

Tuesday, 27 September 2022

1

2 (10.00 am)

3 LADY SMITH: Good morning and welcome back to another week  
4 of evidence in our foster care and boarding-out case  
5 study. I'm told there's a slight change of order of  
6 events for today and we're actually going to start with  
7 a read-in. It'll be about half an hour, I think, and  
8 then the witness will be ready to give oral evidence,  
9 the first witness.

10 MS RATTRAY: Yes, my Lady.

11 LADY SMITH: Ms Rattray, when you're ready.

12 MS RATTRAY: Thank you, my Lady.

13 'Leigh' (read)

14 MS RATTRAY: The first read-in is a statement of  
15 an applicant who has the pseudonym 'Leigh' and her  
16 cypher is EVB. Her statement is at WIT-1-000000908.  
17 'Leigh' was in the care of Dundee City Council. She was  
18 in a foster placement with EGB [REDACTED] in Dundee from  
19 [REDACTED] 2000 to [REDACTED] 2000.

20 "My name is 'Leigh'. I was born in 1984. My  
21 contact details are known to the Inquiry. I was born in  
22 Dundee and my family was my mum, dad and little brother.  
23 My brother is about 18 months younger than me."

24 From paragraphs 3 to 11, 'Leigh' describes her  
25 father being violent to her mother. Her parents then

1 separated and she lived with her mother. Her mother  
2 formed a new relationship. 'Leigh' says that there was  
3 a massive breakdown in the family. She was hit, locked  
4 in her room, escaped out of the window and called the  
5 police.

6 Moving to paragraph 12 on page 4:

7 "My brother didn't go into care with me at first.  
8 He stayed at mum's for a little bit longer, but she just  
9 put him into care anyway. I didn't expect for him to go  
10 into care. I have no idea what happened as I had no  
11 contact with the family as they didn't want anything to  
12 do with me. Social work didn't want me and my brother  
13 to be staying together at any point. There was a short  
14 time in foster care before the carer threw him out.  
15 That was the way it was. You didn't get put with your  
16 family because I asked all the time to be with my  
17 brother but they wouldn't allow it. Social work just  
18 kept saying we were a different age group and would be  
19 in different homes.

20 I even asked my carers but they said the same thing,  
21 that it wasn't allowed as I was older and so he would be  
22 in the home for the younger people. He was in  
23 Duncan Place, which was for the younger people, and  
24 I was in Balgowan and Fairbairn Street, which he  
25 couldn't be placed in because of his age.



1 with her father. His best friend came to live in the  
2 house and he sexually and physically abused 'Leigh'  
3 throughout her time in care. 'Leigh' was taken into  
4 care again and placed in Balgowan Children's Unit,  
5 Dundee.

6 Moving on to paragraph 61 on page 18:

7 "I was about 14 or 15 when I went to foster care to  
8 stay with EGB in Lochee, Dundee. She had  
9 a really nice big house, big bought house over the  
10 shops. It was really nerve wracking to go there but  
11 EGB seemed really nice to begin with. I think she was  
12 maybe 45 to 50 years old but I don't know as she never  
13 actually said. I was there for five months or something  
14 like that. She had two daughters. One was aged 17 to  
15 18 and the other was a fair bit older. The older  
16 daughter had got fed up of her mum and had gone to stay  
17 with her boyfriend while I was there. There was  
18 an argument and she left so I didn't really see her  
19 much.

20 The younger daughter was always really nice to me.  
21 She used to come in and sit beside me and ask if there  
22 was anything I wanted to talk about or if there was  
23 anything she could help me with. I would speak about my  
24 dad and she would say her dad was a waste of space as  
25 well. She said he lived away in Australia and didn't

1 contact her. She would say we didn't need them. She  
2 was always so really nice to me. If there were any  
3 issues she wasn't slow at telling her mum.

4 Downstairs there was the bathroom, living room and  
5 kitchen and you had to go down for the front door.  
6 I think it was four bedrooms upstairs. I think the  
7 daughters were supposed to be sharing a bedroom, however  
8 I found out on my last night there that there was only  
9 one single bed. I know that the younger daughter  
10 sometimes slept in beside her mum. I don't really know,  
11 it was a confusing set-up as I thought the daughters  
12 both had beds in there, but whenever the older daughter  
13 was there the younger daughter was sleeping beside her  
14 mum and that sort of makes sense. I had a room with  
15 a double bunk and at the time I arrived it was just me  
16 in that room. There was another girl who arrived later  
17 and she slept on the top bunk. She was the same age as  
18 my brother.

19 **EGB** had a room of her own. She didn't have  
20 a partner. There were other children living there at  
21 various times. There was a little boy and my brother  
22 and they shared the bedroom next to me. I knew the  
23 little boy. He was nine and his dad stayed underneath  
24 where I had stayed with my mum and stepdad. His dad had  
25 moved out and didn't have much contact with him but

1 I knew who they were. He was just a wee boy and really  
2 nice. It was a shock to go in and see he was in EGB 's  
3 and had been for the last couple of years. EGB had  
4 thrown the boys out before I left. My brother was moved  
5 to another care home and the other boy had been thrown  
6 out countless times. She had him believing if he  
7 behaved well enough he could come back each time.  
8 I just think she was quite manipulative of him. My  
9 brother had been put in Duncan Place Young Persons Unit  
10 in Dundee.

11 EGB used to climb out of the window so she could  
12 sunbathe topless on the roof outside of the kitchen  
13 window. It wasn't something we could see as we weren't  
14 allowed there. She didn't like the fact that the boys  
15 were running about being boys and did daft things. Once  
16 when she was out on the roof the boys thought it would  
17 be a great idea to make the kitchen look like a murder  
18 scene and they squished tomato sauce over the walls.  
19 When she came back in she hit the roof and lost it.

20 I realised very quickly that EGB had the same  
21 problem as my dad. She would be drinking all day, she  
22 would just drink and drink and drink. She was never  
23 without a glass of wine in her hands. She was always  
24 slurring and falling up the stairs drunk. My brother  
25 used to come running out of his room to try and help

1       EGB up the stairs.

2           I don't know what was going on between EGB and my  
3       dad but they used to be on the phone for hours every  
4       night. She was an alcoholic and so was he so maybe they  
5       had plenty of things to talk about for hours.

6           I don't think it was a social worker who took me to  
7       EGB's, I think it was a staff member from Balgowan  
8       because I think I was in the big car that they had.  
9       When I went into EGB's the first thing she did after  
10      they had gone was ask if I had had something to eat.  
11      She gave me something for my supper and something to  
12      drink. She gave me a towel to have a shower.  
13      I actually went to bed thinking this was the nicer of  
14      the places I had been in.

15           I didn't eat breakfast in the morning, it's not  
16      something I did. I don't know if that was a habit I got  
17      into from being in care or if I was just being  
18      a teenager. I don't remember EGB getting breakfast  
19      ready for the others. I don't really remember seeing  
20      EGB. A lot of the times we came down the stairs, the  
21      younger daughter was the one making sure we had our bags  
22      for going to school. She was brilliant and she was like  
23      the mum of the house.

24           The younger daughter didn't really eat there, she  
25      was always out with friends so I think she picked up

1 food when she was out. EGB didn't eat the same food  
2 as us. I don't know what she ate as I don't remember  
3 ever seeing her eat. Maybe with her drinking she didn't  
4 drink and eat, I don't really know. They definitely  
5 didn't eat with us anyway as we all had to sit in the  
6 kitchen at a breakfast board thing. EGB didn't sit  
7 with us, she would always be in the living room and we  
8 were not allowed in there.

9 Any food we didn't finish got scraped into a big pot  
10 and she would make soup with it. That was our tea the  
11 next day and the next day until it was all used up. She  
12 said that she didn't like food waste. I sat and watched  
13 her give chicken to her cats while we got the same food  
14 that no one had wanted. It turned my tummy because if  
15 my brother didn't like the food he used to spit it out  
16 onto his plate and that would all be scraped into this  
17 big pot.

18 After school we had to come in and get showered, if  
19 we weren't going out anywhere afterwards. Then it was  
20 straight to our rooms.

21 The social worker turned up with a bag of clothes.  
22 I don't know where they came from but they looked like  
23 they had already been used. They were not in bad  
24 condition but I could tell they had been used. Maybe  
25 they were someone else's who had been in care and didn't



1 need them or something like that.

