

1 Friday, 23 September 2022

2 (10.00 am)

3 LADY SMITH: Good morning and welcome to the last day this
4 week of evidence in our foster care and boarding-out
5 case study. We're hoping to have three oral witnesses
6 today, I think.

7 One of them I understand is here and ready. Is that
8 right, Ms Innes?

9 MS INNES: Yes, that's correct, my Lady.

10 The first witness is an applicant who wishes to
11 remain anonymous and has chosen the pseudonym 'Jess'.
12 'Jess' was in the care of Grampian Regional Council
13 initially. She was placed with Sheila Davies in
14 Aberdeen from [REDACTED] 1995 until [REDACTED] 1995, when she
15 returned to her mother.

16 She was then placed with [REDACTED] on
17 [REDACTED] 2002 and remained there until [REDACTED] 2004.

18 On that date she moved to another foster carer,
19 [REDACTED], and she lived there until [REDACTED] 2005.

20 Sheila Davies was a foster carer for Grampian
21 Regional Council and then Aberdeen City Council from
22 about 1989 until she resigned on 8 May 2003.

23 Aberdeen City Council is the relevant successor.

24 LADY SMITH: Thank you.

25 MS INNES: On 31 May 2018, Sheila Davies was convicted of

1 six charges of assault in respect of six complainers, of
2 which 'Jess' is one. I wonder if we could look, please,
3 at the conviction, which is at JUS-000000082.

4 We see here that this is the extract conviction.
5 The date of the conviction, as I've said, was
6 31 May 2018. If we scroll down a little we see the six
7 charges of assault, two to injury, and the disposal of
8 the court was 240 hours of -- it was a community payback
9 order.

10 LADY SMITH: Yes.

11 MS INNES: If we can move on, please, to page 3, if we
12 scroll down again we can see various charges.

13 Sheila Davies was acquitted of the first charge.

14 The second charge I think was withdrawn by the
15 Crown.

16 Charge 3, as Your Ladyship will see, is a period
17 from [REDACTED] 1993 to [REDACTED] 1994. That's in respect
18 of a 12-year-old child and Your Ladyship will see the
19 assault that's mentioned there.

20 Charge 4 is the charge in respect of 'Jess', and
21 Your Ladyship will see that it says that it's on various
22 occasions over the time that 'Jess' was living with
23 Sheila Davies and that it refers to seizing her by the
24 body and repeatedly slapping her on the head and body.

25 Charge 5 didn't go to the jury -- sorry, it was

1 a summary, it was withdrawn by the Crown.

2 LADY SMITH: Yes.

3 MS INNES: Charges 6 and 7 are other assaults, again on

4 children, one aged six, one aged between 9 and 12.

5 Then going on to page 5, charge 8, again an assault

6 in respect of a child aged between four and five.

7 Then charge 9, a charge in respect of a child aged

8 between three and four. This refers to striking the

9 child on her head, force feeding her and seizing her by

10 the body.

11 Your Ladyship will also find in this document a copy

12 of the sheriff's decision, if one moves to page 6.

13 LADY SMITH: Just while that's coming up, to summarise, does

14 that mean that the charges spanned a period of about

15 eight years and there were convictions on -- was it six

16 of them?

17 MS INNES: Yes, so the earliest date in respect of the

18 charges, in respect of which the accused was found

19 guilty, the earliest date was 26 June 1993 and the

20 latest was 31 December 2001.

21 LADY SMITH: Yes.

22 MS INNES: As Your Ladyship says, eight years --

23 LADY SMITH: A period of eight years and a total of six

24 charges resulting in convictions?

25 MS INNES: Yes.

1 LADY SMITH: Thank you.

2 MS INNES: At page 6 Your Ladyship will see what the sheriff
3 said. I want to look, please, at page 7 and there's
4 a paragraph that we see at the bottom of the screen --
5 now it's gone to the top, sorry:

6 "The question whether or not I believe the various
7 complainers depends on my assessment of their
8 credibility and reliability ..."

9 Then in the next paragraph the sheriff says:

10 "The first thing that has to be said about the
11 witnesses was that he found 'each and every one of them
12 to be credible in the manner in which they gave their
13 evidence'.

14 Then he goes on in the next paragraph to say:

15 "But I can only believe them if they were also
16 reliable. In cases such as this, involving historical
17 events when witnesses are giving evidence of things that
18 they say happened many years ago when they were young
19 children, it is important to take care in making
20 an assessment of reliability. In making that assessment
21 it is an important consideration that there was, in my
22 view, no collusion. That is because in relation to
23 charges 3 and 5 to 7 inclusive there is no possibility
24 of collusion, because on unchallenged evidence none of
25 the complainers knew any of the others; and in relation

1 to charge 4, although there is the possibility of
2 collusion [that's the charge in respect of 'Jess'], if
3 the brother and sister who gave evidence intended to
4 come to court and tell lies about what happened they
5 would have made a much better job of it; and because in
6 relation to charges 8 and 9 the same comment applies."

7 I mention that because in due course we will see
8 a statement that's been taken from Sheila Davies in
9 which she indicates that she considers that there was
10 collusion between the various complainers.

11 Then finally on page 8 the paragraph beginning:

12 "One issue, at first blush, caused me to doubt the
13 credibility and reliability of certain of the witnesses;
14 those witnesses who maintained that they had made
15 disclosure to their social workers. How could it be
16 that if disclosure was made no record of it existed?
17 Well, the answer to that doubt is that there was, in
18 fact, no evidence that no record existed."

19 Then he goes on to discuss that and I think says:

20 "For me to hold that no record existed would involve
21 pure speculation ..."

22 In the final sentence of this paragraph he says:

23 "The bottom line is that I have no legitimate reason
24 to doubt the evidence of those witnesses who asserted
25 they made disclosure to their social workers."

1 That's all that I want to take from that.

2 LADY SMITH: That's very helpful.

3 MS INNES: I think I'm ready to ask for the applicant to be

4 brought in now, thank you.

5 LADY SMITH: Thank you.

6 'Jess' (sworn)

7 LADY SMITH: 'Jess', it's important that we hear you through

8 the sound system so I'd ask you to stay in a good

9 position for the microphone, please.

10 A. Okay.

11 LADY SMITH: If you could do that.

12 The red folder has your statement in it and you'll

13 be taken to that shortly, but we'll also put your

14 statement up on the screen in front of you and go to the

15 parts of it that we need to discuss during your

16 evidence.

17 A. (Witness nods)

18 LADY SMITH: But 'Jess', quite separately from those

19 practicalities, I want to assure you I do understand

20 that what we're asking you to do is difficult, come into

21 a public forum like this and talk about your own life,

22 your personal life, and things that happened in

23 childhood that were not always pleasant at all, if I can

24 put it that way. I do understand that however well

25 prepared you think you are, however confident you are

1 about speaking about all these things, your emotions
2 might take you by surprise.

3 A. (Witness nods)

4 LADY SMITH: That happens. I see it happen quite often and
5 I do understand. If you want a break, either sitting
6 where you are or leaving the room, that's fine by me.
7 All you have to do is ask. Or if there's anything else
8 we can do to help you give your evidence as clearly and
9 carefully as you can, we really would like to do that if
10 you tell us what would help. If it works for you it
11 works for me, 'Jess'.

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

14 A. (Witness nods)

15 LADY SMITH: Thank you.

16 Ms Innes.

17 MS INNES: Thank you, my Lady.

18 Questions from Ms Innes

19 MS INNES: 'Jess', we understand that you were born in 1991.
20 Is that right?

21 A. Yeah.

22 Q. I'm going to ask you to look at the statement first of
23 all, please, and we give it the reference
24 WIT.001.002.2612. If you can go to the last page of
25 this, so it will come up on the screen. At

1 paragraph 325 we see that you say there that you have no
2 objection to your witness statement being published as
3 part of the evidence to the Inquiry:
4 "I believe the facts stated in the witness statement
5 are true."
6 I believe that you signed the statement on
7 21 November 2018; is that right?
8 A. Yeah. It didn't seem that long ago, but yeah.
9 Q. Okay.
10 Can we go back to the start of your statement,
11 please, and I'm just going to begin by summarising just
12 some of your background and who was in your family.
13 At paragraph 2 you mention your mum and you say at
14 paragraph 3 that from your mum you have two brothers and
15 a sister; is that right?
16 A. Yeah.
17 Q. You talk about your eldest brother and then you had
18 another brother who was born in 1988.
19 A. Yeah.
20 Q. I think you go on to tell us that you don't remember
21 living with that brother.
22 A. (Witness shakes head) No, I don't.
23 Q. You tell us that you think he got adopted by --
24 A. His grandparents.
25 Q. Right, okay. Then there was your younger sister who was

1 born in 1995?

2 A. Yeah.

3 Q. Okay. We'll come onto it in a bit more detail, but

4 I think during the time that you were in care, for some

5 of the time you were with your brother, for some of the

6 time you were with your little sister?

7 A. No. Just my brother. And then when we were returned,

8 my sister was born.

9 Q. Okay.

10 A. Or during the time we were in care my sister was born.

11 Q. Okay. We'll come onto it in a bit more detail. Did you

12 not live with your sister at a family called the

13 [REDACTED]? Did she come to stay --

14 A. Yeah, in foster care, yeah, later on.

15 Q. Later on, okay.

16 You were mentioning there the first time that you

17 went into foster care. If we go on to page 2, at

18 paragraph 6 you say that you remember your mum being

19 pregnant with your little sister and you and your

20 brother were taken into care.

21 A. Yeah.

22 Q. You say that you thought that you were being put into

23 care on a voluntary basis but you found out that the

24 social work department had taken you into care because

25 of a lack of care on the part of your mum?

1 A. Neglect, it said in the paperwork.

2 Q. Okay, right. And then you tell us at paragraph 7 that
3 you went to a person called Sheila Davies?

4 A. Yeah.

5 Q. You were about four or five when you were there.
6 I think we know that you were at nursery school when you
7 were there?

8 A. Yeah.

9 Q. You went there with your brother?

10 A. Yeah.

11 Q. You say that you know it wasn't as long as a year, you
12 don't know how long it was, and we know from your
13 records it was about two and a half months.

14 A. All right, okay.

15 Q. You went in the [REDACTED] and then you went back to your mum
16 in the [REDACTED].

17 A. Okay.

18 Q. You tell us at paragraph 8 that Sheila's house was round
19 the corner from where you'd been living with your
20 family?

21 A. Yeah.

22 Q. Was she somebody that you knew or were conscious of
23 before --

24 A. Like we knew -- like when you live in an area you know
25 who's who, so we knew who she was, yeah. And like the

1 neighbours and stuff like that were friends of the
2 family and -- just like that, really.

3 Q. Okay. And --

4 A. She still lives there to this day as well, so.

5 Q. How did you feel about going to her house?

6 A. I remember being scared because I knew I was getting
7 taken off my mum but I remember feeling a bit okay about
8 it because I had my brother.

9 Q. Okay, your --

10 A. Like I remember being worried about my mum being
11 pregnant because I knew there was a baby in her tummy,
12 so.

13 Q. Okay. Then you talk a little bit about what you
14 remember of the house and how it was laid out.

15 Then over the page at paragraph 9 you talk about the
16 other people that were living in the house at the time?

17 A. Yeah, her son and daughter.

18 Q. Okay. You say her son was about the same age as your
19 brother?

20 A. And I was like roughly the same age as her daughter,
21 because we went to the same school, like nursery, at the
22 same time. And our pegs were at like the same -- next
23 to each other.

24 Q. Oh, your pegs were next to each other?

25 A. Yeah.

1 Q. You also mentioned that you think that Sheila's mother
2 was living there but she shouldn't have been there?
3 A. Yeah, I feel like there was another lady like there all
4 the time, like helping Sheila, like just pottering about
5 the house and they'd watch TV and one day she was there,
6 one day she wasn't.
7 Q. Right, okay. Were there other foster children in the
8 house when you were there, can you remember?
9 A. No, I only remember like the boy and girl that were
10 there. To be honest, now thinking about it, I assume it
11 was her daughter and son. It could have been foster.
12 I never thought about that.
13 Q. Okay. But there were these two children there, anyway,
14 and then there was you and your brother?
15 A. (Witness nods)
16 Q. Okay.
17 A. Yeah, like sorry, the lady would be there for like days
18 and like I'd hear like them swearing and like discussing
19 stuff and like getting angry with like each other, just
20 like confrontational stuff with each other.
21 Q. Okay. How did that make you feel, can you remember?
22 A. I just felt out of place anyway being in care, but
23 I just felt okay because my brother was there.
24 Q. Okay.
25 A. And obviously until like she hit me.

1 Q. Okay. What was she like, Ms Davies?

2 A. Oh, she was quite like abrupt looking, like moody all
3 the time. Like it was never smiles. She wore like long
4 skirts from the waist down and if you didn't eat she'd
5 make you eat. And if you -- like you weren't allowed to
6 help yourself either.

7 Q. Okay. You tell us a bit more about that as you go on in
8 your statement. At paragraph 11 you say that the
9 atmosphere in the house was quiet and you could feel the
10 awkwardness?

11 A. Yeah, like all the -- if there wasn't like someone there
12 or like -- like the kids weren't there, she would just
13 sit there, like the TV on, like all the time, like for
14 long periods of time and would just be sitting there.

15 Q. You say that you had the feeling that she hated you?

16 A. Yeah, I didn't feel like she liked kids at all. Because
17 she was quite thingy with her own -- like the others,
18 and I thought were her own kids.

19 Q. When you say she was quite "thingy" with her other kids,
20 what do you mean?

21 A. Just moody, like quite strict, bossy all the time.

22 Q. Okay. You talk at paragraph 12 about --

23 A. Yeah, I didn't want to be lifted. I didn't like
24 someone -- and she would like do it anyway. You know
25 when you're trying to like fight off getting lifted --

1 sorry -- she would like lift me anyway, holding me onto
2 her and I felt a bit big to be lifted. But -- and
3 I used to kick and scream and I went off of her, pushing
4 off of her like that.

5 Q. You talk at the top of page 4 about remembering the
6 feelings that you had about that?

7 A. Yeah, I just wanted my mum all the time. Like all the
8 time. It made me really sensitive. I'd cry for
9 nothing.

10 Q. Okay. If we go down to the bottom of this page you talk
11 about food and you mentioned a little bit about that
12 already in your evidence. You say there that you do
13 remember being at a table at mealtimes.

14 A. Yeah, it was like a circle table. She'd have us sit
15 there.

16 Q. You say that she used to feed you?

17 A. Yeah, because I was quite messy. I was a messy eater
18 and I was fussy as well, so like when it came to me
19 eating, people used to like just give me the same thing
20 or do it for me and things like that. I felt like I was
21 a problem to her at mealtimes.

22 Q. Okay. And you say that she sometimes forced you to eat
23 things?

24 A. Yeah.

25 Q. Okay. Over the top of the next page at paragraph 17 you

1 talk about your brother and you say that you can't
2 remember either your brother or you having issues with
3 food before you went to live with Sheila?

4 A. No. I don't -- I've never experienced any feelings of
5 what I experienced living with Sheila until I lived with
6 Sheila.

7 Q. At paragraph 20 you talk there about your brother going
8 away to a camp.

9 A. Yeah, that's when like -- I can't remember why I was
10 hit, but I -- like she really walloped me quite badly on
11 my little hand, like I remember that, and I think there
12 was two occasions she did it, or three maybe, I can't
13 remember, but it was -- it was ongoing. Her being
14 strict, the way I was being treated at mealtimes, just
15 like the commotion of it all. So my brother had
16 threatened to do something to her son if she had hit me
17 again and a week -- like a couple of weeks later, they
18 put my brother to a Christian camp for like summer
19 holidays. He didn't want to go. He's not a Christian,
20 he's Catholic.

21 Q. Okay.

22 A. And he didn't want to go because of his religion and the
23 issues with me being there, he didn't want to leave me.
24 No one cared. He got put there anyway.

25 Q. And what --

1 A. That's usual the way in care works. They say they care,
2 but they don't, because they've got to do things their
3 way and by laws and rules or whatever, without caring
4 what it can do to the child.

5 Q. How did you feel about your brother going away?

6 A. I was hysterics, in hysterics, scared to be left with
7 her.

8 Q. You tell us that you don't --

9 A. I can't even remember my brother being gone. Can't even
10 remember it. I just remember remembering, if that makes
11 sense, of what it felt like when he wasn't around. But
12 it's like blanked out. But I still remember it. It's
13 complicated.

14 Q. Yeah, you remember the feeling maybe rather than the
15 actual --

16 A. Aye. Like I remember ...

17 Q. Okay. Can we go to the top of the next page, please,
18 page 6 and paragraph 22. You say there that you can't
19 remember having any visits with your mum when you were
20 staying with Sheila?

21 A. No.

22 Q. Was your mum in prison at the time; do you know?

23 A. I believe so, yeah.

24 Q. Okay. At paragraph 23 you say you don't remember any
25 social workers coming to see you then.

1 A. No.

2 Q. Although I think later in your statement you maybe say
3 that from your records you've maybe seen that there were
4 some meetings with social workers?

5 A. Yeah.

6 Q. But you have no memory of that at the time that you were
7 at Sheila's?

8 A. No.

9 Q. Okay. If we can go to the next page, please, page 7 and
10 paragraph 26, you say that you can remember running away
11 one day?

12 A. Yeah, from Sheila's. I can't remember why, but I ran --
13 oh yeah, I do remember, actually. It was the -- the
14 incident where my brother was shouting and like
15 threatened to use violence on her own child, if it was
16 her own child. And because I was scared because I knew
17 my brother would have, I just ran out the door. Because
18 I didn't -- obviously I didn't want to see it, didn't
19 want to be part of it, but I do remember being on the
20 like road with no shoes on and not wanting to go back.

21 Q. Can you remember somebody coming and taking you back or
22 not?

23 A. (Witness shakes head)

24 Q. No? You just remember being on the road?

25 A. Aye.

1 Q. Okay. You've mentioned already that Sheila sometimes
2 hit you and at paragraph 27 you talk about that and you
3 say that she was always shouting at you?
4 A. Yeah.
5 Q. Was there any reason for her shouting at you? Do you
6 know --
7 A. I don't know. Can't really remember. Only thing
8 I remember is getting shouted at about helping myself,
9 like going to the fridge and helping myself. Or
10 I can't -- there was some sort of rule for the back
11 garden and I always broke the rule. That's about it,
12 really.
13 Q. Okay.
14 A. Moaning because we were making noise because the telly's
15 on. Just like that kind of vibe, like someone just
16 horrible.
17 Q. Okay. You talk about her hitting you.
18 A. (Witness nods)
19 Q. Where would she hit you?
20 A. Like the incidents were on the wrist, where she would
21 hold my hand and wallop me and wallop me, and then there
22 would be other incidents when we're like going to bed or
23 passing, she would like usher us using the back of the
24 head.
25 Q. Okay. You say there that you were slapped on the back

1 of your head?

2 A. Yeah, you know like if someone was passing, like that

3 and things. (Indicated)

4 Q. Okay. Why was she doing that when you were passing, do

5 you know?

6 A. No idea.

7 Q. Okay. How did this make you feel?

8 A. Well, I was only young. I was only like four. Just

9 constant feeling I wanted my mum. Like consumed my

10 life. It still does, but I'm older now, I'm mature, but

11 as a little girl you just want your mum.

12 Q. You say that it made you feel nervous and wary of her?

13 A. Yeah, all the time. It's actually made me question

14 everybody else after that, even my own, because when

15 I used to -- when I got home and I used to say to my mum

16 what happened to me, I used to try and tell her, it

17 would just be patched over with, "Oh, we can't tell

18 anyone, we'll be deemed as cliques", the terminology

19 "grass", things like that. So my mum was too scared to

20 do anything about it. Well, I'm not. Not now.

21 Q. At the time did you feel that there was anybody that you

22 could talk to about it?

23 A. No. Well, there's stuff in that paperwork where I've

24 tried to speak to social work, tried telling them things

25 regarding my parents injecting each other and nothing

1 was ever done about it.

2 Q. Okay. So that had been your experience of social work,

3 I think?

4 A. Yeah.

5 Q. Okay.

6 A. My experience is the social work just took, they didn't

7 care. Like they look into things but they don't

8 actually do anything practical to show that they care.

9 Q. You say in paragraph 28 that there was a difference

10 between the way her own children were treated compared

11 to you and your brother?

12 A. Yeah. She was nicer to her own. Like she would -- she

13 would brush the little girl's hair but like my brother

14 would do mine.

15 Q. Right.

16 A. It was like you're the foster kids, you'll look after

17 each other and I'll look after mine.

18 Q. Okay. Did you ever see her hitting her own children?

19 A. I want to say yes, but I don't know.

20 Q. Okay. At the top of page 8 you talk about how much she

21 was receiving for fostering you and you say that you

22 know that it was £16,000 a year. How do you know that?

23 A. Yeah, because we were always reminded, like throughout

24 care we were reminded how much the wages were and how

25 they couldn't afford the things that we were asking for.

1 Just things like that. I think I maybe mixed that up
2 with [REDACTED] and [REDACTED].

3 Q. Okay, so those are foster carers that you had later on,
4 so we will come to.

5 A. Yeah. I think with some of the things with like
6 different foster carers, I think it's all like mixed.

7 Q. Okay.

8 A. Sorry.

9 Q. No, that's fine.

10 Later on I think what you're saying is you became
11 aware because you were being told by the foster carers
12 themselves how much they were being paid to look after
13 you?

14 A. Yeah.

15 Q. Okay. Then at paragraph 30 you talk about getting the
16 blame --

17 A. Oh yeah, I remember that. Out in the garden again.
18 Like I just used to get the blame. I don't know why,
19 but I just used to get the blame any time that the other
20 young girl got hurt or if the young girl ran in saying,
21 "[REDACTED] did this", it was always just believed, it was
22 never, "Oh, just get on with it, just leave it" or her
23 fixing the problem. It was just blame.

24 Q. Then at paragraph 32, and we'll come back to it a little
25 later in your evidence, but you tell us there that you

1 gave evidence against Sheila Davies in court and that
2 was -- you say it was recently, so we know it was back
3 in 2018, shortly before you signed your statement, and
4 you say:

5 "I have now read everything that she did."

6 Did you read about it in the papers or --

7 A. Yeah.

8 Q. I see.

9 A. There was a previous case she was going through for
10 a nursery she owned or managed, her and her mum, in the
11 area I live in, and I was absolutely shocked at what
12 I was reading, because when you read something that's
13 happened to you but you haven't said anything yet or
14 went forward, you're like -- it enlightens you. So
15 I felt -- I felt like comfortable enough to say all this
16 after that.

17 Q. We'll come back --

18 A. Because I went fishing, looking for other things,
19 because I knew there was other people, but I wasn't
20 expecting that, like the extra stuff about the nursery
21 and in the paper she actually said that the children
22 were spoilt, that's why they cried, and things like
23 that, so.

24 That's the only kind of feedback I've heard from
25 Sheila is about the nursery, like things she actually

1 said like to the accusations was that the children were
2 spoilt and like cried all the time. If that's the case,
3 then she shouldn't have been in the job.

4 Q. Okay. So you know that she and her mum were running a
5 nursery, I think.

6 A. Yeah, I only found that out after -- like finding my own
7 newspaper article on Sheila.

8 Q. I see, so after the trial?

9 A. Yeah.

10 Q. When you'd found your -- as you say the report of the
11 trial itself, you also discovered that there were
12 reports about complaints against her?

13 A. Oh, she was shut down.

14 Q. Okay.

15 A. Shut down. Never to work with kids again.

16 Q. Okay.

17 A. And I was quite angry at that because I'd left this so
18 long, but I never knew I could -- like at any point
19 I could have reported that. Like I didn't know that.
20 I've been brought up to just forget about it, leave it,
21 but then realistically I could have reported that at any
22 time, but I never knew that because it was like
23 historical or so many years ago.

24 Q. Do you know if she ran the nursery after she was
25 a foster carer for you?

1 A. Oh yeah, she would have. Yeah, she would have.

2 Q. Right. Okay, we'll come back to that again later on in
3 your statement, but you tell us at paragraph 35
4 something that you've mentioned already, that when you
5 were back home you told your mum what had happened, that
6 Sheila had hit you, and I think you told us in your
7 evidence earlier that your mum said, "Don't say anything
8 about it"?

9 A. Well, like the whole clipping or telling on someone,
10 phoning the police, it's forbidden within our family.

11 Q. Okay. You say that you felt that apart from your
12 brother, there was nobody else that you could --

13 A. No.

14 Q. -- speak to about what had happened. Okay.

15 A. I wouldn't have known, like I've just described there,
16 I wouldn't have known who to tell because there was
17 no one there. No like pinpointed person who I've seen
18 and that's like my person I tell things. I didn't have
19 that.

20 Q. In the next part of your statement you tell us that you
21 went back to live with your mum again and that was from
22 1995 until 2002. You've covered this in detail in your
23 statement, we've read it all and I know it's distressing
24 for you to talk about so I'm not going to ask you
25 questions about it, if that's okay.

