother and
8 yourself.

9 A. Yeah.

10 Q. Is that right? Okay.

11 A. That's correct. He kind of chased us up the stairs and
12 managed to grab a hold of [REDACTED] first, and I must have
13 been able to duck out the way quicker than him, and he
14 grabbed his head and smashed it against the wall until
15 he didn't move anymore, and then he came after me.

16 Q. And you say that the next thing that you remember is
17 that I think you must have been in hospital.

18 A. Hospital, yeah.

19 Q. Yes, okay.

20 A. And there was some mention, I think it was in
21 a handwritten note, of separate injuries, but like
22 I say, I was very young, and just coming to, but I think
23 that's kind of what was said at the time.

24 Q. Okay. And you say at paragraph 8 of your statement that
25 things were a bit confusing as to what was happening

1 when you got taken into care.

2 A. Mm-hmm.

3 Q. But we know that there was a time that you went, I think

4 then with your younger brother and younger sister --

5 A. Sister.

6 Q. -- to Weedingshall in Polmont?

7 A. Yeah, that's correct.

8 Q. And I think we know from the records that that was in

9 1979 that you went there.

10 A. Mm-hmm.

11 Q. Okay.

12 You tell us about some of your experiences in

13 Weedingshall, and I'm going to move past those, although

14 obviously that's all part of your evidence to the

15 Inquiry.

16 A. Yeah.

17 Q. If we go on to page 8 of your statement, you tell us at

18 paragraph 42 that after you'd been there for just over

19 two years, you were told that a couple who had taken you

20 out the previous weekend were going to foster you.

21 A. Yeah.

22 Q. Can you remember going out with other couples and

23 things?

24 A. Yeah, yeah, there was a -- there was two other sets of

25 foster parents. I can't for the life of me remember

1 their names. But one of them, the first thing he did
2 was start to touch my legs and stuff like that, when we
3 were already sitting out for a meal somewhere, kind of
4 discussing what their house was like and all that kind
5 of stuff, so -- I did report it at the time, but like
6 I say, you just weren't listened to. Nobody paid
7 attention. Nobody did. It's just the way it was.

8 Q. So when you were in the home, there were maybe a couple
9 of other families that you went to --

10 A. Yeah.

11 Q. -- for a visit before --

12 A. Uh-huh.

13 Q. -- the **FJW-SPO** and you're saying that one of them there
14 was an issue and you tried to raise it but you weren't
15 listened to.

16 A. Yeah, yeah.

17 Q. Okay.

18 By this time, were your brother and sister still in
19 the home or had they left?

20 A. No, they had left, they'd left, they'd left. They'd
21 left practically weeks after getting there. I was in
22 the home all on my own. I never got to see anyone.
23 I was taken to my grandparents' house once in a blue
24 moon, just when they could be bothered, to be honest
25 with you. They certainly didn't make -- none of my

1 family made an attempt to come and take me for days out
2 or to come -- they didn't want me. They just left me.
3 That was more than obvious.

4 Q. Okay. Do you know where your brother and sister had
5 gone?

6 A. I believe they had foster parents in Denny for a short
7 period of time, but I believe they got placed back home
8 fairly soon after.

9 Q. Okay.

10 So at this point you weren't seeing your family.
11 You were seeing your grandparents maybe now and again.

12 A. Mm-hmm.

13 Q. And maybe your brother --

14 A. [REDACTED]

15 Q. Was that the grandparents that your brother was living
16 with?

17 A. Yes. Yeah.

18 Q. Okay.

19 A. Even by that point, even being in the family, I was
20 treated like the black sheep of the family. I was
21 always kind of abused, if you will. I was always
22 punched, I was always kicked, I was always cleaning the
23 floor. You would be bending down and it was cleaning
24 the floor with your hands. If you missed a bit, you'd
25 get hit for missing a bit. It was as simple as that,

1 you know, it's ... but these are all things that
2 were reported but never -- nobody ever listened.

3 Q. Were these things that happened when you were having
4 contact with your family?

5 A. My grandparents, yeah.

6 Q. And then you're telling us at this part of your
7 statement that you went to live with the FJW-SPO

8 A. Mm-hmm.

9 Q. And you'd met them, you think, for a visit.
10 What were you told about going to live with them?
11 Was it for a holiday or were you told that that was it?

12 A. I was just told that I was getting fostered by them for
13 a time, and that my name was going to be changed to
14 FJW-SPO that I wasn't to tell anybody what my name
15 was, my proper name. And that's -- they didn't really
16 dish out much information, to be honest. You were just
17 told what to do and that was it.

18 LADY SMITH: Who told you that about your name?

19 A. That would be the social worker.

20 LADY SMITH: Thank you.

21 MS INNES: Who was the social worker, can you --

22 A. Ron Bowie.

23 Q. Okay.
24 Can you remember how you felt about the fact that
25 you were going to a foster home?

1 A. I always kind of hoped that -- I don't know what way.
2 Even though what he had did to me, I thought he'd maybe
3 still want me at least. But I just felt unwanted.
4 Just ... just the way I -- just the way I felt.
5 I just -- I just felt unwanted, that's it. Just waited
6 every weekend for somebody to come and take me for a day
7 out, and it never happened.

8 Q. Okay.

9 Now, you tell us a little bit at paragraph 43 about
10 the visit that you'd had with them, and you say that you
11 think they were in their early 40s.

12 A. Uh-huh.

13 Q. And they seemed really nice when you'd met them first.

14 A. Yeah, yeah, yeah. One of the first times they did it
15 was just before my birthday, I think it was either my
16 ninth or my tenth birthday. They bought me a bike,
17 a Raleigh Arena, kind of a racing bike, a blue one, and
18 I'd never had anything new like that before, ever.

19 And then it was shortly after that that things kind
20 of changed, sorta, with his physical contact towards me,
21 if you will.

22 Q. Okay.

23 So if we go on to page 9 at paragraph 44, you tell
24 us there that when you arrived there, you were shown to
25 your room, and you remember seeing lots of really

1 detailed Airfix model planes.

2 A. Yeah. They were all hanging up on kind of fishing gut,
3 just hanging -- I can still picture them as clear as
4 day.

5 Q. Okay. And you say that you got to try out your guitar.

6 A. Yeah, yeah.

7 Q. And that everything seemed nice and they seemed to be
8 nice people.

9 A. Yeah, yeah.

10 Q. And comparative to the home, it looked like it was going
11 to be --

12 A. Better -- better than any kind of life that I'd ever
13 been involved in before, let's put it that way. I'd
14 never had -- I'd just never had that before.

15 Q. And you say that the FJW-SPO had no children of their
16 own, they were a couple, just the two of them.

17 A. No. I believe that [REDACTED] couldn't have children.
18 I think that was what I kind of overheard a discussion
19 at some point, that she was unable to have children.

20 Q. Okay.

21 Now, before we go on in your statement, I'd like to
22 look at some things from your records about the
23 decisions that were taken about your move to the
24 FJW-SPO [REDACTED] if that's okay.

25 A. Yeah, yeah.

1 Q. If we can look, please, at STC-000000115, and if we can
2 look at page 11. This is just to give us the date of
3 this.

4 So in the middle of the page, I think, we see
5 an underlined date: 14 May 1981.

6 A. Mm-hmm.

7 Q. And I think this was after one of the introductory
8 visits.

9 If we move on to the next page, there's
10 a paragraph there that begins:

11 "During this period I discussed at some length with
12 Sheila Masterton 'John's' perception of his situation
13 and she was clear that 'John' understood that his family
14 were not able to care for him properly and that he would
15 not be going home to them ever ..."

16 So did you know at the time that you were moved to
17 the **FJW-SPO** that that was the sort of plan?

18 A. No.

19 Q. At that time you were still seeing your gran, I think,
20 and your --

21 A. I just assumed that that's where I was going because
22 they didn't want to keep me in the -- because I'd been
23 the longest resident at the home at that point, that
24 they were just trying to get rid of me, shall we say.

25 Q. Okay.

1 And then this lady -- can you remember a person
2 called Sheila Masterton?

3 A. The name rings a bell, but I can't put a face to it, but
4 I do remember the name.

5 Q. Okay. And she says:

6 "She felt that he was expressing feelings about
7 losing them completely and it's important that he wasn't
8 cut off completely too quickly."

9 So you must have been saying -- she's suggesting
10 that you should be maintaining some kind of contact with
11 your family.

12 A. Mm-hmm.

13 Q. And it says there:

14 "He continued to express mixed feelings about being
15 fostered but no mixed feelings about FJW and [REDACTED]
16 whom he likes and enjoys going out with. He asked about
17 further visits to his granny but has not pressed these.
18 It is planned that he'll have one more overnight anyway
19 with grandmother but thereafter this is to be reviewed.
20 The parents haven't been in contact again recently."

21 And then the next paragraph says:

22 "On 30th April meeting held at Weedingshall -- see
23 attached report of meeting. This meeting clarified one
24 or two points, firstly that 'John's' next visit to his
25 granny will be his last overnight and this was agreed."

1 Now, did you have an understanding that there was
2 a plan that you would stop seeing your gran?

3 A. No, I had no idea.

4 Q. No.

5 A. This is all news to me. This is all the first time I've
6 ever heard it.

7 Q. And it says:

8 "Secondly 'John' clearly understood he wouldn't be
9 going home to his parents and his only reservations were
10 about total loss of contact at this stage."

11 So it looks there like you were telling the social
12 workers that you wanted to maintain some kind of contact
13 with your family.

14 A. Just a pity they didn't want the same.

15 Q. It says:

16 "It was felt that grandmother and brothers were more
17 important to him than his parents."

18 A. Well, yeah --

19 Q. Did you think that?

20 A. Well, considering some of the things they made me do ...
21 yeah. I felt -- I felt guilty about ██████████ and his
22 position because I -- I couldn't do anything to help
23 him, and I just -- there was just -- I couldn't do
24 anything to help him. He was just -- and the only
25 reason I hang about with the family when I got sent back

1 there was just to try and protect [REDACTED] but I couldn't
2 do it, because it was as bad as it ever was, if not
3 worse.

4 Q. I think you say in your statement, 'John', that what
5 happened with [REDACTED] is really something that has
6 an ongoing impact on you.

7 A. Yeah.

8 Q. Okay.

9 A. Yeah.

10 Q. If we look a little bit further down, this is talking
11 about what the plans of the social work department were,
12 and they were expressing some concern as to whether the
13 Children's Hearing would support the plan. And then it
14 says:

15 "It was restated that the plan was for John to
16 become a permanent member of the [REDACTED] family with
17 adoption as a long-term aim."

18 Can you remember adoption being talked about?

19 A. I do remember it getting mentioned at one point, but my
20 point was always: does that mean that I don't ever get
21 to see my mum and dad? And then the subject was always
22 kind of changed a bit or it was diverted onto how things
23 are better now and not really kind of listening to what
24 my feelings were on it.

25 Q. Yes.

1 Then it talks about this as the social workers'
2 plan, the social work department's plan, and that:

3 "Everyone would hold onto this plan provided it
4 would be seen to be in 'John's' interest despite the
5 parents' probable antagonism to it."

6 So it sounds like your parents wouldn't have wanted
7 you to be adopted.

8 And then it says:

9 "There's no indication that 'John' urgently needed
10 or wanted ongoing contact on a longer-term basis but
11 I certainly have some concerns that it has not been
12 explained very clearly to 'John' why he cannot be with
13 his family and his brothers can."

14 So I think by this stage your brothers were living
15 with your family but you weren't.

16 A. Mm.

17 Q. Okay.

18 A. I think it was because I'm the only person that
19 remembers exactly what went on.

20 Q. Okay.

21 A. And that's exactly the way I think on it. The records
22 read that because I can remember so much of what's went
23 on, why would they even want to put me back into
24 a situation where I'd be living the exact same situation
25 again? And when they did put me back, that's exactly

1 what they did do. The first place I went was the social
2 work: "Take me back". And did they listen? No. Nobody
3 ever listens.

4 Q. Okay.

5 So it looks from the records that the plan of the
6 social work department was that you were going to be
7 with the **FJW-SPO** for a long time and maybe that they
8 might adopt you.

9 A. Yeah.

10 Q. And if we go back to your statement at paragraph 46 on
11 page 9, you talk about going to the local school, and
12 you say that you were struggling there, and you were
13 being called, I think, by a different name, you say.

14 A. Mm-hmm. I actually remember at one point punching
15 a girl because I was trying to hide who I was. I was
16 getting quite abused -- I was getting bullied in the
17 playground, and I'm not one for hitting people, and I'd
18 punched this girl in the face, and that's one of the
19 things that I remember from school, because as much as
20 I hate violence, I just -- but the pressure I was under,
21 every playground, people would just pick on you, and
22 you're trying to explain, they're asking you about who
23 you are, where you're from. I hadn't got answers.
24 I was making up silly answers like my parents are in
25 California or my -- or they're living here and I'm here

1 for ...

2 Q. Yes, okay. And --

3 A. And a lot of it just sounded like lies, because that's
4 exactly what it was.

5 Q. And you'd been given this new name as well.

6 A. Yeah.

7 Q. Okay.

8 Then you tell us a bit about the abuse that you
9 suffered.

10 Before we talk about that, are you able to tell us
11 a little bit of what Mrs [REDACTED] was like?

12 A. [REDACTED] was a very quiet person. She kind of -- she had
13 a couple of jobs, she worked in a bookies and she was
14 a kind of cleaner. She was one of the nicest ladies
15 I kind of possibly ever met. She was always looking
16 after me, always made sure I was kind of fed and the
17 clothes were good and the bed -- I wet the bed every
18 night. It was without failure it happened. She would
19 always make me feel okay about it. But she didn't
20 realise what was happening --

21 Q. Yeah.

22 A. -- in between it all. But [REDACTED] was -- I don't
23 believe -- or I don't think that she actually knew what
24 was going on. Because of the tablets she was taking at
25 night before she was going to sleep, I genuinely think

1 she was out of the game and just didn't realise what was
2 going on.

3 Q. Okay.

4 You tell us about what was happening in the next
5 section of your statement. You talk about that from
6 paragraph 48 onwards.

7 Now, I don't need you to speak about it in detail,
8 'John', if you'd rather not.

9 A. Yeah, yeah.

10 Q. It's in your statement.

11 A. Well, I -- like I say, it was -- the night after my
12 birthday, it was -- and I remember this -- I'd wet the
13 bed and, as per usual, like, "Come on in and take your
14 bottoms off and put them on, and come in and cuddle us
15 and we'll sort the bed in the morning".

16 And it started off with him just kind of pressing
17 close, if you will, you know, cuddling and pushing
18 close. And then every -- every -- it seemed to just get
19 worse from then on in, until the point where I was -- he
20 was -- he was penetrating me. It was hurting. It
21 was -- I couldn't get out of bed. I was trying to be as
22 silent as I could. And the first chance I got in the
23 morning, I just got out of bed and got in the shower as
24 quickly as I could to get washed. But he ... I just
25 don't (unclear) ...