2 I didn't know back then that EGB was meant to be  
3 getting money to be buying clothes and things for us but  
4 she never did any of that. I never knew she was meant  
5 to be doing that because they don't tell you these  
6 things. It was only when I was reading through my notes  
7 it was written exactly what money was coming in and out  
8 to the children for things like pocket money, clothing  
9 and things. She only ever bought me a pair of slippers.

10 I don't remember if I had a TV in my room but  
11 I don't think I was all that bothered by it. I must  
12 have just sat there but my granny always gave me books  
13 to read and I have always been more of a reader. My  
14 granny always used to make sure she gave me new books  
15 all the time as she was just really good to me. I think  
16 I was fine with being in my room. There was a TV in the  
17 kitchen and we could sit in there and watch the wee TV  
18 on top of the fridge if I wanted to.

19 At the weekends my dad's friend was demanding that  
20 I meet him because he was just obsessive about it. My  
21 brother used to hang out with him and the other boy and  
22 they would go and hang out with third friends. All this  
23 with my dad's friend meant I didn't have any friends.

24 I remember that EGB had planned she was going on  
25 holiday with her younger daughter and she was going to

1 leave us in respite care. It didn't happen but it does  
2 show that she was a very different person to my friend's  
3 foster father who I met as a carer when I left EGB s.

4 I was still at school. I used to skip school all  
5 the time. I didn't know my way around the building and  
6 every time I would ask someone they would take me back  
7 to the office, get me another timetable so I would know  
8 where it was I was going. I couldn't work out the  
9 building and they treated me like I was daft. I now  
10 know it's because I have autism and they wouldn't have  
11 picked up on that. But for me the building was really  
12 complicated to get around. Nobody just showed me around  
13 where it was I was meant to go so I stopped asking for  
14 help and started not going in. It seemed easier that  
15 way. My dad's friend used to demand that I would go and  
16 meet him so I was getting less and less time in school.  
17 He would get quite aggressive if I didn't meet him.  
18 I would just do what I was told, which is a pattern for  
19 me.

20 We would get the bus to school in the morning. The  
21 younger daughter would give us our bus money, then we  
22 would have to walk a fair bit to get the only bus that  
23 went over the other side of town. My brother was at the  
24 same school as me so I used to make sure he got taken to  
25 school. There were times my dad's friend would be

1 waiting outside EGB 's first thing in the morning. He  
2 used to say that he had just finished work but he always  
3 seemed to be really drunk. He would insist on taking us  
4 over to school and every single time he did that my  
5 brother would get out of the car and I wouldn't be  
6 allowed to go.

7 We wouldn't see EGB all day but she would come  
8 down and tell us what chores to do and then she would be  
9 in the living room or her bedroom. We had to clean her  
10 whole house. Me and the boys. The other boy had to do  
11 the entire living room, polish and clean the floor. My  
12 brother had to clean all the boards down in the kitchen,  
13 mop the kitchen floor and clean the bathroom. I had to  
14 Hoover the landings and the staircase. There was also  
15 a carpet on the outside of the door I had to Hoover.  
16 That was just the way she had it. All the kids who came  
17 into EGB s had to do the housework. The chores had to  
18 be done twice a week. It was either a Tuesday or  
19 a Thursday when we came home from school, I can't  
20 remember which one. I think the other boy would get off  
21 with doing certain things in the living room because  
22 EGB would already be drinking in there by that time.  
23 She used to be on the phone and the other boy wouldn't  
24 be able to get in before he went out as he had contact  
25 with his family. We had to do these chores at the

1 weekend as well. Before we went anywhere at the weekend  
2 we were not allowed out until we had done our chores  
3 first thing on a Saturday morning.

4 We never used to bother if the other boy got off  
5 with not doing some chores. He was only nine. We used  
6 to help each other out and do jobs for each other.  
7 I would never mind having to go into the living room and  
8 dust for him.

9 It was £1 to go to the cinema and £1 to go swimming  
10 so when we did the housework she would give us money to  
11 go. That was what I thought it was, we had to earn that  
12 money. I didn't know she was getting money for us and  
13 should have been giving us pocket money. In my family  
14 I never got anything so getting £2 to go to the swimming  
15 or cinema was already a lot.

16 I don't think I saw a social worker at EGB's. At  
17 that point I think I had the social worker I didn't  
18 really get on with. It wasn't a big thing not to see  
19 him as it was more of a relief that I didn't need to  
20 communicate with or see him. I have probably said that  
21 I didn't want him around anyway. That was probably not  
22 his fault, it was probably me.

23 I have never saw the other boy's social worker so he  
24 couldn't have visited EGB's house. I don't remember  
25 anyone coming to check on any of the kids staying with

1       EGB or anyone coming to check on her.

2           My dad's friend never came into EGB 's, however he  
3 would often be parked right outside her house. I know  
4 it is written in my notes that EGB did see him picking  
5 me up. EGB had called my mum to tell her and she  
6 clearly knew who he was but she never seemed to report  
7 this to the social work or police. It is also in my  
8 notes that my mum repeatedly warned the social work  
9 about him, that he was not my uncle and that she had  
10 concerns that his relationship with me was sexual.

11       EGB should have been told this information by social  
12 work if she was to effectively protect me. I believe my  
13 mum also expressed her concerns to EGB .

14           Every so often the police would come and visit  
15 EGB . When we would come in from school there would be  
16 police up there but they seemed to be friends of  
17 EGB 's. They would be sat there and their radio would  
18 be sat on the bunker. They would just be chatting and  
19 didn't have their police uniforms on, they had like  
20 normal clothes. She just acted like they were friends  
21 and would be laughing and joking. It was confusing but  
22 I just accepted everything that happened and never  
23 questioned anything.

24           I wasn't seeing my granny an awful lot but we spoke  
25 all the time. There was just stuff going on and it was

1 really difficult. I couldn't get across to where she  
2 stayed and it was probably down to me as well. I should  
3 have stood up to my dad's friend and said I wasn't going  
4 with him each time but there was more and more times he  
5 would be outside and less and less times I was able to  
6 get to my granny's.

7 **EGB** took it upon herself to start calling my mum  
8 and dad. My mum has since told me that **EGB** would call  
9 when she was really drunk at the most random times of  
10 the night and say the most random things. **EGB** would  
11 try and keep her on the phone for hours. I just thought  
12 when she was calling them that she must have had a few  
13 drinks and was phoning them for company. She didn't  
14 have friends come around, she just sat drinking herself.

15 **EGB** and my dad got on really well. She thought my  
16 dad was made of pure gold. She used to come and tell me  
17 how amazing my dad was and everything and I would be  
18 thinking no, he is not. I think she had a bit of  
19 an obsession with him, I don't know if it was a mutual  
20 thing. I have no idea as I could only see it from my  
21 side and I couldn't understand why they were on the  
22 phone all night. The younger daughter commented on it.  
23 She had made a comment about the way her mum was acting  
24 so it was clear she had noticed it. That was what made  
25 they think this isn't just me.

1           When I went to EGB's, she wanted us to shower  
2 every night because she said she didn't want our bugs  
3 going into her beds.

4           She would only allow us to use two squares of toilet  
5 roll. She even said the same to her daughter and she  
6 replied along the lines, 'Are you kidding me, have you  
7 seen the size of my bum?' Her daughter was even trying  
8 to explain to EGB that her behaviour was not right at  
9 all.

10          EGB always seemed to have something not quite  
11 right about her. EGB wasn't really nasty, she was  
12 just drunk. But then my boundaries about what was nasty  
13 were maybe a bit blurred. Maybe other people would  
14 think it was nasty. I wouldn't say she was physical but  
15 she became more aggressive the more drunk she was. You  
16 know how drunk people get when they think they are  
17 behaving fine. When she was drunk she wasn't all that  
18 nice. She used to tell the girls we were getting fat.  
19 The boys were allowed to have chocolate spread on toast  
20 for supper but the girls weren't allowed it. She used  
21 to say it was because we were fat. I wasn't fat as  
22 I didn't have any fat on me. She was really determined  
23 the girls couldn't have it so the boys and girls were  
24 treated differently. It was things like that she would  
25 do, insinuate we were fat or we were dirty. It was more

1       psychological, making us feel bad. I think it would be  
2       in her head when she was drunk that it was okay to say  
3       these things. She wouldn't ever stand and call me names  
4       that were really horrible or anything like that.