1 A. (Witness nods)

2 Q. But I know that -- well, you tell us in your statement
3 that during the time that you were living with your mum
4 again things were chaotic, the police were involved, but
5 social work weren't involved.

6 A. (Witness nods)

7 Q. I think that you feel that you shouldn't have been put
8 back to your mum --

9 A. (Witness shakes head)

10 Q. -- and that when all of these things were happening and
11 the police were coming around, that maybe people should
12 have stepped in to help?

13 A. Yeah, the police also didn't help us, just the same as
14 social work. So ...

15 Q. Okay.

16 A. Like just to touch on it, I have witnessed police
17 corruption right in front of me.

18 Q. That was, I think, from what you saw in the house when
19 you were living with your mum?

20 A. It wasn't just my home. It would happen in hotels, the
21 airport. Like my mum would move to try and deter away
22 from the police, so we would move house to a different
23 area. There was a time when we moved back to the same
24 house three times. So this house to that house, then
25 back again, then back to that house, then back again.

1 Q. Yeah. So as you tell us in your statement, 'Jess', this
2 was an extremely difficult time for you and you've told
3 us about that in your statement.

4 A. A lot of travelling as well on motorways. A lot of it.
5 A lot of it.

6 Q. Yes. If we can go on, please, to page 16, you tell us
7 at paragraph 67 that in 2002 your mum was jailed for ten
8 years?

9 A. Yeah.

10 Q. That was the time that you went back into care again?

11 A. Yeah.

12 Q. And you went to stay, I think, with [REDACTED] and
13 [REDACTED], who you've already mentioned?

14 A. Yeah.

15 Q. Okay. If we move to paragraph 69 on page 16, you say
16 that you were taken to these people. Was this the point
17 that you went with your little sister?

18 A. Yeah. My brother was too old to go into care. He went
19 to prison.

20 Q. Okay. So you and your sister --

21 A. Sorry.

22 Q. Sorry?

23 A. So to me, my brother was totally missed out, slipped
24 through the net sort of thing. And my brother and my
25 sister are not in a position to do what I'm doing today,

1 like at all.

2 LADY SMITH: Did you say he was "totally messed up"?

3 A. Well, what year --

4 LADY SMITH: No, I'm just trying to get the language you

5 used correctly.

6 A. 1995 we went in, then we came out of care and then my

7 brother was never looked at again.

8 MS INNES: So I think --

9 A. So until he went to prison, because he wasn't old

10 enough -- no, he was too young to go into care, to get

11 help, to whatever. He was just seen as one of the

12 dealers in the home. My mother probably looked at him

13 to take some blame and that's why he ended up in prison.

14 A total shame for my brother.

15 LADY SMITH: In 2002, he'd be about 19?

16 A. Yeah.

17 LADY SMITH: Thank you.

18 MS INNES: Okay. You then went to [REDACTED] and [REDACTED] and you

19 tell us about them. At paragraph 71 you say that [REDACTED]

20 worked offshore, so he was away quite a lot?

21 A. (Witness nods)

22 Q. You talk about him being away for months at a time?

23 A. Yeah, I think it was three months or one month -- six

24 weeks on, six weeks off.

25 Q. I see. You talk about [REDACTED] being a childminder and

1 a foster carer?

2 A. Yeah.

3 Q. Okay. Who else was in the house?

4 A. There was another foster child, but she was adopting

5 her.

6 Q. Okay.

7 A. Her name was -- oh, I don't want to say her name, but

8 she was there. [REDACTED], her son, and [REDACTED], her other

9 son.

10 Q. Okay.

11 A. Then obviously after school there was like groups of

12 little ones. I think it was just for an hour and

13 a half, one hour and 45 minutes.

14 Q. So she would look after people's children after school?

15 A. And early morning there was like a little baby as well.

16 Q. Okay. You say that the son, [REDACTED], you remember him

17 having a job and you think that he was probably about

18 16?

19 A. Yeah.

20 Q. Was he still at school and working or --

21 A. No, he was at -- he was at work.

22 Q. Okay. Then the other son was about the same age as you?

23 A. Yeah.

24 Q. If we go on over the page, please, at paragraph 72 you

25 talk about the house there. What was the house like?

1 A. It was really nice. It was warm, it was welcoming.
2 [REDACTED] was really clean. And we were shown our bedroom,
3 the bunk beds and in that room, that's where [REDACTED]'s cot
4 was -- sorry, the other foster child that was up for
5 adoption. So yeah. It was lovely.
6 When we first moved there, they were getting
7 an extension put onto their home as well.
8 Q. Okay. Yeah, you talk about the building work going on
9 and you all living in the house.
10 A. So stressful.
11 Q. You say that you could feel the stress --
12 A. Aye.
13 Q. -- from [REDACTED]?
14 A. Yeah, everyone. Even when [REDACTED] would come home from
15 offshore to the garden with a big hole in it and all the
16 like lights hanging down from the new extension, it was
17 just hectic.
18 Q. What were they like? So, first of all, what was [REDACTED]
19 like as a person?
20 A. She was lovely. She was lovely. She was ... I don't
21 know. A bit ... I don't know how to say it. Posh.
22 Q. Okay. What about [REDACTED]? What was he like?
23 A. Yeah, [REDACTED] was nice.
24 Q. Okay. At paragraph 74 you tell us that in fact he was
25 distantly related?

1 A. Yeah, that -- that -- well, I believe the social work
2 department knew that they were relations of my mother.
3 I really do. I believe that.

4 Q. Okay.

5 A. So, yeah, very shortly with us living there, [REDACTED]
6 realised that he was related to my mother.

7 Q. Okay and how did that make you feel?

8 A. Just again like -- am I meant to be in foster care? Do
9 you know what I mean? I just didn't feel -- it didn't
10 feel right. And I knew, after knowing that, that we
11 would be moved.

12 Q. What made you think that you would be moved?

13 A. I just knew. One them being short term and just knowing
14 our family, it just wasn't ... I don't think it would
15 have been allowed.

16 Q. You say that you knew that they were short term. Can
17 you --

18 A. Short-term placement. So basically six months tops,
19 I think it was --

20 Q. Okay.

21 A. -- that we'd be there. We ended up being there I think
22 it was 18 months. I can't remember.

23 Q. Okay. Can you remember how you felt about being told,
24 "Oh, you're going to be here for six months and then
25 ..."

1 A. Moved on. Just lost, really. Just oh well. Because we
2 were used to chaoticness before anyway, it was like we
3 just took it. Anything that was happening, we just --
4 we had to. We had no choice.

5 Q. Okay. If we can go on, please, to the next page,
6 page 18. You talk about sleeping in the bedroom
7 downstairs together with your sister and the other
8 foster child to begin with. At paragraphs 79 and 80 you
9 talk about sometimes taking your little sister into bed
10 with you?

11 A. Yeah. It was horrible.

12 Q. Okay.

13 LADY SMITH: How old was she then?

14 A. 2002, she was born in 1991, so really young. But my
15 sister was little and really thin and --

16 LADY SMITH: She was born in 1991?

17 A. Yeah.

18 LADY SMITH: 1995 I think.

19 A. Sorry, I'm 1991.

20 1995 to 2002, so --

21 LADY SMITH: So she was six or seven?

22 A. Yeah. She was little. She was just a little like
23 skinny little girl, where I had like a bit of beef about
24 me. Like I was chubby. She was little with red hair.
25 It was bright, bright ginger.

1 MS INNES: Okay. You say that [REDACTED] didn't like you doing
2 that, if we go on over the page.

3 A. I don't -- I don't know if she liked it because it
4 wasn't her doing it, I don't know. But I was like told
5 to stop mothering obviously so I could be a child, but
6 we had went through that much people weren't aware
7 about. I had to ...

8 Q. You felt you had to protect your sister and look after
9 her?

10 A. Of course. And I told her to misbehave so we wouldn't
11 get adopted.

12 Q. Okay. Okay.

13 Right, if we can go on to the next page, please,
14 page 20, you talk about another thing about your sister,
15 and if it's -- if you find it too distressing to talk
16 about it's in your statement. You talk about your
17 sister wetting the bed?

18 A. Yeah. She had problems with wetting the bed at home.
19 My mum would just deal with it. And at [REDACTED] and
20 [REDACTED]'s, I feel like [REDACTED] thought it was disgusting and
21 they changed my sister's nightwear from like shorts and
22 trousers to night gowns and then put her in the loft.

23 Q. So when --

24 A. Okay, it was a converted loft with laminate flooring and
25 nice white walls and whatever, but there was no toys, no

1 TV, no nothing. Just two windows and a blow-up bed.

2 Q. And --

3 A. And I get like really worried like trying to tell people

4 about that because of how good they looked from the

5 outside. The nice house, the image, the nice car, the

6 foster children, the childminding, the small business

7 she had selling those like smelly teddy bear things.

8 I didn't think anyone would have believed that my

9 sister's up there in that loft lying on a blow-up bed.

10 Q. Okay. Okay.

11 A. And sometimes I would go up there in the morning and it

12 would be like deflated, kind of like deflated because

13 she'd been lying on it all night, or off it altogether

14 on the freezing cold laminate flooring.

15 And another thing, like if she had bed wetting

16 issues, she had to -- to get to the loft, she had to

17 walk through the eldest son's bedroom to get you to the

18 door that took you to the steps that took you up to the

19 loft. How was she getting down to the toilet at that

20 age? That's when I started getting angry. My anger has

21 never left me.

22 Q. Okay.

23 A. Her 16-year-old as well, like he would lie topless and

24 things. Like -- or just with his like boxer shorts on

25 and like that would have made me feel uncomfortable

1 walking past that to get to the toilet.

2 Q. Okay.

3 A. And that word I've just says to you, my sister can't do

4 it.

5 Q. Yeah, your sister --

6 A. She can't do it.

7 Q. She's not able to speak about what happened and how she

8 felt.

9 A. No.

10 Q. Okay. We're going to go on a little bit in your

11 statement, 'Jess', and we're going to talk about the

12 social workers that you had at the time. Page 23 and

13 paragraph 101. You talk there about getting visits and

14 I think this was -- you mention a Christine Mackie, but

15 she was a family aide, she wasn't a social worker. She

16 was somebody that took you to contact; is that right?

17 A. Shame, we used to put salt in her tea.

18 Q. Yeah, you say that there, that you didn't like her.

19 A. (Witness shakes head)

20 Q. You say that was because she used to moan about having

21 to do the contact?

22 A. Yeah, she did, because of the time we had to leave to

23 get to Stirling on time, she used to moan that she had

24 to leave at like -- I think it was 6.30 to get us for

25 7.30 or whatever.

1 Q. Okay.

2 A. We don't have the resources, we don't have the funding
3 for this. All that stuff's been said to me over the
4 years.

5 Q. You talk about your mum being in Cornton Vale and
6 sometimes you would go and see her there and sometimes
7 she would come up to Craiginches and you could see her
8 there?

9 A. Yeah.

10 Q. Okay. At paragraph 104 you say that initially you think
11 you saw your mum once a month?

12 A. Yeah, and then it changed to four times a year.

13 Q. How did you feel about that?

14 A. I was quite mixed about it, because I would like -- my
15 people were starting to show a bit of concern when it
16 came to school. They tried to make out that it was
17 about missing school so we'd started agreeing, because
18 it was like an annoyance why we were off school randomly
19 all these times, people noticing, just stuff like that.
20 So because we'd raised that and kind of agreed, they
21 just stamped it as the go ahead: four times a year. But
22 when that came out, the four times a year, we were
23 raging. We were absolutely like: what? But then it
24 can't be changed until you go to a LAC Review, then
25 a panel and then it's to be okayed. So by the time you

1 do all that, you don't care.

2 Q. You were having to come out of school to go to see your
3 mum?

4 A. Yeah, they wouldn't do weekends.

5 Q. Okay.

6 A. It's their weekend. It's for weekends off, isn't it, so
7 ...

8 Q. Okay.

9 A. But [REDACTED] did say in the paperwork it said that he had
10 said that when he's back from offshore, that he would do
11 it.

12 Q. Right.

13 A. So it was like an argument between [REDACTED] and the
14 department of who was doing it. So that's clear to me
15 none of you want to do it.

16 Q. Okay.

17 A. Because I think that they knew that we shouldn't have
18 been on a section 25 voluntary order. That's why.

19 Q. Okay, so at that time your understanding is that you had
20 been put into care voluntarily by your mum when she went
21 into prison?

22 A. Mm-hmm. My mum got remanded at trial. Knew what
23 evidence was coming at her and then put us into care.

24 Q. Right.

25 A. When the police should have had that reported years

1 back. All the times the door went in, all the times we
2 were pulled at airports, whatever, all that should have
3 been logged and reported. And me and my sister would
4 have been saved and my mum may have still been alive
5 today.

6 Q. Okay. Do you know if it changed at some point from
7 being a section 25 to being --

8 A. For me it did, because I was misbehaving. It then
9 changed to section 69 Scottish Act.

10 Q. Then did you have to start going to the panel?

11 A. That's when I had to start going to panel, yeah. But
12 I was -- I was an angry teenager by then. I'd had
13 enough of everything they were doing, everything they
14 didn't do. All of what we had to go through, twice.
15 One with my mum, all that stuff, then foster care. It's
16 just mental.

17 Q. Okay. Now I'm going to move on a little in the
18 statement, we're still talking about the [REDACTED], but
19 on page 25 and starting at paragraph 113 you talk about
20 the way the son [REDACTED] behaved to you?

21 A. Yeah, he was really horrible. Like he found it funny
22 but it wasn't funny. Like I used to try and laugh it
23 off and realistically I'm going to my bed crying and I'm
24 upset about it, but I'm just trying to take it so I'm
25 not weak, I don't feel weak. Just try and take it as

1 he's just winding me up. But the age of him compared to
2 me, I did question it. Like why you are being like that
3 with me? I'm just a kid.

4 Q. Okay. You talk about him bullying you?

5 A. Like it was constant. So when something's happening
6 constant, it becomes bullying. Like he was trying to
7 bully me.

8 Q. Okay. You talk about some of the things that he would
9 do, calling you names and --

10 A. Yeah, just like referencing to Disney characters, like
11 Lion King and stuff like that to the point I can't
12 even -- I couldn't enjoy watching none of that when
13 I lived there. I was just looking after [REDACTED] and
14 [REDACTED] all the time.

15 Q. Okay.

16 A. I taught [REDACTED] her first word. That should be [REDACTED]
17 doing that.

18 Q. You talk over the page at paragraph 115 about [REDACTED]
19 throwing a basin of freezing cold water over you?

20 A. Yeah, that was horrible. I don't know why, but I was in
21 my bed. I did question it, but like I was questioning
22 if it was really happening, you know when you --
23 I thought I was dreaming. But I was soaking. And
24 I didn't see him but I seen his legs jump over the stair
25 gate. So I know it was him, but he totally denied it to

1 [REDACTED].

2 Q. Okay.

3 A. And I was lying crying. Well, who done it then? Like

4 it was horrible. Like why me? And my sister was in the

5 loft by this point. So each night when I'm going to

6 bed, I'm sad that my sister's up there in the room with

7 him, that she has to walk through his room to get to the

8 stairs -- the door that took you to the stairs that then

9 takes you to the loft. And he's done that to me.

10 What's he doing up there with her? And she can't even

11 speak about it.

12 Q. You mentioned that [REDACTED] didn't believe you --

13 A. No.

14 Q. -- when you told her what had happened?

15 A. Well, I'm standing here dripping wet. Did I do it to

16 myself? Sort of like attitude I was having about it.

17 Like your son's done this to me, do something about it,

18 and she couldn't because of his age.

19 Q. Okay. Did you feel that you could speak to a social

20 worker about how he was behaving towards you?

21 A. No, because they were also part of the family where

22 you're not allowed to grass.

23 Q. Okay.

24 A. You're not allowed to tell.

25 Q. Okay.

1 A. If I told -- like just say, for example, if I said to
2 [REDACTED] that night he done that to me, "No, I want the
3 police", as a nine-year-old child I'm allowed to do
4 that. He's just assaulted me in my sleep with water.
5 Me, if I didn't have all these like criminals around me,
6 I would have got the police. How dare you do that to
7 me? But I wasn't allowed. I knew not to shout for that
8 because I would have been (1) spoken out of it or
9 afterwards looked like a complete clipe.

10 Q. Okay. You told us that [REDACTED] and [REDACTED]'s placement was
11 going to be a short-term placement.

12 A. (Witness nods)

13 Q. That you thought it was going to be for six months but
14 it ended up being longer.

15 A. Yeah, around 18 months, I think.

16 Q. Okay yeah. You and your sister then went to a foster
17 carer called [REDACTED], you talk about that on page 27
18 of your statement.

19 A. Yeah.

20 Q. What was she like?

21 A. Well, because I was already angry and aggressive and
22 just the way I was by this point, to me she was like
23 old, I don't want to live here, no. But, really, [REDACTED]
24 really opened my eyes to things. Maybe she shouldn't
25 have, but she knew I was like trying to put all these

1 little pieces together, how my life's been like this,
2 and she showed me like an online -- I don't know if it
3 was online, but it was like a -- a thing foster carers
4 get where the password like resets every so often or
5 something and it's got like all the family history,
6 background and all of that, and she tried to -- like she
7 showed me this and it put me in an absolute state.

8 That's about the only thing I could say about [REDACTED]'s.
9 Other than that, that was a fine placement. I was just
10 angry with all of this by the time I got to her. And it
11 was like one person who would have helped me, I have
12 pushed them -- like I pushed it, I pushed it and
13 couldn't do it any more.

14 Q. You talk in your statement about those difficulties and
15 at paragraph 125 on page 28 you talk about it being
16 connected to your school, so I think you maybe had to
17 move school when you moved to [REDACTED]'s --

18 A. Yeah, that was it as well. We were getting taxis from
19 [REDACTED] and [REDACTED]'s, when they both drive, to school, which
20 was roughly about 2.5/3 miles away, and I was always led
21 to believe that I was going to a high school all my
22 other friends were going to, but I ended up getting
23 put -- due to the placement changing, getting put to
24 a totally different school with a total different type
25 characters from my life.

1 Q. Yes.

2 A. So I was arguing that if I go to that school, my
3 education is pooped. Like I'm not going to do it.
4 I can't do it. Like I've been through enough with
5 emotions already. How am I meant to now go to a big
6 school and meet friends. Because that's what kept me
7 whole. When we were at [REDACTED] and [REDACTED]'s and we went to
8 school, we had all our friends that knew us for years
9 and that made me feel a bit better, like we could leave
10 the foster side of things, we are in foster care and
11 that, leave that at home and we'll just come to school
12 and get on with it. But then we ended up having to move
13 school and that just ruined it all, it really did.

14 They refused to pay for the taxis, which was an even
15 shorter distance with the new carer and school, because
16 again they didn't have the funding. So why were they
17 paying for taxis for a year before that when we were
18 living with two parents that could drive?

19 Q. Okay.

20 A. Honestly.

21 Q. You tell us in your statement that there were
22 difficulties, as you've been saying, in this placement
23 with [REDACTED].

24 A. Yeah, there was some. It was mostly me. It was.

25 Q. Okay.

1 A. But no -- but I can't put the full blame onto me. Not
2 now that I'm older and I realise that. Whereas before
3 I just used to think oh, I was just a little brat, I was
4 bad to [REDACTED] but no, I wasn't. I was just -- I had went
5 through that much by the time I got there, I couldn't do
6 it.

7 Q. Okay. You say on page 34 at paragraph 155 that you left
8 her house and you think that you went straight to social
9 work. You say in your statement as well at
10 paragraph 157 that you had had good experiences at the
11 placement, as you've said.

12 A. Yeah, I did. She took us on holiday. We went to Spain
13 a couple of times. Even when I -- even when the
14 placement broke down, she would still accept me home, to
15 her home where my sister was still residing for home
16 leave or at Christmas time and new year. And she still
17 took me on the skiing trip to France, whilst I was out
18 of her care and we'd been through all of that.

19 Q. Yeah.

20 A. I maybe live with regret now that I messed up that
21 placement, because I feel that if me and [REDACTED]
22 just stayed there we would have had a different sort of
23 path. She would have had us on a different path that we
24 would have stuck to.

25 Q. Okay. So maybe if you had been with her earlier is what

1 you're saying --

2 A. Yeah, sort of thing, yeah.

3 Q. Okay. You tell us at paragraph 159 that after that you

4 stayed with heaps of different people?

5 A. Yeah. No one wanted us -- well, me. I think by the

6 reports. They were just taking one look at the reports

7 and saying no, I think. But at one point I was in 16

8 different temporary placements over like a summer

9 holidays. Two nights here, two nights there, two nights

10 here. I even spent days within the social work

11 department in the little rooms they hold LACs in,

12 playing with the phone and just sitting there until ...

13 I can't even remember why. I think it was because ...

14 I can't remember, but I just remember having to go there

15 after school and hang.

16 Q. And wait for somebody to collect you or --

17 A. (Witness nods)

18 A placement to come available. With my suitcases,

19 literally. 12-year-old, 13.

20 Q. Okay.

21 A. I've got a -- sorry, I've got a 14-year-old son out of

22 all this and I just couldn't imagine my bairn going

23 through all that. No.

24 Q. Okay. You go on in your statement to tell us about

25 those placements briefly and then you tell us in more

1 detail about a time that you spent in Seaview Children's
2 Home. We're not going to look at that today, but again
3 that's part of your evidence to the Inquiry.

4 I'd like to move on in the statement but back to the
5 court proceedings against Sheila Davies. If we can
6 move, please, to page 60 and paragraph 293.

7 How did it come about that you ended up speaking to
8 the police about what had happened at Sheila Davies'?
9 Did you contact them or did they contact you?

10 A. No, the police had actually came to my door and they'd
11 said that there's a public child abuse inquiry and
12 a lady, Sheila Davies, has been reported. And everyone
13 who'd stayed in her care has to be questioned. So I was
14 like ah, no way, like after all these years, 20-odd
15 years, maybe -- yeah, 20-odd, nearly 30 years. It's
16 crazy.

17 Q. So they spoke to you at that time?

18 A. Yeah, they told me what a public inquiry was, asked if
19 I wanted to give a statement, but I had said no to begin
20 with, again because of the don't grass, don't clipe sort
21 of thing that's been installed into our little brains.
22 But I had said no, my mum's not here any more, do it.
23 My brother phoned me, because like he lived it as well.
24 So because he did it, I did it, because that made me
25 feel like well, if he's doing it and no one's around to

1 say anything, I'm doing it. Because it's like something
2 I've been holding onto, just living with.

3 But seeing like now I totally -- when I was coming
4 here, I totally forgot about Sheila. Like I totally
5 forgot her name and everything. I was like, "Oh, I'm
6 worrying now because I've forgotten about it", having to
7 remember.

8 Q. Okay.

9 A. The statement being there is has like helped.

10 Q. Yes, you have it all down in your statement.

11 A. Because it's like did I say something that's not in my
12 statement or it looks like I'm lying, like I was getting
13 all worried, it's just the memory of it, some of it's
14 blanking out.

15 Q. Okay. You obviously know that she then went to trial
16 and you gave evidence at the trial.

17 A. Yeah, I had to stand there and she was there like
18 looking at me. It was weird.

19 Q. How did you feel about being in court and giving
20 evidence with her there?

21 A. I felt dirty.

22 Q. Okay.

23 A. Like I felt dirty for being a snitch, like a grass and
24 all that terminology is like I felt dirty, but then
25 a huge part of me felt like: no, you deserve this. Look

1 what you've done to all these other people that are here
2 and then there's the nursery victims. No. And it needs
3 to be stopped.

4 Q. You say at paragraph 297 that you thought that you were
5 the only one that --

6 A. Yeah, I really did.

7 Q. You found out that there were other foster children --

8 A. 16.

9 Q. -- who gave statements to the police?

10 A. Only six got convictions, I think it was.

11 Q. Okay. And did you find --

12 A. My brother -- she got a not guilty like for whatever my
13 brother reported about her.

14 Q. Okay. Did you know about these other people before you
15 gave evidence at the trial?

16 A. No, but we speak now. It's weird. So like when you
17 meet someone that's been through the same as you, you
18 end up like really clicking. Like I've clicked with
19 a few survivors through this. It's like surreal, but
20 it's like lifting from my life. I can't wait until this
21 is over.

22 Q. Okay. You've already told us about the nursery and
23 things that you found out about. You know, and I think
24 you mention in your statement, that Sheila wasn't sent
25 to prison.

1 A. No.

2 Q. That it was a community-based order.

3 A. Yeah, community service.

4 Q. How did you feel about that?

5 A. Well, because I've done community service myself, she's

6 gotten off with it.

7 Q. Okay.

8 A. Like 100 hours. Most people in this room probably work

9 50 a week. So she has finished her community service

10 within two weeks, three weeks, a month. So I was

11 raging.