1 Q. Okay. You tell us about that in your statement, 'John',
2 and, as I say, I don't need you to tell us more about it
3 than you just have.

4 If we go on to the next page, you say that you
5 obviously couldn't understand why he would do this to
6 you.

7 At paragraph 53, you say that during the day even,
8 he -- was he a nice person during the day?

9 A. He was okay. He could be quite angry at times. There
10 was an occasion he was drinking a measure of whisky and
11 I asked, "Oh, what's that, what's that?", and I maybe
12 asked once or twice, too many times, and then he grabbed
13 me and he literally poured it down my throat. "Oh, you
14 want to drink it so much?", and then made me drink it.
15 That -- but he was -- he could be strict, but not
16 anywhere near as what I would be used to, if it makes
17 sense. You get used to getting hit. It was, I suppose,
18 when you can -- when you can -- well, it's -- it just
19 wasn't as bad as what I'd been used to, so I just dealt
20 with it. I'm going to be honest, I just got on with it
21 because I -- I had no other option. Literally had no
22 other option.

23 Q. Was there anybody that you felt that you could tell
24 about this?

25 A. I told -- I told Ron Bowie several times what was

1 happening, the social worker, and his answer is, "It's
2 better than where you came from, it's better than going
3 back to that". And to be honest, I'd rather go back and
4 get beat up than what I was going through. At least
5 I knew I could take a beating.

6 Q. Were you telling Mr Bowie that you were unhappy or were
7 you telling him what was actually happening?

8 A. I was telling him exactly what was happening.

9 Q. Okay. And did you get moved from the FJW-SPO as
10 a result of that?

11 A. No, no, no. It wasn't until it was -- I think it was my
12 trip to Stirling on the pushbike when I was very young
13 that I think kind of put a -- they realised that I'm not
14 going to actually stop trying to see them, so that's
15 where at some point they've had their meetings or -- it
16 was a bit longer before I actually got moved. Like
17 I say, I was in the dark for loads of it. For loads of
18 it, I just didn't know what was happening.

19 Q. Okay. And you say that at paragraph 56, you mention the
20 cycling all the way.

21 A. Yeah.

22 Q. So the paragraph starts that you remember hearing that
23 the FJW-SPO were going to adopt you.

24 A. Yeah.

25 Q. Although you can't recall who told you.

1 A. Uh-huh.

2 Q. And you said because of what was happening at night,
3 this terrified you, and you cycled all the way from
4 where they lived in Sauchie to Bannockburn.

5 A. Yeah.

6 Q. And that's where your parents were.

7 A. Yeah.

8 Q. Can you remember what happened? Did you get to your
9 parents' house?

10 A. Yeah, yeah. I wasn't exactly greeted with open arms,
11 put it that way, and they couldn't really wait to get
12 rid of me, which meant taking me to the Causewayhead
13 roundabout and letting me cycle the last how many miles
14 it is back to Sauchie. So it was a failed -- it was
15 a failed attempt, if you will.

16 Q. Okay. So they just took you back part of the way and
17 then let you cycle the rest?

18 A. Yeah. Like I say, they weren't interested in having me
19 back. Not interested.

20 Q. And did the **FJW-SPO** know that you'd cycled all the way
21 to see your parents?

22 A. Yeah, I told them. Yeah, yeah.

23 Q. What was their reaction, can you remember?

24 A. They were surprised that I'd managed to cycle as far,
25 and I'm not sure what the discussions with the social

1 worker or what they said about -- or if they mentioned
2 it to the social worker, I'm uncertain. I definitely
3 got a row for it and I was definitely not allowed out on
4 the bike for a few days after it.

5 Q. Okay.

6 Then you tell us that you then went back to
7 Weedingshall.

8 A. Yeah.

9 Q. Did you have any understanding of why it was that you
10 were going back at that point?

11 A. Nope. Just told that I was getting sent back and that
12 was it. It was like -- you weren't really given a lot
13 of explanation as to what was happening. You were
14 basically just told and that's it. You were -- that's
15 what was happening. You didn't really get an option in
16 this, whether you had an opinion on it or not.

17 Q. Okay.

18 If we go on in your statement, you went back to
19 Weedingshall and then, as I think you've already alluded
20 to, you then went back again to live with your parents.

21 A. Mm-hmm.

22 Q. And you talk about the various difficulties that there
23 were over that time in your statement.

24 A. Yeah.

25 Q. If we go on, please, to page 14 and paragraph 79, this

1 is about reporting of abuse.

2 A. Mm-hmm.

3 Q. So did you ever try to report the abuse that you'd
4 suffered when you were with the FJW-SPO ?

5 A. I did at one point, yeah, but no one ever got back to
6 me.

7 Q. Okay.

8 A. It was just -- no one ever got back to me, and that's
9 the way it's been, to be honest with you.

10 Q. And did you ever see the FJW-SPO again after you left?

11 A. No. No.

12 Q. No, okay. And then you --

13 A. I've driven past there, their house, just out of morbid
14 curiosity once, but I don't know if they'll still be
15 alive or -- to be honest with you.

16 Q. You say at the top of page 15 that you've thought about
17 getting your records.

18 A. Yeah.

19 Q. So I think since then you have got some of your records
20 from Stirling.

21 A. I have, but a lot of it's just redacted. A lot of it
22 doesn't make any sense. I can't make any sense of it.
23 There's a thousand pages but it's -- it literally makes
24 no sense at all, or I can't make any sense of it.

25 Q. Okay. And why was it that you applied to get your

1 records?

2 A. Just to see, actually, what went on. Just I wanted
3 to -- so that -- that I wasn't imagining what I was
4 thinking, if that's what it was. Because there's a lot
5 of stuff that's not in there that -- that -- it's so
6 disgusting, it's ... when I -- even when I think about
7 it, it's not ...

8 For one incident -- this is one of the worst things
9 that I can possibly think on. They used to make me suck
10 the insides out of a condom, used condom, for a laugh.

11 Q. And who was that?

12 A. My mum.

13 Q. Okay.

14 A. Or whoever was there at the time. That was a big laugh.
15 It's not until you realise when you get a bit older
16 exactly what ... exactly what you've done.

17 Q. Yeah.

18 A. Like I say, I left -- I told them I was leaving. I left
19 and worked with the shows, travelled about. Nobody came
20 looking for me, so I just kept on running. And I've
21 been on the go ever since.

22 Q. Yes. And so you hoped that your records would, as you
23 say, maybe reaffirm what your memories are.

24 A. Yeah.

25 Q. And have you been able to do that or is the fact that

1 they're redacted a problem?

2 A. The fact -- the redacted parts, like I say, it's -- the
3 way they've done it, it kind of covers other bits that
4 you can't read because of the way it's all just been
5 done. It just makes no sense whatsoever. So I've just
6 kind of left it at that. I didn't know how else to
7 apply for it again, so ...

8 Q. Okay.

9 Then you say at paragraph 81 -- and I think this is
10 something that you've mentioned already in your
11 evidence, 'John' -- that children should be listened to,
12 because I think you feel that you weren't.

13 A. Oh, for sure, yeah.

14 Q. And not only that, but people should be looking out for
15 signs that would show that things aren't right.

16 A. Mm-hmm. It says in my records that "he's withdrawn, he
17 doesn't engage with others, he hides away, he's feral,
18 he doesn't use the toilets" -- well, there's reasons why
19 I wasn't doing all that stuff. There's a reason
20 I didn't want to go for a bath. I didn't want to get
21 flung in a red hot bath, or this pervy woman wanted you
22 to feel her boobs on the way to -- it's ... it's ... it
23 just wasn't a nice place. It just wasn't nice.

24 MS INNES: Okay.

25 Well, thank you very much, 'John', for sharing your

1 experience with us. I don't have any more questions for
2 you and there are no applications, my Lady.

3 LADY SMITH: Are there any outstanding applications for
4 questions of 'John'?

5 'John', that does complete all the questions we have
6 for you. Thank you so much for engaging with us, both
7 by providing your written statement -- I know you gave
8 us your written statement literally some years ago now,
9 and I'm sorry you've had to wait to come and give oral
10 evidence, but I hope you understand --

11 A. Yeah, for sure.

12 LADY SMITH: -- we scheduled different subject matters, and
13 foster care has started this year.

14 A. Yeah, yeah.

15 LADY SMITH: But it doesn't mean that I haven't taken
16 careful notice of everything you've said in your written
17 statement.

18 A. Thank you.

19 LADY SMITH: And been helped by you being here today --

20 A. Thank you.

21 LADY SMITH: -- to explain it in person. And I can see, as
22 I expected, just what hard work it is for you to do
23 that. But please be assured that the effort has been
24 worthwhile.

25 A. Okay.

1 LADY SMITH: It's been of great value to us and I'm grateful
2 to you.

3 A. Thank you. Thanks very much for listening to me, and
4 I appreciate the chance to be able to -- to -- to -- to
5 share it and finally get it out.

6 LADY SMITH: Good.

7 A. So, yes, thank you very much, I appreciate it.

8 LADY SMITH: I wish you well in any efforts you can muster
9 to move forward.

10 A. Yes.

11 LADY SMITH: And put this chapter behind you.

12 A. Yes.

13 LADY SMITH: I let you go and hopefully have a restful time
14 for the rest of the day.

15 A. Yeah, I'm going to go home and put up the paddling pool
16 and me and my wee boy are going to have some fun in the
17 pool this afternoon. So it's a great afternoon for it.

18 LADY SMITH: That sounds like the perfect solution. Enjoy
19 it.

20 A. Thanks very much now. Thank you.

21 (The witness withdrew)

22 LADY SMITH: Ms Innes.

23 MS INNES: Yes, my Lady. We have a read-in available to do
24 now, which Ms Rattray will do, if I may be excused
25 briefly.

1 LADY SMITH: Thank you very much.

2 Ms Rattray, whenever you're ready.

3 Just while Ms Rattray's getting herself organised,
4 there are a few names there. 'John' mentioned his
5 brothers' names, particularly [REDACTED] and of course the
6 FJW-SPO and these people are protected by my general
7 restriction order. Their identities can't be disclosed
8 outside this room.

9 Yes. Thank you.

10 'Jacob' (read)

11 MS RATTRAY: Thank you, my Lady.

12 My Lady, this read-in is a statement of an applicant
13 who wishes to remain anonymous and has chosen the
14 pseudonym 'Jacob'. His statement is at WIT-1-000000608.

15 'Jacob' was placed by Dumfries and Galloway Regional
16 Council in a foster placement with FPO-SPO
17 FPO-SPO in a village outside Dumfries from
18 [REDACTED] 1987 to [REDACTED] 1987. He was aged 13 at the
19 time of the placement. The current responsible
20 authority is Dumfries and Galloway Council.

21 "My name is 'Jacob'. I was born in 1974. My
22 contact details are known to the Inquiry."

23 From paragraphs 2 to 20, 'Jacob' describes a lonely
24 childhood with his mother, who was a single parent. He
25 says that he just brought himself up. 'Jacob' describes

1 suffering from neglect and abuse. He ran away, and then
2 he was taken into care at Ladyacre Children's Home in
3 Dumfries.

4 Moving now to paragraph 52 on page 14:

5 "The first time I left Ladyacre I went into foster
6 care. I'd been in the children's home for a while.
7 I think they thought I might be better suited to being
8 in foster care. I think it was a case of trying to see
9 how I got on with the FPO-SPO

10 I was about 13 when I went into foster care.
11 I hadn't met the foster parents before I arrived at
12 their house. I didn't do anything wrong at the
13 FPO-SPO I went to school and I didn't get into
14 trouble. Everything went okay in that respect. They
15 weren't a friendly family. They were there, but they
16 weren't really talkative towards me. I was just ordered
17 to do this, do that, eat my dinner, go to my bed.
18 I never had a relationship with the foster parents.
19 They never tried to build a relationship with me.

20 The FPO-SPO didn't have children of their own, but
21 there were another couple of foster children there.
22 They put me up in an attic bedroom. There was a wee boy
23 in the attic room as well. He was quite a lot younger
24 than me. I felt sorry for him. I was quite big
25 compared to him. He looked quite intimidated, quite

1 scared. I didn't know him very well.

2 I remember being asked to cut down a tree to make
3 a birdhouse for Mr FPO's garden. I tried to do the
4 work but I wasn't going fast enough so Mr FPO wasn't
5 very happy. I'd never caught down a tree before. I'd
6 never even used a saw before. I was sawing the tree and
7 he'd keep coming out to tell me I was taking too long.
8 I was just a skinny wee boy. I did it.

9 There was an incident when I went into the house to
10 have my tea. Mr and Mrs FPO-SPO were big fat people.
11 They were quite intimidating when they were standing
12 over me. I sat on the couch and I did what I was told.
13 I was trying to eat my dinner and I was enjoying it. It
14 was pizza, beans and chips. I hadn't had a lot of good
15 meals in my time so I was quite happy. I wasn't a big
16 person and I didn't have a big stomach. I'd never been
17 brought up with big, good meals. It was too big to eat
18 so I couldn't eat it all. I hate what I could and left
19 the rest.

20 The wife put her hands on her face and burst into
21 tears. She wouldn't stop crying. I didn't know what
22 had happened. I didn't connect it to me not finishing
23 my meal. The husband came through and asked what was
24 going on. She said, 'He doesn't like my food, he
25 doesn't like my food'. She started making a big deal

1 about the fact I hadn't eaten my meal, saying that
2 I didn't like her food. The foster father told me to
3 step out of the room and go up to my bedroom. He
4 followed me out. I got to the bottom of the stairs. He
5 grabbed me by the throat and lifted me off my feet. It
6 was very scary. I told him that I did like the food,
7 but I couldn't eat it all. He told me to get to my
8 bedroom.

9 That incident was enough. I realised that the
10 FPO-SPO were not nice people. I realised it when he
11 lifted me off my feet, up against the wall. I remember
12 looking down and seeing my feet hovering. That was
13 scary enough. Not even my mum had done that to me.

14 After Mr FPO lifted me off my feet, I realised
15 that I couldn't be there. I wanted out of there that
16 moment. I couldn't just leave. I had nowhere to go.
17 I had to wait until the social worker came round and
18 asked me how I was getting on. We were sitting in the
19 living room. She asked the FPO-SPO how they were
20 getting on with me. She asked me how I was getting on
21 at my placement and I said only one thing, 'I need to
22 leave here'. That was all I said. I kept saying that
23 I needed to leave.

24 The social worker told me I should give it a try and
25 that she could come back in a few months. I told her

1 that I needed to leave and either she got me out of
2 there or I would run away. Either way, I was leaving.
3 I'd waited until the social worker arrived so that there
4 was someone there. I felt I couldn't speak in case I'd
5 get battered. I was saying what I needed to say while
6 the social worker was there. If she had left, I was
7 going to run away. I wasn't staying in the foster
8 placement after speaking up. I never told the social
9 worker what Mr FPO had done, but I knew I would get
10 battered for speaking up unless I got out of there.

11 The social worker realised that I wasn't going to
12 behave, just sit there and give it a try. She took me
13 back to Ladyacre."