5             The last night I stayed there is when she assaulted  
6       me. Before then she had never hit me and it never felt  
7       that she would. I always thought there was more of  
8       a chance of her being drunk and falling up the stairs  
9       than there was of her actually lifting her hands to me.  
10       That night she got really plastered and had fallen up  
11       the stairs a couple of times. I thought she had got  
12       herself hurt at one of the points. The other foster  
13       girl and I had ran down and grabbed her and got her up  
14       the stairs. She had gone into her room really drunk.  
15       The girl and I being kids were laughing and giggling in  
16       our room, which was right next to **EGB**. We were just  
17       being girls as we had been put to bed early and we  
18       weren't tired so we were still blethering, laughing and  
19       giggling. **EGB** was banging on the wall. She and the  
20       younger daughter had had a massive argument that night,  
21       it was really bad and I didn't know at that time that  
22       the younger daughter had left the house. She kept  
23       banging on the wall and we just found everything funny.  
24             **EGB** came charging through, slammed the door open  
25       and made a lunge onto the bottom bunk to get me. She



1 grabbed a hold of my hair and pulled me right off the  
2 bed. I jumped up at the side of her and stopped her  
3 from getting over to the other girl as she had started  
4 to come off the bunk bed. EGB had lost her balance  
5 and so I pushed her so she was on the bunk and rushed  
6 past to get to the younger daughter. Her bedroom door  
7 was opened and it was always locked. That was when  
8 I realised there was only a single bed in there and the  
9 younger daughter was not home. I returned and got the  
10 other girl before we ran out of the house.

11 We then phoned the police and stood under the  
12 cameras on the High Street where we waited for about  
13 three hours. Nobody came so we called the police again  
14 and still nobody came. I had to eventually call my mum,  
15 who I hadn't spoken to in a long time, and asked her to  
16 call social workers to come and get us because we had  
17 nowhere to go and were only wearing pyjamas. My mum was  
18 up in Forfar at that time. I didn't want to move from  
19 where we were because I thought the police would see us  
20 on the cameras. I felt it was safer for us to stand  
21 where we were.

22 The police came to see us after I had called my mum.  
23 The police went to her door because there was another  
24 child left inside there. He was the same age as me so  
25 he was around 15. They had to take him out of the

1 house. We were told that the police were charging EGB  
2 with assault on me. The police told us that EGB was  
3 saying that we had just ran out of the house. It was  
4 some sort of out-of-hours social workers who came and  
5 they had been speaking to the police first so we knew it  
6 was okay to go with me. They took me and the other girl  
7 to Balgowan and the police brought the boy along  
8 afterwards. One of the carers in Balgowan said the  
9 charges got dropped. Nobody listened and nobody did  
10 anything, which was how it always was, but they will  
11 have a record that it happened and that they didn't take  
12 it further.

13 We all gave the police a statement about what had  
14 happened and they did this at Balgowan Home. There were  
15 carers working there who had to be present. One of the  
16 carers who was my best friend's foster father was  
17 keeping me updated at the time. He thought there was  
18 going to be action taken against EGB and he said that  
19 she shouldn't have kids because other kids had made  
20 allegations about her being 'handsy'. It was him who  
21 came back and said something like, 'I'm sorry, I don't  
22 know what to say to you but they have just let her off  
23 with it'. He said she had been given kids again and  
24 a year or so later I passed her on the High Street and  
25 she had a wee girl who was blonde and looked about two

1 or three years old. My heart sank because there is no  
2 way a two- or three-year-old kid could speak out.  
3 I think she was given them younger so they couldn't tell  
4 anything.

5 After we gave our statements I told staff at  
6 Balgowan what had happened and that EGB had been  
7 really drunk. They said the police had said there had  
8 been no sign of her drinking. That is not true because  
9 EGB used to draw on her eyebrows and wear bright red  
10 lipstick and by the time everything had happened that  
11 night her eyebrows were all smudged up over her face and  
12 her lipstick was all smeared. She looked awful so it  
13 wasn't true that there were no signs, plus she couldn't  
14 string a sentence together. I don't know what the  
15 relationship was between the police and EGB but there  
16 were definitely clear signs of her drinking and you had  
17 the three of us saying she was drunk.

18 That was the last I saw of EGB as I didn't return  
19 there after being taken to Balgowan."

20 From paragraphs 100 to 183, 'Leigh' describes  
21 staying in Balgowan Children's Home and then Fairbairn  
22 Street Children's Home in Dundee. She then describes  
23 her life after care. 'Leigh' then describes impact of  
24 her experiences in care on her. As these have to be  
25 understood in the context of overall experience, I will

1 move on to page 56 and paragraph 204:

2 "EGB was reported at the time that assault  
3 happened and the police did nothing about it. As  
4 an adult I have not reported her again and nor have  
5 I reported anyone else who was meant to be caring for  
6 me."

7 Now to page 57 and paragraph 211:

8 "When children leave care they need to have someone  
9 they can contact for help and advice. They often don't  
10 have a family support network like most young people who  
11 move out of their home. I felt very alone and things  
12 were very violent and out of control. I would really  
13 have benefitted from someone safe to tell me what  
14 I could do to help myself and even give advice about how  
15 the law should protect me.

16 I think people who are employed in the care system  
17 should take responsibility for what is going on in front  
18 of them. It shouldn't be a case of just passing on to  
19 someone else. That's when you get people just not doing  
20 anything and leaving it for someone else and at the end  
21 of the day no one does anything. They have got to care  
22 more.

23 I don't really know the system but if a social  
24 worker has no rapport or relationship with the child  
25 they are responsible for then surely there must be

1 someone else who could be allocated. Having no  
2 relationship and interest means that the social worker  
3 has no idea what is going on with a child and they  
4 cannot rely on records or someone else, who maybe  
5 doesn't have the right qualifications or training, to do  
6 their job for them.

7 I think that at the end of the day it wouldn't take  
8 anything for someone to sit down with a child in care  
9 and talk to them to find out how their day went.  
10 A parent would do that with their child. They ask how  
11 school was, how they are feeling and if they need  
12 anything. It wouldn't take much to spend that  
13 one-to-one time with a child in care. Just to show they  
14 care, they could sit and have supper with them. They  
15 could do something normal like go and have hot chocolate  
16 together and speak about the child's day."

17 To paragraph 219:

18 "I realise that social work or my carers couldn't  
19 have prevented my dad's friend initially preying on me,  
20 but after I returned to care they should have stopped  
21 it. They should have protected me. If I wasn't safe or  
22 there was any doubt at all I shouldn't have been allowed  
23 to go out with him. They could have moved me anywhere.  
24 I could have been kept safe and protected. This was  
25 a child protection issue and they should have protected

1 me. I was in the care of Dundee City Council so they  
2 should have taken whatever action they needed to look  
3 after and protect me. They could have saved me at any  
4 time and I wouldn't have had to endure five years of  
5 torture. I spent my childhood thinking it was all my  
6 fault but now I realise I was just a child and it was  
7 them who should have protected me. I don't ever want  
8 them to be able to fail any other child like they failed  
9 me because I have tried to kill myself many times, such  
10 is the cost of their failure."

11 Now to paragraph 221:

12 "It has not been easy to speak about my time in care  
13 and I really don't want to get anyone into trouble.  
14 I think you can only really resolve the problems  
15 children in care face if you know everything. I think  
16 it is not down to individuals but more about processes  
17 and systems that allow things to go so wrong most of the  
18 time.

19 I don't know how I am still here when I think all  
20 I have been through but I believe that I am here to try  
21 and protect someone else. I think I can do that by  
22 speaking out about the things I went through, even if  
23 that is painful to do. I can help because I can see and  
24 recognise the signs and maybe by sharing this others  
25 will learn from this.

1 I have no objection to my witness statement being  
2 published as part of the evidence to the Inquiry.  
3 I believe the facts stated in this witness statement are  
4 true."

5 'Leigh' signed her statement on 9 February 2022.

6 LADY SMITH: Thank you very much.

7 MS RATTRAY: My Lady, I think that concludes the read-in for  
8 first thing this morning and I will pass over to  
9 Ms Innes for the oral witness.