12 Q. Okay.

13 A. Especially with the nursery stuff, the historical foster

14 stuff, to get community service for stuff you did years

15 ago, how is that -- like it's nothing. It's not

16 a punishment. Community service is like taking the

17 elderly out on the bus. That's what the males do. The

18 females, they colour in. They literally -- we colour

19 in. We done sewing. Knitting. That is community

20 service in Aberdeen.

21 Q. Okay.

22 A. It really is not a punishment. Community service is not

23 a punishment.

24 Q. Okay. On page 62 at paragraph 301 you talk about your

25 experience of getting your social work records. I think

1 you talk about being assisted by Birthlink maybe to
2 get --

3 A. Yeah, Birthlink helped me get all my paperwork.

4 Q. How did you feel about getting your records and reading
5 them?

6 A. A bit shocked, because there was some things that I've
7 actually brought along today that I would like to show
8 yourself just so you can see the extent of things.
9 They're like -- it was just weird seeing it all. But
10 the reports from the Children's Hearing department
11 weren't there and I would have liked to saw them. But
12 I can't get them.

13 LADY SMITH: 'Jess', you referred to having brought
14 something with you today. Does Ms Innes know about
15 this?

16 A. Yeah.

17 MS INNES: Yes, I've seen some of the material that 'Jess'
18 has brought with her. [REDACTED]
19 [REDACTED] material I think
20 Having Your Say forms that she completed and other
21 material about reports that she made -- one that she
22 mentioned in her evidence earlier about saying that her
23 parents were injecting and --

24 LADY SMITH: Yes.

25 A. I've told a social worker when I was young and it's been

1 written down as how a little girl, myself, would have
2 said it. So it was just to bring along to prove what
3 I'm saying that I actually told social work. There was
4 a point where I told social work, "My mum's giving my
5 dad a needle at the jail prison visit".

6 LADY SMITH: 'Jess', that must have been dreadful to cope as
7 a child.

8 A. Exactly.

9 LADY SMITH: I can well understand why you express it with
10 such anger as you do now and no doubt will do for many
11 years. What's hard for me is to have to tell you that
12 doesn't relate to what I have to look into here.

13 A. Yeah.

14 LADY SMITH: I'm limited by the terms of reference that
15 apply to this Inquiry and I can hear from quite a lot of
16 what you say that you have powerful grievances about
17 others, including the way social work failed you other
18 than in relation to foster care, the way the police, as
19 you see it, failed you as well. I simply can't look
20 into those. But I recognise they've been very upsetting
21 and distressing features of your life and I fully
22 understand why you speak of them with such anger and
23 outrage.

24 A. Yes, because I just thought that this Inquiry would be
25 my only chance to get it out --

1 LADY SMITH: Yes.

2 A. -- into the ears of professionals of how bad corruption
3 is in Aberdeen and with the social work department and
4 it's still happening today. Badly.

5 LADY SMITH: I hear everything you say but please
6 understand --

7 A. I do.

8 LADY SMITH: -- there are limits imposed on me.

9 A. I know.

10 LADY SMITH: I'm controlled by the limits of my terms of
11 reference.

12 A. I know.

13 LADY SMITH: Sorry.

14 Ms Innes.

15 MS INNES: Thank you, my Lady.

16 What I should say is that we have recovered 'Jess's'
17 records and we have all of your records.

18 A. Yeah.

19 Q. I want to move on to the end of your statement now and
20 ask you --

21 LADY SMITH: Sorry, just one thing. You understand that?

22 A. Yeah, I do.

23 LADY SMITH: And you've also seen the records that we have
24 now seen --

25 A. Oh, so you have seen them. Okay, then.

1 LADY SMITH: We have --

2 A. Okay.

3 LADY SMITH: -- the extensive records that deal with your

4 time in care. Thank you.

5 Ms Innes.

6 MS INNES: Thank you, my Lady.

7 Can we move on, please, to page 65 of your

8 statement. I just want to speak with you about some of

9 the issues that you highlight here and some of them

10 you've already talked about in your evidence, I'm not

11 going to go to those paragraphs, but you say at

12 paragraph 318:

13 "One of the things that people don't realise is that

14 initially social workers and foster carers are strangers

15 to children. People expect children to go and live in

16 a stranger's home and settle in just like that."

17 Can you tell us a little bit more about that?

18 A. (Pause)

19 I don't really know what else to say. That's quite

20 to the point, that sentence. Quite to the point.

21 Q. You think people don't appreciate that, that if you meet

22 a new social worker, it's a completely new person and it

23 takes time to form a relationship?

24 A. Like being in care lives with you the rest of your life.

25 LADY SMITH: 'Jess', if I may say, you put that very well,

1 and what it brings out to me is that through the child's
2 eyes, not only is it a matter of them being presented
3 with strangers but they're strange adults, in
4 circumstances where the children don't have the comfort
5 and security of their own parents being with them or
6 available to them. And, as you explained earlier,
7 particularly in relation to your younger sister, stages
8 for many children where in their hearts, whatever the
9 flaws in the parents, whatever the parents' inadequacies
10 and whatever the things that their parents may have done
11 wrong, children particularly yearn for their mother,
12 little children do.

13 A. I wish I'd told the school.

14 LADY SMITH: And so it's a really, really hard ask to say to
15 children, as we are doing, "Things have gone wrong in
16 your life, we have to present you with strangers who are
17 going to sort everything out. One group of strangers
18 are going to do all the administrative stuff and then
19 these other strangers are going to be the ones that run
20 the home that we're going to put you in".

21 A. (Witness nods)

22 LADY SMITH: And it's not going to be easy. Any of it.

23 A. No.

24 LADY SMITH: It's so important always to put yourself in the
25 shoes of the children. I understand that. But you've

1 helped with the way you've put it there. Thank you.

2 MS INNES: Okay.

3 LADY SMITH: Ms Innes.

4 MS INNES: Thank you, my Lady.

5 I'm just going to ask you about one more thing, if

6 that's okay, 'Jess', and it's over the page at page 66

7 and paragraph 319. You talk there about the importance

8 of social workers talking to children properly and

9 explaining things to them.

10 A. Yeah. Things were always like -- we were told and then

11 we'd forget and have to ask again or -- like although

12 there's reports for the adults and the LAC reviews,

13 I feel like there should be some sort of like report for

14 us, that's written to -- to a child: this is what's

15 happening and stuff like that. Like the Have Your Says,

16 but just to make us feel important, make the child feel

17 important.

18 Q. You mention the Having Your Say forms at paragraph 321

19 and you say that you were filling them in but they

20 didn't do what you wrote.

21 A. Yeah. We just had to like answer the questions, but

22 I felt like none of the questions we told the truth

23 because like -- well, I didn't because I was angry.

24 I wanted to write all what I'm saying now, but

25 I couldn't. I wasn't allowed.

1 Q. Do you think there might have been a better way of
2 finding out how you really felt?

3 A. No, because I would have -- I wouldn't have anyway,
4 because of the whole terminology being a clipe.

5 Q. Okay, so the background that you've told us about would
6 have influenced you?

7 A. Yeah. If I had been saved from that background, then
8 none of this would be -- that's the point I tried to
9 make.

10 Q. Yes, I understand that.

11 A. Like we were removed for neglect. Why return us? Who's
12 liable? That's my obsession. But obviously it's only
13 about foster care.

14 MS INNES: Right, I don't have any more questions for you,
15 'Jess'. As you know, all of the things that you've said
16 in your statement are part of your evidence to the
17 Inquiry.

18 There are no applications, my Lady.

19 LADY SMITH: Are there any outstanding applications for
20 questions of 'Jess'?

21 'Jess', that does complete all the questions we have
22 for you. Thank you so much for engaging as you have
23 done, both with your written statement, which, as
24 Ms Innes rightly says, is evidence before me and I have
25 read it. We've also made reference to having your

1 records, which are full of information as well, much of
2 which is relevant to what we're looking at here. It's
3 really helpful.

4 You've come along today and you've spoken to me, to
5 us, about your experiences and hearing from you yourself
6 has been enormously helpful. Thank you for that.

7 I'm sure it's been exhausting --

8 A. A long four years.

9 LADY SMITH: I can only apologise for the lead-in time
10 between you giving us your statement and being able to
11 invite you here to give evidence today, but I'm sure you
12 appreciate there are a number of different topics,
13 different institutions and types of care we've been
14 looking at. We've been working very hard since we took
15 your statement. It's just the public hearings have
16 focused on other matters --

17 A. Yeah.

18 LADY SMITH: -- until this year when we were able to get on
19 to foster care. But we've got there now.

20 A. Mm-hmm.

21 LADY SMITH: I hope you can now move on to a new phase of
22 your life. You have a teenager to look after.

23 A. Yeah, I've just had a baby as well.

24 LADY SMITH: What a girl. Well, all the best and I wish you
25 well with your family. Thank you.

1 (The witness withdrew).

2 LADY SMITH: Ms Innes.

3 MS INNES: My Lady, Ms Rattray has a short read-in which she

4 can deal with.

5 LADY SMITH: Thank you very much.

6 MS INNES: If I might be excused.

7 LADY SMITH: If we can move onto that, noting that of course

8 we heard about the [REDACTED], the son [REDACTED], and about

9 [REDACTED], whose identities are protected by my

10 general restriction order, so those names cannot be used

11 outside this room. Thank you.

12 Ms Rattray, when you're ready.

13 MS RATTRAY: Thank you, my Lady.

14 The cypher for this read-in is EOU and it's

15 a statement of an applicant who has the pseudonym

16 'Anne'.

17 LADY SMITH: Thank you.

18 'Anne' (read)

19 MS RATTRAY: 'Anne's' statement is at WIT-1-000000910.

20 'Anne' was in the care of Aberdeenshire Council.

21 She was in foster care with EOVSPO [REDACTED] on

22 a support respite arrangement for a year between

23 [REDACTED] 2001 to [REDACTED] 2002.

24 "My name is 'Anne'. I was born in 1987. My contact

25 details are known to the Inquiry."

1 From paragraph 2 to 7, 'Anne' speaks of her life at
2 home. She lived in Macduff. Her parents had a bad
3 relationship and at times the police were involved. She
4 says it wasn't a happy time at home. When she was 14,
5 her mum put her to stay with her granny. When 'Anne'
6 didn't like it there and came home, her mum phoned the
7 social work department and asked that 'Anne' be taken
8 into care. A social worker visited but 'Anne' was not
9 taken into care.

10 Moving now to paragraph 8 on page 2:

11 "A few weeks later the social worker,
12 Beverley Bruce, arranged for me to spend every other
13 weekend with EOVSPO at their house. It
14 was meant to be emergency care because life at home was
15 shit. I could phone them if I needed to get out of my
16 home. The social worker arranged for me to be there
17 every fortnight but I started to want to stay with them
18 more and not be at home.

19 and EOVSPO lived near Portsoy. I called them
20 and EOVSPO. was in her early 30s and was
21 maybe 33 or 34. EOVSPO was younger and he was maybe
22 30. He was a big guy, tall and intimidating looking.
23 I felt intimidated by him and there was something about
24 him that gave me the creeps.

25 They had two children of their own. The girl was

1 the oldest and she was around five or six, and the boy
2 was too young to be in nursery. EOV [REDACTED] drove lorries
3 and worked at the [REDACTED] and helped at a friend's
4 garage. He wasn't at home much at the start. [REDACTED] was
5 a childminder by herself in the daytime and the foster
6 care was through the night and at weekend, so both of
7 them did that. They got paid for looking after me.
8 I can't remember who told me that. [REDACTED] looked after
9 pre-school kids during the day and they were the same
10 sort of age as her own kids. I was at school so
11 I didn't see them. Later on they had other older
12 children for respite care like me and were working on
13 turning the playroom into a bedroom.

14 They lived in a bungalow that was very brightly
15 decorated for young children. They had doors painted
16 pink and yellow skirtings. [REDACTED] had set up a little
17 table and chairs for the kids to play on and have food.
18 I didn't really use the front door to the property and
19 I always went in the side door. It went into the
20 kitchen and the lobby. There was a bedroom just off the
21 kitchen and to the left. There was a big hallway and on
22 the right was the living room and then another lobby
23 door. There was a basic bathroom just off the hallway
24 for the kids.

25 Further down the hall was the children's bedroom, my

1 bedroom and [REDACTED] and EOV [REDACTED] bedroom. There was
2 a proper bathroom with a separate door from the lobby.
3 At the start there were three bedrooms at the back of
4 the bungalow. There was a playroom beside the kitchen
5 that was turned into a bedroom later on, when I was
6 saying there."

7 From paragraph 13, 'Anne' describes her introductory
8 visits to the foster carers and the general household
9 arrangements and weekend activities there. Moving now
10 to paragraph 29 on page 7:

11 "They had other children at some weekends. One boy
12 was there because his mum couldn't take care of him and
13 his dad had abused him. We all had our own reasons and
14 stories for being there. In the time I stayed with the
15 EOVSPO [REDACTED], they also took care of three boys. One boy was
16 two years older than me. He was at [REDACTED]'s home through
17 social work as well. We got on good but then we'd start
18 fighting. He stayed over in the playroom. My bedroom
19 was down the other end of the house next to the kids and
20 [REDACTED] and EOVSPO [REDACTED]. [REDACTED] still had to supervise us. Me
21 and the boy would sit on the sofa in the playroom to
22 watch TV and hang out.

23 The playroom was beside the kitchen. [REDACTED] wanted
24 the door to the playroom left open and if she was
25 getting up to get a cup of tea she would stick her head

1 round the door and ask if everything was okay. She
2 didn't make a big deal out of it. EOV was always
3 being creepy and using any excuse to come past the room
4 and it was more than just checking up on us. He'd be
5 coming past the playroom to the kitchen to get
6 another biscuit or going for a cigarette or getting
7 firewood.

8 EOV and the boy used to have words. They'd go
9 outside to smoke and they'd argue and then the boy would
10 storm off and fly away on his dirt bike that was a small
11 motorbike. Then he'd come back when he'd cooled down."

12 And now to paragraph 34:

13 "I ran away from home when I was 14 or 15. I ran
14 away with my friend. Life was shit for both of us. We
15 were caught by the transport police in Aberdeen.

16 EOV had to come and pick me up as my mum phoned him
17 as she'd refused to pick me up and my dad was on the
18 rigs. My friend's mum picked her up. Social work
19 weren't involved when I ran away.

20 I always thought EOV was creepy. It was just
21 him. After knowing him for a while he started creeping
22 on me and my mates. He was being a weirdo. He
23 generally made me feel weird. There wasn't a good vibe
24 about him. This was before anything inappropriate was
25 done or said by him. He used to buy fags for me when

1 I asked him to and then he just started to buy them when
2 he was out.

3 When EOV was taking the other foster kids home
4 after the weekend, he'd drop them off first and make
5 sure he took me home last. He'd always volunteer to
6 drive us home. In the car he'd be rubbing his hand up
7 my leg and getting higher up my leg. I was worried he'd
8 go further and I'd have to punch him in the face. I'd
9 tell him to stop and he'd laugh at me. I felt
10 disgusting. Me and my pals used to laugh it off at the
11 time and say he was a creep and a weirdo. Now I see it
12 differently and he abused his position of trust.

13 I started to hate going to their house on a Friday
14 because I hated him, but it was an escape from my mother
15 and the arguments with my dad. If I was at their house
16 I was abused by him, but I wasn't ..."

17 I think what is meant here, I think there could be
18 a typing error that if she wasn't she was then
19 self-harming at home:

20 "... and being emotionally abused by my mum."

21 LADY SMITH: Yes.

22 MS RATTRAY: "My relationship with was okay at first.
23 She wasn't there as a replacement mum. I preferred her
24 to EOV. Then she changed and seemed to develop
25 a grudge or dislike to me. I've wondered for years if

1 that was why I had to stop going to her house, because
2 she felt intimidated by me being there. Did she think
3 her husband fancied me and she knew or picked up on it?
4 She just started to treat me differently after a while.
5 When I was 14, I was on one of my weekends staying
6 with EOVS and . I went to the fair in Alford
7 with both of them and their kids. The fair was at the
8 car museum where there were a lot of cars and
9 motorbikes. We camped in tents at the museum. My
10 friend came with us and she was the same age as me. She
11 lived in the same row of houses as EOVS and EOVS.
12 I was sharing a tent with her that EOVS and EOVS
13 provided. They had another tent for themselves and
14 their kids.
15 There was entertainment and the fair which was
16 appropriate for us. We'd hang out there a lot and
17 EOVS didn't like it. EOVS had supplied us with one
18 or two bottles of WKD Blue each to me and my friend.
19 EOVS gave us more bottles of the same that he had
20 bought at the fair as well as some whisky that I drank.
21 He wanted to be the cool guy and the good guy. He also
22 used to buy me fags around this time. I can't remember
23 what he was saying to us at the time. He'd lurk about
24 where we were and he was watching us around the fair.
25 He was never inappropriate around my friend if I was

1 with her, but he saw me by myself he'd be his usual
2 creepy self. If he saw me with my friend he'd be creepy
3 then too, but this was different when this friend was
4 around.

5 When I was 14, I went with a friend and EOV to
6 pick up an American car from the museum in Alford.
7 I don't know if he picked us up but we went with him to
8 pick up the car. He just dropped off the car and was
9 being his usual sleazy self-with us and making the
10 comments that he usually made. He was touching and
11 groping both of us.

12 Sometimes EOV took me and my pals to car shows
13 and behind back. He'd drive to England to a show
14 and buy car parts. He told he was going to a car
15 show with his mates but he took me and my pal. She was
16 a year younger than me. We stayed overnight in a hotel
17 room. It would be a double bed and a sofa bed. He'd
18 make comments about sleeping in the double bed with me
19 and my pal. We told him to get lost and me and my
20 friend slept in the bed and he was on the sofa bed. He
21 didn't try to sleep in the bed with us. I wasn't under
22 their care at the time and this was after I'd left.
23 I was still 15 but he was still coming to see me in
24 Macduff and meeting my mates.

25 EOV used to take me and my mate into the cab of

1 his lorry. He used to buy us fags and alcopops. He
2 wanted us to sit next to him in the cab but we sat in
3 the back part of the cab. We didn't want to sit beside
4 him. This was just before I stopped going to his house.
5 He was taking me to see the RAF boy I was seeing if he
6 had a run to Kinloss or Lossiemouth.

7 I could get in and out of the lorry cab and I didn't
8 need help but it was EOV way of having a grope
9 and he would touch my arse cheek to push me in the lorry
10 and help me out of the lorry cab. He used to call me
11 'bird'. If he was in the driving seat and I was
12 climbing out he'd reach over to me to touch my breast
13 over my clothing and squeeze and grab at me. He did it
14 to me and my friend.

15 I remember one time EOV found out that I'd been
16 having sex. He went away to tell my mum. Then he
17 stayed off work for the whole day to help and be there
18 with me and my mum at the doctors. That was a bit
19 weird. I was 15 at the time. He made me feel uneasy.

20 After I stopped going to and EOV, he'd
21 still contact me. My mum would speak to him. He came
22 to my mum's house and she was out. I was pregnant. It
23 was disgusting and creepy. He was just there when she
24 was out. I told him she was coming home or my dad was
25 coming to the house. I couldn't get rid of him. He was

1 stroking my leg and the outside of my thigh on the
2 outside of my clothes and slapping my backside. I was
3 probably wearing my jeans. He tried to kiss me. I was
4 sitting on the sofa and curled up my legs in front of me
5 to protect myself and then tried to push him away with
6 my feet. He was getting really close to me. He
7 wouldn't give up and kept getting closer. I can't
8 remember what he was saying to me. I was still 15 and
9 I was pregnant at the time.

10 The older I got the worse he got because he thought
11 he could get away with more and I'd kept quiet for so
12 long. When I was 16 there was another time when me, my
13 friend and EOV, we were on another trip to
14 somewhere in England for a car show. We stayed in
15 a Premier Inn or Travelodge. On the drive back to
16 Scotland we saw a sign for Blackpool and we asked him to
17 take us there. He said, 'What's it worth? Is one of
18 you going to suck my dick?' We told him to get lost.

19 We stayed overnight in Blackpool at a B&B. There
20 was a basic kitchen and a living room with a folded bed
21 and a bathroom. He wanted to share the bed with us and
22 we said no. Me and my friend made sure neither of us
23 was alone with him so we went to use the bathroom
24 together. The bed me and my friend shared was in
25 a separate room and we put something against the door in

1 case he tried to get into the bedroom.

2 When I was 16 and my child was in bed he came to my
3 house. He would just turn up at my house in Macduff and
4 at my mate's house in Banff. He put money down my
5 cleavage and in the back pocket of my jeans pocket and
6 slapped my arse and say, 'There you go bird'. He did
7 this to my friends. One time, I'm not sure if it was me
8 or my mate, but one of us got our thong pinged and money
9 put down the back of the thong. I think he preferred my
10 friend because of how she looked.

11 EOV was still in contact until I was
12 about 18 and I don't remember how he stopped contacting
13 me. I tried not to see him. At some stage he was
14 coming to my home once a week or every two weeks. Most
15 times he came he'd try it on and grope and touch me or
16 my mates. I can't remember what he was saying to me as
17 he did that. For a while I would rather have been with
18 him and treated like a piece of meat than be at home
19 with my mother.

20 Social work didn't know anything. When I stayed
21 with and EOV I didn't see social work.

22 I was 15 when the foster care stopped suddenly after
23 about two years. I was due to go to their house and my
24 mum was taking me in the car. Two of the social workers
25 from the area arrived at our house in a car and in

1 a rush and said I wasn't go to go there any more. One
2 of them is called Kirsten Duncan and I don't know the
3 name of the other one. I'd met Kirsten before through
4 social work and as her family is from the area. This
5 was all of a sudden. They couldn't leave quickly
6 enough. There was no explanation and I still don't know
7 what happened. I've spoken to EOV a few times over
8 the years but I've not spoken to . I didn't see the
9 social workers again after I stopped going to
10 house.

11 There was no preparation for me leaving care.
12 No one from social work was teaching me how to budget,
13 cook and look after myself."

14 Moving now to paragraph 58 on page 13:

15 "I still don't know if and EOV fostered
16 children after me. They have split up. I think
17 still does childminding. I think I've seen her at the
18 Family Centre and at break time and
19 with kids. Maybe she's some sort of a teaching
20 assistant."

21 From paragraphs 60 to 65 'Anne' describes the impact
22 her childhood experiences had on her. Her mental health
23 suffered and she self-harmed. She says that what
24 happened with EOV was part of what was driving her
25 self-harming.

1 Moving now to paragraph 66 on page 15:

2 "My son's father saw me climbing out of the lorry
3 cab and EOV was groping me and holding my backside.
4 He didn't say anything. I didn't tell social work
5 department about it as they wouldn't have believed me.
6 I tried to tell my mum but she wasn't interested. It
7 was my partner who told me I should tell the police.
8 I've not told anyone in authority until I read about the
9 Inquiry in a newspaper. I contacted the police and then
10 I read in the newspaper that police were making people
11 feel bad about being victims of sexual crimes.
12 I approached the police in Banff in September 2021 and
13 I contacted the Inquiry around the same time.

14 The police came to the house to take a statement.
15 Then they visited my friends. I was told they had
16 enough evidence to take him to court but they think it
17 will only be a breach of the peace. The police will put
18 it forward as an offence that should go to court. I was
19 told by the police that EOV had been arrested and
20 interviewed.

21 I've not got my social work records. I didn't know
22 I could get them.

23 Carers get their social checks, their background and
24 their police checks and everything is fine. Like it was
25 fine with [REDACTED] and EOV and they put me with them

1 and look at what happened to me. Even if the social
2 worker Beverley visited me at [REDACTED] and EOV [REDACTED] and
3 asked how things were going I wouldn't have been able to
4 tell her anything because I wouldn't have been believed.

5 If you had somebody who was more like a support
6 worker, somebody you feel you can open up to and get to
7 know, who you can spend time with, work with, go do
8 activities like ten-pin bowling. Someone who's not
9 a social worker. Somebody who's on your side to help
10 you and make sure you're okay so you know you have this
11 person and they'll believe me. There's more that could
12 be done because social work checks and police checks
13 don't stop these things from happening to people.

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 'Anne' signed her statement on 14 February 2022.

19 LADY SMITH: Thank you very much.

20 MS RATTRAY: My Lady, it is a bit later, but perhaps it's
21 time for the break.

22 LADY SMITH: I think we should. We'll take the morning
23 break now and we'll get onto the next witness after
24 that.

25 We've used names of the people who were offering

1 foster care there, EOV-SPO [REDACTED], and they're
2 protected by the GRO.
3 (11.38 am)
4 (A short break)
5 (11.58 am)
6 LADY SMITH: Ms Innes.
7 MS INNES: My Lady, the next witness is an applicant who
8 wishes to remain anonymous and has chosen the pseudonym
9 'Kyle'. 'Kyle' was in the care of Highland Regional
10 Council. He was in various foster care placements, but
11 in particular he was placed with foster carer Thomas Lane (TL)
12 Thomas Lane (TL) on [REDACTED] 1993 and lived there until about
13 [REDACTED] 1996.
14 Highland Council is the responsible authority.
15 Thomas Lane has a conviction in respect of sexual
16 offences, including against 'Kyle', and I wonder if we
17 might look, please, at JUS-000000085.
18 LADY SMITH: Thank you.
19 MS INNES: We can see here that this refers to I think the
20 trial diet being on 27 November 2007 at Tain Sheriff
21 Court. Just pausing to note Mr Lane's date of birth,
22 Your Ladyship will see that he was born in 1928, so when
23 'Kyle' was placed with (TL) [REDACTED], Mr Lane was 64,
24 shortly to be 65, and 'Kyle' was nine, shortly to be 10.
25 LADY SMITH: Thank you.