14 The remainder of 'Jacob's' statement, including the
15 parts of his life after care, impact, reporting abuse
16 and records and lessons learned, clearly relate to his
17 experiences and abuse he suffered both before care **Seconda**
18 **Secondary Institutions - to be published later**

19 LADY SMITH: How long in total was he with the foster
20 carers?

21 MS RATTRAY: He was there really a matter of several days,
22 from [REDACTED] in the same year.

23 LADY SMITH: 1987?

24 MS RATTRAY: In 1987.

25 LADY SMITH: Thank you.

1 MS RATTRAY: Because the rest of his statement really is to
2 do with his overall care experiences, where he spent
3 a lot of time in different care settings -- indeed, he
4 spent the rest of his childhood in care -- for this
5 reason, for the purposes of this case study, I won't
6 read those sections and I'll go straight to
7 paragraph 214 on page 57 --

8 LADY SMITH: Thank you very much.

9 MS RATTRAY: -- where 'Jacob' says:

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

14 And 'Jacob' signed his statement on 25 January 2021.

15 My Lady, it was a very short placement and, not
16 surprisingly, there are very few references in the
17 records that we've recovered to this placement, but
18 I would like to have a look at three pages of those
19 records.

20 The first one is at DGC-000000090.

21 LADY SMITH: Thank you.

22 MS RATTRAY: My Lady, these are case notes. It starts with
23 an undertaking by the foster parents in standard terms.
24 But moving on to page 2 of this document, what we have
25 here are social work case notes of around the time he

1 was in foster care, and we see there's an entry of
2 [REDACTED] 1987, where it says:

3 "Removed 'Jacob' to foster care."

4 As his granny was unable to cope at that stage.

5 "Cleared with senior. Wrote to mother."

6 After being removed, the social worker concerned is
7 on leave from [REDACTED] to [REDACTED].

8 Then there's an entry on [REDACTED], presumably when
9 the social worker returned, that says:

10 "Note (referral) [REDACTED] 1987 saying 'Jacob' having
11 problems settling. Called round. Things seem to have
12 settled down. 'Jacob' now keen to return home to live
13 with mother."

14 And we can see later on [REDACTED]:

15 "Arranged to pick 'Jacob' up at 6 pm on [REDACTED]
16 1987."

17 At this stage, what's noted in the notes is the
18 problem was in relation to settling.

19 If we move to another record, which is at
20 DGC-000000091, this is a background report for
21 a Children's Hearing, and the report is dated [REDACTED]
22 1987. If we turn to page 2 of this record, we see at
23 the top paragraph in relation to the referral there's
24 a reference to this. He's attending Children's Hearings
25 and he'd gone into foster care. Then about four lines

1 down it says:

2 "Having only returned from holiday on [REDACTED] 1987
3 [and this is the social worker], I was informed that
4 'Jacob' had experienced some difficulty in adjusting to
5 staying with the foster parents. Happily these
6 difficulties seem to have been overcome and 'Jacob' is
7 more settled now."

8 But in fact 'Jacob' left.

9 So we're looking at settling issues or problems in
10 adjusting.

11 If we now move to a third record --

12 LADY SMITH: Just before we do that, can we go back
13 a page a moment?

14 MS RATTRAY: Yes, certainly, page 1.

15 LADY SMITH: And scroll down a bit. Stop.

16 "He's now indicated he is willing to return to live
17 with his mother."

18 MS RATTRAY: Yes.

19 LADY SMITH: But he's a place of safety removal from his
20 mother.

21 MS RATTRAY: Yes. It seems to be a theme that we're coming
22 across, where children sometimes want to leave
23 an abusive situation and then find the situation too
24 much to deal with that they must leave -- they feel they
25 must leave.

1 LADY SMITH: But there's also the point that the way that's
2 termed, it looks as though: oh, a child has turned up
3 asking social work to take him away from work, we've
4 agreed to do that because that's what he wants, and now
5 he -- he -- is willing to go back and live with his
6 mother, whereas the only basis on which they took him
7 away from his mother was assessing it as a place that
8 was not safe at that time for the child.

9 MS RATTRAY: Yes.

10 LADY SMITH: And that isn't followed up on the next page at
11 all.

12 MS RATTRAY: No.

13 LADY SMITH: There's no indication that an assessment has
14 been made, irrespective of what the child thinks or
15 wants -- and this is still quite a young child --

16 MS RATTRAY: Yes.

17 LADY SMITH: -- of the home that he's being returned to.

18 MS RATTRAY: Yes.

19 LADY SMITH: Right. Thank you.

20 You were wanting to go to another record,

21 Ms Rattray?

22 MS RATTRAY: Yes, the final record to go to, my Lady, is at
23 DGC-000000089. This is an extract of a social work
24 report which is dated 6 December 1988, so it's some time
25 on from this experience.

1 If we turn once again to page 2 of this extract
2 report and move towards the foot of the page, we see
3 that the second-last paragraph, starting from [REDACTED],
4 what we see here is it says:

5 "From [REDACTED] 1987 until [REDACTED] 1987 following
6 the breakdown of the placement with 'Jacob's'
7 grandmother he was placed in care of foster parents
8 outwith Dumfries. This placement appears to have been
9 a particularly bad experience for 'Jacob', he did not
10 enjoy his stay there. The foster parents stating that
11 'Jacob's' behaviour was intolerable and that they were
12 not able to cope."

13 It's really just -- it puts a slightly different
14 slant --

15 LADY SMITH: He was there a few days.

16 MS RATTRAY: He was there a few days, and initially it's
17 presented as it being a settling/adjusting problem, but
18 now, some time after, talks about it being
19 a "particularly bad experience", and the foster parents
20 blaming the child, saying that he was intolerable and
21 they weren't able to cope. So clearly, whatever
22 happened from the records' perspective, it was a little
23 bit more than a settling or adjusting issue.

24 LADY SMITH: Yes. Thank you.

25 MS RATTRAY: My Lady, that concludes this read-in and

1 considering the records. I don't think we have time for
2 anything further this morning.

3 LADY SMITH: Probably not.

4 MS RATTRAY: So perhaps this is the time to break for lunch,
5 and we have a further oral witness at 2.00 pm.

6 LADY SMITH: At 2 o'clock, very well.

7 We'll stop now for the lunch break and I'll sit
8 again at 2.00. Thank you.

9 (1.45 pm)

10 (The luncheon adjournment)

11 (2.00 pm)

12 LADY SMITH: Ms Innes.

13 MS INNES: My Lady, the witness this afternoon has chosen to
14 remain anonymous and is using the pseudonym 'Louise'.

15 LADY SMITH: Thank you.

16 MS INNES: 'Louise' was in the care of Tayside Regional
17 Council. She was placed with [REDACTED]
18 [REDACTED] in Perth on [REDACTED] 1981 and
19 remained there for the rest of her childhood.

20 As 'Louise' explains in her statement, her file
21 seems to indicate that social workers from other
22 locations in Tayside were involved, I think including
23 Dundee, Brechin and Kirriemuir, but ultimately the file
24 was transferred to Perth and we have recovered records
25 from Perth and Kinross Council, and we assume that

1 they're the relevant successor.

2 LADY SMITH: Thank you very much.

3 'Louise' (sworn)

4 LADY SMITH: The microphone is there, 'Louise', to help you,
5 but it's also there to help us. We need to hear you
6 through the sound system, particularly to help the
7 stenographers, who listen to you through that.

8 A. (Witness nods).

9 LADY SMITH: The red folder we'll take you to in a moment or
10 two, it has your statement in it, the one you signed,
11 but we're also going to bring your statement up on
12 screen in front of you. You might find that helpful.
13 We'll go to different parts of it that we want to
14 discuss with you as we go through your evidence.

15 But, 'Louise', quite separately, please do
16 understand, I know it's not easy to come into a public
17 forum, as we are, to talk about the events in your own
18 life, your own private life, and particularly about what
19 happened in your childhood that was distressing and
20 upsetting, and however much you may think you've
21 prepared yourself for this, your own emotions can take
22 you by surprise at times.

23 A. (Witness nods).

24 LADY SMITH: I do understand that. If there's anything
25 I can do to help, such as let you have a break, whether

1 leaving the room or pausing where you are, that's
2 absolutely fine, just let me know, or if there's
3 anything else that I can do to make it as easy as we can
4 for you to give your evidence as well as you can.

5 A. Thank you.

6 LADY SMITH: That's what we all want, I think, so let me
7 know.

8 A. (Witness nods).

9 LADY SMITH: If you're ready, I'll hand over to Ms Innes and
10 she'll take it from there. Is that okay?

11 A. Yes, thank you.

12 LADY SMITH: Ms Innes.

13 MS INNES: Thank you, my Lady.

14 Questions from Ms Innes

15 MS INNES: Now, 'Louise', we understand that you were born
16 in 1980.

17 A. That's correct.

18 Q. And if I take you, first of all, to your statement, we
19 give it is the reference WIT.001.003.0019, and if we can
20 look on the last page of the statement, please, and at
21 paragraph 194, it says:

22 "I have no objection to my witness statement being
23 published as part of the evidence to the Inquiry.

24 I believe the facts stated in this witness statement are
25 true."

1 And I believe that you signed this statement on
2 5 November of 2019; is that right?

3 A. Yes, that's right.

4 Q. Now, I think at the time that you gave the statement --
5 and you tell us this in the context of the statement --
6 your foster mother, I think, had not long died; is that
7 right?

8 A. That's correct, yes.

9 Q. And do you feel that that had an impact on how much you
10 were able to say in your statement about what had
11 happened to you?

12 A. Yes, definitely. I think it was heavily suppressed.

13 Q. And I think since you gave us your statement back in
14 2018, you've no doubt had more time to reflect and
15 possibly also read the records that you got from Perth
16 and Kinross.

17 A. Yes. I had my records, but I hadn't really had
18 an opportunity to go through them, because they were in
19 such big volume. I'd read maybe the first few pages,
20 but not in any depth.

21 Q. Okay.

22 So I'm going to use your statement as a basis for
23 asking you about particularly your experience with the
24 FNJ-FNK and I hope that you'll have the opportunity
25 to add in the reflections that you've had since you gave

1 us this statement.

2 A. (Witness nods).

3 Q. So, you tell us in the first section of your statement
4 a little bit about your life before you went into care.

5 Now, we know that you were born in 1980 and you were
6 placed with the FNJ-FNK in Perth in 1981.

7 A. (Witness nods).

8 Q. But I think from your records you tell us that you were
9 able to find out that you were in various placements,
10 I think, in that first period.

11 A. Yeah, maybe about four or five different placements
12 before I went to the foster -- long-term foster parents.

13 Q. And I think you say in your statement that you were
14 going back and forward to your mum's as well.

15 A. Also back and forward. She kind of used them as a bit
16 of a babysitting service, if you look at it that way.

17 Q. Okay.

18 You've discovered, as you say at paragraph 4, that
19 you have 13 brothers and sisters.

20 A. 13 brothers and sisters, yeah.

21 Q. And were all of those siblings taken into care as well?

22 A. Yes.

23 Q. Did you know about them when you were a child and
24 a young person or did you learn about them later in
25 life?

1 A. I don't recall if anybody ever told me that I had
2 siblings as a young child, but I met my brother and
3 sister for the first time in the library. That's when
4 I found out that I had siblings in Perth.

5 Q. Okay.

6 A. And through that I found out that I had more siblings,
7 because they knew more information than I did.

8 Q. Okay, right. We'll come to that in due course.

9 I think you tell us in your statement -- and, again,
10 we'll come onto it -- that as an adult and more
11 recently, you've been searching for your various
12 siblings; is that right?

13 A. Yeah, from my 20s I started looking and I've found them
14 all. Not had contact with them all, because some of
15 them were deceased before, but, yeah, every single one
16 of them I've managed to trace now, so ...

17 Q. Okay.

18 Now, you mention in paragraph 4 -- it's blanked out
19 on the screen -- the oldest sibling, I think that's your
20 sister [REDACTED] --

21 A. Yes.

22 Q. -- who was born in 1976. Did you have some awareness of
23 her during your childhood?

24 A. Yes. [REDACTED] tried to contact me when I was quite
25 young, maybe about ten-ish, via letter. I came home one

1 day and there was a letter behind the door. So that was
2 the first of me kind of really having much knowledge of
3 [REDACTED], but it was all hush-hush, I wasn't really
4 allowed to have any contact with her. And then it was
5 years later, she was actually, just up the road from our
6 house, out one day and had approached me, and that's
7 where I kind of first had a relationship with [REDACTED]

8 Q. Okay.

9 Now, if we can move on in your statement to your
10 placement with the FNJ-FNK [REDACTED] So this is on page 8 and
11 starting at paragraph 26.

12 From your records, do you have any understanding of
13 why it was that you were placed with them or anything
14 like that?

15 A. As far as I'm aware, I was always told that my mum
16 wasn't able to look after us. That's why we were taken
17 into care. They had tried several times with her but
18 she just wasn't co-operating, so ... I was only meant to
19 go to Mr and Mrs FNJ-FNK [REDACTED] as a short term, but it ended
20 up being long term.

21 Q. You say at paragraph 26 that you were told that you were
22 Mr FNK [REDACTED] birthday present.

23 A. Yeah.

24 Q. Is that because you arrived on his birthday?

25 A. Yeah.

1 Q. I see.

2 A. His birthday was on [REDACTED] and it was always
3 talked about that I was his birthday present. So ...
4 I had quite a good relationship with Mr FNK [REDACTED] in the
5 early days.

6 Q. You say that Perth and Kinross Council, you say, became
7 your legal guardians in 1984.

8 A. Yes.

9 Q. And I think you're aware that they assumed parental
10 rights from your mum and then they kept them throughout
11 your childhood.

12 A. Pretty much, yeah.

13 Q. Okay.

14 Now, you tell us a little bit about the house that
15 the FNJ-FNK [REDACTED] lived in. Did they always live in the
16 same house --

17 A. Yes.

18 Q. -- during your childhood? Okay. And who else was
19 living in the house when you first moved there?

20 A. In the house there was Mr and Mrs FNJ-FNK [REDACTED]
21 [REDACTED], [REDACTED], [REDACTED] and then another foster child
22 called [REDACTED]

23 Q. Okay.

24 So the two girls, [REDACTED] and [REDACTED], were they the
25 FNJ-FNK [REDACTED] children?

1 A. They were Mrs FNJ [REDACTED] children. Mr FNK [REDACTED] had
2 adopted them, I believe.

3 Q. Were they the oldest?

4 A. Yes.

5 Q. Okay. And did they move out when you were there? Did
6 they leave the house?

7 A. Yeah. [REDACTED] moved out, I can't really remember when,
8 but I was still quite young, and then [REDACTED] -- she got
9 thrown out when she was about 18 because she became
10 pregnant, and then -- yeah, they left, and then the two
11 sons, they went to private school, so although they were
12 there, they weren't there. They were back and forward.