10 LADY SMITH: Thank you very much.

11 Ms Innes.

12 MS INNES: My Lady, the first oral witness this morning is  
13 an applicant who wishes to remain anonymous and has  
14 chosen the pseudonym 'Jamie'. 'Jamie' was in the care  
15 of North Ayrshire Council. He was in foster care with  
16 JBY/JBZ between [REDACTED] 1998 and  
17 [REDACTED] 1999. Mr and Mrs JBY/JBZ were initially  
18 approved as short-term foster carers by Strathclyde  
19 Regional Council in 1994. They withdrew as foster  
20 carers in the summer of 1996, but were reassessed and  
21 reinstated as temporary foster carers by North Ayrshire  
22 Council in September 1997. They withdrew as carers in  
23 2002, early in that year, and that was formalised by the  
24 Local Authority on [REDACTED] 2002. North Ayrshire  
25 Council is the responsible authority.

1 LADY SMITH: Thank you very much.

2 (Pause)

3 'Jamie' (affirmed)

4 LADY SMITH: 'Jamie', a couple of practicalities first.

5 I need you to try and stay in a good position for the  
6 microphone if you can, because we listen to you through  
7 the sound system, particularly the stenographers.

8 The red folder that you have there has your  
9 statement in it. You'll be taken to that in a moment in  
10 the folder, but we're also going to bring it up on  
11 screen in front of you and you'll see we'll take you to  
12 the parts of it we need to discuss with you.

13 A. (Witness nods)

14 LADY SMITH: I hope that's helpful.

15 Otherwise, 'Jamie', I do know that it's not easy  
16 being asked to come and speak in a public place about  
17 matters to do with your own life and your own life as  
18 a child, including things that, as you describe them in  
19 your statement, were very upsetting and you may find it  
20 upsetting to go into them in this arena today.

21 A. (Witness nods)

22 LADY SMITH: I do understand that and I do understand that  
23 however well organised and prepared you might think you  
24 are, you could just be taken unawares by how difficult  
25 it feels.





1 I believe the facts stated in this witness statement are  
2 true."

3 I think you signed the statement on 16 May 2018; is  
4 that right?

5 A. That's correct.

6 Q. I think that's -- it's obviously a while ago since you  
7 signed your statement and I think that over the years  
8 which have passed since then, you've perhaps looked at  
9 your records a bit further and there may be some  
10 amendments to what you have to say in your statement as  
11 we go through. Is that right?

12 A. Yeah, that's correct.

13 Q. Okay. If we go back to the beginning of your statement,  
14 please, at paragraph 2 you tell us there that you first  
15 went into care when you were about six months old --

16 A. (Witness nods)

17 Q. -- and you understand that you were in 14 different care  
18 placements.

19 A. (Witness nods)

20 Q. Was that before you went to the three placements that  
21 you go on to mention, Harley Place, JBY/JBZ and the  
22 GEF-SPO p

23 A. Yes.

24 Q. Right. So you were in 14 placements. And were you  
25 going from one placement to another or were you going

1 back and forth to your parents, do you know?

2 A. Yeah, there was occasions where I was living back with  
3 my mother, but it was always short and I believe there  
4 would have been times when I was going from placement to  
5 placement and then to mum and then a placement.

6 Q. Okay. You tell us that there's only three placements  
7 that you have a memory of, so the ones I've mentioned,  
8 Harley Place, a placement in foster care with the  
9 JBY/JBZ, which we're going to talk about, and then  
10 a placement with GEF-SPO who were also foster carers.  
11 Is that right?

12 A. Yes, that's correct.

13 Q. You say at paragraph 3 that you were very young when all  
14 of this was happening and I think when you were with the  
15 JBY/JBZ you were around the age of four to five; is  
16 that right?

17 A. Yes.

18 Q. Some of what you've said in your statement or the  
19 knowledge that you've gleaned is perhaps from reading  
20 your records; is that right?

21 A. Yes.

22 Q. Okay. If we can move on, please, to the placement with  
23 JBY/JBZ, this starts at page 4 of your statement  
24 and paragraph 16. You tell us about being with the  
25 JBY/JBZ and first of all you talk a bit about

1 Mr JBY . Do you have any memory of what sort of  
2 person he was? What was he like?

3 A. He was pretty intimidating. Obviously being quite  
4 young, and he was a lot bigger than me. But that's all  
5 I can really remember, was him being quite intimidating.  
6 I don't remember any warm emotion towards him or that  
7 family in general.

8 Q. Okay. Then there's Mrs JBZ . What are your memories  
9 of her?

10 A. Quite cruel. Again, not very warm. No affection,  
11 kindness. Just very bleak.

12 Q. Okay. When you describe her as being cruel, what makes  
13 you say that?

14 A. Just in the way that she supported the abuse and  
15 participated in it as well. The punishment for what was  
16 deemed as bad behaviour rather than circumstantial  
17 behaviour. You know there was no praise. There was no  
18 celebration at Christmas time, you know, there was just  
19 punishment at any point and occasion, so that informs my  
20 feelings towards JBZ .

21 Q. Okay. At paragraph 18 you say they had two other foster  
22 children in their care. I think you think that they  
23 were there before you got there?

24 A. Again reading more over the records and just trying to  
25 think, I'm not sure. I think they maybe came after

1           because the bedding situation that obviously is noted in  
2           the records changes when they arrive.

3   Q.   Okay.  So I think you're right, 'Jamie'.  I think in the  
4           records it does say that two girls came to the foster  
5           placement after you were there.

6   A.   (Witness nods)

7   Q.   Before we go on to talk about that a bit more, just so  
8           that we are clear on who else was in the house, did the  
9           [REDACTED] have children of their own as well?

10  A.   I believed that they did.  I believe there was more than  
11          just the three of us, but ...

12  Q.   Okay.  Again I think we can see in the records that they  
13          had three children, all girls.  One who was, I think,  
14          slightly older than you and then two who were older than  
15          that still.

16  A.   Yeah.

17  Q.   Okay.  In terms of the sleeping arrangements in the  
18          house, what's your memory of where you slept in the  
19          house?

20  A.   I remember there was bunk beds and for a while I was in  
21          the top bunk.  But gradually over time, I'm not sure how  
22          long, I was then sleeping on the floor on the mattress.  
23          But, yeah, I believe it's two but there was two bunk  
24          beds.  I believe there was a bunk bed to the left and  
25          then it was joined onto the bunk bed further on from

1           that.

2   Q.   Okay.  You remember being in the bunk beds and can you

3           remember if there were other children in that room with

4           you?

5   A.   Yeah, yeah, yeah.  Certainly the bunk across, the girls

6           were in there.

7   Q.   Okay.  Then you've described that that changed at

8           a certain point?

9   A.   Yeah.

10  Q.   You describe I think sleeping on a mattress on the

11          floor.  Was that in the same room with the bunk beds or

12          was it somewhere else?

13  A.   Visualising it, I think it was in the same room to my

14          memory.

15  Q.   Okay.  If we hear evidence from Mrs JBZ that you had

16          a room of your own --

17  A.   Yeah.

18  Q.   -- does that coincide with your memory at all?

19  A.   No.

20  Q.   If we look again at your statement in paragraph 19 you

21          talk about the layout of the house and you talk about

22          there being a big garden with rabbit hutches in it.

23  A.   Yes.

24  Q.   Is that the memory that you have of the garden?

25  A.   Yeah.  There was a -- you know, there was a wall,

1 a brick wall that separated the neighbour's garden to  
2 the right-hand side. There was a small kind of  
3 greenhouse up the very back. I believe it may have been  
4 square, but there was certainly a greenhouse that the  
5 children played in, I played in as well. Then on the  
6 left-hand side there was hutches, but I believe we'll go  
7 to that a little bit more, but it wasn't rabbit hutches  
8 as I've later come to know. It was certainly a hutch  
9 look.

10 Q. Okay. As you say in your statement, you have a memory  
11 that there were hutches and you've described them as  
12 rabbit hutches. If we just deal with that just now, you  
13 say that you've later learned that they might have been  
14 for something else? Can you tell us what you've  
15 learned?

16 A. Yeah, through someone of personal knowledge of the  
17 JBY/JBZ, it was exotic bird cages that were a similar  
18 colour to how a hutch might look in a garden, but they  
19 were used for keeping birds of prey.

20 Q. Okay. So you've learned that from somebody who knew the  
21 JBY/JBZ and if I were to say to you that in the records  
22 there's reference to Mr JBY having an interest in  
23 falconry and JBY/JBZ having an owl and a buzzard,  
24 can you remember them having those birds or not?