1 MS INNES: Just going on to look at the charges, and
2 I should say that Mr Lane pled guilty to these charges.
3 There are five charges of sexual offences against four
4 complainers.
5 First of all, charge number 1, Your Ladyship will
6 see that that's between January 1978 and
7 30 September 1979, against a child born in 1969.
8 I don't understand that to have been a child in care.
9 The second charge and the third charge are in
10 respect of the same complainer, and Your Ladyship will
11 see that there are dates there from 1982 up to 1985.
12 Then if we go over the page, please, at charge 4,
13 Mr Lane pled guilty to using lewd and libidinous
14 practices on two occasions between 1982 and 1983 to
15 a girl who was born in 1969.
16 Then finally, charge 5 is the charge which involves
17 'Kyle', and that's on various occasions Your Ladyship
18 will see over the time that 'Kyle' lived with (TL) [REDACTED].
19 So from [REDACTED] 1993 until [REDACTED] 1996. There's been
20 an amendment to the charge and that was because of the
21 plea that was offered at the time.
22 Just again for completeness, if we can move, please,
23 to page 15. If we can scroll down, please, so this is
24 27 November 2007 and the bottom of part of the page that
25 we see there, we can see there were various periods of

1 imprisonment of 2 years, 9 months in respect of the
2 various charges, three charges, I think 6 months on
3 another, 12 months on another, and these were to run
4 concurrently.

5 I think we'll see in 'Kyle's' statement that he
6 thinks Mr Lane served about 18 months in prison and
7 I think that could have been to do with early release.
8 He is aware that the sentences were concurrent rather
9 than consecutive.

10 LADY SMITH: Yes, it would have been a short sentence so
11 there would be automatic release halfway through the
12 sentence at that time.

13 MS INNES: Yes.

14 As I noted earlier, our understanding is that the
15 only child who was a child in care who was a complainer
16 was 'Kyle'. [REDACTED]

17 [REDACTED]

18 LADY SMITH: The charges extended over a long period of
19 time, about 18 years, did I calculate correctly?

20 MS INNES: Yes.

21 LADY SMITH: He started offending in the 1970s; is that
22 right?

23 MS INNES: Yes.

24 LADY SMITH: That's when the man -- born 1928, did you say?

25 MS INNES: Yes.

1 LADY SMITH: He was in his 40s?

2 MS INNES: Yes.

3 Just for completeness, I'm not going to go into the
4 detail of it, but within this document we do have some
5 assessments of Mr Lane at the time -- prepared obviously
6 in advance of sentence -- and I think he was unable to
7 provide any explanation as to his offences.

8 LADY SMITH: Thank you.

9 'Kyle' (affirmed)

10 LADY SMITH: 'Kyle', if I could ask you to try to make sure
11 you stay in a good position for the microphone, because
12 we need to hear you through the sound system.

13 A. Absolutely.

14 LADY SMITH: There's a red folder there, it has your
15 statement in it, we'll go to that in a moment. You'll
16 also see your statement coming up on screen, you might
17 find that helpful, and we'll move to the different parts
18 of the statement we need to discuss with you if that's
19 all right.

20 A. Okay.

21 LADY SMITH: 'Kyle', quite separately from these
22 practicalities, I want to assure you at the outset that
23 I do understand that what you've agreed to do here isn't
24 easy. We're asking you to come into a public place and
25 talk about your own personal life, your private life as

1 a child, and to go into some matters that may be
2 distressing and upsetting, however prepared you think
3 you are and however well organised you think you can be
4 about it. People do get caught out by their own
5 emotions. I fully understand that.

6 If you want, for instance, to have a break that's
7 absolutely fine, just let me know, or if there's
8 anything else I can do to help you give your evidence as
9 clearly and carefully as you can. If it works for you
10 it will work for me, that's the key, all right?

11 A. Okay.

12 LADY SMITH: I'll hand over to Ms Innes now if you're ready.

13 A. Yeah.

14 LADY SMITH: Ms Innes.

15 MS INNES: Thank you, my Lady.

16 Questions from Ms Innes

17 MS INNES: 'Kyle', we understand you were born in 1983. Is
18 that right?

19 A. That's correct, yeah.

20 Q. If we can look, please, at your statement, we give it
21 the reference WIT.001.001.6426. If we can look on to
22 the final page of it, please, and paragraph 147, you say
23 there that you have no objection to your witness
24 statement being published as part of the evidence to the
25 Inquiry. You believe the facts stated in this witness

1 statement are true.

2 A. (Witness nods)

3 Q. I believe that you signed this statement on

4 12 July 2017?

5 A. Yeah.

6 Q. Is that right? Okay.

7 Can I go back to the beginning of your statement,

8 please, where you tell us a little about your family

9 life.

10 A. (Witness nods)

11 Q. You talk about living in Invergordon I think with your

12 mum and dad?

13 A. Yes.

14 Q. You tell us that you have a twin brother?

15 A. I do, yeah.

16 Q. A younger brother?

17 A. (Witness nods)

18 Q. And an older sister?

19 A. Yeah.

20 Q. You say there's a year between each of us?

21 A. Yeah.

22 Q. So four children in three years?

23 A. Yeah. My older sister and my younger brother have the

24 same birthday and obviously me and my twin have the same

25 birthday, so it's -- well, it's easy for my mum for

1 cakes.

2 Q. You tell us about your memories from your childhood and
3 the difficulties that you had when you were living at
4 home. You talk about your dad being violent towards
5 your mum and seeing some of that.

6 A. Mm-hmm.

7 Q. You then go on, if we look on to the second page at
8 paragraph 5, you talk about going into respite care,
9 that you can remember going to places for short periods
10 of time. Is that right?

11 A. Yeah.

12 Q. You say at paragraph 6 that you know that you went into
13 short-term care the day before your first birthday?

14 A. Mm-hmm.

15 Q. Is that something that you've learned from your records?

16 A. It was something that I'd spoken with my real mum about
17 quite openly. I started asking my real parents
18 questions when I was about six years old and finding out
19 when and how my life got to the way it was. So I knew
20 before I got my records that it was the day before my
21 first birthday I went in.

22 Q. Okay. You say that initially all four of you went into
23 care together?

24 A. Mm-hmm.

25 Q. But I think as you tell us in your statement that you

1 went into care then in different combinations?

2 A. Yeah. I think trying to find foster parents that would
3 take on four children was hard enough, but once our
4 personalities started developing, I think -- kind of
5 competing with each other more than anything else and
6 trying to survive, I think. It was more difficult to
7 find a place that would take the four of us. So then it
8 was splitting us up and trying to find combinations, so
9 it would either be me and my twin, me and my younger
10 brother or my older sister or them getting mixed around
11 in different ways as well.

12 Q. You tell us in your statement that there came a time --
13 we'll come onto it -- that you were separated from your
14 twin as well?

15 A. Mm-hmm.

16 Q. How did you feel about being separated from your
17 brothers and sister?

18 A. I think my younger brother was always my biggest
19 concern, I've always been really, really protective of
20 my younger brother. I think with my twin, I think I was
21 kind of quite relieved to be honest with you. I think
22 I was -- as my foster parents had mentioned, I was kind
23 of starting to come into my own and my twin brother was
24 just a little bit kind of lagging in the back. So
25 I think it was just a natural kind of -- I wouldn't say

1 hostility, but a kind of competitive streak between the
2 two of us and it just ended up a bit toxic and
3 [REDACTED] wasn't able to kind of thrive the way that
4 he should and I don't think it was that brilliant for me
5 to be in a situation where I kind of -- not that -- not
6 overpower him, but just be the dominant one and that had
7 to change, so.

8 Q. If we move on to the next page, please, to page 3, you
9 say that you think that all in all, from start to
10 finish, you were in about 20 different placements?

11 A. Yeah.

12 Q. You say you're not talking about being in respite care
13 there, you're talking about actual placements?

14 A. Yeah, anything longer than -- respite, we would always
15 see respite as something where you were kind of taken
16 away from mum maybe for like the working week or until
17 a period of time where the social work have worked out
18 with her that she's going to be -- my dad might be home.
19 So we would only be a week or two week if it's respite
20 care. But anything longer than that, felt like
21 a prolonged period, like a month or greater, would be
22 placements as far as I was concerned.

23 Q. Okay. Of those placements you think that there are
24 about 20 of them?

25 A. Yeah.

1 Q. Okay. You talk about some of your social workers that
2 you had over the years and we'll come back I think
3 particularly to a person called Marilyn Glenroy?

4 A. Yeah.

5 Q. Your social workers changed over the time that you were
6 in care; is that right?

7 A. Yeah. I had a lot of social workers. I think at the
8 early stages we had -- I think it was Alan Richards and
9 Agnes Abburew, but my mum resented them, so that was
10 a really hostile kind of relationship anyway. But yeah,
11 we had -- I think -- I think the period when I went into
12 long-term care I had had maybe four or five different
13 social workers just in that three-year period, so.

14 Q. Okay. Did you find that you got on with all of the
15 social workers or did it vary?

16 A. I wouldn't say I didn't get on with them. I think there
17 was -- Alan Richards I was never really keen on.
18 I don't know why. My younger brother -- actually, I do,
19 because my younger brother didn't like him.

20 John Skinner, he was brilliant and even when I went
21 to high school John Skinner started working out of the
22 Tain social work office, so I would pop in on lunches
23 and see him and keep in touch. So I wouldn't say there
24 was anybody that I didn't get on with. I was able to
25 get on with them and kind of tolerate, but there were

1 some that I absolutely got on with better.

2 Q. Okay. You say at paragraph 12 that you know that there

3 were a lot of problems with social workers.

4 A. Mm-hmm.

5 Q. What do you mean by that?

6 A. I think -- I think there was kind of quite an obvious

7 change in my time when I was living in care, where

8 things started moving to maybe a more bureaucratic kind

9 of approach for social workers and things had to be kind

10 of documented more and the time that they were able to

11 spend actually with foster children or with foster

12 parents or with their real parents became more and more

13 limited. And I think -- I mean I think -- because it

14 was a transition period, I think it takes a while for

15 things like that to kind of find its feet and establish

16 itself and this was just one of the phases where it

17 didn't work that well.

18 Q. When you say it was a transition period, do you mean in

19 terms of the sort of -- the rules around foster care or

20 do you mean --

21 A. Yeah, I think it was more of like a transition period in

22 the way that Social Services and Local Authorities were

23 trying to deal with -- with the workload up in the

24 Highlands in particular, and I think just safeguarding

25 started to become a big thing. So I think there were

1 kind of teething problems meant there were prolonged
2 periods where you wouldn't have any direct contact with
3 social workers.

4 Q. You talk at paragraph 13 about your social worker
5 Marilyn Glenroy becoming unwell?

6 A. Yeah.

7 Q. That was when you were staying with (TL) [REDACTED] ?

8 A. Mm-hmm.

9 Q. As a result of that, your recollection is that you had
10 a long period without a social worker?

11 A. Yeah.

12 Q. At paragraph 14 you talk about another social worker
13 called Barbara Davis.

14 A. Yeah.

15 Q. Your understanding is that she was assigned to your
16 foster parents?

17 A. Yeah.

18 Q. Were you conscious of her coming and visiting the house?

19 A. Not really. I think -- I think anything
20 Barbara Davis -- generally I would be told to go
21 upstairs and play in my room or I would be out. I don't
22 think there was like a -- I don't think there was like
23 a set routine that -- you know, I mean something that
24 would draw your attention to it. I think that in the
25 main they probably met with Barbara Davis when I was at

1 school. But on the occasions where I was there, I would
2 just be up in my room.

3 Q. You'd be up in your room, okay. You say that she was
4 the one that was called out to start the process of you
5 getting moved away?

6 A. Yeah.

7 Q. Can you remember that happening?

8 A. I can remember [REDACTED] Tom sitting me down and
9 explaining to me that I was going to have to leave and
10 Tom's health was deteriorating and it was because of me
11 and it was -- things moved really quite quickly.
12 I think it was only two, maybe three weeks between
13 getting told that I was going to have to move and then
14 moving. And I do remember [REDACTED] telling me that Barbara
15 was going to come out to deal with like the official
16 part of it.

17 Q. Okay. You say at the top of page 4 that there was never
18 a great period of time when you felt that you could tell
19 anyone what was happening?

20 A. Mm-hmm.

21 Q. Is that because -- well, for a while you didn't have
22 a social worker at all?

23 A. I think more it would be that -- I think I became quite
24 distrusting quite early on in my youth anyway, and
25 I think -- when you're in a situation where people who

1 are meant to care for you and meant to be looking out
2 for your welfare don't, then if you can't trust them,
3 you can't trust anybody. So even more than I thought
4 before I went into long-term care, it kind of reinforced
5 the fact that there's no safe place anywhere.

6 Q. Okay. In the next part of your statement starting at
7 paragraph 16 you talk about children's panels.

8 A. Mm-hmm.

9 Q. I think you talk about reviews separately. If we talk
10 about the panel first of all, what was it like going to
11 the panel?

12 A. Terrifying. Absolutely terrifying.

13 Q. What was terrifying about it?

14 A. I think firstly my mum and dad -- well, if my mum and
15 dad were both there, they would already be in an angry
16 mood anyway and kind of we'd be warned to be on your
17 best behaviour, you can't do anything. So that would
18 have already kind of caused an anxiety in a sense. But
19 they would be really dismissive. I think as a child you
20 just sat in a room and everybody talked over you and
21 talked about you or talked at you, but there was no you
22 involved in the conversation.

23 And my younger brother, he used to get into a temper
24 tantrum every time we had panels, which again would add
25 another layer of anxiety to it because you know

1 something's going to kick off and it didn't seem to me
2 like anybody really cared about us as the children at
3 the panel. It just seemed like it was an official thing
4 that had to be done and we're talking about these things
5 and that's how I felt at every panel.

6 Q. Okay. If we move on to the top of the next page at
7 paragraph 22 you talk about "stupid little books" that
8 you had to fill in about how good or bad the foster
9 placement was. Can you tell us a little bit about that?

10 A. Yeah, they were awful. They were like these little
11 paper booklets and they would -- they would have
12 cartoons and stuff like that, like, "How do you feel
13 today?" And you used to have to tick or circle a box
14 and all these stupid things and -- well, I think --
15 first and foremost I remember thinking I can't write the
16 right thing on this, because my mum was there and we
17 were terrified of my mum. But then there's a point
18 where it was just like -- I mean it looks like it's for
19 a five-year-old and I'm in my teens. How is that going
20 to work for anybody?

21 So it just seemed very condescending, obviously
22 I didn't know that word when I was a kid, but it just
23 seemed like it was -- you're either getting mollycoddled
24 and treated like a baby or you're not getting any
25 communication with you on your level.

1 Q. Okay. You must think there would have been a better way
2 of communicating with you?

3 A. Yeah.

4 Q. What would have been better?

5 A. I think there's -- because I think -- as a foster child
6 it was very insular in the first place and I think for
7 a long time me and my brothers and sister kind of
8 thought we were the ones -- we were the only ones that
9 were going through our life. I think some kind of
10 connection with other children that are in a situation
11 like that where you've kind of got a peer-to-peer
12 support where you don't feel like alienated, you don't
13 feel like you're the odd one out, you don't feel like
14 you're bad. Actually you have other children talking to
15 you and kind of sharing experience. But through that
16 you can -- through observation you can end up learning
17 a lot more than a stupid book where you're putting
18 a child on the spot and saying, "Tell us how you feel
19 today".

20 Yeah, I think that on its own would be a massive
21 difference.

22 LADY SMITH: Who was it that asked you to fill in these
23 books? Was that the social worker or the panel?

24 A. That was whenever we got to a panel we would have
25 these -- we had the books handed to us by the social

1 workers. So I don't know which -- where they originated
2 from, but it would be the social workers that would give
3 them to us.

4 LADY SMITH: Thank you.

5 MS INNES: Then in the next paragraph, paragraph 23, you
6 talk about reviews. So reviews, were they something
7 that were organised by the social work department?

8 A. Yeah. So the panels, we would go to Dingwall for the
9 panel once a year, and then the reviews we would just go
10 to Alness social work department. There were so many
11 things that made the reviews much better, in my opinion.
12 Yeah, I've got a better recollection of them than I do
13 of the panels, that's for sure.

14 Q. What made them better?

15 A. I think with the Alness social work department there was
16 a woman receptionist who worked there, Margaret, who had
17 known me, my brothers and my sister all our lives
18 because of going in and out of care and every time we
19 went to Alness social work department she would always
20 come out and give us big cuddles and ask us how we were
21 doing. So that on its own is kind of disarming. You
22 kind of feel like actually somebody is nurturing and
23 somebody is caring.

24 And even after I left care and started doing the
25 voluntary work with Springboard, Barnardo's and stuff,

1 Margaret actually worked for Barnardo's Springboard so
2 she even knew me into my adult years.

3 But then in the actual review it just seemed
4 a little bit more informal where people would be asking
5 me how I feel and I think with the reviews as well there
6 was a change in the approach because they would stop my
7 mum or my dad being there at the same time and then
8 maybe at your second review, mum and/or my dad would be
9 there. So there was an opportunity to talk without
10 the -- like the elephant in the room, if you like, being
11 in the same room with you.

12 Q. Okay. If we can move on a little in your statement,
13 please. At the top of page 7, you talk there about
14 being at school and I think you tell us that you were at
15 various different schools, depending on where you were
16 living.

17 A. Mm-hmm.

18 Q. You say at paragraph 34 that you found teachers and
19 adults the worst at jumping to conclusions first.

20 A. Absolutely.

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

22 A. Yeah, I think the -- I think whenever we're starting --
23 I mean it wasn't every single school that we would have
24 like an induction, if you like. Sometimes it would just
25 be you're starting school and the foster parents would

1 take us to school. But I think obviously the teachers
2 in the schools had had conversations before we had got
3 there to say that we were going to be coming in as
4 pupils. So I think there was almost like
5 a pre-judgement whenever we got in the classes and I can
6 think of countless situations where actually the adults
7 around me, teachers, for example, were the ones that
8 were making me feel bad or making me feel like I was
9 a trouble, when actually that was nothing to do with my
10 life. So I think it probably came down to them not
11 being given enough information about my background
12 before I went into school and just getting told there's
13 a foster kid coming in and then they automatically jump
14 to a conclusion that it must be a nightmare.

15 Q. Okay. You say at paragraph 36 that kids are exactly the
16 same, that they would feed off the attitude of adults?

17 A. Mm-hmm.

18 Q. Did you ever feel that you were able to form any
19 relationships with teachers at school, for example, that
20 you could have spoken to them about what was happening
21 at (TL), for example?

22 A. Not -- not -- not to the level where I think I would
23 have spoken to them, because I was living at (TL)
24 at the time. I think I had -- I'm trying to her what
25 her name was, I can't remember, but the headteacher that

1 had taken over at Tarbat Ness Primary School I got on
2 really, really well with, and she was just a brilliant
3 teacher and she related to people really, really well.
4 But I think would I have said anything? No, because
5 I was living in the place and it's only a small place.
6 There's 70 houses in [REDACTED] and I think there's about
7 a 2,500 population in [REDACTED]. So if anything's
8 getting spoken about, everybody knows about it. It's
9 just a small-town community -- a small-town mentality,
10 sorry.

11 So no, there was never -- there was never anybody
12 where I would have felt confident enough to say I'm
13 going to say.

14 Q. Okay.

15 If we go on over the page, please, to the top of
16 page 8 and paragraph 40, you talk about living -- you
17 and your twin brother living with a foster carer in
18 Maryburgh.

19 A. Yeah.

20 Q. You say that was the first time that you'd had a best
21 friend?

22 A. Yeah.

23 Q. But then you were moved again, I think to go back to
24 your mum at that point, and you say you kind of gave up
25 looking for best friends?

1 A. Mm-hmm. I think -- I remember it as well and we had
2 a -- I had to go in for a meeting at school and when
3 I walked up the hallway I saw my best friend sat there
4 setting up the helter-skelter, which we used to love
5 playing with. But it was the first friend that I'd had
6 that I actually deep-core cried because I wasn't going
7 to be able to have him as a friend any more.

8 And I think kind of the evolution of accepting my
9 life, I think it was just another thing where it's
10 like -- if every three weeks I have to keep on going
11 through this anxiety and this stress, then this is just
12 a level of stress and anxiety that I don't need to add
13 to it, so it's better to just disconnect.

14 Q. And not form relationships with people?

15 A. Yeah.

16 Q. You talk in the next couple of paragraphs about your
17 sexuality and at paragraph 42 you talk about thinking
18 that it was because of the abuse that you were gay.

19 A. Mm-hmm.

20 Q. Are you able to tell us a little bit more about that?

21 A. I think when I moved to [REDACTED] certainly the first
22 school visit that we did was the first time that my head
23 was like, "Oh, something's not right here, that's a bit
24 weird". And I can -- I can remember it very, very
25 clearly, the point where I realised that I was gay. But

1 I kind of -- just as I've gone through the developmental
2 stage of becoming a teenager, the doubts, your
3 confusion, your hormones, all these different things
4 going on, kind of -- just made the confusion even worse
5 because I'd -- on one hand I'm getting told this is what
6 every boy and girl has to have, and then on another hand
7 my body's saying something completely different and
8 going through this confusion.

9 So, yeah, I didn't know if it was -- that was how
10 I was. I didn't know if it was what was happening with
11 Tom that was causing the problem, I didn't know if it
12 was me. I didn't know anything. It was just quite
13 confusing.

14 Q. Then you go on to mention the earlier placements where
15 you were going back and forward to your mum's, as you
16 say. And over the page at page 9, paragraph 44 you talk
17 about you were with different foster carers and you talk
18 about you either click with people or you don't. So
19 some you got on better with than others.

20 A. Absolutely.

21 Q. You say at paragraph 45:

22 "I think in terms of foster placements I was kind of
23 easy-osy. If you get used to the fact that you're only
24 going to be there short term, you don't really care."

25 A. Mm-hmm.

1 Q. You then go on to say that you remember asking foster
2 parents how long you were going to be there?

3 A. Mm-hmm.

4 Q. You were presumably doing that because your experience
5 was that you were going back and forth?

6 A. Yeah, I think -- but like what I said earlier on, in the
7 context of my life, I think I was quite inquisitive
8 really quite early on, and I was even challenging my mum
9 in a sense to kind of tell me what happened and find out
10 everything that caused our lives to be the way they
11 were. So I think there was just this kind of change
12 where it's like, well, this is life, this is how it's
13 going to be, and if you can kind of get like an answer
14 how long are we going to be here, then at least then you
15 can prepare yourself for: is there any point making
16 friends? Do I have to try at school? Do I have to do
17 anything? So yeah, it was just the routine, that was
18 how life was.

19 Q. At paragraph 46 you say that you feel that you were
20 quite lucky when it came to foster homes?

21 A. Mm-hmm.

22 Q. So other than (TL) [REDACTED], you can't remember anything,
23 you say, being so bad that you thought this is wrong?

24 A. Yeah, I think the -- I mean there was -- foster
25 placements were -- well, my opinion was maybe they were

1 a bit too old and it just -- it just didn't click, just
2 didn't work. There were foster placements where even
3 thinking about [REDACTED] in Maryburgh, I can --
4 I remember [REDACTED] daughter's name, I remember
5 [REDACTED], I remember her husband going off to the
6 shifts to work on the bus. There are so many fond
7 memories come back from that because we clicked really
8 well with her.

9 My last foster home, to this day that is my dad and
10 that will always be and I am the person I am because of
11 that man and that man alone.

12 So, yeah, there were placements where you click.
13 There wasn't anywhere where -- I wouldn't say there was
14 anywhere where I was kind of disciplined or chastised or
15 anything like that in a way that kind of triggered
16 something that like made it relatable to my mum, and
17 living with my mum. There was nothing like that.
18 Anything that wasn't like that was brilliant.

19 Q. Okay. You tell us that you were in a placement, if we
20 go on over the page, to paragraph 49, you talk about the
21 placement you were in in Rosemarkie when you were there
22 with your twin.