13 Q. Okay. And then the two sons, were they the FNJ-FNK [REDACTED]
14 own children?

15 A. Yes.

16 Q. And you say that they went to boarding school?

17 A. Both of them, yes.

18 Q. Where did they go to boarding school?

19 A. [REDACTED] went to [REDACTED] and [REDACTED] went to
20 [REDACTED]

21 Q. Okay. And Mr and Mrs FNJ-FNK [REDACTED], were they working?

22 A. Yeah, Mr FNK [REDACTED] worked for [REDACTED] and
23 Mrs FNJ [REDACTED] worked -- at that time it would have been
24 she would have worked at the [REDACTED] Hotel.

25 Q. In Perth?

1 A. Yeah.

2 Q. Yes, okay.

3 You say at paragraph 28, over the page, that they
4 always looked old to you.

5 A. Yeah. Yeah, always. Always.

6 Q. And do you know roughly how old they were? Were they
7 older than parents of your friends, maybe?

8 A. Yeah. So they must have been in their 40s or late 30s
9 when they first fostered me, but when I was like of the
10 age where I really understood that kind of thing, they
11 were in their 40s, late 40s. So, yeah, they were always
12 old, but they always dressed old and, you know --
13 looking at myself now, and I've got kids, it's
14 completely different.

15 Q. You say that you remember your foster mum showing you
16 a picture of her when she was young and she looked just
17 like Myra Hindley.

18 A. Yeah.

19 Q. Okay.

20 You mention there at paragraph 29 that the older
21 daughters were from her first marriage, and then that's
22 where I think you say that they were adopted by
23 Mr FNK .

24 A. (Witness nods).

25 Q. You say at paragraph 30 that your understanding was that

1 they had fostered before.

2 A. Yeah, they had fostered kids before. I don't know how
3 many, but there was a few that I'd heard about over the
4 years. They talked about -- letters had been sent,
5 Christmas cards type thing.

6 Q. Okay. And then you mention that there was another
7 foster boy there.

8 A. Mm-hmm.

9 Q. And I think -- well, we know from the records that he --
10 I think he was born in 1976, so he was four years older
11 than you.

12 A. (Witness nods).

13 Q. You might not have been conscious of that.

14 A. No. Absolutely not. But, yeah, he was -- he was a few
15 years older than I was.

16 Q. Okay. You describe him as being roughly the same age as
17 one of the sons, but you say he regressed in his
18 behaviour.

19 A. Yes. Between [REDACTED] and [REDACTED] there was a year, and
20 I only know that because of the school classes that we
21 were in. [REDACTED] wasn't on the same level, I suppose, as
22 [REDACTED] He was -- he didn't really mix with other people
23 very well and stuff like that. He had some strange
24 behaviour traits and stuff. Even as myself, as
25 a younger child, you know, I kind of tended to be the

1 more mature one.

2 Q. Okay. Even although he was older than you?

3 A. Yeah.

4 Q. Okay.

5 You say at paragraph 31 that when you were about six

6 or seven, Mrs FNJ became a childminder.

7 A. (Witness nods).

8 Q. So you mentioned that she'd been working at the

9 Hotel.

10 A. Yeah.

11 Q. Did she stop that and start childminding?

12 A. For a while she did both.

13 Q. Right.

14 A. She would go out to work in the evening after a day's

15 work. But, yeah, when she became, like, fully

16 registered and had plenty of kids, she always had lots

17 of kids later on in the years of various different ages,

18 during the day, after school.

19 MS INNES: Okay.

20 LADY SMITH: 'Louise', can you just pull that microphone

21 a little bit closer to you. I think there's a bit of

22 leeway to do that, or if you can get a little bit closer

23 to it. Thank you.

24 MS INNES: Okay.

25 You then talk, over the next page, at page 10, about

1 some of your first memories of being at the [REDACTED],
2 and you talk about a very clear memory that you have,
3 I think, about your foster mum's sister being there.
4 A. Mm-hmm.
5 Q. And it was apparently a Christmas party or something
6 that day, I think.
7 A. No, it was -- she gave me a pair of earrings out of
8 a Christmas cracker.
9 Q. She'd been to a Christmas party?
10 A. She'd been to some kind of party, I'm not sure if it was
11 a Christmas party, obviously if there was crackers then
12 maybe it was, but, yeah, she'd gave me these green and
13 orange plastic earrings and I didn't take them, so she
14 said she was going to give them to the little boy next
15 door, which I always found quite weird because boys
16 don't wear earrings.
17 Q. And you say that you have another memory at
18 paragraph 34, you can remember being upstairs in the
19 bedroom and the kids being round you.
20 A. Mm-hmm. That was after they told me I was adopted, or
21 fostered. I was special, was the words that were used
22 that day.
23 Q. Okay.
24 A. And I'd gone upstairs and had said to the other kids in
25 the house that I was special. They were playing pool in

1 the bedroom. And then -- yeah. That was when the
2 social work had told me that obviously I was special,
3 Mr and Mrs [REDACTED] weren't my parents. Yeah.

4 Q. Okay. So did there come a point when you were told,
5 "Oh, you're fostered", and up until then you'd thought
6 they were your parents, or not?

7 A. Well, when -- when that night happened, because it was
8 an evening, I do remember it -- I don't know, because it
9 was weird, because there was always people coming in and
10 out of the house, and the other kids did things
11 differently than we did. You know, we got taken to
12 nursery in a minibus. The other kids didn't, they got
13 taken by their parents. So there was always
14 differences. But did I actually know? Probably not
15 deep down. I just -- and then that night obviously it
16 kind of explained a lot.

17 Q. And did you call the [REDACTED] mum and dad?

18 A. Yeah.

19 Q. Okay.

20 You mention going to nursery, and you went to
21 a different nursery or school to --

22 A. I went to Crieff Road Nursery. It was different from
23 the ones that the other kids went to.

24 Q. Okay, and you say that you went in a minibus.

25 A. Yeah.

1 Q. And why was that?

2 A. Because Mrs FNJ didn't want to take us.

3 Q. Okay. Did you know that at the time or is that

4 something that you found out from your records?

5 A. I always knew that I'd gone by minibus, yeah, and I knew

6 that I went to the Crieff Road Nursery, I knew that in

7 primary school as well, yeah.

8 Q. Then if we go on over the page in your statement to

9 page 11 and paragraph 36, you talk there about wetting

10 the bed.

11 A. Mm-hmm.

12 Q. And what was Mrs FNJ reaction to that?

13 A. Anger. All the time.

14 Q. Okay. And you describe them as being very strict and

15 they could be quite derogatory.

16 A. Yeah.

17 Q. In what sort of ways?

18 A. Just by putting you down. Nothing was ever good enough.

19 Like the incidents of wetting the bed, you know, you

20 would get smacked, you would be told that her kids

21 didn't do that, why did they do that, it was just

22 causing her extra work, extra washing. Obviously if you

23 weren't going to stop doing that, then you would have to

24 go. Just ... yeah.

25 Q. Okay.

1 Then at paragraph 39 you talk there about mealtimes,
2 and you say that you were all treated the same at
3 mealtimes, that you all got the same, but if you didn't
4 eat what was put down in front of you, you'd be made to
5 eat it, you say.

6 A. Yeah.

7 Q. And did that go for you and for their own children?

8 A. I would say -- they were strict with meals. They didn't
9 like waste. But myself, particular, they were even more
10 strict, because I was a really picky eater. I was only
11 three and a half stone as a kid. I never really ate
12 much. So they became -- it became more and more the
13 less I ate, the more they would force you to eat and
14 make you sit for hours, or if you didn't eat it, you
15 would then get it for your supper. If you didn't eat it
16 for your supper, you would get it the next day.

17 Q. Okay. And you talk about -- at paragraph 40 -- a time
18 that you were made to eat pea soup, and I think since
19 then you say that you've never been able to eat anything
20 green.

21 A. No.

22 Q. Okay.

23 Now, if we move on, please, to page 13 and
24 paragraph 44, you talk about being enrolled in a day
25 centre for underprivileged children.

1 A. Mm-hmm.

2 Q. So was that before you went to the Crieff Road Nursery?

3 A. Yeah. So it was Florence Day Centre first and then the
4 Crieff Road Nursery. I think we went there as like what
5 they call now as a wraparound as well. I don't know
6 what it would have been called back then, but nowadays
7 they would call it a wraparound, so holidays,
8 after-school type stuff as well.

9 Q. You say in this paragraph:

10 "Mrs FNJ [REDACTED] had all the quirks paid for."

11 A. Yeah.

12 Q. What do you mean by that?

13 A. Well, minibuses, anything that was needed, obviously
14 extra places in nursery, private spaces, holiday spaces.
15 Whatever she needed.

16 Q. She would contact the social work department and ask
17 them to fund it?

18 A. Yeah.

19 Q. Okay.

20 A. Yeah.

21 Q. Okay.

22 A. A new pair of pants. Just whatever she needed.

23 Q. Now, page 14 and paragraph 48. You say there that you
24 had low concentration and you were hyperactive.

25 A. (Witness nods).

1 Q. So you're talking about school here.

2 A. Mm-hmm.

3 Q. And you say that that's when things started to spiral
4 and Mrs FNJ started looking to psychologists and
5 things like that.

6 A. Yeah.

7 Q. Can you tell us what happened?

8 A. I would say Primary 3, really, it kind of all started.
9 I was struggling with maths mostly. One of the teachers
10 had commented on it, and that was where I feel that it
11 kind of all started. It was doctors' appointments to
12 start of with. Educational psychologists. When she
13 didn't really get that way it was doctors, which was
14 Pitcullen House at the time in Perth, which is part of
15 Murray Royal, and it was a Dr Field. She'd got me
16 assessed for ADHD and a couple of other things at the
17 time as well, dyslexia and -- so Ritalin was what she
18 wanted me on. She felt that that would help the
19 problem.

20 Q. Okay. Now, we'll come back to that again in the context
21 of healthcare when we look at that in your statement.

22 A. Mm-hmm.

23 Q. You talk about being at school and, at paragraph 49, you
24 say that you went to Perth Academy, and then
25 Mrs FNJ withdrew you from the school and you were

1 out of school for about a year.

2 A. Yeah.

3 Q. What were you doing when you were taken out of school?

4 Were you given a tutor or what?

5 A. No. Well, there was -- she'd got a private tutor

6 through the Dyslexia Association, which was [REDACTED]

7 [REDACTED] Isobel Roxburgh. She gave me a couple of

8 lessons a week, but it was just more to really brush up

9 on maths. Maths was a big problem for me. And Kumon

10 Maths, she got the social work department to pay for

11 that as well.

12 So I was doing that kind of stuff while I was off,

13 and social work were taking me out on day trips and

14 stuff like that, so -- yeah.

15 Q. Okay.

16 Then you tell us on page 51 that you were then --

17 there was an issue about you going to a private school

18 then.

19 A. Yeah, Mrs FNJ [REDACTED] had got in her head that she felt

20 that I should have the same as her children and I should

21 go to [REDACTED] Well, I think she'd looked into

22 a couple of other schools first, but I didn't meet the

23 criteria, so [REDACTED] was what she'd set her mind on

24 and she fought to get me there.

25 Q. And you went there then, did you?

1 A. Mm-hmm.

2 Q. And who paid for it, do you know?

3 A. Perth and Kinross Council, I believe.

4 Q. How did she manage to get them to pay for that?

5 A. She took them to court.

6 Q. Okay. And how did you get on at [REDACTED] when you
7 went there?

8 A. I enjoyed the education, but I stood out like a sore
9 thumb.

10 Q. Okay. And ultimately did you leave there?

11 A. Yeah. I got excluded.

12 Q. Right.

13 Again, if we move on a little in your statement,
14 please, and -- just bear with me a moment.

15 So if we can move on, please, to page 18 and, at the
16 bottom, paragraph 67, you say that as you got older, you
17 began to realise your friends had mums and dads and
18 grannies:

19 "They weren't getting picked up by social workers.
20 They didn't have a weird brother with glasses who didn't
21 look anything like that and stood out like a sore
22 thumb."

23 I think that's the other foster boy, is it?

24 A. Yeah.

25 Q. And then you say that you think those sorts of

1 differences you began to notice?

2 A. Oh, yeah. Like from Primary 4 or 5 onwards, you know,
3 the kids were well aware that I was getting picked up by
4 different social workers, because there was so many of
5 them. I was a bad kid. At that time, obviously,
6 I couldn't explain myself. But, yeah. They always
7 presumed it was because I was bad, and went away to
8 McDonald's or various different places and you would see
9 your friends with their grannies or grandads and ... or
10 they'd go places on holiday and I'd be going on day
11 trips with social work.

12 Q. And then at paragraph 70 you say that you understand
13 from your paperwork that the [FNJ-FNK] tried to adopt
14 you on about three occasions, and you've got some vague
15 memories of a couple of those times, you say.

16 A. Yeah.

17 Q. And do you know why -- well, the adoption never went
18 ahead, so --

19 A. Yeah. So obviously when I gave this statement, I had
20 been told by Mrs [FNJ] in my childhood that they had
21 tried to adopt me twice. The first time they couldn't
22 because my mum hadn't given up her rights, and the
23 second time the social work had stopped it. But
24 obviously on reading my paperwork, it was the other way
25 about: Mrs [FNJ] had withdrawn her application on

1 a couple of occasions. So, yeah.

2 Q. Okay.

3 Now, if we move on again over the page, you talk at
4 paragraph 72 and 73 just a bit more maybe about the
5 relationship with the FNJ-FNK and you said that they
6 would say things like, "You can't do your maths
7 homework? You're stupid. What's wrong with you? Why
8 are you not like my other kids?"

9 So who said that? Was that both of them or --

10 A. Yeah. Mrs FNJ was always the more vocal one.
11 Mr FNK kind of just stood behind her. If there was
12 any punishment to be given, Mr FNK was probably the
13 one that would give the punishment. Mrs FNJ was
14 always the one that would be quite derogatory with
15 her -- with her words. Even their kids, to a certain
16 extent, had things to say. But then I think a lot of it
17 was that they'd heard it. They'd grown up hearing these
18 kind of things so why could they not repeat them?

19 Q. Okay. So they said the same sorts of things to you --

20 A. Yeah, definitely.

21 Q. -- that their parents were saying? Yes.

22 And you say:

23 "It was never a pleasant experience. I never felt
24 loved."

25 A. Absolutely, 100 per cent, still say that to this day.

1 Q. And I think you'd say -- I mean, you spent all of your
2 childhood, essentially, with them, and do you find it
3 difficult to understand how that can be?

4 A. Yeah. Especially knowing that the social work knew.

5 Q. And you also say at paragraph 73 that there was no
6 praise, even if you did anything well at school. There
7 wasn't encouragement or anything.

8 A. Yeah, that's true.

9 Q. Okay.

10 You've already said, I think, at paragraph 74, that
11 you remember being quite close to Mr FNK as
12 a child, and you mentioned your foster mum going out
13 working in the evening and he would be in the house.