25 A. Yeah, I mean I certainly remember when the incident

1           happened related to what I thought was a hutch. The  
2           reason I was terrified is because they were in that  
3           container.

4   Q.   What were in that container?

5   A.   Birds.

6   Q.   Okay. We'll come back to that.

7           You then talk about going to school at paragraph 20.  
8           Did you maybe start school at the time that you were at  
9           JBY/JBZ, can you remember?

10  A.   I don't know. I remember school certainly from the  
11  GEF-SPO. I'm not sure.

12  Q.   Okay. At paragraph 21 you talk about clothing, and you  
13       say that you understand that when you left JBY/JBZ  
14       you went with fewer clothes than when you went in?

15  A.   Yeah. That's informed from my records. I don't really  
16       recall what I was wearing so that's ...

17  Q.   I wonder if we can look at a section of your records in  
18       relation to this. It does cover some other matters so  
19       we'll just deal with them all when we go to this.

20           It's at NAC-000000371, page 7.

21  LADY SMITH: 'Jamie', thinking about your comment about  
22       having fewer clothes when you left than when you  
23       arrived, I suppose we have to remember that you were  
24       there for less than a year.

25  A.   Yeah.



1 LADY SMITH: Maybe about nine months I think your records  
2 indicate?

3 A. Yeah.

4 LADY SMITH: So within nine months, the number of clothes  
5 that you had seemed to have diminished.

6 A. Mm. As did the toys.

7 LADY SMITH: Thank you.

8 MS INNES: 'Jamie', we see here that this is a memo from  
9 a Lorna Murchie, who is a social worker.

10 I think she was a social worker who worked with you.

11 I don't know if you have any memory of her?

12 A. Yeah, I remember Lorna. I seem to remember the kind of  
13 car she drove as well, so I do remember Lorna.

14 Q. Okay. This is a memo that she sent to a Sadie Burns,  
15 who was a manager of area services in the social work  
16 department in Ardrossan and she sent this on  
17 24 May 1999, so this was after you had left the

18 JBY/JBZ

19 If we perhaps scroll down so we deal with things in  
20 order, just above the list of clothing that we can see  
21 there's a paragraph there and that says:

22 "'Jamie' had been in the care of Mr and Mrs JBY/JBZ  
23 for nine months and on admission had sufficient clothing  
24 which had been provided by his mother. At Christmas,  
25 your mother also provided additional clothing for you.

1 On [REDACTED] 1999 you were discharged from the [REDACTED] JBY/JBZ

2 care with the following items ..."

3 Then there's a list of the clothes that you were  
4 left with at the end.

5 A. Yeah.

6 Q. If we go over to the next page, it says:

7 "The majority of these clothes had been purchased  
8 when 'Jamie' was previously in Harley Place and by his  
9 mother. The clothing, in particular the underwear, was  
10 aged 3 to 4 years and inappropriate for a child of 5  
11 years. The writer is concerned about the quality and  
12 quantity of clothing which was passed on with 'Jamie'."

13 I'm not sure if you've seen that specific record  
14 before --

15 A. (Witness nods)

16 Q. -- but that would seem to coincide with what you've seen  
17 in the records?

18 A. Yeah, that's correct.

19 Q. Okay. We'll come back to some other aspects of that  
20 memo just in a moment, but if we can go back to your  
21 statement again, please, and if we can go to page 5. At  
22 paragraph 22 at the top of page 5 you talk there about  
23 remembering that your mother had visited once and you  
24 talk about something that she brought.

25 A. Yeah.

1 Q. What happened to that, do you know?

2 A. I believe it was one of the older female children would  
3 taunt me and tease me by stealing it, and I remember  
4 finding it where she'd hidden it and when they realised  
5 that I had taken it back or she had certainly realised  
6 I'd taken it back there was consequences and she  
7 certainly took it back off me and I never ever found  
8 that again.

9 And, you know, that significantly stuck with me.  
10 I want a -- I wanted a set of key rings and I got  
11 a whale on that, because that was the most significant  
12 thing I think she'd bought me, particularly at that time  
13 in my life, and it was removed from my possession and it  
14 was used as a taunt and a tease and then I never ever  
15 got it back.

16 Q. Okay. When you say that when you found it and took it  
17 there were consequences, what consequences were there?

18 A. I was made to go and stand up against a wall because I'd  
19 went into her belongings. You know, that's where she  
20 had hid it, in amongst her personal things, so.

21 Q. When you were made to stand against the wall, was that  
22 in the house or outside?

23 A. It was in the house.

24 Q. Okay. At paragraph 23 you say that you think you did  
25 get visits from social work although you don't remember

1           them. You say that you have a recollection of reporting  
2           abuse to your social worker when she came?

3   A. Uh-huh.

4   Q. What's your memory of that?

5   A. It's pretty vague, if I'm honest. I remember on  
6           numerous occasions -- I know from numerous occasions  
7           I told social work. I believe one of the times I'd been  
8           out with Lorna, because I -- you know, she'd remove me,  
9           take me sometimes out in the car. I wasn't always  
10          within JBY/JBZ when there was a visit. And I'd  
11          disclosed abuse at that point.

12                 The other times that I did, I'm not aware of where,  
13                 when, if it was in the placement or not.

14   Q. Can you remember what abuse you told her about?

15   A. The -- what I thought was the rabbit hutches. Just the  
16           other kind of punishments of being made to stand against  
17           walls and being left outside.

18   Q. Okay.

19   A. I'm not sure -- I don't fully know, because I was -- the  
20           only thing that really sticks out for me over that  
21           course of time was the incidents that happened  
22           themselves. So that's the best I can give.

23   Q. Okay. Can you remember what her reaction was when you  
24           told her?

25   A. No.

1 Q. Okay. If we go into the next section, you talk about  
2 the abuse that you experienced and you say that most of  
3 this came from Mr JBY is that right?

4 A. Yes.

5 Q. At paragraph 25 you talk about what you understood to be  
6 the rabbit hutches and you remember being handcuffed to  
7 a hutch in the back garden. What's your memory of that?

8 A. I just remember the ... the birds flapping, because  
9 obviously I'm, you know, tied up -- well, not tied up,  
10 I'm handcuffed next to this cage. I don't remember --  
11 I know at the time it would have been in all kind of  
12 weather, probably more relevant when I disclosed it at  
13 the time, so it was -- it was for punishment, certainly.

14 Q. Okay.

15 LADY SMITH: Did the birds screech?

16 A. Yes.

17 LADY SMITH: So if it was, for example, an owl and  
18 a buzzard, they screech pretty loudly.

19 A. Yeah. Certainly they have got their post, but they were  
20 able to fly around inside so it was ... yeah.

21 MS INNES: Okay. And you describe a set of handcuffs being  
22 used.

23 A. Yeah.

24 Q. What kind of handcuffs were they? Were they toy  
25 handcuffs or not?

1 A. No, I believe to my knowledge they were metal. They  
2 weren't children handcuffs.

3 Q. Who was it that handcuffed you to the hutch, can you  
4 remember?

5 A. Mr JBY .

6 Q. Okay. So if it were to be suggested that maybe one of  
7 the children handcuffed you to the hutch with some toy  
8 handcuffs as a game, what's your response to that?

9 A. No. That's incorrect.

10 Q. Okay. In terms of the handcuffs here you mention that  
11 your understanding was that Mr JBY was a security  
12 guard, I think at you say. Where do you get  
13 that information from?

14 A. I believe just from what he would wear, you know, cargo  
15 trousers, boots, shirts and then with the handcuffs,  
16 I would have made the assumption that he was some sort  
17 of security.

18 Q. Okay. Did this happen once or more than once, can you  
19 remember?

20 A. The handcuffing?

21 Q. Yeah.

22 A. Yeah, it was more than once. Been ongoing.

23 Q. Okay. Do you know why it was that this happened?

24 A. I believe it was corrective punishment. You know, they  
25 were trying to correct my behaviour because I was

1 obviously distressed, traumatised, and I would play up.  
2 I know I was a very hard-to-support child. And I think  
3 they used very excessive measures to correct my  
4 behaviour.