23 Then at paragraph 50 you tell us that you and your
24 brother were separated.

25 A. Mm-hmm.

1 Q. And that's when you were placed with (TL) [REDACTED].
2 A. Mm-hmm.
3 Q. Did your twin stay with the carers in Rosemarkie?
4 A. [REDACTED] stayed with them for -- I think [REDACTED]
5 stayed with them for a couple of months and then
6 [REDACTED] moved off to the west coast.
7 Q. Okay.
8 A. But -- well, I learnt thereafter [REDACTED] and [REDACTED] had
9 a lot of stuff going on in their life at the time and
10 I think they'd taken a step back from fostering full
11 stop. [REDACTED] was a social worker as well, so I think
12 there was just a lot going on for them and it was time
13 for them to withdraw a bit from it. I think they kept
14 on fostering, but it was more short-term placements they
15 had.
16 Q. Okay. Did you think when you went to live with them was
17 the plan going to be that it was going to be a long-term
18 placement for you and [REDACTED]?
19 A. With --
20 Q. With [REDACTED] and [REDACTED]?
21 A. I think there was an intention for it to be longer but
22 not necessarily with a view to making it like proper
23 long term. I think certainly for me and [REDACTED], we
24 were encouraged to, you know, think about things for our
25 future with moving to [REDACTED] and [REDACTED]'s, like planning

1 for your birthdays and kind of think about things for
2 Christmas and stuff like that. So I think there was
3 an effort to kind of almost plant the seed that this
4 could be a long-term foster home that could be for the
5 rest of your childhood. It didn't work out that way,
6 but ...

7 Q. Okay. You talk about moving to (TL) [REDACTED] and you say
8 at paragraph 52 that you were told that you were going
9 there about a couple of weeks before you went?

10 A. Mm-hmm.

11 Q. Did you visit them before you went to live with them --

12 A. No. The first time I had met [REDACTED] Tom was at the
13 fun run up in Inverness and it was almost -- it was
14 almost like a -- like a black market exchange. It was
15 just going from one car -- after we'd finished the fun
16 run, it was like going to [REDACTED] and [REDACTED]'s car, sorting
17 ourselves out, getting changed out of the shorts and
18 then walking over to [REDACTED] Tom's car and this is
19 [REDACTED] Tom and meeting them and getting in the car
20 and going.

21 Q. Was that you going to live with them?

22 A. Yeah.

23 Q. Did you know that that was going to happen that day?

24 A. I'd -- well, I knew -- I think [REDACTED] was always quite
25 good at kind of keeping things as calm as possible,

1 don't want to stir things up too much. And, like
2 I said, at the time I think the childish tantrums were
3 like a thing, especially between me and [REDACTED], so
4 I think it was more kind of keeping the peace more than
5 anything else, but there was a conversation about
6 meeting [REDACTED] Tom and then it was, "And you're going
7 to stay with them".
8 Q. Now you're at this, you're in the car park and you get
9 changed --
10 A. Yeah, just finished the fun run as well. I was
11 knackered.
12 Q. What were your first impressions of them?
13 A. They were really old.
14 Q. Okay.
15 A. But I say that, but [REDACTED] -- after looking at Tom,
16 because Tom was considerably older.
17 Q. We know that he was in his 60s at the time.
18 A. Yeah.
19 Q. And [REDACTED] was younger than him --
20 A. Yeah.
21 Q. -- you say that she was in her late 40s?
22 A. Yeah.
23 Q. If we go over the page, you talk about where they lived.
24 You've already said it wasn't a big place that they
25 lived in, I think somewhere near [REDACTED]; is that right?

1 A. Yeah.

2 Q. Was there anybody else living in the house or was it
3 just you and them?

4 A. No, it was me, [REDACTED] Tom, and it's my -- from what
5 I understood, [REDACTED] daughter [REDACTED] had recently left
6 home, and I think it was on the second year that I met
7 [REDACTED], and that was when we had gone down to London to
8 visit Tom's sister, I think it was. And [REDACTED] was just
9 a -- well, you'd class it as an emo I suppose now, but
10 she was just really goth looking and really not happy.

11 It was me and [REDACTED] Tom, and occasionally
12 through spring to early autumn they would rent the
13 second bedroom upstairs out as a bed and breakfast.

14 Q. What was [REDACTED] like as a person?

15 A. [REDACTED] was really warm and really -- I think really quite
16 encouraging. [REDACTED] tried really hard to kind of get me
17 involved in lots of different things and [REDACTED] had --
18 I think for the first time in a while had got all four
19 of us together to communicate with the other foster
20 parents to bring my younger brother and my twin brother
21 and my sister to [REDACTED] so I could see them. [REDACTED]
22 would take me out and we'd go crawling through caves and
23 go walking for miles and miles and miles. I think that
24 was just the person that she was, but she was a very
25 kind of soft and kind of quiet but very nurturing

1 person, I think.

2 Q. What was Tom like?

3 A. Tom was always kind of very assertive in his voice and

4 he always used to have this wee red beret that he used

5 to wear all the time. But everything was very matter of

6 fact and you just got told to do something, or you

7 weren't really talking at all.

8 I just found him -- I always thought he was just

9 a bit -- there was no fun in him.

10 Q. You say at paragraph 57 that it seemed like two

11 semi-retired people living in a nice village.

12 A. Mm-hmm.

13 Q. You describe Tom as being regimented. He was

14 ex-forces --

15 A. Mm-hmm.

16 Q. -- and quite old school.

17 A. (Witness nods)

18 Q. Okay. Over the next page you tell us about the abuse

19 that you experienced when you were in care with them and

20 you tell us that Tom started taking you to a shed at the

21 back of the house.

22 A. Mm-hmm.

23 Q. You talk about making a seagull. Did he make things in

24 this shed?

25 A. Yes. On the front of the house they had like a little

1 porch which they turned into like a craft shop and in
2 winter they would sit and like spinning wool and stuff
3 like that. But then out the back before they'd got the
4 extension built on, there was kind of like a workshop
5 shed, I suppose, if you like, so Tom would make like
6 mobiles, so like the seagull one was you just pull the
7 seagull's feet down and it would flap its wings. But he
8 would cut them all by hand and paint them all and that
9 would all be out in the workshop shed at the back.

10 Q. You say at paragraph 59 that you have a memory of making
11 this seagull?

12 A. (Witness nods)

13 Q. You tell us in your statement that he put his hand down
14 your trousers?

15 A. Yeah.

16 Q. Was this the first time that this had happened?

17 A. Yeah. So like the workshop shed was kind of laid out in
18 a particular way but it was like a bandsaw on the very
19 far end when you went into it, but then there was like
20 a little jigsaw one that you would use for finer cutting
21 and that was the -- trying to cut the seagull out, do
22 you want to do that, and yeah, that was his first
23 spring.

24 Q. You say that you were nine at that point.

25 A. (Witness nods)

1 Q. You tell us that at the time you weren't aware that he'd
2 ejaculated but you are now?

3 A. Mm-hmm.

4 Q. So it wasn't just putting his hand down your trousers
5 that happened?

6 A. No. I think the -- do you know, as I said in my
7 statement as well, I think Tom's approach to things was
8 to always make sure that you were in a position where
9 you couldn't really stop. So if you're trying to cut
10 a seagull with an electric jigsaw that's going, there's
11 not really a great deal that you can do. And he used to
12 have a -- it was like a red stop button for all of the
13 machinery, but I didn't know what that button was for.
14 So as far as I was concerned I just had this saw going
15 towards my hands and I just needed to focus on that.

16 Certainly what I was aware of as a child and what
17 I'm aware of as an adult about how he was acting changes
18 what -- how -- or what I thought was happening.

19 I thought it was just him touching me and touching
20 himself, but I think actually he was getting more out of
21 it than I even thought he was.

22 Q. Did this continue to happen?

23 A. Yeah.

24 Q. This sort of thing?

25 A. Yeah. There was the lighthouse, the shed at the back,

1 and the ride-on lawnmower, that was a nightmare, or
2 tried to teach me how to drive. So it kind of -- it
3 would kind of go up from about once a week and then it
4 was just a daily thing. It was just something that
5 happened every time.

6 Q. You tell us about those different incidents in your
7 statement.

8 A. (Witness nods)

9 Q. If we can go on please to paragraph 65 on page 13, you
10 say that you have a memory of him talking to you about
11 women eating or swallowing what a man produces and then
12 asking you to taste it and making you do that?

13 A. Yeah. I remember that he always used to -- I think he'd
14 actually said to me it was something that men wear
15 inside their (unclear), but he always had this kind of
16 off-cream like full-length kind of gown type thing. It
17 was like a night gown but I just thought it was a bit
18 weird. But I remember him sat there and he would also
19 sit me next to him but then he would pull this gown up
20 and do all these things and then he ejaculated into
21 a bit of kitchen roll and just up it goes and open your
22 mouth.

23 Q. I think you say in your statement that he told you that
24 this was something that everybody had to learn to do?

25 A. Yeah. He made a -- it was either making reference to

1 [REDACTED] and [REDACTED], or it would be a reference everybody's
2 got to go through this. It certainly stuck in my head
3 that apparently [REDACTED] and [REDACTED] had gone through the
4 same thing. So I think kind of in the same way that as
5 a foster child prior to this there's questions about
6 whether everybody else has to have this life or whether
7 it's just you that's on it, and I think there was almost
8 like a: well, if they've had to go through it then it
9 must be what everybody has to go through.

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16 Q. Okay. You say, if we go on over the page to page 14,
17 that you started rebelling.

18 A. Mm-hmm.

19 Q. Page 14, paragraph 70. That you began shouting at him.
20 The abuse stopped for a while but not for long.

21 A. Mm-hmm.

22 Q. Can you describe how you were behaving at this time?

23 A. Yeah, I remember -- it was like coming up for Christmas
24 and I think I had started being kind of -- I was getting
25 bullied at school as well, so everything was just

1 a really negative -- the only time I was really happy
2 when I lived there was when I was out with my best
3 friend [REDACTED]. But I remember coming home for Christmas
4 and there was a massive stack -- a bag, sorry, full of
5 big presents and I think I just kind of jumped into it
6 and Tom just shouted so, so loud, almost like giving you
7 a military drill, and, oh, I just flipped off and I was
8 just like, "This is so unfair" and throwing things
9 around. I would just cry and scream and storm off and
10 temper tantrums, just any time he opened his mouth I was
11 just like no deal.

12 Q. How did [REDACTED] react to that?

13 A. I think at that point in time that was when [REDACTED] kind
14 of made an even more concerted effort to try and kind of
15 connect with me. I remember [REDACTED] had gone to Tom's
16 daughter who lived in Lossiemouth and I got on really
17 well with her kids, but she'd asked [REDACTED], which was
18 Tom's daughter's daughter, if she would come over and
19 speak to me and try and kind of work out what was going
20 on, but that was through [REDACTED] instigating that and
21 trying to -- I think trying to kind of find a way of
22 making one of the only two children that lived in this
23 village feel like they're a child.

24 So, yeah, I think she -- I think she made a more
25 concerted effort to try and work out what was wrong.

1 Q. Okay. At paragraph 73 at the bottom of this page you
2 talk about that she eventually knew that there was
3 something wrong. Is that reflecting back on what you've
4 just said, that your behaviour -- she was wanting to
5 know what was happening?

6 A. Well, I think the -- I think there was more of a -- kind
7 of like a -- like a matter-of-fact approach from me
8 about how much I hated him. [REDACTED] worked for the
9 [REDACTED], she was a volunteer for the [REDACTED] but
10 she'd taken me off to do the patrols, do all the checks
11 that she had to do every week. It was great fun putting
12 the [REDACTED], we used to
13 have a right laugh, but I remember coming home and Tom
14 was supposed to be doing a golf tournament and we'd
15 forgotten about it, because we were up to the lighthouse
16 sorting things out and I could see his red beret as we
17 were coming into [REDACTED] and I was, "Don't stop the
18 car, don't stop the car", and she didn't. If anything,
19 she sped up to get past him.

20 But I think the combination of me being more blunt
21 about how I felt against him kind of really triggered
22 something that something's not right, something's going
23 on.

24 Q. Okay. At any point did you feel like you could tell
25 [REDACTED] what was happening, what he was doing?

1 A. No. Never.

2 Q. And why not?

3 A. I think there's a lot of things. I think when I was

4 wearing -- when I'd first moved there -- well, Tom used

5 to come in when I was in the shower and like wash me and

6 stuff like that when I was in the shower, but it was

7 like -- like a part of my foreskin would stick to the

8 glans, if you like, if I'm using proper words. Tom

9 would say that's just a case of you being unhygienic and

10 you're dirty, so we just need to clean it and you need

11 me to look after you. But I remember being taken to

12 a doctor's appointment and when we came back, Tom, while

13 I'm there, telling her, "Okay, this is what I have to

14 do, I have to wash him and make sure he's clean", and it

15 just being accepted. It just seemed like -- it was

16 almost like he pre-empted it. So there was enough laid

17 down as a seed for nobody to really do anything about it

18 and enough for me to feel like, well, there's another

19 person who's part of this.

20 Q. There came a point, as we know, that you left there and

21 you've already described in your evidence that you were

22 told that you were going to be leaving and the

23 explanation seemed to be about the way in which you were

24 behaving and that this was impacting on Tom's health?

25 A. Mm-hmm.

1 Q. Is that the reason that you were given for moving?

2 A. Yeah.

3 Q. What was your reaction to that, were you relieved to be

4 going away or not?

5 A. I was really gutted because I was leaving [REDACTED] and kind

6 of for all intents and purposes [REDACTED] was probably the

7 first person I'd accepted as a mum replacement, if you

8 like. So I was absolutely gutted by that. And I just

9 felt like I'd ruined it. I'd made -- I'd just wrecked

10 another foster home, I'd wrecked another placement that

11 I was supposed to be staying here for, but actually they

12 can't even cope with me.

13 Q. Then you mentioned earlier I think the foster parents

14 that you then went to, who I think are called [REDACTED] and

15 [REDACTED] and you say at paragraph 76 that for all intents and

16 purposes they were your mum and dad?

17 A. To this day. Unfortunately my dad passed away in

18 2000/2001, but he's everything. He's my dad to my core.

19 Q. You say at paragraph 77 that you didn't feel able to

20 talk to them about the abuse?

21 A. I did -- when I first moved there, I was actually

22 supposed to go home from school and [REDACTED] was going to

23 take me to see them, but I was so kind of gutted that

24 I was getting kicked out that I was like I'm just not

25 going to go back to your door. So after school I got on

1 the bus that stops past where my mum and dad's house was
2 and a foster child that I used to be in care with was on
3 the bus with me, but he used to bully me and my younger
4 brother, so already I was quite anxious. But [REDACTED]
5 Tom had come to visit maybe a couple of weeks -- maybe
6 about a week, actually, to see how I was getting on and
7 take my stuff over and take the -- we had like
8 an envelope with my papers and my passport -- I didn't
9 have my passport then, but my birth certificate and
10 stuff like that and they'd come over to check. And
11 [REDACTED], who was my foster brother, had connected quite
12 well with Tom [REDACTED] because they both played golf
13 and he was just starting to play golf. So [REDACTED] would
14 go and do tournaments with them and play golf with them
15 and then come back, so it was a connection there that --
16 no, it followed me.

17 Q. You felt you couldn't say anything because there was the
18 ongoing connection with them --

19 A. Yeah.

20 Q. -- with your brother? Okay.

21 If we can move on, please, to page 20 of your
22 statement and to reporting abuse and you've already told
23 us about not feeling able to speak to [REDACTED] about
24 things. You've told us about the social workers and
25 issues with the social worker not being there. At the

1 top of page 21 you mention Marilyn being sick and you
2 mention that this was a social worker who you had
3 a really good relationship with.

4 A. Mm-hmm.

5 Q. You say that you met another social worker and you met
6 her towards the end of the placement and you remember
7 thinking: can I tell you or can't I tell you?

8 A. Was that Elano?

9 Q. Yes.

10 A. Elano Ross. Yeah, I got on really well with Elano Ross
11 as well actually. I think at that point -- I would kind
12 of say I'd matured a bit, but I think at that point
13 I kind of had a better understanding that actually
14 this -- things shouldn't have happened. And for lack of
15 being able to say anything because of like the
16 connection -- my foster brother's connection with [REDACTED]
17 [REDACTED] Tom, for the lack of having anywhere to kind of put
18 it, there was questions coming into my head about: can
19 I tell anybody about this? It didn't happen, but I was
20 thinking it.

21 Q. Okay. You tell us that you decided to report the abuse
22 to the police after group meetings that you'd been going
23 to in Inverness, so that's at paragraph 107.

24 A. (Witness nods)

25 Q. Was that after you had left care?

1 A. Yeah.

2 Q. What sort of group meetings?

3 A. So I had been in touch with -- I'd got put in touch with

4 the group. It was a group for survivors of childhood

5 sexual abuse, but I'd been put in touch with them

6 through the therapist that I had, the mental health --

7 they had like the daily -- what do you call it? But

8 like outpatients' mental health at the hospital in

9 Inverness. So I'd been going there for quite a while

10 actually and it was like a peer-to-peer support but it

11 was [REDACTED] who -- he used to be a social worker.

12 He'd set this group up to try and help people who had

13 gone through abuse.

14 Q. Okay. He was the one that said you should report this

15 to the police?

16 A. Yeah. It was very much -- he said that if you report

17 things to the police it can help. But the way it was

18 kind of put across to me was almost like that's my goal,

19 is to get you to report this to the police. And

20 I didn't like the pressure, I didn't like what came with

21 it, but I was going through a really horrible point in

22 my life, I was trying to kill myself pretty much every

23 day as well. So it just kind of -- it lighted like this

24 fire and I think he'd probably laugh now, bless him,

25 because he got exactly what he wanted, I did report it,

1 and it was out of anger and I hate anger but ultimately
2 it was the one thing that got me to actually say this is
3 what happened in my life.

4 Q. Okay. We know that Tom was convicted and in fact he
5 pled guilty to charges involving different people.

6 A. (Witness nods)

7 Q. So [REDACTED] that you've mentioned in
8 paragraph 110, you think also other [REDACTED] were
9 involved --

10 A. (Witness nods)

11 Q. -- and he pled guilty before it went to trial.
12 How did you feel about him pleading guilty?

13 A. I remember when we were actually there for it and
14 I remember everybody else being really kind of -- kind
15 of alert, if you like, waiting to see if there was going
16 to be a reaction out of me. There was a part of me that
17 was really, really annoyed because it seemed like a game
18 up until that point and it seemed like he'd just waited
19 until the last minute and then you've just said you're
20 guilty to try and make it easier for yourself and get
21 a better sentence or whatever.

22 There was a part of me that was actually really
23 wanted to go to trial and actually be able to look at
24 him and talk about it. And confront it with him
25 directly. And that kind of got taken away in a sense.

1 But then -- I mean he was stopped. But it could
2 have been stopped a lot sooner.

3 Q. Okay. You say that he was sentenced and you think he
4 served about 18 months?

5 A. He was sentenced to 18 months and I only remember that
6 because the -- the officer who was in charge of my case
7 had kind of nudged towards me just before the judge had
8 given the sentences for the charges and he said, "We're
9 hoping for 'consecutive' and we don't want to hear
10 'concurrent'", and then they said it was concurrent and
11 he was just really annoyed about it. And I was like if
12 you're annoyed, I must be annoyed. Then he explained it
13 to me afterwards.

14 But I think all in all it was like 18 months he was
15 given as a sentence, but I don't think he'd have served
16 even close to that.

17 LADY SMITH: I think we've seen the length of the sentence,
18 even allowing for the sentences on the different charges
19 being concurrent was -- was it two years and 9 months,
20 Ms Innes.

21 MS INNES: Yes, that's right. The longest sentence was
22 2 years, 9 months, but that probably means that he would
23 have served half of that time --

24 A. Mm.

25 MS INNES: -- in prison.

1 LADY SMITH: Under the sentencing laws, that constitutes
2 what's called a short sentence and after halfway through
3 the sentence the person is entitled to be released is
4 the way it works.
5 A. Yeah.
6 LADY SMITH: Over four years is a long sentence and the
7 provisions are a bit different. So it might actually
8 have been a bit less than 18 months, but around that
9 would make sense.
10 MS INNES: How did you feel about the length of the
11 sentence?
12 A. I was livid. I was absolutely livid. I think by the
13 time that I had got to reporting it and kind of going
14 through the -- it was like over a year of speaking to
15 the detective that was in charge of it and I'd found out
16 that Tom had been living in Dingwall and I used to visit
17 my brother in Dingwall and then I'd heard he was living
18 in Inverness, which is where I was living. So it was
19 just a perpetual state of fear just from the point of
20 reporting it. But to get to that point, everything in
21 my life had like collapsed. I was having a completely
22 nervous breakdown, relationships were completely
23 wrecked.
24 So basically from nine to him getting his sentence
25 was all dictated by what he did, that was my sentence,

1 but he got 18 months. It doesn't seem fair.

2 Q. Okay. Now --

3 LADY SMITH: Did anyone explain to you that if he pled

4 guilty that would also have been likely to result in

5 a reduction of his sentence?

6 A. I only met the investigating detective on the day of the

7 sentencing, so nobody explained anything at that point.

8 LADY SMITH: Yes. And up until the day of the trial, he'd

9 been sticking with a not guilty plea?

10 A. Yeah.

11 LADY SMITH: He pled at trial?

12 A. Mm-hmm.

13 LADY SMITH: Can you remind me the date of the trial,

14 Ms Innes?

15 MS INNES: It was in 2007.

16 LADY SMITH: 2007.

17 MS INNES: I think November.

18 LADY SMITH: By that stage he wouldn't have got the maximum

19 discount that he might have got for pleading guilty, but

20 account would still be likely to have been taken of the

21 plea to give him some small reduction in his sentence.

22 Thank you.

23 MS INNES: You go on to tell us about your life after care

24 and I want to ask you about one matter that you talk

25 about at the bottom of page 22, paragraph 113. You say

1 that although you didn't have problems in your foster
2 care placements other than what you've described, after
3 you left care you were motivated to work with children
4 in care. Can you tell us a little bit about that,
5 please?

6 A. Yeah. I started -- I started doing like going to --
7 like outreach meetings with looked-after children and
8 service providers, service users, and that kind of grew
9 to pretty much every week Monday to Friday I'd be going
10 somewhere else and doing lots of different meetings and
11 getting involved in children's rights. And through
12 that -- well, Barnardo's Springboard were assigned to me
13 after I came out of care, a bit late but they were
14 assigned to me. And the guy who ran the Barnardo's
15 Springboard in Inverness, Ian Dempster, used to be
16 a social worker and his wife was I think the Director of
17 Social Work for Scotland, North Scotland. So he'd
18 started getting me involved in a lot more things and
19 then eventually I got to the point where I was like,
20 okay, I want to do something myself, I want to start
21 something that's going to benefit people who have gone
22 through care and gone through something like I've gone
23 through.

24 So he helped me and we started applying for funding
25 and stuff like that to try and get like a peer-to-peer

1 support group for previously looked-after children set
2 up. We got there in the end and we got it started, but
3 yeah, for -- I think maybe for like three years of my
4 life I was Monday to Friday just I'm away at another
5 meeting, I'm away at another meeting, and it was
6 brilliant.

7 Q. Okay. I want to move on to the end of your statement
8 now, please, and at page 29 you talk about hopes for the
9 Inquiry. There's various things that you say there but
10 I understand that you obviously signed this in 2017 and
11 in preparation for giving evidence you've been
12 reflecting a bit further on your hopes for the Inquiry
13 and lessons to be learned?

14 A. Yeah. I think the -- kind like I said earlier on,
15 I think from my experience of being in care, it's
16 a really insular solitary life and I don't think it does
17 need to be -- I think -- you know, there's a group of
18 the population that are going through foster care and
19 I think if children coming through that system feel like
20 they're not the only one because they've got other
21 children -- and how that happens I don't know, but if
22 they have the support or the connection, sorry, to other
23 children then they've also got a peer group that they
24 may be able to say something to and something could be
25 stopped a lot quicker.

1 I think a lot of things have changed in the way that
2 social work is provisioned out to children and the
3 families and a lot of those changes obviously can't --
4 wouldn't have come into place if something didn't become
5 really bad in order for things to change. But I think
6 especially when it comes to children, I think --
7 I really think there's just a group of children that are
8 dismissed and it is children that are in foster care and
9 in residential homes. I think it's like a forgotten
10 group that always seems to be forgotten and the problems
11 that you have in foster care, they don't just stop when
12 you leave foster care. You don't just get to 19 and all
13 of a sudden you weren't sexually abused and you weren't
14 abused by your mum and dad and all that stuff. It
15 follows you your entire life.

16 I think in the context of me and my brothers and
17 sisters, my parents had their parental rights taken away
18 from them, at which point the council take
19 responsibility for me and that responsibility should be
20 like as it would be with a parent. You don't just stop
21 being a parent because your kids have grown up and
22 they've gone off into their own life.

23 I think there has to be accountability, there has to
24 be more acceptance of the things that have gone wrong
25 and acknowledging that mistakes were made. But the very

1 fact that it -- it has to be something like
2 a Jimmy Savile scandal before things go, "Oh, we need to
3 change something". Why weren't these things changed in
4 the first place?