14 A. Yeah. He was always quite good when I was younger.
15 I suppose I could have been a proper little daddy's
16 girl. Used to spend time with us. Don't even think
17 like reading stories and stuff like that. It was he
18 would sit and watch the telly, he'd let me play with his
19 hair. He always had a thick head of dark hair. But
20 yeah, he was a good dad. Like, he took us out, he took
21 us down The Inch, had fun with us. It was more when she
22 was about that things just weren't the same.

23 Q. Okay. We'll come back to how things changed with your
24 dad a wee bit later on.

25 If we go to page 21, paragraph 76, you say there:

1 "It was my home, but it wasn't a normal home."
2 And if you listened to your friends and other people
3 talk about what they'd experienced, "I know it's not
4 normal".
5 A. Yeah, very much so.
6 Q. What sort of reflections have you had about that?
7 A. Still to this day, you know, it's hard, because I've got
8 friends that have amazing family situations, and I'm not
9 jealous of them, but it's hard.
10 Q. Yeah.
11 A. I don't have any of those relationships and I never
12 will.
13 Q. Okay.
14 Now, in the next section, 'Louise', you talk about
15 social workers and visits from social workers.
16 A. Mm-hmm.
17 Q. I'm going to look in a minute at some of the records
18 with you.
19 A. (Witness nods).
20 Q. But I think that you've already mentioned that you had
21 a lot of different social workers.
22 A. About 19 in total.
23 Q. Okay.
24 A. It was like one a year.
25 Q. And were you ever able to form a good relationship with

1 a social worker?

2 A. There was a couple, but Mrs FNJ would always make
3 sure the ones that we did get on with didn't stay.

4 Q. Okay.

5 Again, just before we look at the records, at the
6 time, when you were a child, what was your understanding
7 of Mrs FNJ relationship with the social workers
8 or the social work department?

9 A. Oh, she hated them.

10 Q. And did you have that impression when you were a child?

11 A. From a very young age, yeah. Yeah, they were a burden
12 to her.

13 Q. Okay. How did it come across that they were a burden to
14 her?

15 A. Just the anger that she had for them if she didn't get
16 what she wanted when she contacted them. She always
17 spoke badly of them. Even when they'd been in the
18 house, there'd been, say, a review, and they would
19 leave, they would sit at the kitchen table and tear
20 apart every single one of them.

21 In my eyes, that's not respectful. You don't think
22 highly of people if you're doing that. So, yeah, she
23 always -- she never had anything positive to say about
24 them. Ever.

25 Q. Okay.

1 If we go to page 22 of your statement, you say at
2 paragraph 79 that you remember -- you say that there
3 were weekly visits and Mrs FNJ made telephone
4 contact every day.

5 A. Yeah.

6 Q. So from your social work records, you say that there was
7 a lot of contact between her and the social workers; is
8 that right?

9 A. Yeah. It did go in waves, don't get me wrong, it wasn't
10 every day for the whole 19 years, but there was a lot --
11 a lot of contact. Sometimes daily, sometimes three,
12 four, five, six times a day, depending what was
13 happening, what the issue was. Yeah, there was a lot.

14 Q. You mention a social worker called Cath Coutts. You
15 say:

16 "She was predominant when I was a young child."

17 And then you mention some other social workers that
18 you had. And you say at paragraph 80:

19 "The paperwork confirms that Cath Coutts was
20 portrayed to me as a friend of the family by
21 Mrs FNJ."

22 A. Yeah, which is right. I always remember -- I remember
23 Cath. She's the first social worker I remember as
24 a kid. But I always thought she was a friend. So
25 obviously then later on in life, I found out that Cath

1 was the social worker, but I always presumed her to be
2 a friend. I thought she was friends with Mrs. FNJ
3 Yeah, so obviously this -- when I read my paperwork, it
4 kind of confirmed a lot of stuff for me about the first
5 maybe seven, eight years of social work contact was
6 never made out as social work.

7 Q. And did you remember Cath ever speaking to you or the
8 subsequent social workers --

9 A. No, it was always at the kitchen table and Mrs. FNJ
10 Mr. FNK, myself, and [REDACTED] would have been there at
11 some point as well, whether he was in and out the room
12 at various different points, I don't know. But, yeah,
13 it was always like the four of us. We came as a --
14 a group. I always thought that we came together, so ...

15 Q. And did that change over time?

16 A. Eventually, yeah, but not until I was about ...
17 obviously when I got told that I was fostered, we knew
18 about the social work department, but with regards to
19 actually seeing the social work by ourselves, I was
20 probably about 13.

21 Q. Okay.

22 Now, I want to look at some records with you. So
23 the reference is PKC-000000145.

24 A. Mm-hmm.

25 Q. We're going to start at page 23.

1 We see that this is a social worker's report.

2 A. Mm-hmm.

3 Q. If we scroll down, this is about you. I know it's
4 blanked out, but this is about you. And I think the
5 date of this is 18 May 1983.

6 A. Mm-hmm.

7 Q. And under "Suitability of the placement", it says there:

8 "Most suitable. Foster parents are coping very well
9 with this very active and intelligent child. It is
10 recognised that the living environment is very
11 restricted and that this does not allow the foster
12 parents to give 'Louise' a lot of freedom out of doors
13 and to overcome this have arranged for 'Louise' to
14 attend a pre-school playgroup."

15 A. (Witness nods).

16 Q. Can you remember that the house was small, or that there
17 was -- was there a garden or anything at the house?

18 A. So they stayed in a townhouse, three storeys. There was
19 a very small back garden in the back. I don't know,
20 3 metres by 2, concrete. So it was quite small. Maybe
21 a 6-foot fence. But round about it was old people. Old
22 people that stayed in flats. There was an old
23 housing -- old people's housing complex and then there
24 was, like, flats with older people that kind of stayed
25 as well. So it was pretty much dominated by old people,

1 and then there were eight houses joined together that
2 were like family homes. What I do believe is Mr and
3 Mrs FNJ-FNK were given the house because they were
4 going to foster. So that's -- yeah.

5 Q. Okay.

6 Then if we go over the page, we see, under "Social
7 worker's views re future action", it says:

8 "Whilst Mrs FNJ appears to be coping well with
9 'Louise', I can foresee problems arising if 'Louise's'
10 demands for attention continue over a long period. It
11 must be kept in mind that Mrs FNJ has five other
12 children in that house ..."

13 So that would have been at that time the four --

14 A. All of them, yeah.

15 Q. -- and then the foster child and you. And then it says:

16 "... and while she is a wonderful provider, it must
17 be expected that unless 'Louise's' demands can be made
18 acceptable and a lot of support is given to
19 Mrs FNJ then the situation will continue to
20 deteriorate."

21 So there seems to have been some concern about that
22 back in 1983.

23 A. Yeah.

24 Q. And then there's reference to the Crieff Road Pre-School
25 Centre placement that you've already mentioned.

1 A. Yeah.

2 Q. Now, if we go back in this document, please, to page 17,
3 there's another social worker's report. The date of
4 this is 17 September 1985, so a couple of years later.
5 Okay?

6 A. Mm-hmm.

7 Q. If we just look first of all at point number 1, which is
8 referring back to the last case review, and it says:
9 " 'Louise' is well settled in this placement with
10 a strong degree of permanence. When the difficulties
11 with the other foster child are settled it will be
12 possible for the FNJ-FNK to consider adoption."
13 So there seems to have been some thought of adoption
14 at that point.
15 Then if we go over the page, under "Summary of
16 work", it says:
17 "To be on hand to listen to and support Mrs FNJ
18 when necessary. No changes in relation to 'Louise'
19 except section 16 was granted in 1985."
20 So the summary of work seems to focus on --

21 A. Supporting Mrs FNJ

22 Q. Okay. And it's blanked out because it's a signature,
23 but this was at the time that Cath Coutts was your
24 social worker.

25 A. Yeah.

1 Q. Okay.

2 Now, if we can go back, please, now to page 15, and
3 again it's a social worker's report. This time it's
4 11 February 1986, so six months or so later.

5 First of all, under "Summary of work" -- sorry, it
6 was just at the bottom of that page -- it says:

7 "As usual, to be around when Mrs FNJ [REDACTED] has the
8 need to talk."

9 And then there's reference to -- and it's one of the
10 other daughters:

11 "... aged 16, has caused some concern over these
12 last few months, resulting in her being asked to leave
13 home because of poor behaviour."

14 And then there's reference, I think, to her having
15 a boyfriend, and I think that --

16 A. That will be [REDACTED].

17 Q. I think it might be the other daughter, [REDACTED]

18 A. [REDACTED]? I don't think she ever did hairdressing.

19 Q. Okay.

20 In any event, there seems to have been a difficulty
21 with this daughter, and she's been asked to leave.

22 Then, under "Suitability of the placement", it
23 says --

24 A. I think that was all redacted in my medical records --
25 my records, the bit about the daughter.

1 Q. It will have been because it relates to somebody else.

2 A. Yeah.

3 Q. And it says there:

4 "At the moment I cannot fault the care 'Louise'
5 receives. I am concerned at what has happened to [the
6 daughter] and get the feeling that Mr FNK [REDACTED] may have
7 been harder on [the daughter] than Mrs FNJ [REDACTED] would
8 have liked. ([the daughter] is adopted by Mr FNK [REDACTED]).
9 This naturally makes me wonder about 'Louise' if she has
10 any difficulties as she gets older.

11 "The difference may be that a social worker would
12 have easier access to 'Louise' [you] than there was with
13 [the daughter]."

14 So there seems to have been an issue with the older
15 daughter --

16 A. Mm-hmm.

17 Q. -- and you said there was -- so if that's [REDACTED] was
18 there also an issue with [REDACTED]?

19 A. Well, as far as I'm aware, [REDACTED] must have left the
20 house quite early on because she just disappeared and
21 then [REDACTED] was left in the house, but she got pregnant
22 and got thrown out. I remember that night clear as day
23 when she got thrown out the house. So, yeah, whether
24 she'd maybe got thrown out beforehand, I don't know.
25 This doesn't really mean anything to me.

1 As I say, I don't think [REDACTED] ever went -- she had
2 lots of problem with skin and stuff like that, so -- but
3 yeah. She got thrown out when she fell pregnant, and
4 I mean thrown out physically, so -- yeah, I don't really
5 know about this situation.

6 Mr FNK [REDACTED] was tough. Very physical as well.

7 Q. Well, the point here is, I suppose, that the social
8 worker is saying that something has happened with one of
9 the older daughters, she's been thrown out of the house.

10 A. Yeah.

11 Q. Here we have 'Louise', who's a foster child, living in
12 this house. What happens to her when she grows up?

13 A. Well, yeah, exactly.

14 Q. Should the same thing happen, I suppose is the concern.
15 But the social work department are saying obviously
16 there's social work department involvement with you.

17 A. And they can gain access to me at any time if they need
18 to.

19 Q. Okay.

20 Now, if we can move back in this document now to
21 page 12, and this is a case conference held on 6 August
22 1987 concerning you and [REDACTED] and the purpose of the
23 meeting is to discuss the present placement and consider
24 the long-term care plans for you, and then there's
25 material about [REDACTED].

1 So if we move on, please, to the top of page 14, it
2 says there:

3 "Mr and Mrs FNJ-FNK have been foster parents for
4 the social work department since mid 1976."

5 A. (Witness nods).

6 Q. And then there's an outline of concerns about the
7 placement and plan for you and [REDACTED] and at (a) it
8 says:

9 "Mr and Mrs FNJ-FNK do not wish to proceed with
10 adoption for either [of you]."

11 So as you've already said in your evidence, when you
12 saw the records, you knew that they had made a decision.

13 A. Yeah.

14 Q. It wasn't that they were being stopped; it was them that
15 said they didn't want to adopt you.

16 A. Yeah.

17 Q. And then they talk about envisaging a long-term
18 fostering situation.

19 If we can go down to (f), please:

20 "The impression is gained of Mr and Mrs FNJ-FNK
21 that they exaggerate and distort information. For
22 example, 'Louise' is described as hyperactive yet this
23 is not borne out by the observations of her. During
24 a two hour visit, she was sitting quietly, she was
25 obedient and related in a confident relaxed manner."

1 A. (Witness nods).

2 Q. So there the social work department seemed to be noting
3 that --

4 A. That was pointed out time and time again. Every --
5 every one that we had, it was always pointed out.

6 Q. What was pointed out?

7 A. That, you know, I was happy, confident, relaxed. You
8 know, at one -- there's another meeting that had gone on
9 and Mrs FNJ had been going on about, you know, my
10 hyperactivity and my education, and the whole time I had
11 been sitting drawing and writing a story and the woman
12 had obviously noted what I'd been doing. I'd held my
13 concentration and stuff.

14 So it was always kind of crossed. Mrs FNJ
15 would say one thing, but yet other people would witness
16 other things. Same with doctors as well.

17 Q. And then on a similar theme at (g), it says:

18 "Mr and Mrs FNJ-FNK talk of [the other foster child
19 and you] in a professional way, placing enormous
20 emphasis on their 'educational difficulties'. All
21 behaviours are interpreted by them from the premise of
22 [the boy's] dyslexia or [your] hyperactivity. On other
23 occasions Mrs FNJ has attributed difficulties to
24 genetic inheritance, early environment and deprivation.
25 What is not acceptable to Mr and Mrs FNJ-FNK is that

1 they have in any way contributed to the children's
2 difficulties -- whatever these are. It is as though
3 their care has not affected the children in any way,
4 even although they are [your] parents in all but
5 a biological and legal sense."

6 So, again, does that accord with your memories --

7 A. Yeah.

8 Q. -- of what happened during your childhood?

9 A. Yeah, Mrs FNJ never really took any responsibility
10 for anything. It was always somebody else's fault. It
11 was either the doctors', the social workers', mine,
12 █.

13 Q. And then at (h), "Boundaries of foster parents' role",
14 and then there's reference to:

15 "Lack of consultation with social worker over
16 decisions about the children, and foster parents'
17 rejection of professional opinion and advice."

18 A. Yes.

19 Q. These seem to be concerns.

20 Okay. Now, I'm going to come back to this document,
21 but I wonder if we might look, please, at PKC-000000146.
22 I just need to get the page number ... So page 3, and if
23 we scroll down a little, there's an entry beginning
24 16 July 1987:

25 "Telephone call from Mrs FNJ to say my

1 appointment for 22 July would not be convenient because
2 the family are on holiday, although not going away, may
3 go on outings. She went on to say that she and
4 Mr FNK [REDACTED] are very disturbed by my letter because they
5 felt taking [REDACTED] and 'Louise' out was separating them
6 from the family. I explained the purpose, ie as
7 children in care I had a responsibility to try to get to
8 know them and understand them and I thought that this
9 needed me to spend time with them. She and her husband
10 object to this and see no need for it, also no social
11 worker has done this before. I postponed the visit
12 therefore, saying I would discuss the reasons again with
13 them and make another arrangement some time after
14 3 August ..."

15 And then the social worker says that she's reporting
16 that conversation to her senior.

17 A. (Witness nods).

18 Q. So there seems to be an issue about Mrs FNJ [REDACTED] saying
19 to the social worker, "You can't take the children out
20 on your own".