5 Q. Okay.

6 A. And in some part it's maybe even pleasure.

7 Q. At paragraph 26 you refer to Mr JBY wearing  
8 steel-toe-capped boots and standing on your toe.

9 A. Yeah.

10 Q. You remember that happening?

11 A. Yeah.

12 Q. If we hear evidence from Mrs JBZ that Mr JBY  
13 never had any steel-toe-capped boots and this didn't  
14 happen, what's your response?

15 A. Well, to me it certainly did. Because in the JBY/JBZ  
16 there was a hall and you could go to the very end of the  
17 hall and I was made to stand against the back door and  
18 there was a drape that went over the back window,  
19 certainly to my imagery, and I was made to stand there  
20 and it's when I challenged them that that happened.

21 Q. Okay. At paragraph 27 you mention I think another  
22 occasion about your mum bringing a toy for you and on  
23 this occasion a Buzz Lightyear being taken away from  
24 you.

25 A. Yeah.

1 Q. Was that by JBY/JBZ or was that by their children?

2 A. It was by JBY/JBZ and it was left above their  
3 bedroom in the back wall there was a series of cabinets  
4 and the toy was put up there. And I believe there'd  
5 been a time when I tried to get the toy and there was  
6 punishment after that because I had entered their room  
7 and tried to take back ...

8 Q. Okay. Then if we go over the page, please, page 6 and  
9 paragraph 28, you say there that it was always I think  
10 Mr JBY would punish you by hitting you and you talk  
11 about being hit with a belt. Can you remember what kind  
12 of belt he would use?

13 A. No.

14 Q. Okay. Do you have a memory of being hit with the belt  
15 or does this come from your records?

16 A. The only memory I have was when I was in [REDACTED]  
17 Primary and during a class of -- an example of a class  
18 of olden times the headteacher, [REDACTED], used  
19 a leather belt off the table and I remember being  
20 petrified and traumatised with the belt and the  
21 connection the belt had with the table. I was very  
22 scared, hid under the table, whimpered and when I went  
23 home I disclosed it to GEF-SPO that JBY had hit  
24 me on occasions with a belt.

25 Q. Okay. Just bear with me a moment, please.



1 Can we look, please, at NAC-000000372, page 2.

2 This is a memo from a later time, so you'll see it's  
3 dated 5 November 2001.

4 A. (Witness nods)

5 Q. It's from a Doreen Prince, who is a social worker in  
6 Kilwinning, to a Charlene McGowan, who is also a social  
7 worker. Do you remember either of these people?

8 A. Yeah, I have very fond memories of Charlene. I don't  
9 remember Doreen.

10 Q. Okay. If we scroll down a little we see here this  
11 mentions that she visited your carer on 1 November 2001.

12 "When we discussed the recent comments made by  
13 [REDACTED], headteacher of [REDACTED] Primary School,  
14 regarding your reaction to a lesson about school in the  
15 old days. You will remember his reaction to the school  
16 belt was one of great distress."

17 Then it goes on to say that the carer advised that  
18 you and her had recently discussed the school topic.  
19 You asked her if she had ever had the belt.

20 "He left the room after their talk but quickly  
21 returned saying 'I remember when I was at JBZ [REDACTED] and  
22 JBY [REDACTED] I was playing hide and seek with their girl  
23 and I went into JBZ [REDACTED] and JBY [REDACTED] bedroom to look for  
24 her. JBY [REDACTED] came in and found me in the bedroom and  
25 hit me with a belt'. Your carer asked where you had

1           been hit and you pointed to the top part of your left  
2           thigh. Your carer reassured you that this would not  
3           happen in their house and nothing further has been  
4           said."

5           Then it says:

6           "I feel you should be aware of the statements made  
7           by 'Jamie' to his carer. He has previously made other  
8           statements of a different nature regarding the same  
9           carers."

10          It says that these have been investigated.

11          We will go back to look at some of the other records  
12          just in a moment.

13   A.   (Witness nods)

14   Q.   That seems to coincide with what you're telling us about  
15          your memory of being in school and this lesson causing  
16          this distress.

17   A.   Yeah.

18   Q.   Okay. If we can go back to your statement, please, and  
19          paragraph 30 on page 6, you talk there about there being  
20          an occasion when you were forced to eat a meal.

21   A.   (Witness nods)

22   Q.   What's your memory of that?

23   A.   It's again pretty vague. I'm not too sure. The only  
24          part that I remember that is stated there was being  
25          forced to eat the sick off the floor and that was from

1 being forced to eat the meal, because I became  
2 distressed and then was sick from distress. I don't  
3 remember any details about the actual meal itself.

4 Q. Okay.

5 The next thing that you tell us about at  
6 paragraph 31 is that you remember two occasions  
7 involving both JBY/JBZ and you talk about having  
8 earmuffs on?

9 A. Yeah.

10 Q. Can you tell us what you remember about this happening?

11 A. Yeah, I remember they would sit at either side of the  
12 living room, position themselves with me in the middle  
13 and they would force me to walk from one person to the  
14 other person and they would punch me in the side of the  
15 head wear the earmuffs were covering for a prolonged  
16 period of time.

17 Q. Would they punch you with their hands or --

18 A. I believe it was boxing gloves but -- yeah, that's all  
19 I can really remember.

20 LADY SMITH: Can you describe these earmuffs for me?

21 A. My initial thought is that they were black with orange  
22 bits on them. With a kind of thin band over the top.  
23 But I don't really remember.

24 LADY SMITH: Were they made of hard material or soft  
25 material?

1 A. Soft, fuzzy.

2 LADY SMITH: Furry material?

3 A. Yeah.

4 LADY SMITH: The sort you might wear to keep your ears warm  
5 in the winter?

6 A. Almost, uh-huh.

7 LADY SMITH: Okay, thank you.

8 A. I don't think if you're going to go on to that, but the  
9 police later told me that that would have been used as  
10 a reduction of swelling mechanism to hide that act,  
11 because it would have meant my ears wouldn't have been  
12 swollen and created a visual injury.

13 LADY SMITH: I see, thank you.

14 MS INNES: Okay, so when you say in this part of your  
15 statement that was to stop the swelling on your face,  
16 that was something that the police later told you when  
17 you discussed that.

18 A. Yeah. They said, "Do you know why?" and I said, "I'm  
19 not too sure, I think this", and they said, "This is  
20 what it is, and it's to reduce the swelling".

21 Q. Okay. You think that happened at least twice?

22 A. Yeah, it happened more than once, certainly, to my  
23 knowledge.

24 Q. And do you have any idea why it was happening?

25 A. That was -- when you earlier asked why my feelings

1           towards JBZ was what it was, it's actions like that,  
2           because that was not punishment. I believe that was  
3           entirely for enjoyment and to hold some sort of  
4           power/authority over myself as a young child.

5    Q. Is it some kind of game?

6    A. I believe they maybe seen it as a game between  
7           themselves, as something entertaining.

8    Q. Okay. At paragraph 32 you tell us about something that  
9           happened just before you left JBY/JBZ and you talk  
10           about them making you sit on the stairs and bang your  
11           head off the wall.

12   A. Yes.

13   Q. Is that something that had happened before or was that  
14           the only time you can remember?

15   A. It's the only time that I can remember, but the reason  
16           that it had happened was because I had told social work  
17           about the abuse and obviously they were notified that  
18           I was being removed. That's what they told me at the  
19           time of why they were doing it, was because I had told  
20           social work, I had basically exposed what they were  
21           doing and they said, "Well, this is what's going to  
22           happen before you go".

23   Q. Okay. You say about being taken to the hospital --  
24           we'll come back to that in the records in relation to  
25           that in a moment.

1 A. Yeah.

2 Q. Just before I go to the records, is there anything else  
3 that we've not talked about that you can remember  
4 happening to you at JBY/JBZ ?

5 A. (Witness shakes head)

6 I don't -- I mean there certainly is, but it's  
7 nothing that I put in my statement so I'm unsure at this  
8 point if it is worth sharing.

9 Q. Well, if there are other things that -- if there were  
10 other ways in which you were abused when you were at the  
11 JBY/JBZ , then please tell us that.

12 A. The only other incident that I remember was I had  
13 a toilet accident from one of the top bunk beds, and  
14 rather than using the toilet it happened in the room,  
15 and obviously I believe this is when the other children  
16 were in the house and Mr JBY took me outside and  
17 I was unclothed at this point, but he had held a garden  
18 saw up to my throat because of what I'd done in the  
19 bedroom.