5 Tom, for example, I have no doubts in my mind,
6 although I can't prove it, that he was using predatory
7 behaviour when he was in Saudi Arabia in the Forces and
8 through the investigation with my case, there was like
9 six people I think it was all in all.

10 So his behaviour was already there before I went to
11 the foster home. If there's fighting(?) processes, if
12 there's interactions to try and judge if people are good
13 to be foster parents, then how did that slip through the
14 net? Because he was pretty blatant about how often he
15 wanted to do it when I was living with him.

16 So there's so many things and I think the --
17 I wouldn't wish my life on anybody and I think anything
18 that can help any child not go through something similar
19 can only be a good thing.

20 MS INNES: Thank you very much, 'Kyle'. I don't have any
21 more questions for you.

22 There are no applications, my Lady.

23 LADY SMITH: Thank you.

24 Are there any outstanding applications for questions
25 of 'Kyle'?

1 That does complete all the questions we have for
2 you, 'Kyle'. Thank you so much for engaging with us as
3 you have done and staying the course from when you gave
4 your statement all these years ago. I hope you
5 understand that it's not that it was ignored and we
6 suddenly woke up to it this year, but there's been
7 a planned system that we've been going through --
8 A. Yes.
9 LADY SMITH: -- as we deal with different areas of our work
10 in public hearings and foster care only started earlier
11 this year so far as public hearings were concerned.
12 A. (Witness nods)
13 LADY SMITH: I'm really grateful to you for having come
14 today to add to what you've explained in your statement.
15 This is really valuable evidence that you've given me
16 and I'm very grateful.
17 Thank you very much --
18 A. Thank you very much.
19 LADY SMITH: -- and I'm able to let you go now.
20 A. Thank you.
21 (The witness withdrew)
22 LADY SMITH: Just before I rise for the lunch break,
23 obviously Tom Lane can be identified outside this room,
24 but there was mention of the name of [REDACTED] and [REDACTED]
25 [REDACTED] and I think mention of some other foster

1 carers' names, all of which are protected by my general
2 restriction order and can't be used elsewhere.

3 Ms Innes, are we ready for the lunch break?

4 MS INNES: We are, my Lady.

5 LADY SMITH: Very well. I'll rise now and we will sit again
6 at 2 o'clock.

7 (1.09 pm)

8 (The luncheon adjournment)

9 (2.00 pm)

10 LADY SMITH: Good afternoon. Ms Innes.

11 MS INNES: My Lady, the next witness is an applicant who
12 wishes to remain anonymous and has chosen the pseudonym
13 'Kelsey'. 'Kelsey' was in care first of all with
14 Central Regional Council and then Stirling Council.

15 She was placed in foster care with FRX in
16 Stirling on on 1994 and removed from there on
17 2001.

18 She was then placed with FRS-FRV in
19 Tullibody from 2001 until 2003.

20 Despite where they live, which I think would be
21 Clackmannanshire, they're also understood to be Stirling
22 Council carers from the records. Stirling Council is
23 accordingly the responsible authority.

24 LADY SMITH: Thank you.

25

1 'Kelsey' (affirmed)

2 LADY SMITH: 'Kelsey', you seem to be in a good position for

3 the microphone. I'd ask you to make sure you're using

4 it, because we need to hear you through the sound

5 system, please.

6 There's a red folder there, it has your statement in

7 it, we'll take to you that in a moment but we'll also

8 bring it up on the screen -- you see there it is now --

9 A. Yeah.

10 LADY SMITH: -- and go to different parts of it that we want

11 to discuss with you during your evidence.

12 'Kelsey', apart from those practicalities, please

13 bear in mind that I do understand that it's difficult

14 coming into a public place in front of strangers to talk

15 about your own life and your own life as a child.

16 That's not something that you probably do very often, if

17 you've done it at all before. I know that sometimes

18 people get upset. I know sometimes they think they're

19 organised and well prepared and it's all going to go

20 swimmingly and then they're taken aback by their own

21 emotions. That's absolutely fine.

22 If you need a break, just let me know. Or if

23 there's anything else I can do to help you give your

24 evidence as clearly and as carefully as you can. If it

25 works for you it'll work for me, all right?

1 A. Thank you.

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

3 Is that okay?

4 A. Yes.

5 LADY SMITH: Ms Innes.

6 MS INNES: Thank you, my Lady.

7 Questions from Ms Innes

8 MS INNES: 'Kelsey', I understand you were born in 1990?

9 A. I was, yeah.

10 Q. I want to look at your statement first of all, please,

11 we give it the reference WIT.001.002.9206. I'm going to

12 begin by asking you to confirm your signature of the

13 statement. If we go right to the end of it, please,

14 page 54, paragraph 353, you say:

15 "I have no objection to my witness statement being

16 published as part of the evidence to the Inquiry.

17 I believe the facts stated in this witness statement are

18 true."

19 I understand that you signed this statement on

20 1 October 2019?

21 A. I did, yes.

22 Q. Okay. If we can go back to the beginning of your

23 statement again now, please, and I just want to

24 summarise some of the information that you give us about

25 your life before you went into care. You tell us at

1 paragraph 2 that you were born in Stirling --

2 A. Mm-hmm.

3 Q. -- and you talk about your half sisters and

4 half-brothers at paragraph 3.

5 A. Yes.

6 Q. But you say you didn't really grow up with them?

7 A. No.

8 Q. Where did they go?

9 A. So my three half sisters and one of my half-brothers is

10 on my birth father's side, so they were with him and his

11 wife at the time.

12 Q. I think you mentioned some of your family there and you

13 say here that one half-brother was adopted by your

14 granny?

15 A. Yes, he was, yes.

16 Q. You say at paragraph 4 that your mum was a heroin user

17 and wasn't living with your birth father after you were

18 born. She was living with another man?

19 A. Yes.

20 Q. Okay. You say that at that time you were being

21 constantly passed between her and your granny?

22 A. I was, yes.

23 Q. Is that your mum's mum?

24 A. Yes.

25 Q. If we move on from there in your statement you tell us

1 that this man that your mum was living with was abusive
2 to you?

3 A. Yes, he was.

4 Q. If we can look on, please, to page 2, you say at
5 paragraph 11 that you had talked about the abuse to
6 professionals at that time?

7 A. Yes.

8 Q. Did that result in you being taken into care?

9 A. I think that was the starting point, to be honest. It
10 was certainly cited in some of my records that
11 a referral was made for child protection under abuse.

12 Q. Okay. At paragraph 14 on page 3 you say that your
13 understanding was that you were due to be adopted?

14 A. Yes. So my mother had told me that I was to get a new
15 mum and dad and I know that the lady in my first foster
16 placement tried to adopt me, and for some reason it
17 didn't happen.

18 Q. Okay. You then tell us about going into foster care
19 with a FRX [REDACTED]?

20 A. (Witness nods)

21 Q. Was that the first foster placement that you went to?

22 A. Yes.

23 Q. You know from your records, I think, that you were still
24 in nursery at the time that you went there?

25 A. Yes. So according to my records I was in Sauchie

1 nursery and was due to be starting in Braehead Primary
2 Nursery when I first moved into foster care.

3 Q. Okay. At paragraph 16 you talk that at that time, when
4 you were aged four, you were presenting with some
5 self-harming behaviours?

6 A. Yes, I was.

7 Q. Did that continue through the time that you were living
8 with FRX ?

9 A. Yes.

10 Q. I think you say here that your carer didn't do anything
11 about that?

12 A. No, she ignored any of the distress signs that I was
13 showing.

14 Q. If we go on to the next page, you tell us that you have
15 a clear memory of the day that you first went to this
16 person's accommodation.

17 A. Mm-hmm.

18 Q. What can you remember about it?

19 A. I suppose I remember -- I don't really remember just
20 before it, but I remember when we were in her house and
21 I was sitting on my granny's knee, kind of shy because
22 I didn't know really what was happening, and then my
23 grandmother had explained to me that I would be staying
24 in this house, that her and my brother would come and
25 visit, that I was to be a good girl and do what I was

1 told. And I think I remember being upset, so my gran
2 put me down for a nap and then when I woke up they were
3 gone.

4 Q. Can you remember what FRX was like? Do you have
5 any memory of her from that first visit?

6 A. Yeah. She was a thin red-haired lady. She seemed a bit
7 strict, but I kind of felt like she was trying to be
8 overly nice to kind of help me feel welcome and stuff.

9 Q. Okay. Then at paragraph 19 you tell us that you
10 remember her introducing you to her sons --

11 A. Mm-hmm.

12 Q. -- and you say that they were a good few years older
13 than you?

14 A. Yeah.

15 Q. Were they still at school or had they left school, did
16 you have any impression?

17 A. To my recollection, they were both older than high
18 school years. Before the age of 20, but like between
19 the ages of 18 and 20.

20 Q. So late teens?

21 A. Mm-hmm.

22 Q. Okay. You talk about remembering going to sleep and
23 waking up again. At paragraph 21 you describe the
24 house.

25 A. Yes.

1 Q. Did you have your own bedroom?

2 A. No. It's my recollection in the house, in the room that

3 I was in, it was the bottom of the hall on the left, and

4 there was bunk beds and her youngest son's bed was in

5 the far corner next to the window.

6 Q. Of the same room?

7 A. Yes.

8 Q. Were you in the bunk beds?

9 A. Yes, bottom of the bunk.

10 Q. Was there anybody in the top bunk or was that empty?

11 A. That was empty.

12 Q. Right. And did her other son have his own room?

13 A. Yes, he did, yes, just across from my room.

14 Q. Okay. Then presumably she had her own bedroom as well?

15 A. Yes.

16 Q. Okay. Do you know if there were any issues raised about

17 the sleeping arrangements?

18 A. I know there was from my care records, that it was

19 inappropriate for me to share a room with another boy.

20 Q. Okay.

21 A. I know there was concerns expressed because there was

22 two adolescents living in the house as well.

23 Q. Okay. Did you continue to share a room with this boy or

24 did that change, can you remember?

25 A. I continued to share the room with him for quite

1 a while. I don't remember when he was moved into the
2 other room with his brother. But I know it was quite
3 a while before he was moved.

4 Q. So if we look in the records and we see that the issue
5 about the sleeping arrangements was raised I think by
6 a safeguarder and the answer is, well, it's all been
7 changed now, very shortly after you'd gone into care
8 with FRX, that's not consistent with your
9 recollection?

10 A. No, that's not consistent.

11 Q. I'd like to look at something in your records about
12 Children's Hearings that took place just around the time
13 that you had moved to FRX house. I wonder if we
14 can look, please, at STC-000000144 and page 5. We see
15 the first entry there, 14 November 1994, is a Children's
16 Hearing. If you just bear with me a moment ... (Pause)

17 I think that says that certain people didn't attend
18 this Children's Hearing and then it says:

19 "Warrant was extended as the hearing members stated
20 that they were not convinced about the suitability of
21 foster placement. This was on the basis that [you] had
22 disclosed to FRX's son and they were almost
23 stating that a placement with adolescent boys was not
24 suitable for any sexually abused child."

25 Is that what you're referring to when you mentioned

1 a moment ago that you saw in your records that there
2 were questions as to the appropriateness of this?
3 A. Yes.
4 Q. It says there:
5 "This issue will be taken up by Peter Macfarlane."
6 The next entry, 22 November 1994:
7 "Phone call from Rosemary Fraser."
8 I understand that she's the safeguarder who had
9 initially raised the concern about sleeping arrangements
10 and it's noted there:
11 "Now seems to have changed her mind and is
12 supporting the foster placement for 'Kelsey'."
13 If we can move on, please, to page 6 and if we can
14 just scroll down on this page, please, to
15 30 November 1994. This refers to a Children's Hearing
16 and it says again I think that your mum didn't show to
17 the Children's Hearing and the panel took over an hour.
18 A. (Witness nods)
19 Q. I think maybe your grandmother had attended, and it
20 says:
21 "Despite a difficult panel they did eventually agree
22 that 'Kelsey' should be placed on supervision with
23 FRX [REDACTED]."
24 Okay?
25 A. Mm-hmm.

1 Q. I think you've maybe not seen it in this form in your
2 records, but you know that there were issues raised by
3 the Children's Hearing with the social work department
4 about the suitability of the placement, there seemed to
5 be a bit of disagreement, but ultimately they decided
6 that you should stay with FRX .

7 A. I don't think that was the only time it was mentioned in
8 my care records.

9 Q. Mm-hmm.

10 A. To my knowledge, anyway. Unless I've misinterpreted
11 other parts of the records.

12 Q. Okay. Do you think that there are other parts in the
13 records where there were concerns raised about the
14 placement?

15 A. Yeah. There was mention further in my records that
16 a long-term placement should be found for me and there
17 was reference to being referred to the Regional board so
18 that they could find a more long-term foster placement
19 for me.

20 Q. Yes, that's right. I know what you're talking about.
21 So initially the plan I think seemed to be that you
22 weren't going to be staying with FRX long-term?

23 A. (Witness nods)

24 Q. As you've described, they tried to find or look for
25 a long-term placement.

1 A. Yes.

2 Q. But my understanding is, and correct me if I'm wrong,
3 that FRX then came forward and said that she would
4 keep you on a long-term basis. And that seemed to then
5 happen.

6 A. Mm-hmm.

7 Q. Is that consistent with your understanding reading the
8 records? Or not?

9 A. I think so. I think there was -- there was mention that
10 the search for a long-term placement had been delayed
11 somewhat --

12 Q. That's right.

13 A. -- due to absence or holidays, but, yeah, I think
14 I always questioned why somewhere else wasn't found for
15 me.

16 Q. Mm-hmm.

17 A. Especially given what I experienced in that placement.

18 Q. Okay. Yes, I think we have seen in your records that
19 even although they were looking for a long-term
20 placement, it took a long time for them to carry out any
21 assessment.

22 A. (Witness nods)

23 Q. Okay. If we can go back to your statement, please, and
24 if we can move to page 5, paragraph 24. You say there
25 that after about a year you think you moved into a room

1 with her son?

2 A. Yeah. I think I've got that wrong. It wasn't a room
3 with her older son [REDACTED]. [REDACTED] and [REDACTED] swapped
4 rooms.

5 Q. Okay, so you stayed in the same room?

6 A. With [REDACTED]. But it was the room that [REDACTED] used to
7 have. The room I was originally in was bigger, and
8 because [REDACTED] was older, it was deemed more appropriate
9 that he would have the bigger room.

10 Q. Okay. But you and the younger son moved into another
11 room, still in the same room?

12 A. Still in the same room, yeah.

13 Q. Then you say that after that you were moved into
14 [REDACTED] FRX [REDACTED]'s own room?

15 A. Yes.

16 Q. Did you have your own bed in --

17 A. I had my own bed, yes.

18 Q. Do you know why it was that you were moved into her
19 room?

20 A. I don't know.

21 Q. You say at paragraph 25 that she would watch you all the
22 time at night?

23 A. Yeah, that's certainly how it felt. That I was being
24 watched.

25 Q. Okay. You say she even started limiting when you could

1 go to the toilet?

2 A. Yes.

3 Q. Can you tell us a bit more about that?

4 A. So that kind of started when I was in the other room,
5 beside her room, and for some reason [REDACTED] had moved out
6 of that room at some point. I don't know what year that
7 was in. But apparently she said I was going to the
8 toilet too often and says that I was only now allowed to
9 go when I went -- before I went to bed and then once she
10 was up and about and told me that it was okay to go.

11 Q. Okay. Did you have any issues with bed-wetting?

12 A. I did once when I shared a room with her. I tried to
13 get up to go to the toilet and she told me to get back
14 in bed and not move until she said so, and unfortunately
15 I couldn't hold it.

16 Q. Okay. You talk at paragraph 26 about being locked in
17 the bedroom when she went for a shower.

18 A. Yes. So that's when I was in the room before being
19 moved in with her. She would more often than not put
20 a broom up the handle and onto the -- the -- around the
21 doorframe so that I couldn't open it from the inside.

22 Q. Was that happening during the night or during the day?

23 A. Sometimes during the day, but most nights she would do
24 that as soon as I went to bed, that's when I would be
25 locked in the room.

1 Q. Okay. Then when you say sometimes it would happen
2 during the day, was that as a punishment to put you in
3 there, do you know?

4 A. Sometimes as a punishment, sometimes when she didn't
5 want to be disturbed or if she went for a shower.

6 Q. Okay. Can we move down, please, to paragraph 30 and you
7 talk there about being fed separately to everybody else?

8 A. Yeah.

9 Q. Can you tell us about that?

10 A. So I was made to stand in the kitchen at the worktop.
11 There was two points of the worktop that I was allowed
12 to eat at, but I was never allowed to join her and her
13 sons in the living room to eat dinner or breakfast.

14 Q. Was there a table in the living room or did they sit
15 with their --

16 A. They sat at their own chairs, sofa, and I was made to
17 stand in the kitchen. I was only allowed to eat in the
18 living room if my auntie had suddenly dropped by and
19 wasn't being expected, then I would be moved into the
20 living room.

21 Q. What was the food like? Did you get enough to eat or
22 not?

23 A. No, I don't feel like I did. I rarely got breakfast and
24 the dinners was -- they were a lot smaller portions than
25 everybody else was getting. Obviously I know I was

1 a child, but kids like food too. But it -- like it
2 was -- she never asked about what I'd like or like to
3 have an option, like so I know with my daughter,
4 certainly, I'll give her an option of two and she can
5 pick which one she would like from that, but it was
6 never asked what I liked or didn't like.

7 Q. You talk about hiding wrappings from food that you
8 stole?

9 A. Yeah.

10 Q. Where were you stealing the food from?

11 A. Certainly not something I'm proud of, but because I had
12 felt hungry I was making myself like -- it sounds
13 stupid, but like the Home Pride plain bread, she never
14 used to notice the ends being stolen, so I would put
15 like whatever was there, tomato sauce or brown sauce or
16 sugar or jam or butter and kind of take it through to my
17 room. Sometimes if the biscuit jar was full I would
18 take some. Yeah, that kind of thing. I think it kind
19 of -- the less she fed me, the kind of more substantial
20 a meal I would try and take for myself. So there was
21 the odd occasion where I took a can of corned beef and
22 there was like a sweet Fray Bentos pie that they used to
23 do in the tin and I used to hide -- there was a bit of
24 a hole in the base of my bed and when it was empty
25 I used to kind of hide it in there, not ever thinking

1 that she would go in to clean it or ... you know, it was
2 just some way of getting rid of the evidence that I'd
3 had food.

4 Q. You say, I think, that she did find them on one
5 occasion?

6 A. She did, yeah. I'm not sure if -- well, probably they
7 would start to smell with any kind of leftovers from
8 food. And I remember her finding them, I don't think
9 I was in the room at the time, and -- yeah, I got
10 a pretty bad beating for that and kind of shouted and
11 sworn at quite a bit.

12 Q. If we can go over the page, please, at paragraph 33 you
13 talk about school lunches and having to pay for them.

14 A. Mm.

15 Q. But you say the school were good at not making me pay
16 for the week.

17 A. Mm.

18 Q. But then FRX would have to pay. You talk about
19 stealing food from other kids' packed lunch boxes
20 because you didn't have --

21 A. Mm-hmm.

22 Q. -- enough; is that right?

23 A. Yeah.

24 Q. You say that sometimes you would then get found out
25 about that and then there was the embarrassment of being

1 punished for that at school?

2 A. Mm.

3 Q. Okay.

4 At paragraph 36 you talk about her force feeding

5 you.

6 A. Yes.

7 Q. Can you tell us about that? Did that happen often or --

8 A. It didn't happen a lot. But it was more often than not

9 when she'd made a particular dish and I didn't feel like

10 I could eat it, like it was making me feel physically

11 sick and she force fed me and she was proper kind of

12 thrusting the fork into my mouth, into the back of my

13 throat, and there was one day where I vomited it all

14 back up over her, obviously not on purpose, but it was

15 just horrible.

16 Q. How did she react to that?

17 A. She slapped me on the face and told me to get the eff

18 out of her sight.

19 Q. Okay. At the top of the next page, at paragraph 38, you

20 talk about a neighbour being there and seeing

21 everything. You say that there were a number of times

22 that she saw you being abused by FRX and she did

23 nothing.

24 A. Yes.

25 Q. Was she somebody who came around to the house, was sort

1 of in the house quite a lot?

2 A. Yeah, her and FRX were very good friends. I would
3 often play with one of her young daughters and her son.
4 You know, I would always be out the back playing Barbie
5 or in the house playing Barbies with her, they were all
6 hers, but she had like three boxes of Barbies and
7 clothes and accessories and stuff that we would play
8 with, so -- but she was always Barbie and I was Ken, so
9 ...

10 Q. You then go on in the next section to talk about washing
11 and bathing and one of the things that you talk about
12 here is having no privacy --

13 A. Yes.

14 Q. -- that you had to undress in front of FRX. How did
15 that make you feel?

16 A. I think particularly kind of when I was in primary
17 school and felt like my body was starting to change it
18 felt really embarrassing, because I didn't know anybody
19 else in my class or my school that had to get undressed
20 in front of their parents or be showered and washed by
21 their parents and I just felt it was very -- I felt
22 creeped out, to be honest with you. I knew I was
23 capable of washing myself. Like my grandmother had
24 taught me from a very early age. So I kind of kept
25 wondering why it was necessary for her to be there.

1 Q. Okay. At the bottom of this page you talk a bit more
2 about school and you talk about enjoying reading at
3 school. That was one of the things that you enjoyed.
4 A. Yeah.
5 Q. And you would borrow books and take them home?
6 A. (Witness nods)
7 Q. Did FRX ever get you any books or anything to
8 read?
9 A. Not that I know of. I know that Mrs Caskey, the deputy
10 head at the time -- I don't know if she was aware of
11 something that was going on but she -- her and the
12 headteacher, Ms Stewart, had kind of come to
13 an agreement that I could borrow a book at a time from
14 the kind of primary school library and for me that was
15 an escape. It was an escape from everything going on at
16 the foster care placement and kind of helped me escape
17 into, you know, a world of imagination and, you know,
18 picturing these characters and really immersing in the
19 stories as well.
20 So for me at that time and still today less so,
21 because I don't have the time or as much time as I would
22 like to read, you know, I became an avid bookworm and
23 I've always promoted reading to kids and my own daughter
24 has way more books than an almost two-year-old needs,
25 but it's something I've always loved and I want her to

1 love that too. So, yeah, massively into books.

2 Q. Did you get any encouragement from Ms FRX about
3 homework or doing well at school?

4 A. No. I mean I was very -- I ended up being very advanced
5 on my reading, you know how like in primary school you
6 take home a reading book and you're assessed on it and
7 things like that and you move up reading grades and
8 stuff and I was always kind of in the highest reading
9 grade.

10 There were certain occasion where I was given
11 Primary 7 books to read and things like that as well, so
12 I kind of felt like that's where my skill set was, was
13 with reading. But there was never really any
14 encouragement: I think I brought home my first house
15 certificate one day and I told FRX "Oh, sit down, I've
16 got something really exciting to show you", and I pulled
17 out the certificate and she is like, "Yeah, you're going
18 to have to do more than that to like impress me", and
19 just told me to go back through and sit on my bed kind
20 of thing, get on with any homework, but there was never
21 any encouragement.

22 Q. You talk about that over the top of the next page, what
23 you've just described and then you say at paragraph 45
24 that no matter how hard you tried you couldn't please
25 her and you were desperately trying to please her,

1 I think.

2 A. Yeah. No, I -- as much as I was starting to kind of
3 hate the woman, there was still something inside me that
4 kind of felt like I should be trying to please her and
5 make her happy, make her proud of me. So obviously she
6 was using me to kind of clean her house and feed her
7 cats and everything and I always tried to do it to like
8 the best of my ability, because I stupidly thought at
9 the time: oh, if I do this really, really well and
10 they're sparkling clean and I scrub the worktops and
11 stuff she'll be really happy and she'll maybe smile.
12 But no matter how hard I tried, it just never -- she
13 just never seemed satisfied.

14 Q. Further down this page at paragraph 48 you talk about
15 feeling isolated at school. You talk about being in
16 timeout, being different and issues like that and your
17 classmates asking you about your home circumstances and
18 that you didn't have the answers to give them.

19 A. Yeah.

20 Q. Can you tell us a bit more about that and how that made
21 you feel?

22 A. Yeah, I think there was a couple of girls in particular
23 in my class that I moved up primary school with and they
24 were the popular ones and not that I ever wanted to be
25 popular, but just to be acknowledged rather than looked

1 at as the weird kid that nobody liked. And, yeah, it
2 was always during play times and lunches and everything,
3 like they would go off and play their games and I was
4 just kind of left by myself. And I kind of felt like,
5 you know, school was the one thing that I felt like
6 I was good at certain aspects of it -- yeah. I suppose
7 they were just always asking me like, "Why don't you
8 live with your parents? Your carer never hugs you, why
9 does she never give you a cuddle?" Because obviously at
10 school gates a lot of parents would wait to pick their
11 kids up at the end of the day and give them a cuddle and
12 ask how their day went and I feel like I never got any
13 of that.