21 A. Yeah. As I say, it was always Mrs FNJ [REDACTED] way. She
22 didn't really want us to go away with the social work
23 because -- well, what she would portray to us was she
24 didn't want us to be different, but yet when we were in
25 the house, we were treated like social work kids. So it

1 was a bit -- it was very mixed, you know.

2 Q. If we can look back, please, to PKC-000000145, and if we
3 go to page 10, this is in chronological order, so this
4 is a case review dated 24 September 1987.

5 A. Mm-hmm.

6 Q. And the participants are two social workers, Mr Grant
7 and Mrs McGinlay, and then Mr and Mrs **FNJ-FNK** and
8 a reviewing officer.

9 If we go down to the third paragraph it says:

10 "Since that meeting [I think that's the case
11 conference that we looked at a moment ago], the focus of
12 Mrs McGinlay's work has been on redefining the social
13 work task in relation to the placement in the light of
14 the changed plan."

15 Now, I think that changed plan is it is no longer
16 adoption, it's long-term fostering, potentially.

17 A. Yeah.

18 Q. I'm not sure whether that's more focused on the boy that
19 was there rather than you, but it then says:

20 "This redefinition has caused problems for Mr and
21 Mrs **FNJ-FNK**, particularly in terms of the amount and
22 nature of contact which a social worker would be
23 expected to have with the children under these
24 circumstances as opposed to the previous situation when
25 the social work role was limited to supporting the

1 family."

2 So there seems to be a shift in what the social work
3 department are doing.

4 A. (Witness nods).

5 LADY SMITH: What's the shift, Ms Innes? Have you been able
6 to work that out from the records?

7 MS INNES: From looking at the previous records, it looks as
8 though -- and, as I say, it may be more to do with the
9 boy rather than 'Louise' -- there was a plan for
10 adoption.

11 LADY SMITH: That would fit, yes.

12 MS INNES: They were fostering at the time, though, so it
13 doesn't make sense.

14 LADY SMITH: Yes, no.

15 A. As far as I'm aware, they never intended to foster
16 [REDACTED] because [REDACTED] was always a long-term foster
17 child. I don't know if in the early stages, but from
18 very young, they had never any plans to foster [REDACTED]
19 [REDACTED] had family --

20 LADY SMITH: Sorry, do you mean they never had any plans to
21 adopt [REDACTED]?

22 A. Ah, sorry, adopt. Sorry, I'm getting myself muddled.

23 LADY SMITH: Right, okay, yes.

24 A. Yes, they never had any plans because [REDACTED] always had
25 family and they always kind of kept in contact in the

1 sense of through other social work, whereas my family
2 wasn't -- you know, there was no contact. Mrs FNJ
3 had -- like with the siblings and stuff, they'd
4 suggested that we keep in contact, but it was all cut,
5 whereas [REDACTED] went on to actually live with his family
6 eventually.

7 LADY SMITH: Yes, thank you.

8 MS INNES: If we go to the next page, page 11, and if we
9 scroll down a little, we'll see a paragraph beginning:

10 "There was considerable discussion regarding the
11 consequences of the change in focus for this placement
12 particularly in relation to Mrs McGinlay's contact with
13 'Louise'. It was acknowledged that this change of
14 emphasis would cause difficulties for Mr and
15 Mrs FNJ-FNK and their own son as there had been no
16 formal social work involvement with 'Louise' outwith the
17 foster home. The previous social worker had known the
18 family for a long time and had therefore been able to
19 get to know 'Louise' in an informal way. Mrs McGinlay's
20 arrival at this particular time means that she will have
21 to meet with 'Louise' individually, and at times outwith
22 the foster home, in order to get to know her."

23 And then there was reference that they needed to be
24 consulting with her before going ahead with such
25 arrangements as the referral to the psychologist for the

1 Dyslexia Association.

2 A. (Witness nods).

3 Q. So it looks as though they were off making arrangements
4 for you without consulting the social work department.

5 A. That happened all through my life.

6 Q. Okay.

7 Then if we can move back, we'll stay in this
8 document and go to page 7. This is 28 March 1988, so
9 that's another six months down the line, and another
10 case review. If we look in the first paragraph, there's
11 reference to Mrs McGinlay visiting the family, numerous
12 telephone contacts:

13 "In accordance with conclusion 1 of the last review,
14 Mrs McGinlay's focus in contact with the family has been
15 primarily to get to know the children. It has been
16 quite difficult from time to time to arrange times which
17 has met this requirement and on some visits the work has
18 largely been discussion with Mrs FNJ about the
19 children and observation of 'Louise' within the foster
20 home."

21 So it looks as though even although there was
22 a decision that you were to be seen on your own, the
23 visits were still focused around speaking to

24 Mrs FNJ.

25 A. Yeah.

1 Q. And if we go to the next page, page 8, it says in the
2 paragraph beginning:

3 "The difficulties anticipated at the time of the
4 last review regarding the consequences of the change in
5 the understanding of the nature of the placement ..."

6 Which I suppose is slightly different to saying "the
7 change in the nature of the placement itself".

8 LADY SMITH: Indeed.

9 MS INNES: "... still persist. Mr and Mrs FNJ-FNK regard
10 'Louise' as a member of their family and therefore have
11 difficulty in understanding and accepting the higher
12 profile of the social worker which Mrs McGinlay has been
13 required to take. Previous social worker had
14 an involvement with the family going back many years
15 which was to a large degree informal. In view of the
16 satisfactory nature of the placement visiting was on
17 a three monthly basis and was relatively low key in its
18 approach to 'Louise'."

19 And then the next issue that's raised here is:

20 "Mr and Mrs FNJ-FNK had particular difficulties at
21 the time of Mr Bates's letter to children in care."

22 Now, I'm just going to pause there. Mr Bates, we
23 understand, was the Director of Social Work for Tayside
24 at the time.

25 A. Correct.

1 Q. "They did not receive the explanatory letter to foster
2 parents and were therefore very surprised when the
3 letter arrived addressed to [you]. They were perturbed
4 by some of the contents and felt that the tone was more
5 appropriate to teenagers who had recently come into care
6 rather than an 8-year-old who had lived in their family
7 since she was 18 months old. They therefore did not
8 give the letter to [you]."

9 And I'll come back to something else in relation to
10 that in a moment.

11 And then it says:

12 "The focus of the work in the placement will be
13 aimed at achieving a better understanding of the shared
14 responsibility of foster parents and the social work
15 department in [your] care."

16 And then there's reference to their responsibility
17 under the relevant regulations:

18 "... and the need for a child to know that a social
19 worker is her social worker and not just a family
20 friend, it is essential that a correct understanding and
21 balance of roles and responsibilities is achieved."

22 So this issue between the **FNJ-FNK** and the social
23 work department still seems to be ongoing?

24 A. Yeah.

25 Q. About what's the role of each of them. Okay.

1 And then just finally from this document if we can
2 go back to page 3, and this is a social worker's report
3 for a review, and this is 13 February 1989, so almost
4 a year after the last document that we looked at.

5 A. Mm-hmm.

6 Q. And there's reference in the summary of work to:

7 "Social work contact has been through visits. Most
8 visits take place when Mr FNK is not at home. [You
9 and the other child] are usually present and if not it
10 is because they are involved in some organised activity
11 outside the house. There has been quite a bit of
12 telephone contact with Mrs FNJ Most of the time
13 is spent discussing the children with Mrs FNJ
14 [You] usually appear at a later stage and engage with
15 you in chat."

16 Then they talk about observing your behaviour.

17 If we go on over the page, please, to page 4,
18 there's a paragraph beginning:

19 "As far as the children's perception of the
20 supervising social worker, I think I am seen as the lady
21 who comes to talk to their mum and dad. On my last
22 visit I talked at some length about the children's
23 feelings about being fostered, how much they questioned
24 the FNJ-FNK about their background, etc."

25 And then if we pass over the next paragraph, and

1 there's a paragraph beginning "I am not sure", and she
2 says:

3 "I am not sure what would be gained from taking [you
4 and the boy] apart to spend time with them separately.
5 I think they would find this extremely difficult or even
6 alarming -- how could you explain, justify doing this
7 when for so long the children have only been supervised
8 through contact with the family. Mr and Mrs **FNJ-FNK**
9 were against the social worker seeing [you and the boy]
10 separately, and this issue has never been properly
11 tackled as yet by myself. However the area of their
12 natural families cannot be ignored -- [you and the other
13 boy] need to grow up with some knowledge and
14 understanding of [your] origins."

15 A. (Witness nods).

16 Q. And I think we'll come onto it in due course, but there
17 were issues about you doing what we would call life
18 story work.

19 A. Mm-hmm.

20 Q. What was Mrs **FNJ** attitude to that?

21 A. Absolutely not. It was always portrayed that -- when it
22 was brought up, "But why would you want to -- you know,
23 I'm your mum". Guilt. Guilt was definitely a big
24 thing.

25 You know, it's funny because I'm reading this here

1 and ... I never had attachment to anybody, so to go off
2 with a social worker probably wouldn't have fazed me in
3 any way, shape or form.

4 But, yeah, with regards to any time a social
5 worker -- really Renee Graham's one that I can kind of
6 bring because she really focused on trying to do, like,
7 the family work and stuff like that, and she disappeared
8 literally overnight. One day she was there and the next
9 day she was gone.

10 But, as I say, any time that I questioned about
11 family stuff, it was just dismissed. I was doing
12 a disjustice to Mr and Mrs FNJ-FNK by wanting to know
13 anything about my family. So, yeah.

14 As I say, if a social worker tried to help us in any
15 way, Mrs FNJ just made a reason that she didn't
16 like her or she wasn't doing the right thing for us, and
17 then there would be some kind of formal complaint or --
18 you know -- in the background that we didn't really know
19 about.

20 So, yeah, it makes me really wonder how many social
21 workers actually left because of Mrs FNJ. It's
22 bad.

23 MS INNES: Okay.

24 Now, we usually make a break in the middle of the
25 afternoon, so I wonder if now might be a convenient

1 time, my Lady.

2 LADY SMITH: Would that work for you, 'Louise', if we took
3 a short break just now?

4 A. Yeah, that's fine, thank you.

5 LADY SMITH: Well, let's do that and then we'll go back to
6 your evidence after.

7 (3.06 pm)

8 (A short break)

9 (3.19 pm)

10 LADY SMITH: 'Louise', are you ready for us to carry on?

11 A. Yes.

12 LADY SMITH: Thank you very much.

13 Ms Innes, when you're ready.

14 MS INNES: Thank you, my Lady.

15 Now, if we can go back to your statement, please, to
16 page 25 and paragraph 90, you talk there about something
17 that you mentioned earlier on, that you met two of your
18 siblings in the library.

19 A. Yes.

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

21 A. So I used to go to the library on a Saturday
22 afternoon -- well, Saturday morning to play the
23 computer, and we had friends there, [REDACTED] and [REDACTED] So
24 when I'd -- I'd managed to get hold of my birth
25 certificate -- Mrs FNJ [REDACTED] had been out one night and

1 I'd be rec'ing -- I'd noticed that the names on the
2 birth certificate was [REDACTED] which the friends at
3 the library were [REDACTED] and [REDACTED]. So I'd
4 approached [REDACTED] and asked him one day what his dad did
5 as a job, and he said that he'd worked -- it was like
6 a printing place in Perth, I can't remember the specific
7 name of it, and I'd asked him if his dad had ever been
8 a coach spray painter, because that's what was on my
9 birth certificate, and he was like, "I don't know". But
10 he went and got his birth certificate and we put them
11 together, and they were pretty much identical, apart
12 from our names and our dates of birth. So that was the
13 point that I found out that [REDACTED] and [REDACTED] were
14 actually my brother and sister.

15 Q. Okay, so completely by chance?

16 A. Absolutely by chance, yes.

17 Q. And then you talk at paragraph 92 about the life story
18 work.

19 A. Mm-hmm.

20 Q. And you say that you can remember social workers asking
21 if you wanted to do that, and you refused to do it, you
22 say, three times.

23 A. Yeah. Well, it wasn't so much that I refused, I think
24 it was more that I knew that if I'd ever really got into
25 it, Mrs [REDACTED] FNJ -- it was the way that Mrs [REDACTED] FNJ

1 made you feel. It's hard to explain. She had a great
2 way of making you feel really guilty because you
3 didn't ... you wanted to look into other things other
4 than her.

5 Q. Okay.

6 If we can look, please, at PKC-000000146 and page 7.
7 This is a summary document which doesn't have a date,
8 but I think it's from about 1988, and this is referring
9 to the **FNJ-FNK** in the first paragraph, and it says:

10 "They refuse to work jointly with the social worker
11 or by themselves on tasks such as compiling a life story
12 book with [you and the other foster boy], saying
13 ''Louise' doesn't even know she's fostered' and so on.
14 When this is taken up they contradict themselves saying
15 there is no need for social work involvement with the
16 children because they all often talk about [you and the
17 boy] being fostered."

18 So they seem to be suggesting --

19 A. Yeah, the only time they talked about it was when they
20 were pointing out how things were different, you know.

21 LADY SMITH: This is very interesting, 'Louise', because by
22 this time in the 1980s, life story books were
23 established as being an important thing to do for
24 children who were fostered, but also an important thing
25 to do for children who were being adopted.

1 A. Absolutely, I agree 100 per cent. I actually got my
2 life story book when I was 30. I took it out of Mr and
3 Mrs FNJ-FNK attic. That was one that the social work
4 department had given them, along with a folder that had
5 two bits of paper in it and two photographs.

6 LADY SMITH: Thank you.

7 Ms Innes.

8 MS INNES: Okay, moving back to your statement and page 26,
9 at paragraph 96, you say there that Mrs FNJ never
10 wanted you to have any contact with your birth family,
11 and you talk about when your mum died in 1993, your
12 recollection is that you weren't told about that by
13 Mrs FNJ.

14 A. Mrs FNJ didn't tell me about it. I know that there
15 was a phone call from social work, but it was actually
16 a police officer that had discussed it with me. He'd
17 come to the house and had told me that my mum was dead,
18 and I -- I was like, "Well, no, she's there".

19 But this was an ongoing thing with this police
20 officer. There'd been other stuff that had happened
21 with him over the years. I was -- as I say, I was
22 a constant missing person, so I'd had a lot of police
23 officers chasing me around Perth.

24 Q. Okay.

25 I wonder, please, if we can look at PKC-000000149

1 and page 2. The first entry there is about the death of
2 your mother. So:

3 "'Louise's' naturally mother died unexpectedly. The
4 funeral has been set ... informed Mrs FNU who
5 agreed to take 'Louise' to the funeral if she wanted to
6 go. She has spoken with 'Louise' about her mother's
7 death. 'Louise' doesn't want to go to the funeral. May
8 visit grave with flowers at another time."

9 A. Oh, that's the first time I've ever read that and,
10 believe you me, that's not the way it happened in my
11 eyes, because I pleaded and begged to go. Because
12 I just felt like closure, and I suppose in the sense
13 I kind of thought there would be a hope of meeting other
14 family members.