20 Q. A garden saw?

21 A. Yes, like a saw, a saw for wood.

22 Q. What sort of size was it, can you remember?

23 A. Just your average kind of wood saw.

24 Q. Okay.

25 A. This is actually the only incident that I didn't share

1 at the initial testimony.

2 Q. Mm-hmm. Okay.

3 I said that we would look back at some of your  
4 records about things that were said at the time and if  
5 we can look first of all at NAC-000000367, page 2.  
6 These are handwritten notes at the time that you were at  
7 Harley Place, I think, and if we look on the left-hand  
8 side of the page, this is 13 May 1999. It says there:

9 "'Jamie' sitting in lounge, drawing and colouring in  
10 pictures with writer. 'Jamie' claiming that JBZ  
11 wouldn't let him in the house because his clothes were  
12 wet, made him stand out in the heavy rain and  
13 hailstones."

14 That's something that's noted down in your records  
15 as being something that you said at the time.

16 A. (Witness nods)

17 Q. Do you have any memory of that sort of thing happening?

18 A. I only really -- I only remember being left outside in  
19 bad rain handcuffed to the -- the bird cage. I don't  
20 remember this incident.

21 Q. Okay. It then says:

22 "'Jamie' also claiming that another day JBZ put  
23 him in the wheelie bin because he was bad and told him  
24 he would be taken away in the bin lorry."

25 Any memory of that?

1 A. No.

2 Q. "'Jamie' later on whilst drawing claimed [this is the  
3 daughter who was just older than you] handcuffed you to  
4 the rabbit hutch because she didn't like you. 'Jamie'  
5 saying she was a bad girl because she had done this."

6 A. (Witness shakes head)

7 Q. Any memory of it being her that handcuffed you to this  
8 hutch?

9 A. No.

10 Q. Then if we go across to the other side of the page, it  
11 says:

12 "'Jamie' out with writer to park. Whilst playing on  
13 swings, 'Jamie' asked if he was good. Writer replied  
14 yes and asked why he had said this. 'Jamie' claimed he  
15 was nearly always bad at JBZ . When writer quizzed  
16 'Jamie' regarding this, 'Jamie' replied that he was bad.  
17 He would be left outside in the rain that JBY ..."

18 LADY SMITH: I think it's "if he was bad".

19 MS INNES: " ... if he was bad, he would be left outside in  
20 the rain and that JBY would trip him up and that  
21 sometimes he would bang his head. 'Jamie' also claimed  
22 that JBY would handcuff his hands together if he was  
23 bad. 'Jamie' said that he was a bad JBY and now  
24 that he was staying at Harley Place that writer was  
25 a good person [I think, maybe] and that the other staff



1           were good as well."

2           As I say, I think these are notes from Harley Place  
3           not long after you'd gone to stay there, and I think  
4           some of the things that you've mentioned there you've  
5           told us about in your evidence. Can you remember being  
6           tripped up by Mr JBY [REDACTED] ?

7    A.   (Witness shakes head)

8           No.

9    Q.   Okay.

10           I'm going to move back to NAC-000000371, page 7.  
11           This is a memo that we've looked at before, but I am  
12           going to look at the other part of it, 'Jamie'.

13           If we look down to the beginning of this it talks  
14           about you going to Harley Place and it says that you  
15           were accompanied to Harley Place by the writer and  
16           a social work assistant. It says:

17           "'Jamie' complained of a bump to his head and would  
18           not allow workers to touch it. He informed the writer  
19           he had fallen outside at JBY/JBZ [REDACTED] and they were  
20           aware of the injury. This information had not been  
21           passed on to the workers at any time. Throughout the  
22           course of the evening, 'Jamie' was violently sick and  
23           very distressed. The child was taken to the GP the  
24           following day and he expressed concern about the injury  
25           and requested that the child be taken to Crosshouse

1 Hospital for further examination. 'Jamie' was fully  
2 examined at hospital and initially was to be kept in  
3 overnight for observation. Given the trauma 'Jamie' had  
4 experienced with the breakdown of the placement and the  
5 fact that the consultant felt he was over the worst of  
6 the injury, 'Jamie' was discharged later that evening.  
7 The writer is concerned that an injury such as this was  
8 not reported to either myself or care staff."

9 I think you tell us in your statement that you have  
10 some memory of going to the hospital after bumping your  
11 head?

12 A. Yeah.

13 Q. And I think this tells us that it was very shortly after  
14 you went into Harley Place.

15 A. (Witness nods)

16 Q. I think at that time it says that you'd said that you'd  
17 fallen over and bumped your head.

18 A. (Witness nods)

19 Q. Was that correct or not?

20 A. At the time, if that's what I had said as a young  
21 person, obviously later on I disclosed different things  
22 to GEF-SPO, that I initially -- and that was years  
23 later.

24 To my belief it was when -- I expressed that I'd  
25 been forced to hit my head off the wall as punishment,

1 because they were notified that I was being removed and  
2 I imagine they would have had to have been given some  
3 sort of grounds as to why and JBY/JBZ had told me  
4 it was because I had told the social work what had  
5 happened, that this was the punishment.

6 I do have a memory of being in a social worker's car  
7 going to hospital, lying in the back seat and being  
8 sick. And I initially thought that this had happened on  
9 the day that I was removed that I went to hospital.  
10 Obviously I'm learning from what you're saying just now  
11 is that it was a couple of days after I'd been removed  
12 that I went to hospital, so.

13 Q. Well, I think it could have been the next day after you  
14 were removed.

15 A. Yeah.

16 Q. So it talks about you being removed and then during that  
17 evening you were sick. Next day you're taken to the GP  
18 and you're taken to the hospital.

19 A. Uh-huh.

20 Q. So I think that's the timeline that we see in this memo.

21 We'll come back to your later disclosures about the  
22 bump to the head, but if we just stay with this memo  
23 just now, please, and go to page 8. The first paragraph  
24 we've already looked at, that was about the clothes.  
25 Then the next paragraph, it says:

1 "In working with 'Jamie' in recent weeks he has on  
2 numerous occasions informed the writer and social work  
3 assistant that he had been handcuffed to the rabbit  
4 hutch at the home of JBY/JBZ and that when his  
5 behaviour was difficult he was put outside in all  
6 weathers. 'Jamie' becomes visibly distressed when  
7 discussing these incidents and requires constant  
8 reassurance that such incidents will not reoccur."

9 That memo was dated JBY/JBZ 1999, so about a month  
10 after you'd left JBY/JBZ, and the social worker  
11 seems to be noting here that you had told them more than  
12 once about being handcuffed to the hutch and being left  
13 outside, which you've also told us about in your  
14 evidence.

15 A. Yeah.

16 Q. Okay. Then the next paragraph says:

17 "It should be noted that on 'Jamie's' initial  
18 admission to Mr and Mrs JBY/JBZ he slept in a bunk bed,  
19 which was adequate. However, following the admission of  
20 two other children in December 1998, 'Jamie' advises  
21 that he slept on a mattress on the floor inside  
22 a sleeping bag."

23 Again, that's what you told us about in your  
24 evidence earlier?

25 A. (Witness nods)

1 Q. That you remember being in the bunk and then moved to  
2 the mattress?

3 A. Yeah.

4 Q. Then finally in terms of the records, if we can look,  
5 please, at NAC-000000372, page 6. This is a memo dated  
6 23 March 2000 from Doreen Prince to a Moira Campbell.  
7 I don't know if you know who the Moira Campbell is?

8 A. No, I've not heard that name before.

9 Q. This then says in the body of the text:

10 "I am writing to advise you of recent contact with  
11 the foster carer regarding comments made to her by  
12 'Jamie'."

13 This is your subsequent carers, and it talks about  
14 you making statements to that carer on three occasions  
15 regarding JBY/JBZ . It says:

16 "When he was crying at the carer's, 'Jamie' said to  
17 her that when he cried for his mum at JBZ and  
18 JBY , he was put out in the rain until he stopped  
19 crying. He wanted to know if the new carer would do  
20 this to him. He also told her that he had a sock put in  
21 his mouth to stop crying."

22 Do you have any memory of that?

23 A. No.

24 Q. Then it says:

25 "In the car driving past Crosshouse Hospital he told

1 her that he had been to that hospital and had his supper  
2 there. He stated that this was when JBZ and JBY  
3 banged his head off the wall. He could tell the carer  
4 that he had Coco Pops in a green bowl."