14 Q. Did you feel that you had any relationship with any of
15 the teachers at school that would have made you feel
16 that you could speak to them about how things were at
17 home?

18 A. Not really. I think with quite a few kids in the class
19 and, you know, like any classes there's always kids that
20 need that little bit more attention or -- I kind of
21 just -- I kind of -- I suppose part of me hoped to fade
22 out into the background so that nobody would notice, but
23 I think with being picked on quite a bit, it kind of
24 made my responses quite snappy and angry, and I think
25 that was the only place I felt like I could show my true

1 emotions and not get beaten for it. I mean yeah, I'd
2 get a row, I'd get put in timeout, end up on a behaviour
3 list and stuff and do countless amount of lines in the
4 timeout section, but I kind of felt at least I'd got
5 that anger out or that frustration out without being
6 hit, so.

7 Q. Did any of your teachers ever ask you how things were at
8 home or express any concern about your behaviour?

9 A. Not really. The fact they put me on a behaviour sheet
10 several times and I had to get it signed by the foster
11 carer I think just made it feel worse, because school
12 was my escape from the foster placement, so the fact
13 that the foster carer was now knowing if I'd had a bit
14 of an emotional outburst that day and having to sign off
15 on it kind of made me feel like I was being watched even
16 at school.

17 I think in Primary 4 there was a concern from
18 Mrs Lutey(?) at the time because I'd had nits and then
19 I think a letter was sent home or somebody had phoned
20 the house to say, "Look, 'Kelsey' has nits, you need to
21 deal with it". Yeah, I think I just kind of -- yeah,
22 kind of felt -- felt like I couldn't escape anywhere,
23 really.

24 Q. Okay. On page 9 at paragraph 52 you talk about chores
25 in the house and you say that you were like a servant in

1 the house.

2 A. That's certainly what it felt like, yeah.

3 Q. What sort of things would you have to do?

4 A. So everything, like feeding the cats, feeding the dog,

5 I'd have to do the dishes, I'd have to clean the

6 kitchen, I'd have to Hoover, polish the living room,

7 empty her ashtrays, clean the bathroom, Hoover the hall,

8 make the beds. Like -- yeah, anything that needed done

9 I was expected to do it, so.

10 LADY SMITH: You said make the beds. Was that beds other

11 than the one that you'd slept in?

12 A. Yes.

13 LADY SMITH: Whose beds?

14 A. FRX

15 MS INNES: Would she do anything about the house?

16 A. Not really, no.

17 Q. Was she working at the time or was she at home?

18 A. She was intermittently working.

19 Q. What about the boys, did they have to do anything?

20 A. Not that I know of. I think the oldest one worked in

21 McDonald's, but that was it, really, to my recollection

22 anyway.

23 Q. You can't remember them doing things around the house?

24 A. No.

25 Q. Then you talk at paragraph 55 about the neighbour's

1 daughter you mentioned before that you played with.

2 A. Yeah.

3 Q. Then you say at paragraph 56 that you remember your aunt

4 would bring you stuff and that you would hide it so that

5 FRX couldn't get it.

6 A. Mm-hmm.

7 Q. Why did you feel like you had to hide things from her?

8 A. Because she would take it away from me. And obviously

9 like my auntie, once she had her own child she kind of

10 stopped visiting as regularly as what she used to and

11 obviously that's understandable. In the eyes of me as

12 a child, I kind of felt like I was being rejected or

13 ignored by her too. So when she would bring me stuff --

14 and actually that nail varnish bottle was one that

15 I packed in my bag the day I left that care home --

16 I kind of felt, well, if I don't hide it she's going to

17 take it away and these things make me feel happy, they

18 make me feel like my auntie still loves me and stuff,

19 so.

20 Q. Was it a place that you could take friends to yourself?

21 A. I was never allowed friends in the house.

22 Q. Did she explain why not?

23 A. No.

24 Q. Were you allowed to go and see friends? You've

25 mentioned the neighbour's daughter, but were you allowed

1 to go and see other friends?

2 A. I wasn't allowed past her house line outside. So when

3 I was there like the summers were kind of -- almost felt

4 like any other house apart from I wasn't allowed any

5 friends in and it was only the street kids that I was

6 allowed to play with. I wasn't allowed to go beyond her

7 house or further than the corner at the other end of the

8 street.

9 Q. She wouldn't take you to see a friend who lived further

10 away, for example?

11 A. No. Apart from to her mum's in Aberfoyle.

12 Q. If we can move on to page 11 and you talk there about

13 your social workers and you mention the first social

14 worker that you know of, which was when you were very

15 young.

16 A. Mm-hmm.

17 Q. Then you mention a social worker at paragraph 64 called

18 Margaret.

19 A. Yeah.

20 Q. Was she your social worker for a long time or not?

21 A. Certainly up until my next foster care placement. And

22 she was probably the best one, I would say, that I'd

23 had. You know, she used to take me to the Stirling Art

24 Gallery and we'd walk around the exhibits, we'd feed the

25 Highland cows, we'd have a toastie and a cup of hot

1 chocolate and things like that. She'd even do like
2 dress up with me. They had a little kids' dress up area
3 and you could dress up as a little Victorian girl and go
4 through the exhibits and stuff and she'd pretend she was
5 a fire-breathing dragon and we'd run around crazy and
6 stuff. Yeah, that's probably like one of my best
7 memories from my childhood.

8 And there was a time where she took me on a country
9 walk with her dog, she introduced me to her mum and dad
10 and things like that as well and it kind of felt like
11 a good relationship. But I kind of felt like if I'd
12 talked to her about anything that was happening in the
13 house, I kind of felt like that relationship would be
14 destroyed or FRX would find some excuse to explain it
15 away and things like that and -- yeah, but I felt really
16 comfortable around Margaret.

17 Q. Are you able to identify what made you think that if you
18 told her what was happening that your relationship would
19 be destroyed?

20 A. Well, because -- in instances before if somebody had
21 asked: where did she get that bruise? Or: her cheek's
22 looking awful red, what happened there? FRX would make
23 excuses for it, that I'd been really like accident prone
24 or slipped and fell or like ... it felt like she had
25 excuses ready for any questions.

1 Q. Okay. You talk about at paragraph 66 that Margaret was
2 one of the few positive role models that you had?

3 A. Yeah.

4 Q. And she was somebody that you always said that when you
5 grew up you wanted to be like her?

6 A. Yeah. I think because she -- she kind of -- she felt
7 very country, if you know what I mean. Country walks
8 with the dogs and a kind of relaxed lifestyle. I mean
9 obviously not, she was a social worker so she had like
10 a million and one kids to kind of check in on and stuff.
11 But yeah, I think it was just her personality. She
12 seemed quite relaxed and kind of free.

13 Q. From what you're saying, no matter how busy she was, she
14 certainly made you feel as though you had time with her?

15 A. Yeah, and she very rarely cancelled either. She always
16 seemed to go out of her way to do something that she
17 knew I would enjoy or she thought that I would enjoy.
18 So yeah.

19 Q. You say at paragraph 67 that when you moved to the next
20 foster placement she told you that she had real regrets
21 about not asking questions and not seeing what was going
22 on?

23 A. Yeah. She actually -- she apologised that she hadn't
24 asked anything or that she hadn't kind of taken any
25 concerns further that she may have had. And I said,

1 "It's not your fault. I didn't feel like I was able to
2 say anything because I know that she would have had
3 excuses ready", and I remember saying to her that day
4 like, "You're the one good thing that I had during that
5 whole time there", so.

6 Q. Okay. If we can move on to the next page, page 12, you
7 talk about visits with your family and you say that at
8 most it would be once a month and contact with your
9 granny diminished. Do you know if contact was
10 controlled or arranged by social work or --

11 A. I don't really know, to be honest. I know that FRX had
12 a few calls with my gran, but I wasn't aware of any kind
13 of like official agreement about contact with her.

14 Q. You mention your aunt as well and you've already told us
15 about her. Can we go down, please, to paragraph 75,
16 where you mention something that you've been talking
17 about in your evidence, that FRX would have you well
18 versed on what to say if you were asked questions?

19 A. Yeah. She would tell me what to say if anyone had
20 asked.

21 Q. So if you had a bruise or something, what would she tell
22 you to say?

23 A. Oh, she told me to say that I'd tripped and fell into
24 the door.

25 Q. Can you remember anybody asking you?

1 A. Not really.

2 Q. You go on to talk about Children's Hearings and you
3 remember a couple from when you were very young and then
4 you say later on you started to take charge of your
5 hearings and things like that and then you talk about
6 Having Your Say forms?

7 A. Yeah.

8 Q. Which you describe as ridiculous, they still have them
9 today.

10 A. Yeah.

11 Q. Tell us your thoughts on that?

12 A. I think -- it just felt like they were ticking a box to
13 say, oh, we sought the views of the child. That's it.
14 The questions were extremely standard. I think more
15 often than not I drew a picture on the back, when they
16 say if there's anything else you want to tell us or show
17 us, and I'd more often than not draw a picture. Because
18 the questions were just: are you happy in your
19 placement? Of course I'm not happy in my placement, I'm
20 being abused, but you can't write that on the form
21 because the foster carer's going to see it and then
22 everybody else is going to see it.

23 And I think one of them at the time was like: do you
24 know why you're in care? And things like that and I'm
25 like -- I'm a child. Like -- I just think some of the

1 questions were inappropriate to ask a child in the first
2 place. You know, if they'd said:
3 "What's the best thing about being in the place that
4 you are? What's the worst thing about being in the
5 place that you are? What's your favourite hobby?
6 What's your favourite activity to do? Do you have pets?
7 If so, what are they?"
8 Like that's the way to establish communication with
9 a child, not the questions that they were asking.
10 Q. So not a -- sort of a very blunt question, I suppose,
11 like: are you happy?
12 A. Yeah.
13 Q. But asking more to discover the context --
14 A. Yeah.
15 Q. -- and circumstances?
16 A. Yeah.
17 Q. Do you think filling in a form is okay or do you think
18 there's a better way of taking the views of children?
19 A. I personally think there's a much better way of getting
20 the views of children.
21 Q. What's that?
22 A. Interacting with them. Building a relationship with
23 them. Roleplay. We're currently trying to teach our
24 daughter just now about, you know, this is how you make
25 a cup of tea and you go tuh, tuh, tuh and you go ah, and

1 kind of things like that. That's one of her favourite
2 things to do, is to pretend she's drinking it and then
3 go ah. But yeah, roleplay with them. Like let them be
4 kids. Don't expect to me to grow up too fast by
5 answering questions on a form.

6 Q. At paragraph 80 you talk about FRX working in
7 an elderly care home and you say when she worked night
8 shifts you would have a babysitter?

9 A. Mm-hmm.

10 Q. Was that somebody coming to your house or would you have
11 to go somebody else's house?

12 A. I would have to go to somebody else's house, so it was
13 up the top of Stirling city centre and, yes, I'd say
14 I stayed there regularly.

15 Q. You talk about I think the person that you stayed with
16 at paragraph 81?

17 A. Mm-hmm.

18 Q. And you describe the lady as being very nice. Was she
19 somebody that you felt like you could talk to about how
20 things were or not?

21 A. She was nice but she was strict. She was firm but fair
22 would probably be the nicer way to describe it.

23 Q. Uh-huh.

24 A. But no, not really. I think she had -- she had a fair
25 few kids in her house who were fostered or in respite or

1 her adopted daughter. So yeah, I kind of felt more able
2 to talk to the daughter than to her. I mean it's with
3 the daughter that I first watched Willy Wonka and the
4 Chocolate Factory movie and that was great and we
5 watched Annie and like all these different kind of old
6 classics.

7 Yeah, so I think I got a few hugs from her, but
8 I think that's about as far as it kind of went with
9 chatting to her about what was going on at home.

10 Plus, I kind of imagined she was friends with FRX
11 at the time so, you know, it ...

12 Q. Did FRX have other friends who were foster carers?

13 A. Yes.

14 Q. Was there a sort of network of them or did they come to
15 the house?

16 A. I think they just kind of kept in touch with each other.

17 I know that there was once or twice we went to another
18 one that was in the Raploch, like across from a park.

19 I don't remember meeting any more than that, really.

20 But I know she was certainly in touch with some people
21 who are foster carers.

22 Q. Okay. If we go into page 15 and paragraph 94, you talk
23 about running away later on, but at FRX you say you
24 thought about it a lot?

25 A. Yeah.

1 Q. What was your -- did you feel able to run away or where
2 did you think you might run to?

3 A. Well, I think the thought was always there, but I never
4 actually went through with it because I didn't know
5 anybody that I could trust that would take me in. Kind
6 of the same thoughts I had the day that I was removed
7 from the foster home and they made me go back. Yeah,
8 I didn't really know where else I would go.

9 I know I remember that at the time when things were
10 at its worst I used to pray that she'd get really not
11 well or she'd die or something that would kind of stop
12 everything going on and then one day she got really,
13 really sick and she was sick for quite a while, to the
14 point where she ended up getting taken into hospital and
15 then I backtracked on my prayers and I was like can you
16 make it all better again, because I didn't know what was
17 happening from one day to the next.

18 So yeah, as much as I wanted to, I didn't have
19 anywhere to go.

20 Q. Okay. If we can go on, please, to page 16 and at
21 paragraph 103 you talk about that at the beginning of
22 being there your memory is that it was quite happy at
23 the start --

24 A. Mm-hmm.

25 Q. -- but then things changed?

1 A. Yeah.

2 Q. What changed?

3 A. I don't know. I think it -- I don't know if it was her
4 attitude or just her demeanour or just how she would
5 talk to me. Yeah, I think it was a combination of those
6 things. Like obviously I don't know what was going on
7 in her life, if anything influenced that, but ...
8 I can't imagine there would be. But, yeah, everything
9 just kind of seemed to change one day.

10 Q. You describe at paragraph 104 about you not wanting to
11 eat an egg and then she pushed the plate out of your
12 hand. If you didn't eat that, you wouldn't eat at all
13 was your first memory of things changing and her being
14 nasty to you, you say.

15 A. Yeah.

16 Q. Then if we go to the top of page 17, paragraph 106 you
17 say that it moved from her being nasty to you with words
18 to hitting you, as you've described.

19 A. (Witness nods)

20 Q. Would she hit you with her hands or with an implement?

21 A. She started off with hitting me with her hands and then
22 she would start using things that were closest to her.
23 So there was one time that she used the dog lead. There
24 was other times when she used a slipper or she used
25 a book or just a magazine that she'd rolled up. Just

1 whatever really came to hand for her.

2 Q. You say that you would have bruises from this, but not

3 always where they could be seen.

4 A. Yeah.

5 Q. But you've described that if they were visible, she

6 would --

7 A. Yeah, she would --

8 Q. -- give you a line that you had to use.

9 You also say at paragraph 108 that your scalp was

10 sore because she was pulling your hair all the time?

11 A. Yeah.

12 Q. When she was pulling your hair, would she be dragging

13 you from one room to another or --

14 A. There was one occasion that she pulled me from one end

15 of the hall to the next a few times, shouting and

16 swearing at me, calling me useless, and I remember when

17 she stopped and let me go my -- the tops of my toes were

18 bleeding and my scalp was quite raised and sore.

19 Q. Then you tell us at paragraph 110 that she began to do

20 things like sending you to look for things that you

21 couldn't find.

22 A. Mm-hmm.

23 Q. Did that happen a lot?

24 A. Yeah. It happened quite regularly. And it was stuff

25 that I didn't even know that she'd had as well. I can't

1 even think of an example to give you, to be totally
2 honest. But there were certainly a number of hunts to
3 look for things that I couldn't find.

4 Q. I think you give the example in your statement of
5 a flower girl gift that you'd been given --

6 A. Yeah.

7 Q. -- and you were sent to search for it and I think that
8 then is linked to what you've already told us about that
9 she pulled you by the hair up the hallway?

10 A. Yeah.

11 Q. You say at paragraph 113 that you'd be beaten for things
12 like if you were slightly late coming back from school?

13 A. Yeah, so she used to time me to see how long it would
14 take me to walk home from the route that she'd
15 designated was okay for me to walk. So if I went the
16 other way, she'd beat me up for that. She'd say, "You
17 go the way I tell you to go and no other way". Yeah, or
18 if I had stopped to speak to someone or anything like
19 that, then she would know and I would get in trouble for
20 it.

21 Q. Okay. At the top of page 18 you talk about something
22 that happened with her son, the son that you were
23 sharing a room with?

24 A. Yeah.

25 Q. You tell us about it in your statement. I don't know

1 whether you feel able to talk about that in your
2 evidence?

3 A. No, I don't think I feel comfortable about that, to be
4 honest.

5 Q. Okay. Then you go on to talk about the some of the
6 things that you've mentioned about her beating you with
7 a dog lead and other things.

8 At paragraph 117 you talk about reading a book
9 called "A Child Called It"?

10 A. Yeah.

11 Q. What did you realise when you read that book?

12 A. I'd realised that some of the punishments that the boy
13 had gone through at the hands of his mother, that she
14 was replicating some of them, so namely the hitting me
15 with the dog lead, making me look for things that
16 I couldn't find, kind of like jamming my fingers in the
17 doors and things like that as well. I just kind of felt
18 like it was too much of a coincidence at that stage
19 to -- for it not to be linked.

20 I just remember feeling really upset by it and kind
21 of scared, because obviously the -- the boy's
22 experiences in the book do get much, much worse, and
23 I just remember feeling scared that, you know, what if
24 she was to go through with all of that stuff? Like
25 where would that leave me?

1 Q. Okay.

2 A. Yeah.

3 Q. You go on at page 19 to talk about the effect that this
4 behaviour had on you, that this abuse had on you. At
5 paragraph 126 you tell us that you'd already told us
6 about self-harming behaviours and these continued
7 I think as a result of what you were experiencing?

8 A. Yeah.

9 Q. Again I don't know whether you feel comfortable to say
10 anything more about that?

11 We have it in your statement.

12 A. Yeah. I think -- I think I'd got to a point where I was
13 giving up because I couldn't really ... I didn't know at
14 that point of being a child whether I would survive
15 being in that placement much longer. I felt like nobody
16 cared and that, well, if nobody cared then nobody would
17 miss me if I was gone at that time, so -- yeah. I just
18 kind of thought, well, it's just better to end it now,
19 stop the suffering.

20 Q. Okay.

21 A. Yeah.

22 Q. You tell us that you were taken to the hospital as
23 a result of that.

24 A. Mm-hmm.

25 Q. Did anybody have any concerns or social work come and

1 speak to you about that?

2 A. Not that I remember, no. The doctor in the hospital
3 said that it appeared to be a clean break so it wouldn't
4 need any surgery or anything like that.

5 Q. Then over the page on page 20 you tell us about the
6 circumstances I think that gave rise to you leaving the
7 placement. You tell us at paragraph 130 I think that
8 there was an incident about going to get a paper --

9 A. Yeah.

10 Q. -- and that she hit you over the head.

11 A. Mm.

12 Q. Did you tell somebody about that?

13 A. Yeah, I did. So that was not long after I'd attempted
14 my own life, so I was still quite bruised around the
15 face and, yeah, I think that was about -- or it was the
16 day that I kind of told the two girls who I'd been so
17 envious of in primary school what was happening and
18 I think it was purely because I got to school and I just
19 burst into tears, because I didn't know -- you know, I'd
20 already failed at taking my own life so, you know, where
21 was this going to end? And I was just completely
22 exhausted and had enough.

23 And they had actually come up to me and said,
24 "What's wrong? Are you okay?" And I just said, "No,
25 I'm not okay and I don't think I'm going to be okay".

1 And that's when they started asking questions and I was
2 kind of just like -- I think I thought in my head, well,
3 fuck it, like I need to say something because this can't
4 go on.

5 Q. On page 21 at paragraph 139 you tell us that the girls
6 helped you go and tell your primary school teacher, who
7 then spoke to the deputy head, you had to relay the
8 information again to the headteacher and then two police
9 officers came to the school and you had to tell them
10 again.

11 A. Yeah.

12 Q. I think this was all on the same day --

13 A. Yeah, it was.

14 Q. -- you had to make all of these statements?

15 After you told them what was happening, what
16 happened next?

17 A. Well, obviously the relaying and relaying of information
18 ended up taking most of the day and by the time I'd
19 finished or the plainclothes police had finished asking
20 me all the questions, they said, "We're going to need to
21 tell FRX about this" and then I was sent home.

22 Q. Did you know if they had spoken to FRX about what you'd
23 told them or not?

24 A. I had no idea. I assumed that by the time I got home
25 she would have known.

1 Q. Okay. I think from your records we know that they had
2 spoken to her --

3 A. Mm-hmm.

4 Q. -- about that. We also know from your records that you
5 were believed.

6 A. Mm.

7 Q. But I think the conclusion was that there weren't
8 sufficient grounds to remove you from the house. Any
9 reflections on that conclusion at that time?

10 A. I think just the fact -- the sheer fact that I was sent
11 back to that house on that day, like ... I spent the
12 whole time walking home thinking about running away or
13 just ending it and I still couldn't muster up the
14 courage to just run away. And I didn't know what was
15 going on happen when I stepped into that house. I was
16 just scared and shocked that I would be sent back.

17 Q. And I think that -- you tell us about what happened when
18 you went back on page 22 at paragraph 143, where her
19 older son shouted at you for telling lies about his mum?

20 A. Yeah.

21 Q. So it became clear to you that they knew what had
22 happened --

23 A. Yeah.

24 Q. -- and I think you were then told to put things in
25 a carrier bag and put to the neighbours?

1 A. I was put to the neighbours and then I had my dinner
2 there and then it was quite dark when I was sent back
3 down, but I remember them phoning [REDACTED] and her saying,
4 "Right, you have to go back down there", and that's when
5 I was handed a couple of plastic bags and told to pack
6 some of my stuff.

7 MS INNES: As I mentioned to you before your evidence, we
8 normally take a break in the middle of the afternoon and
9 I'm going to move on from talking about this placement
10 to the next placement.

11 I wonder if that might be an appropriate moment,
12 my Lady?

13 LADY SMITH: It may well be.

14 Would that work for you if we took the afternoon
15 break just now?

16 A. Yes.

17 LADY SMITH: Thank you very much. We'll do that.

18 (3.07 pm)

19 (A short break)

20 (3.18 pm)

21 LADY SMITH: Are you ready for us to carry on, 'Kelsey'?

22 A. Yes.

23 LADY SMITH: Thank you.

24 Ms Innes.

25 MS INNES: Thank you, my Lady.

1 You tell us in your statement 'Kelsey' that after
2 you moved from FRX you were in an emergency
3 placement in Plean, I think.

4 A. Yes.

5 Q. And then you went to the FRS-FRV ?

6 A. Yes.

7 Q. Who lived in the FRS-FRV house? If we go on to
8 page 24, paragraph 159.

9 A. Yeah, so there was FRS-FRV , the oldest
10 adopted daughter, , her biological daughter,
11 , their grandson and a little girl probably halfway
12 through my time there, , came to live.

13 Q. You mention over the next page that one of the girls,
14 the adopted daughter, had behavioural difficulties and
15 their own daughter was severely with learning
16 difficulties as well?

17 A. Yes.

18 Q. Were they older children?

19 A. Yeah, they were young adults.

20 Q. Right.

21 A. But I think because of their learning and behavioural
22 disabilities they kind of presented vocally as much
23 younger than they actually were.

24 Q. You also say that their grandson had behavioural issues?

25 A. Yes.

1 Q. What was Mrs FRS like, first of all?

2 A. Extremely tight-lipped, I would say. Very strict. Very
3 authoritative.

4 Q. Okay. You say at paragraph 165 that everything was more
5 hectic than it had been at FRX ?

6 A. Mm.

7 Q. Was it because there were more people --

8 A. Yeah, I think because there was a lot more people.
9 Obviously at FRX it had just been me, her and her two
10 sons. I think with the nature of the girls' learning
11 and physical disabilities, it was often very loud or
12 very rushed if [REDACTED] was having an [REDACTED],
13 yeah.

14 Q. Okay. If we go over the page to page 26 you tell us
15 that I think you had to go to a different school when
16 you moved there?

17 A. Yes.

18 Q. You say at paragraph 171 that things were disruptive at
19 home and you were self-harming --

20 A. Mm.

21 Q. -- and a teacher did sit down with you every week and
22 you remember I think her asking how things were at home?

23 A. Mm-hmm.

24 Q. But did she follow that up or did you feel able to tell
25 her what was happening?

1 A. Not -- not to my knowledge did she ever look into it.
2 I think as well like part of the reason why I was
3 self-harming, I think, yeah, that the home was
4 disruptive given the nature of the placement, but
5 I think as well like I hadn't really kind of had support
6 with the kind of dealing with the emotional kind of
7 abuse that I'd gone through. It was like nobody wanted
8 to talk about it. They didn't kind of help me try and
9 deconstruct what had happened or kind of how to get
10 through it and over it, so to speak. I think -- you
11 know, I kind of felt like I was just expected to get
12 over it.