15 Obviously now, knowing what I know, there were so
16 many people at that funeral that could have answered
17 a lot of questions for me, so, yeah. Like I didn't even
18 know that like -- I've not even read this section in my
19 notes.

20 Q. Okay.

21 And then if we go down the page, there's an entry,

22 [REDACTED] 1993:

23 "Telephone contact from Mrs FNU."

24 So obviously that was in [REDACTED] this

25 is [REDACTED]

1 "'Louise's' sister [this is ██████████ who you have
2 mentioned already] has been trying to contact her at
3 home. Mr and Mrs FNJ-FNK ██████████ feel that this is not a good
4 time for 'Louise' with events only just settling after
5 recent months and disruption. May seek legal action to
6 prevent contact at present."

7 A. Just ... just why?

8 Q. I think you say in your statement that you --

9 A. She was a pure soul, ██████████ you know, she would never
10 have done any harm.

11 Q. You mention in your statement things like Mrs FNJ ██████████
12 threatening to take out interdicts and --

13 A. As I say, I've said it time and time again: if
14 Mrs FNJ ██████████ didn't get what she wanted, she would go to
15 any lengths -- and I mean any lengths -- to make sure
16 she got what she wants, and whether that meant lying,
17 manipulating, making things up, getting other people to
18 make things up ... yeah. It happened quite a lot.

19 Q. Now, going back to your statement, please, and if we can
20 go to page 29 and paragraph 104.

21 So you've already told us about the health issues.

22 A. Mm-hmm.

23 Q. And Mrs FNJ ██████████ making sure that you were put on
24 Ritalin. You say at this paragraph that she believed
25 that your behavioural problems were down to food

1 allergies.

2 A. It started off that she felt that my hyperactivity was
3 down to possibly food, so I went through a process at
4 Dundee Hospital where I got taken off various different
5 things, like milk, like microwaved meals and stuff like
6 that, everything had to be prepared fresh, sweets,
7 obviously we went through the soya process, no eggs.
8 Eventually it was that I was on UHT milk, I only drank
9 7up and Murray Mints were the only sweeties that I was
10 allowed, or Polos.

11 Q. Okay.

12 You say there were loads of different things, that
13 you were back and forward at various specialists.

14 A. I spent most of my life at doctors. If not doctors, it
15 was dieticians, educational psychologists, you name it.
16 Doctor's surgeries, getting weighed and measured.

17 Q. Have you tried getting access to your medical records?

18 A. So just this year I got my doctor's records through
19 a subject access request. I've applied for my hospital
20 medical records through what would be the PRI, but
21 I also tried to get two different sides, so what would
22 be mental health with Murray Royal Hospital and
23 Kirkcaldy, because these were the two that kind of
24 supplied Ritalin. They've both been destroyed, so
25 I can't get any access to any of them.

1 Q. Okay. So you can only look at your GP records?

2 A. My GP notes. And obviously my social work records do
3 have quite a few medical letters in them, but it was
4 just really to kind of tie up some other stuff for me in
5 my mind that I really would like to -- because I believe
6 that I was strongly overdosed on Ritalin.

7 Q. Okay.

8 Now, if we can move on to the next page at page 30,
9 paragraph 109, you have already mentioned this in your
10 evidence, that you ran away a lot.

11 A. Mm-hmm.

12 Q. And why was it that you were running away?

13 A. Because I hated where I stayed. Hated the way I was
14 treated. Hated the things that happened in the house.
15 I hated the fact that her kids could speak to us the way
16 they did and got away with it. Yeah.

17 Q. And you mentioned the police would be involved finding
18 you.

19 A. Yeah. Most of the time it would be a missing person
20 report. The police would pick us up. Yeah.

21 Q. And would you say to them why you'd run away?

22 A. So a few times, obviously, I refused to go back and
23 I got put in various different placements, but I always
24 ended up kind of getting talked into going back, because
25 where would I go? Who would love me? Who would put up

1 with my nonsense?

2 A lot of the time Mrs FNJ was given access to
3 speak to me, so if, say, I was at -- there was one time
4 I was staying in Glenfarg and they let Mrs FNJ
5 phone what would have been like the temporary foster
6 parent, so she could speak to me, and through that
7 conversation Mrs FNJ had told me that they were
8 going away on a holiday and that I was missing out
9 and -- you know, so it was very guilt-giving, and if
10 I was to come back, I would get this and I would get
11 that and we would work on things together and things
12 would be better. So it was always kind of portrayed as
13 that.

14 At that time, that was probably the one time where
15 I was so close to just never ever going back, and it was
16 the longest period of time that I'd been away, and when
17 she came back -- I don't know. I don't know why I went
18 back. As I say ... I didn't have anything else, so
19 I always kind of thought, well -- and I knew kids that
20 had nobody, that lived in bed and breakfasts, you know,
21 through social work, so I didn't ever want to be that,
22 because I liked being around people, you know, that --
23 I don't know. I just -- I was never a person that
24 wanted to be by myself.

25 So, yeah, as I say, it was ... I won't call it

1 a safe space, but it was the only place I knew, so ...
2 comfort.

3 Q. Okay.

4 And then if we go over the page to page 32, you talk
5 about discipline, and you say at paragraph 116 that you
6 did get leathered for being bad, but it's not something
7 that you feel has impacted on you.

8 A. (Witness shakes head).

9 Q. Can you explain that?

10 A. Well, if we were naughty, if we didn't eat our tea, we
11 answered back, slipper, belt, hand. I don't know. It's
12 a difficult one, really. I know I would never hit my
13 kids the way that ... we were smacked, but I think back
14 then things were very different as well, so ... I don't
15 know. It's a difficult one. I do remember them doing
16 it. I can remember the handprints on my bottom for
17 weeks sometimes.

18 I was such a wee petite kid anyway, so I bruised
19 quite easily, so I would often have like a strap mark on
20 the back of my leg for sometimes a couple of weeks. If
21 obviously I'd had, like, a smack with the slipper and it
22 had -- running away and it would catch you, I wouldn't
23 be able to go to gymnastics after that because I would
24 have the bruise, so ...

25 Has it affected me? No. I would say the mental has

1 affected me way more than the physical.

2 Q. Okay.

3 Then over the page at page 33 you talk about sexual
4 abuse that you suffered.

5 A. (Witness nods).

6 Q. And this was from the foster son, [REDACTED] who you've
7 mentioned.

8 A. Mm.

9 Q. You tell us a bit about what happened there, and I think
10 you would say that you didn't put everything in your
11 statement that happened --

12 A. (Witness shakes head).

13 Q. -- with [REDACTED] is that right?

14 A. No.

15 Q. Okay. I don't know whether you want to say anything
16 about that or whether you just want to leave what's
17 written in your statement as it is. (Pause).

18 A. It's fine.

19 Q. Okay.

20 We've seen from the social work records that we
21 looked at that the social worker wasn't able to speak to
22 you on their own.

23 A. (Witness nods).

24 Q. That they were having to speak to you maybe with [REDACTED]
25 there or maybe with the FNJ-FNK [REDACTED] there. Do you think

1 that if that had been different, you know, if you'd been
2 able to speak to the social worker on their own, you
3 might have been able to talk about what was happening
4 with [REDACTED]?

5 A. I definitely think if we were brought as two separate
6 foster children -- you know, we were never a package.
7 We weren't even related. So I don't understand why we
8 were always brought together and spoken to together. It
9 never really gave us any opportunity to develop
10 a relationship with the social worker of our own accord.
11 It was always the two of us. And still I find that
12 quite strange.

13 But, yeah, definitely. I think if I had
14 a one-to-one with my own social worker that wasn't
15 [REDACTED] social worker as well, then yeah, maybe.
16 Probably. But I don't know.

17 It's an age thing as well, you know. It's finding
18 confidence in somebody and -- I didn't really have a lot
19 of confidence because I knew that everything was
20 portrayed back to Mrs FNJ [REDACTED] or vice versa, you know.

21 Q. Okay.

22 From what you're saying -- we know if we go over the
23 page that you disclosed that the abuse was happening on
24 one occasion that you ran away.

25 A. Mm-hmm. Several occasions I ran away.

1 Q. Yes. So on one of the instances that you ran away,
2 I think you told the police or the social worker that
3 you were --

4 A. Yeah, that's right.

5 Q. -- being sexually abused by [REDACTED] and at that point
6 I think [REDACTED] was then moved from the house; is that
7 right?

8 A. Yeah, he was removed from the house.

9 Q. Okay. And prior to that and prior to telling the
10 police, had you told anyone?

11 A. Friends, but not anybody else. At that time I had
12 a boyfriend, [REDACTED] so obviously I'd spoke to him about
13 it, I think his big sister as well, and I think that was
14 really kind of what had encouraged me that time that I'd
15 ran away and I'd obviously got taken back by the police
16 to say -- because I think I was removed from [REDACTED]
17 house that time, and that was when I told the police
18 officers in Perth police station what had happened. But
19 I didn't go into full details then because, again, I was
20 a young kid and probably didn't want to say those words.

21 Q. Mm-hmm.

22 A. You know, now it's different, I can talk about it, it
23 doesn't bother me, but at 14, yeah ... yeah.

24 Q. Okay.

25 What was the reaction of the [REDACTED] towards you?

1 You talk about it at paragraph 126 on page 34.

2 A. Blame. It was my fault. I had sexualised behaviour.

3 I must have brought it upon myself. Mr FNK just

4 didn't really even speak to me after that for a very,

5 very long time. Yeah.

6 Q. And then I think you say in your statement that he

7 actually didn't speak to you for about four years or

8 something after that.

9 A. (Witness nods). Maybe not quite as long as four years,

10 but definitely it was a long, long period of time.

11 Probably in actual fact maybe round about the time that

12 I got pregnant was when relationships maybe got slightly

13 better, but still not great.

14 Q. And when was that? How old were you?

15 A. 1998 I would have got pregnant, yeah.

16 Q. Okay.

17 You say at paragraph 127 that the abuse was swept

18 under the carpet.

19 A. Oh, absolutely. It was never talked about. Ever. Even

20 with social work. I think one occasion after it

21 happened I went out and spoke to them about it. It was

22 never talked about again.

23 Q. Were you not given support or counselling or --

24 A. Nope. Nothing like that. Never had any counselling.

25 For anything.

1 Q. Okay.

2 Then at page 35, at paragraph 130, you say that you
3 stayed with Mrs FNJ [REDACTED] until [REDACTED] 1996. I think
4 you talk about the time after that, and then at
5 paragraph 134 on page 36 you talk about the period
6 shortly before you became pregnant in 1998, that you
7 stayed with Mrs FNJ [REDACTED] again at that point.

8 A. Yeah. Yeah, I left in 1996 and went back, stayed with
9 Mrs FNJ [REDACTED] while I was pregnant. The plan was to stay
10 there for a wee while after, but obviously when I had
11 [REDACTED], I left, probably again because of her
12 controllingness. Obviously what I know now, it's
13 completely different, so ...

14 Q. Okay. What are you referring to when you say "what
15 I know now"?

16 A. Well, obviously Mrs FNJ [REDACTED] had me down as being --
17 needing a 24-hour carer. She was planning on taking
18 [REDACTED] to look after and foster herself. That's my son.
19 That she was claiming incapacity benefit, disability
20 allowance, 100 per cent enhanced social work payments
21 for me. So obviously it was very beneficial that
22 I stayed with her.

23 LADY SMITH: Did you say that she had you down as needing
24 24-hour care --

25 A. Absolutely.

1 LADY SMITH: -- or being a 24-hour carer?

2 A. Yes.

3 LADY SMITH: And hence what you take from the benefits that
4 she was claiming; is that right?

5 A. Yes. And carer's allowance as well was one of them,
6 because I needed a carer as well, so, yeah. Yeah, she
7 was claiming lots of benefits while giving me £40
8 a week, which -- I don't care about the money, it's
9 telling such lies, you know? I was an intelligent young
10 woman. I could have gone places, but ... I just was
11 never given that opportunity.

12 MS INNES: Okay.

13 You mentioned your son. After he came along, did
14 you maintain any kind of relationship with the

15 **FNJ-FNK** ?

16 A. Yeah. I moved out. I stayed with dad, for
17 maybe about six or seven months. He was quite
18 controlling as well, so I packed all my stuff and left
19 one day and got my own flat by myself. This was where
20 I kind of started to realise that Mrs **FNJ** had been
21 claiming all these benefits, because I had to move into
22 a single parent myself. So the first thing the woman at
23 the Job Centre asked me was if I still had all these
24 problems and if Mrs **FNJ** was still caring for me,
25 and at the time I didn't even question it. I just said

1 no, and went on with my business. And then things kind
2 of slowly started to take shape.

3 So, yeah, as I say. But I just went on, I brought
4 up [REDACTED] myself, and then I met my husband, [REDACTED] We
5 got married.

6 I saw them. They saw the kids. They bought them
7 Christmas presents. They sometimes took the boys away
8 to their caravan. But as a mother/daughter
9 relationship? No. It was a very strange relationship
10 that we had.

11 Q. Okay.

12 You tell us about that in your statement. You give
13 us some information. For example, at page 43,
14 paragraph 159, you say that sometimes you could go for
15 months without speaking to her and then --

16 A. (Witness nods).

17 Q. -- you would phone up and she would never -- she would
18 never instigate contact with you, I think.

19 A. Yeah. Yeah. Many, many times. I know she kind of had
20 the same problem with some of the other kids as well,
21 but she just ... I don't know. Unless there was
22 something specific -- you know, I remember when [REDACTED] was
23 about seven or eight months -- [REDACTED] was premature by
24 five weeks, so he had a few problems to start off with,
25 and when he was a wee baby she was very focused on the

1 fact that he was possibly autistic and stuff like that.
2 So she was around a lot then because she felt that, you
3 know, she could help this situation. But then obviously
4 when I had kind of said, "Look, I don't want that kind
5 of help", she would withdraw, because obviously she
6 wasn't really getting what she wanted.

7 So, yeah, as I say, it was very sporadic. Not like
8 a normal relationship with what I would perceive as
9 a mother, father, granny, grandad type situation.

10 Q. Okay.

11 Do you know if the [REDACTED] fostered after you had
12 left?

13 A. So --

14 Q. Or later on, maybe?

15 A. -- they made out -- not -- it wouldn't have been that
16 long after I had left that they were going to adopt,
17 this time through the St Andrew's Children's Trust,
18 because they weren't going to work with Perth and
19 Kinross Council anymore. It was actually myself and my
20 husband, [REDACTED] that took them to the St Andrew's
21 Children's Trust when we went to Edinburgh that day.

22 They ended up, what we were told, adopting a young
23 boy called [REDACTED] who was -- I think he was about nine
24 at the time, because they couldn't adopt any younger.
25 As it transpired, they only fostered [REDACTED] and they did

1 exactly the same to [REDACTED] as they did to myself. So
2 [REDACTED] doesn't have any contact with either -- or any of
3 us. He doesn't have anything to do with any of us
4 because his life was made hell. So ...

5 Q. And when they had -- I presume they must have had some
6 kind of assessment to be foster parents again, did
7 anyone come and speak to you?

8 A. Absolutely not, no. No. Not at all.

9 Q. Okay.

10 A. As I say, it was a private -- as far as I'm aware, it
11 was a private kind of charity, so they went through
12 Edinburgh a couple of times and then [REDACTED] was brought
13 to the FNJ-FNK [REDACTED] residence. Yeah. No, we never had
14 any interaction with anybody.

15 Q. Now, at page 45 of your statement, and starting at
16 paragraph 163, you talk there, as you've already
17 mentioned, that you spent time from your 20s tracing the
18 whole of or as many of your family as you could?

19 A. Yeah.

20 Q. And you were able to trace all of your siblings.

21 A. (Witness nods).

22 Q. How have you found that journey? What reflections do
23 you have on that experience? Was it positive or not?

24 A. Absolutely not.

25 Q. Why not?

1 A. It's been the hardest -- probably the hardest thing I've
2 ever done. The emotion. The emotional rollercoaster.

3 I get quite hyperfocused, probably a lot to do with
4 my ADHD, but when I got a lead, we'll say, I really did
5 go at that, and it meant that I kind of like cut
6 everything else off to focus on that one situation.
7 I think a lot of it was to do with time. [REDACTED] my
8 older sister which we talked about earlier on, she died
9 in 2002, so that relationship never really got to go
10 anywhere. And then I'd met my other brother and sister,
11 [REDACTED] and [REDACTED] who stayed in Perth, but I knew that
12 there'd been other siblings that had possibly passed,
13 just by rumour. So it was time. And as it transpired,
14 there was two siblings that I'd never met because they'd
15 committed suicide.

16 Q. Okay.

17 Do you think that you should have had the
18 opportunity to have had relationships with them during
19 your childhood?

20 A. Well, I think the fact that the social work knew where
21 every single one of them was, then why, why was I not?
22 Because every other kid I know got contact with their
23 families.

24 Q. Okay.

25 Then if we go on to page 48 of your statement, you

1 talk there about getting your records.

2 A. (Witness nods).

3 Q. At paragraph 176 you talk about applying for your social
4 work records.

5 A. (Witness nods).

6 Q. You say that you didn't think it would be such a long
7 process.

8 A. Absolutely not, no.

9 Q. Did you have to wait for a few -- well, you say -- you
10 went to Birthlink.

11 A. It was about six months from the time I first applied.
12 I think even just, you know, the process, it wasn't
13 explained. I don't remember filling out a subject
14 access request. As far as I'm aware, I wrote a letter
15 asking for my records. So, yeah, from the time that I'd
16 applied for them -- and then they just arrived on my
17 door one day. I was actually at work and my husband had
18 phoned me and was like, "There's like lots of parcels
19 arrived, boxes, boxes".

20 So, yeah, as I say, it -- it was a long time. And
21 I didn't take the help from Birthlink because I didn't
22 want to have to travel through Edinburgh how many times,
23 because to get through that paperwork, it would have
24 taken forever. You know, it's taken me four years
25 nearly. So -- and I still haven't gone through it all.

1 So, yeah, that wasn't something that I was willing to
2 do.

3 So, yeah, as I say, it was a long time. I just
4 think the information that came with it as well -- if
5 somebody had said to me at the time, "You can put
6 a subject access request in for anything", it would have
7 made life a lot easier for me then, you know. So, yeah.
8 I wasn't given a lot of information.

9 Q. And you say at paragraph 177 over the page that there
10 are lots -- on one view, I think you're surprised that
11 you got so much, but then on the other, there's lots of
12 things blanked out, and you say it's really frustrating
13 because you're trying to piece things together and it
14 doesn't read coherently, I assume.

15 A. Yeah. The volume of paperwork's massive, but going
16 through it now, obviously, a lot of it is copies. So
17 there'll be the same bit of paperwork maybe four or five
18 different times.

19 The redacted information's hard, because if you have
20 a paragraph that's maybe got three words in it out of
21 the paragraph that you can read, that's frustrating,
22 especially when you're trying to piece together bits to
23 make a story in your mind that you know that's happened
24 and you can see bits of it, but you can't get the full
25 story. So, yeah, the redacted -- I understand why it's

1 done, but it's frustrating.

2 Q. And you talk about the nature of the records as well,
3 and I think you say, for example, at paragraph 178, that
4 obviously there's jargon and technical terms in the
5 papers, and you'd really need to have somebody to
6 explain that to you, but as you've just said, to have
7 the time for somebody to do that with you hasn't been
8 possible.

9 A. Yeah, there's no way. Like, I could never imagine
10 coming through Edinburgh to do -- even waiting to ask
11 somebody questions, you know. As I say, I'm quite
12 impulsive. So I phone solicitors. Believe you me, if
13 I've had a letter in there and it's been from
14 a solicitor, I phoned the solicitor. I actually turned
15 up at one of the solicitors in Perth and had the woman
16 in tears because I presented her a letter from 1983 and
17 I was like, "Can you explain this to me?", and she went,
18 "I wrote that", and she was like, "Where did you get
19 this from?", and I was like, "I got it in my social work
20 records". So she explained it to me.

21 So, yeah, I've done a lot of this kind of work
22 myself. I just could never imagine going through
23 Edinburgh to have somebody explain on various different
24 appointments ... just ... it was not an option for me.
25 I know it maybe works for some people, but I'm there and

1 now.

2 Q. Now, I'd like to move on to lessons to be learned on
3 page 51 of your statement.

4 A. Yeah.

5 Q. And you say at paragraph 184 that you came forward to
6 the Inquiry because of the systematic abuse by the
7 social work department, you say.

8 A. Mm-hmm.

9 Q. So you're not saying there abuse by the FNJ-FNK or
10 abuse by [REDACTED] you're saying abuse by the social work
11 department.

12 A. Yeah.

13 Q. Can you explain what you mean?

14 A. So obviously when I took part in the Inquiry, my reason
15 was the way that the system for me was. So the
16 different social workers, obviously, and my early life
17 being kind of back and forward, not really having any
18 relationships with the social workers. Yeah, I suppose
19 in some senses I was aware that Mrs FNJ [REDACTED] controlled
20 the situations. To say that out loud at that point in
21 time probably was something that I was never going to
22 do.

23 I believe the social work department failed me, time
24 and time and time again, because they knew what was
25 going on in that house and never ever changed the

1 situation for either of us. I'm including [REDACTED] as
2 well, so ...

3 Yeah, it was systematic abuse, but there was a whole
4 lot of abuse that went with that after.

5 LADY SMITH: 'Louise', you say the social work department
6 failed you.

7 A. Mm-hmm.

8 LADY SMITH: What did they fail to do that you feel they
9 should have done?

10 A. Well, I think when there's all these other agencies
11 involved and they're actually pointing out that the
12 place that I'm staying is not healthy, is not a good
13 place to be staying, there is control, there's abuse,
14 it's pointed out, they did nothing. Time and time again
15 they let Mrs [REDACTED] control the situation. She
16 controlled them. They didn't control her.

17 LADY SMITH: So the front-line problem was Mrs [REDACTED]?

18 A. Yeah.

19 LADY SMITH: Is that what you're saying? But then the
20 social work department, particularly in circumstances
21 where the Local Authority had parental rights --

22 A. Exactly. Well, they had parental rights of me pretty
23 much most of my life.

24 LADY SMITH: -- they failed in their duty to protect you
25 from Mrs [REDACTED]

1 A. Absolutely.

2 LADY SMITH: And are you saying that meant that you should
3 have been put somewhere else?

4 A. Absolutely.

5 LADY SMITH: Thank you.

6 MS INNES: And I think you might say, 'Louise', that the
7 social work department were aware from quite an early
8 stage, I think you've said that.

9 A. Going back to, what, let's say 1982, I think it was
10 pointed out.

11 Q. Okay.

12 Now, at paragraph 185 you talk about the issue about
13 turnover of social workers.

14 A. Mm-hmm.

15 Q. And you have some thoughts on, well, how could you
16 resolve that, because people leave their jobs and move
17 on and retire.

18 A. Absolutely.

19 Q. And I think you say that you understand that, but there
20 needs to be some sort of plan. I think one of the
21 suggestions that you make is that maybe you could
22 allocate two people to a child --

23 A. Mm-hmm.

24 Q. -- so that at least there's always somebody that has
25 a relationship with the child.

1 A. Yeah, definitely. You know, that's one thing, I never
2 got to form a relationship with anybody, and I suppose
3 on hindsight that could have been a lot to do with
4 Mrs [FNJ], but definitely, if I'd had somebody that
5 was there pretty much throughout, I think it would have
6 been a lot easier to speak to somebody.

7 But yet again, circumstance -- maybe my
8 circumstances are a lot different from other people's.
9 You know, I think if it was always outlined that this
10 was a social worker, she was here for me, not
11 Mrs [FNJ] I could speak to her about anything --
12 yeah, it would have been a lot better.

13 But, as I say, you'd form some kind of relationship
14 or friendship or something with somebody and then they
15 would be gone. Then you would have to meet somebody
16 else and go through that whole awkward process of
17 building a relationship, being comfortable to be able to
18 talk to them again. So that's hard as well, not having
19 anybody.

20 Q. And then over the page you talk at paragraph 188 again
21 about records, that no one should have to deal with
22 having to look into their family history the way that
23 you did. So we've already talked about the opportunity
24 of having contact with your family or knowing who they
25 were when you were in care, but at paragraph 189 you

1 also talk about, I think, sort of the life story or
2 a summary that somebody who's adopted might get.

3 A. Yeah.

4 Q. Tell us about that.

5 A. So obviously when I traced one of my sisters, [REDACTED]
6 she was actually adopted, so her partner sent me her
7 adoption paperwork, which is completely different to
8 what mine was. I had an A4 piece of paper that had
9 names and dates of birth with a small history. [REDACTED]
10 paperwork went from when my mum was 14, first contact
11 with social work, to every one of her children's births,
12 every one of her children being put into foster care,
13 right up to [REDACTED] and after, because it talked about
14 our other siblings after as well, and how my mum was
15 actually forced to get sterilised. So it gave a big
16 picture compared to anything that I had.

17 So, yeah, like, why is foster different than
18 adoption? Why did they get that story, that backlog
19 that the foster -- or do they? I don't know. Because
20 my experiences may be completely different because
21 I didn't get the family story.

22 Q. Yes. So I suppose it might be helpful to have that
23 information somewhere in a form that's easily accessible
24 and you're not having to look through volumes of
25 papers --

1 A. (Witness nods).

2 Q. -- or go on the search that you've gone on.

3 A. I didn't even have a picture of my mum. I hadn't even
4 seen a photograph of my mum up until I was 18. I didn't
5 even know what she looked like. So I know that
6 sometimes these things can't be helped, but I think it
7 would be good in future, you know, if kids can have
8 basic information. Even like some medical -- I had no
9 medical history, and every time a doctor asked me,
10 "What's your medical" -- I don't know. I knew nothing.
11 So for years and years I didn't know anything.
12 Obviously later on in life I found out about the
13 diabetes and stuff like that, so that made a bit of
14 a difference, but yeah.

15 And yet again, as I say, I don't know if this
16 information was held back from me through Mrs FNJ
17 or through social work. So as I say, it's -- I don't
18 know if my situation's different because of the control
19 that Mrs FNJ had. But a lot of this information
20 was held back from me, so I suppose I've gone out into
21 the world quite blind.

22 Q. Okay.

23 Then over the page on page 53 at paragraph 191. So
24 on that page you talk about some of these themes that
25 we've just spoken about, but you say that:

1 "I just want to put closure to it now and move on
2 and doing this, getting my story out there, is a big
3 part of it."

4 A. (Witness nods).

5 Q. What do you mean by that?

6 A. Well, obviously I want to put closure to the abuse
7 inquiry, my paperwork, kind of all the other stuff that
8 goes with it. This has been a big part of my life for
9 a long time. You know, when I got my Ancestry DNA
10 results, my friend said to me, "That's it, you've
11 completed your story now", and then the paperwork got
12 opened and it was a whole new thing. So it's like one
13 thing after another. But once this bit's done, that's
14 it. It's got to end. I just want to enjoy my life.
15 I can't go through this constant pain.

16 Q. Okay.

17 Now, I don't have any more questions for you,
18 'Louise', and obviously you've given us your statement
19 as well, which is part of your evidence to the Inquiry.

20 A. (Witness nods).

21 MS INNES: And there are no applications, my Lady.

22 LADY SMITH: Are there any outstanding applications for
23 questions of 'Louise'?

24 'Louise', that does complete all the questions we
25 have for you. Thank you so much for engaging with the

1 Inquiry as you have done, both in terms of your written
2 statement, and I understand what you were explaining
3 about you being in a different place emotionally, if
4 I can put it that way --

5 A. Yeah.

6 LADY SMITH: -- at the time you gave us that than you are
7 now. Thank you for the hard work you've put into
8 revisiting the parts that you wanted to revisit and
9 explaining them to us, and thank you for recounting so
10 much of your childhood and your thoughts about what you
11 experienced, which, from the way you've done it, I can
12 see was not at all easy.

13 A. (Witness nods).

14 LADY SMITH: Far from it. But you've done it in
15 a thoughtful, intelligent, and may I say very fair way,
16 and I couldn't help but noticing that, and it makes your
17 evidence all the more powerful.

18 A. Thank you.

19 LADY SMITH: If anything, you understate the difficulties
20 that I can see you had and the hardships you suffered.

21 A. Thank you.

22 LADY SMITH: I hope as you leave here, as you say, you do
23 begin to get some closure, but at the very least you
24 realise that you've contributed some enormously valuable
25 evidence to our work here, not just about yourself but

1 about the way systems were working in the 1980s and
2 where the flaws were.

3 A. (Witness nods).

4 LADY SMITH: And you've pointed to quite a number of those.
5 It's really helpful to the work I'm doing.

6 A. Thank you.

7 LADY SMITH: So I'm able to let you go, and I hope the rest
8 of your Friday is easier than what you've been doing so
9 far today.

10 A. Thank you very much.

11 LADY SMITH: You go with my good wishes. Thank you.

12 A. Okay, bye.

13 LADY SMITH: Bye-bye.

14 (The witness withdrew)

15 LADY SMITH: Well, we used the [FNJ-FNK] names there,
16 obviously, 'Louise' referred to her own siblings and we
17 used the [FNJ-FNK] children's names, and they all have
18 the protection of my general restriction order so cannot
19 be repeated outside this room.

20 So, I think it must be the end of the evidence for
21 this week, Ms Innes, is it?

22 MS INNES: It is, my Lady. Next week we have more evidence
23 from applicants.

24 LADY SMITH: That will be Tuesday morning, 10 o'clock. But
25 meanwhile, I'll rise now, and I wish all of you who are

1 here and those of you who are still listening a very
2 good weekend indeed.

3 Thank you.

4 (4.05 pm)

5 (The Inquiry adjourned until 10.00 am

6 on Tuesday, 16 August 2022)

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