13 Q. We know that you'd spoken to police officers about what
14 had happened at FRX [REDACTED]. Was there ever any follow
15 up to that? Was there a police investigation or court
16 proceedings or anything?

17 A. Not to my knowledge. I have found out in later years
18 that she wasn't allowed to foster any more.

19 Q. Okay. But did anybody speak to you about it again after
20 you'd moved essentially?

21 A. No.

22 Q. No, okay.

23 If we can look on, please, in your statement to
24 paragraph 186, which is on page 29, and you talk here
25 about running away when you were with FRS-FRV [REDACTED].

1 A. Yes.

2 Q. Why were you running away at this point?

3 A. I was running away because -- well, first of all, FRV

4 was really creepy and was creeping me out. He was

5 trying to feel me up and things like that, and FRS

6 and I weren't getting on, we were butting heads and --

7 you know, I just kind of felt like I was getting to

8 an age where I should have been allowed more freedom and

9 I wasn't. And I think again I'd just had enough of

10 being told what to do, where to go, what to say, what

11 not to say, and I just wanted my space.

12 It's something -- my whole care experience really,

13 that I was never given time to myself to kind of come to

14 terms with what had happened to me or how my life had

15 been. I felt essentially that I hadn't had a childhood

16 as well and I kind of felt like I was kind of rebelling

17 against all of that, that I just wanted to be with

18 people I chose to be with. And I just didn't get that

19 and I think I'd had enough.

20 Q. You say that there was an occasion when you ran away and

21 the police caught up with you --

22 A. Mm.

23 Q. -- and they asked why you had run away. What did you

24 tell them?

25 A. Just, yeah, that my foster carer was a bitch.

1 Q. Their reaction you say in your statement was that was no
2 excuse and took you back?

3 A. Yeah.

4 Q. Did they ask anything more to try and explore why you'd
5 said that?

6 A. No, I think their main priority was to get me back.

7 Q. Okay. Can you remember discussing with your social
8 worker why you'd run away or how you were feeling?

9 A. Not really. I think my social worker was relatively new
10 at that point, so I didn't feel like I had any kind of
11 a relationship to disclose to her what was going on.

12 Q. Okay. You tell us from paragraph 190 towards the bottom
13 of this page that again at the beginning Mrs FRS
14 seemed all right but did things change?

15 A. Yeah and I -- like I always question because it's like
16 a part of me feels like they'd finally had a chance to
17 look at my care files and found out what happened to me
18 growing up and like whether they were protecting
19 themselves or couldn't understand what had happened or
20 anything so they just thought I was just a problem that
21 needed to be dealt with. Like holding me at arm's
22 length or whatever. I just felt like -- yeah. I just
23 felt like I was a nuisance.

24 Q. When you say that they had had a chance to look at your
25 care files, do you mean that the FRS-FRV were given

1 information about you or are you talking about social
2 workers?

3 A. I think a bit of both. Because obviously I know now
4 coming through the system and having trained foster
5 carers to a certain extent that, you know, they are
6 allowed to request information on a child they're
7 looking after to find out more context about their life
8 up until that point, to try and understand where the
9 child's coming from. But at that time I didn't really
10 know, but I just assumed that, you know, social work
11 were always talking about my care files or my case
12 files, "Oh, I'll have to add that to your case files or
13 your case notes", so I just assumed that they would then
14 have access to that.

15 Q. I see.

16 If we go on over the page you talk at paragraph 195
17 about Mrs FRS starting reading diaries that you were
18 keeping.

19 A. Yeah.

20 Q. Can you tell us about that?

21 A. Yeah. So I kind of felt like nobody wanted to talk
22 about what I'd been through and I felt like the only way
23 of me trying to help myself to understand was to start
24 writing stuff down, my emotions, my feelings, my hopes,
25 my worries, just everything kind of -- you know, as any

1 normal child or pre-teen would do, to write stuff down
2 in a diary. And I tended to kind of more often than not
3 carry it around with me or I'd hide it under my pillow
4 or my mattress or whatever or I'd keep it in my school
5 locker during the school day.

6 But yeah, she had come across it, so.

7 Q. You say that you found her reading it with her
8 daughter-in-law, so it was being shared?

9 A. Yeah.

10 Q. Was her reaction one of sympathy or empathy or not?

11 A. I think to start with there was a little bit of empathy.
12 I had come home one day and she said, "Is this why
13 you've been self-harming? Or is this why you've been so
14 angry and things like that?" And I says, "Well, some of
15 it, yeah", she actually gave me a hug and says, "Oh, you
16 know I'm here to talk to you -- I'm here for you to talk
17 to at any point", and I said, "Yeah, okay", but I kind
18 of didn't feel able to talk to her. I think a lot of
19 that has to do with trust. Like even now I still find
20 it really hard to trust people, so.

21 Q. Then over the top of the next page you say that it was
22 shortly after that that both her and you told social
23 work that things weren't working and you were moved on
24 and there was also a complaint that your dad had made.

25 You say at paragraph 200 that the abuse really came

1 from Mr FRV ?

2 A. Mm.

3 Q. You describe various things that he did. Again that's

4 in your statement --

5 A. Mm-hmm.

6 Q. -- I don't know whether you feel that you want to speak

7 about that or not.

8 A. Not really. I don't feel like I need to expand on

9 what's in the statement at that point.

10 Q. Okay. Thank you.

11 LADY SMITH: Just let me ask you this, 'Kelsey'. You use

12 a general description on a number of occasions of him

13 being "sleazy". Is that how you still feel about him?

14 A. Yeah. I think even more so now as an adult looking

15 back. It just felt wrong.

16 LADY SMITH: Thank you.

17 MS INNES: You go on to tell us that you made a report to

18 the police about what he had done to you after you had

19 left the FRS-FRV .

20 A. Mm-hmm.

21 Q. You tell us about your experience of this beginning at

22 paragraph 205 on page 32.

23 A. Yes.

24 Q. What was the reaction of the police on this occasion to

25 you speaking about this?

1 A. They were asking why I hadn't reported it straight away.
2 If it really did happen, I would have reported it then.
3 What's took me so long? Is this the truth?
4 And when I gave my reasons for why I hadn't done it
5 straight away, they said, "Oh, well, it clearly didn't
6 happen because you would have told us there and then".
7 Q. Okay.
8 Did they speak to Mr FRV, do you understand,
9 about what you'd said?
10 A. As far as I'm aware they -- they pulled him in for
11 interview and terminated the interview because he got
12 distressed.
13 Q. Okay. You say that at paragraph 209.
14 A. Mm-hmm.
15 Q. You say that the police decided not to take it any
16 further and you couldn't believe that.
17 A. Yeah.
18 Q. At paragraph 210 you say that you were specifically
19 told, and we see this -- this is in your records. The
20 social worker told you that they didn't believe you,
21 that you'd made it up.
22 A. Yeah.
23 Q. So it wasn't just that there was insufficient evidence,
24 they actually said they didn't believe you.
25 A. Yeah. And I think I've struggled with this the last

1 couple of days, because obviously I knew this would be
2 coming up and Sarah had left social work a few years
3 after and when I was 16/17 she had got back in touch and
4 asked me to [REDACTED] and I said
5 yes. And then about 10 years ago we reconnected on
6 Facebook and when my daughter was born she sent a gift,
7 she sent a card. She sent a little bit of money for her
8 first birthday.

9 And I thought that, oh, well, you know I clearly
10 mean a lot to her if she wants to reconnect with me as
11 an adult and I thought you know what, I'm -- when we'd
12 spoken on Monday, I thought I'm going to find out either
13 way, but I wanted to ask her directly: did you believe
14 me? And she said this is inappropriate. And I said
15 well it's a "yes" or "no" answer. I said, you know, you
16 more than likely won't be pulled in to give evidence,
17 you won't -- this is not about an influence on me.
18 I was like I'm going to find out anyway and I just
19 wanted to know from you yourself. And she said, "I hope
20 you get out of it what you're looking for" and that was
21 it.

22 Q. Sarah was your social worker --

23 A. Mm-hmm.

24 Q. -- who was at the interview -- was she at the interview
25 at the time?

1 A. Yeah.

2 Q. When you say here that she said to you that the police
3 had interviewed him and it wasn't getting taken any
4 further because he was so distressed and they didn't
5 believe me, it was her that told you that?

6 A. Mm-hmm.

7 Q. As you say, this is a person that you continued to
8 have -- well, formed a relationship with later in life?

9 A. Yeah. I've since ended that contact with her.

10 Q. Okay. How does it make you feel at the time when you
11 were told this, that --

12 A. Disappointed. Upset. That I was looked at as if I was
13 a joke. Not being taken seriously. I mean, I had
14 genuine concern for that little girl that was still
15 living with the FRS-FRV after I left and that was one
16 of the reasons why I decided to speak up, because
17 I didn't want her to experience what I had. And, you
18 know, that's partly why I'm doing this now. Because no
19 child who's been removed from a chaotic and abused life
20 should then be taken out of that place where they think
21 they're going to be safe and chucked back into even more
22 chaos. I don't think it's right and it's failing kids.

23 Q. Did you also feel that you needed to speak up because
24 the older girls in the placement had difficulties and
25 weren't able to speak for themselves?

1 A. Yeah, because they had issues around capacity to
2 communicate, I kind of felt like, well, if that kind of
3 thing's happened to me, then they're even easier targets
4 because they can't speak out.

5 Q. Okay.

6 We know from your statement that after you lived at
7 the FRS-FRV you then went to, I think, Belmont and
8 then Brucefield?

9 A. Yes.

10 Q. And Lettre Farm.

11 A. Lettre Farm.

12 Q. Saying it in a sort of French manner, I think.

13 Then after that you left care and you tell us about
14 your life since you left care and you tell us, for
15 example, that you completed a degree. Is that right?

16 A. Yes.

17 Q. And you've worked with a number of different
18 organisations that you mention in your statement.

19 At paragraph 288 you talk about Who Cares? being of
20 great help to you?

21 A. Yeah.

22 Q. You talk there about them seeing a passion in you and
23 wanted to help to change your life and your perception.

24 A. Yes.

25 Q. Did you work with them or are you talking about engaging

1 with them?

2 A. I think working with them kind of made me kind of
3 re-evaluate where my life was at. When I first started
4 in employment with them I was with a guy who was a bum,
5 who was taking drugs, selling drugs and I was partaking
6 in that as well. Not my proudest moment. But I think
7 part of me was kind of self-medicating to kind of numb
8 what had happened in my childhood and I think that Who
9 Cares? Scotland kind of helped me find a purpose and
10 a drive and a North Star, so to speak, something to aim
11 for, something to work for, something to kind of
12 dedicate my energy and my passion into. And that's
13 partly what led me to doing the access course, getting
14 my degree, graduated in 2018.

15 I mean, it had always been a kind of childhood dream
16 of mine to go to university but I was always told I was
17 never good enough. That people like me didn't go to
18 uni, certainly didn't graduate.

19 And, yeah, I think, working at Who Cares? Scotland
20 in Glasgow -- yeah, it kind of gave me the platform to
21 speak out, to kind of partly own some of my experiences,
22 to share my experiences so that it would improve better
23 practice. But it kind of -- it kind of forced me to
24 kind of open my mind a bit more about what I was capable
25 of as an individual. And, yeah, it was them that

1 supported me up until about the third year of my degree.

2 Q. At paragraph 290 on page 44 you say that you've been
3 working hard over the last six years, so prior to you
4 signing your statement, so in 2019 and possibly since
5 then as well, you've been working hard to try and change
6 the care system.

7 A. Yes.

8 Q. Okay. I'd like to move on to the end of your statement
9 and to talk about the lessons to be learned?

10 A. Mm-hmm.

11 Q. I know that there are potentially things that you want
12 to add to what you've said here.

13 Page 50, you say at paragraph 327, you talk about if
14 you promise somebody a new family, you have to deliver
15 it.

16 A. Yeah.

17 Q. That reflects back on something you told us right at the
18 start of the evidence, that when you went into care your
19 mum said you're going to get a new mum and dad.

20 A. Yeah.

21 Q. That was the impression that you were given at the time.

22 A. Yeah.

23 Q. You then go on to say at paragraph 328 about the way in
24 which records need to be written?

25 A. Yeah.

1 Q. Can you tell us about that?

2 A. Yeah.

3 So I first kind of accessed my care records after
4 kind of hearing from other care-experienced people that
5 had accessed theirs and Who Cares? Scotland said they
6 would support me through that process. But I think on
7 reflection it probably wasn't the right time, if there
8 is a right time to look at those. They're very cold.
9 They're very -- you know, there's parts where FRX was
10 asked to describe something positive about me. She
11 couldn't think of anything. There are statements from
12 my granny. There's talk of my brother. There's
13 professionals who are describing me as a very damaged
14 and disturbed wee girl and I'm like, well, how did they
15 know that? You know, I was only a child. Like give me
16 a bloody chance in life before, you know, describing me
17 in such a horrible way.

18 And I kind of think that -- don't get me wrong, I've
19 achieved in life in spite of my experiences, but nobody
20 should be described in that way. You know, and I kind
21 of -- I've said it a few times, that I don't think the
22 professionals that write these records ever consider the
23 fact that that person's going to go back and read them
24 to try and understand their life, to try and fill in the
25 gaps or to understand what went wrong, where it went

1 wrong and where chances were missed. And it just makes
2 me really sad that these individuals who didn't know me,
3 never really spent much time with me, had the right to
4 describe me in such a manner that, you know, 20 years
5 later I would be sitting reading it.

6 Q. Okay.

7 You talk about the need then for records to be
8 written in a person-centred way.

9 A. Yeah.

10 Q. What do you mean by that?

11 A. Well, don't describe the kids in your care as
12 a disturbed and damaged person. You know, just because
13 things have happened to them doesn't make them
14 themselves disturbed or damaged. If that was the case,
15 then I'd be in a mental health facility or a -- you
16 know, I would never have seen the light of day.

17 I think just being mindful that these kids are
18 individuals. They've had traumatic experiences happen
19 to them. Their future isn't written, and neither was
20 mine at that point. You know, I never thought I'd be
21 sitting here as -- in my early 30s as, you know, someone
22 who's getting married next year, has a beautiful
23 daughter, got my undergraduate degree, worked in the
24 highest ranks of [REDACTED] and [REDACTED].

25 If you had told me that when I was three or four

1 year old, I'd have been like, "Oh, you're lying(?)", but
2 the fact of the matter is that I've got to that point in
3 life where I am really happy.

4 And, yeah, there's a lot of impacts that have
5 remained because of my experiences, but it just felt
6 like I was written off from an early age.

7 Q. Okay. You also talk about the need for more positive
8 things being recorded.

9 A. Absolutely.

10 Q. So when you read your records, is the impression
11 overwhelmingly negative?

12 A. Yeah. I would definitely say the feeling is
13 overwhelmingly negative. I mean very few if any of the
14 adults ever actually describe something positive about
15 me. Like the fact that I'm a bookworm. You know, it's
16 a simple thing. The fact that, you know, I learned
17 violin in primary school. Still have a violin and now
18 and again I play it, if there's nobody in the house.
19 But, yeah. It's -- it's so easy if you have
20 a relationship or you're interacting with someone to
21 find out very, very quickly what they're interested in.

22 Like in the place I work now, we realised through
23 our organisation-wide staff development day that there's
24 actually about 15 of us in the organisation that really
25 loves to read to, the point where we've starting --

1 thinking of starting a book club. It's such easy
2 information to find out.

3 Q. At paragraph 330 you talk about the need for
4 comprehensive checks to be made on foster carers and
5 obviously you say there that FRX should never have
6 been a foster carer and you talk about the need for
7 matching with foster carers --

8 A. Mm-hmm.

9 Q. -- through placement moves.

10 A. Yeah.

11 Q. Can you tell us a bit about your thoughts in relation to
12 that? I think you've also mentioned that you've been
13 involved perhaps in training foster carers.

14 A. Yeah. So I think -- obviously being a foster carer is
15 such an important role and I know that Scotland has
16 a severe shortage of them, I think we're short
17 approximately 800 foster carers for the children in care
18 just now. But it needs to be values driven and I know
19 some places are better at it than others, because
20 there's 32 Local Authorities, 32 different ways of doing
21 things and there are external organisations as well.

22 I just feel like -- it's not about saying, "Oh, I'm
23 looking for a wee boy that's five years old with
24 Brunette hair and green eyes", it's not about that.
25 It's about what the individual feels they can offer to

1 that child. If that's -- I can offer this child
2 a holistic environment where they will feel safe, they
3 will feel loved. And you can't legislate for love. You
4 cannot legislate for love. It's a natural human
5 emotion.

6 But if the foster carer's going to be a foster
7 carer, they need to be doing it for the right reasons.
8 They can offer security, they can offer safety, they can
9 offer warmth. It doesn't have to be love, just be able
10 to feel warmth for that child and to help them thrive.

11 Q. I suppose what you might say is that you want the
12 conditions -- you say you can't legislate for love, but
13 you could maybe put conditions in place that gives the
14 possibility that love could grow or thrive?

15 A. Could exist, yeah, absolutely. And there are -- I know
16 of care-experienced people that have grown up in that
17 environment and they feel like they are where they are
18 in life because they got that safety and security and
19 warmth and love.

20 Q. I suppose --

21 LADY SMITH: But 'Kelsey', as you say, you can't mandate for
22 love.

23 A. No, you can't.

24 LADY SMITH: But what you can aim at, can't you, is
25 providing an environment where a child feels safe, feels

1 secure and relaxed?

2 A. Yeah. And that in itself could be an interpretation of

3 love for that child. Love is endless. It doesn't have,

4 you know, a very strict definition. It is what you

5 believe it is.

6 LADY SMITH: Do you think it also has to be recognised that

7 some children in foster care aren't looking to be loved

8 by people who are not their own family?

9 A. Of course. Absolutely. I have met many who have felt

10 that way.

11 LADY SMITH: Yes. Because they may still have family

12 somewhere.

13 A. They may and they may return to that family as well and

14 I know that is a possibility and I know that is

15 a priority is to, where possible, return the child to

16 the care of their own family.

17 LADY SMITH: Thank you.

18 MS INNES: If we go on over the page to page 51, you talk

19 about police practice needing to change in the sense of

20 working from the point of view of believing people when

21 they come forward. That, I think, comes from the

22 experience that you've just told us about.

23 A. Mm-hmm.

24 Q. You then go on to talk about the need for young people

25 to be more in control of their meetings, having the

1 opportunity to have more input and then you talk about
2 every child in care needing to have an advocate.

3 A. Yes.

4 Q. Can you tell us about your views on that sort of
5 arrangement, advocacy for children?

6 A. So I've been a long-time believer and supporter of
7 independent advocacy for every care-experienced child.
8 I myself had an advocate for 12 years, still in contact
9 today, albeit very rarely, but we still check in with
10 each other.

11 And I think it's just that way of -- when I was
12 introduced to my advocate I was told:

13 "I'm here just for you. I'm not part of the care
14 system, I'm not part of the police. I'm here to listen
15 to you, to hear what you have to say, see how you feel
16 about certain things and that's it."

17 And that -- there's no pressure on the child or
18 young person to partake in that, it's up to the
19 individual child or young person, but sometimes -- not
20 every time, but sometimes that could be a lifeline for
21 that child or young person. And it's not and it won't
22 be suitable for every care-experienced person, but
23 having the offer of it and knowing that even if the
24 child says, "No, it's fine", then maybe two or three
25 years down the line they will be like, "What was that

1 offer of independent advocacy again? I kind of feel
2 I could do with that just now".

3 It's about having that flexibility and just to offer
4 that avenue of support for children or young people.

5 Q. Okay. If we go on to the second-last page of your
6 statement at page 53, you talk about your hopes for the
7 Inquiry. You talk about hoping that there are
8 convictions. You say:

9 "For some people it's about getting justice and
10 having that acknowledgement that what happened to them
11 was wrong. It's the same for me as I was disbelieved
12 for so many years."

13 A. Mm-hmm.

14 Q. Who would you be looking for, or looking to, to
15 acknowledge your experiences? Is it the Inquiry
16 generally or is it the Local Authority who was
17 responsible for your care?

18 A. I mean the Local Authority were responsible for my care
19 and I do feel like many opportunities were missed to
20 provide me with permanency, security, and a kind of more
21 normal upbringing than what I had.

22 But I do partly feel as though this Inquiry has
23 helped me to -- it's not about justification, but it's
24 about being believed. If you're not going to believe
25 someone because of something that they've said -- and

1 don't get me wrong, there are the minority out there
2 that are complete bare-faced liars that will take
3 advantage of the system, but they are the minority not
4 the majority, I believe anyway.

5 But inquiries like this shouldn't have to happen.
6 If Local Authorities had done their duty the first time
7 around then people like me wouldn't have to sit in this
8 seat and re-traumatise themselves by going through it
9 all again, just so that they would learn lessons for the
10 future. Because no child should have to go through all
11 of that.

12 Q. Okay. You say at paragraph 351 that you hope for some
13 change:

14 "It can't go on the way it is otherwise we will
15 continue to fail generations of kids."

16 I'm at the end of the questions that I have for you,
17 but I want to check with you whether there are other
18 things that you wanted to say or add to your statement.
19 So when you're talking about hoping for change, for
20 example, is there anything that you want to say about
21 that?

22 A. I think, you know, [REDACTED]
23 [REDACTED] I've done [REDACTED]
24 the root and branch. Our care system is broken and I'm
25 honestly at a point now where I don't know how it can be

1 fixed. Because there are so many issues that are not
2 fixable.

3 Whether I'm vain in continuing for my drive for
4 change for young people coming in the care system or who
5 are in the care system now, I don't know, but that's
6 where my passion lies, is ensuring that the children and
7 young people coming in behind me have better outcomes
8 than what was set for me.

9 When I left the care system, I was told it would be
10 25 times more likely to be dead before the age of 25 or
11 50 per cent more chance of me ending up in prison. I'm
12 not in prison. I'm not dead. In fact, I think I've
13 turned the statistics on their head. But I'm only one
14 example.

15 Our children and young people shouldn't have to go
16 through their lives being resilient. It's a word that
17 I hate, because no child should have to be resilient.
18 And I think that -- yeah, I mean I don't know how to fix
19 and we can't fix what's been wrong in the past. But we
20 can certainly change systems and approaches for the
21 future.

22 And I mean that's my hope for the Promise, it's my
23 hope for the Child Abuse Inquiry. It's my hope that my
24 daughter certainly won't ever have to experience any of
25 what I've experienced -- and she won't, by the way,

1 that's cycle's broken. But if we're going to continue
2 as we are ... there'll be more deaths at the hands of
3 Local Authorities across Scotland and that's certainly
4 not a Scotland I want to be a part of in the future.

5 MS INNES: Okay. Is there anything else that you want to
6 say?

7 A. Just that I really appreciate the energy and passion
8 that's gone into this Inquiry. I know it's -- yous have
9 all heard some really harrowing life experiences and
10 I think that yous are brave to take up this really
11 important issue. That has meant a lot to me personally
12 and I think it will mean a lot to other people who have
13 been through even worse than I have, just to, like
14 I say, feel believed, feel listened to, finally having
15 a chance to kind of say their piece. It's more
16 important than you could ever imagine, so thank you.

17 MS INNES: Thank you, 'Kelsey'.

18 There are no applications, my Lady.

19 LADY SMITH: Are there any outstanding applications for
20 questions of 'Kelsey'?

21 'Kelsey', that does complete all the questions we
22 have for you today. Thank you so much for engaging with
23 us as you have done and for sticking with it in the
24 years that have passed since you gave your statement.
25 I'm very conscious of that. It's nearly three years ago

1 that you signed your statement after engaging with us to
2 get it put together, but I hope you appreciate it's not
3 that we haven't been working, it's to do with scheduling
4 and foster care hearings didn't start until earlier this
5 year.

6 A. (Witness nods)

7 LADY SMITH: Separately, I'm really grateful to you for
8 being able to tell us so much about your own difficult
9 life as a child and being so frank about so much of it
10 and then sharing your thoughts about where we can go
11 next and what you have seen that you can intelligently
12 analyse about what was going wrong. I'm really grateful
13 to you for that.

14 It's now almost 4 o'clock, it's Friday afternoon and
15 it's high time you got back to your little girl,
16 I think?

17 A. Yeah, definitely.

18 LADY SMITH: Let me allow you to do that, with my thanks.

19 A. Thank you.

20 (The witness withdrew)

21 LADY SMITH: Ms Innes, even if Ms Rattray does have
22 a three-minute read-in, we're not going to do it today.

23 MS INNES: No, I think that's enough for today.

24 LADY SMITH: Yes.

25 Thank you all very much.

1 Thank you to the team over to my left. I'll rise
2 now until 10 o'clock on Tuesday morning.
3 (4.00 pm)
4 (The Inquiry adjourned until 10.00 am on
5 Tuesday, 27 September 2022)
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