5 I think that's referring to what you just mentioned,  
6 a moment ago in your evidence, that later you told your  
7 carer about your head being banged off the wall?

8 A. Uh-huh.

9 Q. So that seems to be a report of this.

10 A. I've also not seen this memo. This is the first time  
11 I've seen this.

12 Q. It is possible that some of these are included in the  
13 foster carer's files rather than your own files,  
14 'Jamie'.

15 A. Okay.

16 Q. And then reassurance was given by the carer "... on each  
17 occasion that these things would not happen to him in  
18 her care."

19 The social worker is saying:

20 "Whilst I am aware that some of these situations  
21 have been investigated, I felt it was necessary to make  
22 you aware of the child's comments."

23 I think these may well be to do with alerting social  
24 workers in relation to JBY/JBZ.

25 A. (Witness nods)

1 Q. Okay. I'm going to move away from the records now and  
2 move on to the final parts of your statement, 'Jamie'.

3 At page 9 you tell us that you went into foster care  
4 with GEF-SPO family and you remained there I think  
5 until you were 21?

6 A. Yes.

7 Q. What was it like living with GEF-SPO? How did that  
8 work out?

9 A. It was very complex. There was periods of great  
10 affection, love, kindness, and there was also practices  
11 that were abusive, difficult for me to understand. And  
12 I suppose very separate from what a normal family  
13 dynamic would look like.

14 I mean, how much detail?

15 Q. What sort of practices are you referring to? What sort  
16 of things?

17 A. I mean I think -- because social work took so long to  
18 give me permanency in that placement, it caused a lot of  
19 divide between myself and GEF-SPO. There was  
20 affection, as I said, there was love, but there was  
21 a divide because I didn't know if I was coming or going.  
22 And over time I think my behaviour, my uncertainty, my  
23 restlessness, GEF became very angry,  
24 frustrated. I think he also had his own anger issues.  
25 There was certainly an evening where for over an hour he

1 called me a "prick" in every single sentence that he  
2 spoke to me of. I was forced to sit on a couch and be  
3 put through that.

4 He also tried to fight me when I was 18 years old  
5 because my foster parent offered to make me a sandwich  
6 late at night. [REDACTED] was very happy to do a lot for me  
7 and I think the older that I got, the more -- they knew  
8 it was coming to an end, that foster placement was going  
9 to end when I finished my university programme, and  
10 I think GEF [REDACTED] he just got a lot of frustration and  
11 anger and he just became a very horrible human being  
12 towards me.

13 And I've later learned that he's carried on being  
14 the same individual to other foster children.

15 Q. Okay.

16 A. There was an occasion where I had been in a respite with  
17 a woman, [REDACTED], I believe I was in respite -- not  
18 respite, it was almost like during the day because they  
19 lived around the corner I would maybe go for a couple  
20 hours and she was a foster carer herself, and I'd  
21 pointed a BB gun at [REDACTED]'s foster child, it was  
22 an older boy, and GEF [REDACTED] had walked me round the park in  
23 Kilwinning -- Kilwinning in North Ayrshire, there's  
24 a park more towards the end of that, heading towards the  
25 Rye, and I remember it was a cold morning and he punched



1 me in the stomach with enough force that I was winded,  
2 felt sick, and that was because I'd pointed this BB gun  
3 towards this older boy in [REDACTED]'s home.

4 So he was in ways abusive in his own right, and as  
5 I said, you know, further on in time the relationship  
6 deteriorated drastically.

7 Q. Mm-hmm. I think you tell us in your statement that  
8 you -- that essentially the relationship broke down and  
9 I think since you maybe were about 21, you've not had  
10 any contact with them?

11 A. No. There was a drunken mistake phone call made to  
12 [REDACTED]'s phone when I was about 22 and I didn't realise  
13 that's who I'd phoned. And we had a very brief  
14 conversation and I'd said I'd still like to rekindle the  
15 relationship if it was possible and she's bound by  
16 GEF [REDACTED]'s decisions. I think in her own right she would  
17 continue relationship or communication, but she's bound  
18 by GEF [REDACTED]'s rule, almost. So that was closed down and  
19 we've never spoke since.

20 Q. Okay.

21 You talked about being at university and did you  
22 graduate from university?

23 A. Yesterday was my initial first day for my honours  
24 programme, so I am hopeful to graduate next summer.

25 Q. Okay. And what degree are you doing?

1 A. It's community -- it's a BA in [REDACTED]

2 Q. Okay. And which university are you at?

3 A. Glasgow.

4 Q. Okay.

5 A. (Interruption from support dog)

6 Sorry.

7 Q. I think there's a seagull outside.

8 LADY SMITH: I don't mind her chasing the seagulls away at

9 all.

10 A. She'll soon realise there's a big glass pane between

11 them.

12 LADY SMITH: Thank you.

13 MS INNES: If we can move on, please, to page 13 of your

14 statement at paragraphs 68 and 69, you talk about making

15 reports to -- sorry?

16 A. Can I quickly take a toilet break, please? Sorry.

17 LADY SMITH: Yes, certainly we could take a break just now.

18 A. I'll be very quick.

19 LADY SMITH: That's all right. (Pause)

20 Welcome back, 'Jamie'. Are you ready for us to

21 carry on?

22 A. Yes. Thank you.

23 LADY SMITH: Thank you.

24 Ms Innes.

25 MS INNES: Thank you, my Lady.

1 I just have two other areas to ask you about,  
2 'Jamie'.

3 First of all, I wanted to ask you about reporting  
4 abuse to the police, so I think you tell us at  
5 paragraphs 68 and 69 that you've spoken to the police  
6 about what happened at JBY/JBZ ?

7 A. (Witness nods)

8 Q. What was your experience of that like?

9 A. It was very -- it was very difficult because it was on  
10 the back of getting my care files and obviously my own  
11 recollection, but I think going back into that process  
12 was very damaging. I think even getting my files back  
13 was very damaging.

14 The police -- they obviously listened because in  
15 terms of the earmuff incident, you know, they offered  
16 their professional opinion on why and kind of  
17 reassured -- made me feel reassured that I'd genuinely  
18 been listened to by the officers. They were very clear  
19 that they could only do so much if it was just my own  
20 statement against themselves.

21 The officers passed it on to a specialised team in  
22 Kilmarnock, I believe, and I think there was a delay or  
23 I didn't hear back from that team and I kind of pursued  
24 it myself to see where that had went and then I think  
25 I didn't hear anything for over a year, I believe, or

1 something close to that and I made another referral to  
2 the police with another complaint and then I'm sure  
3 I had spoken to an officer on the phone potentially and  
4 then that was kind of it. They said they couldn't take  
5 it any further.

6 There was something alluded and I'm -- Livingstone  
7 Brown, the solicitors responsible for the redress  
8 approach at the moment, we originally pursued court,  
9 civil action, and they alluded -- there was a statement  
10 where there was another incident that -- other than me,  
11 there was another child who had alluded to something  
12 happening in JBV/JBZ, to abuse, but there was no  
13 names provided in that statement and obviously that  
14 individual has never made a complaint to the police. So  
15 it was -- you know, it was ended. There was nothing  
16 more the officers could do.

17 Q. Okay.

18 A. But, you know, the process initially capturing the  
19 statement was good. They were calm and listening, but  
20 it took a long time to get any feedback.

21 Q. Okay. You're saying that ultimately your understanding  
22 was they couldn't do anything because there were no  
23 other witnesses?

24 A. Or complainees.

25 Q. Or complaints?

1 A. Yeah.

2 Q. Okay.

3 Moving on to the final area that I wanted to discuss  
4 with you, I wondered if you had any reflections on your  
5 experience with JBY/JBZ, particularly in relation  
6 to things that we can learn from your experience about  
7 how things might be different for children who are in  
8 foster care and suffer abuse.

9 A. I really appreciate that opportunity and I will --  
10 either before or after that, can I share some  
11 information from the Livingstone Brown perspective?

12 Q. Yes, please do.

13 A. This isn't noted in my testimony because it happened  
14 after it, after I met with the Inquiry.

15 of mine, very respectable, very  
16 honourable gentleman, he's my  
17 from Greenwood Academy from first year to  
18 S5, and me and went on to have a personal  
19 relationship. We met for coffee a few years ago and  
20 I told that I had been to the Inquiry and I had  
21 gone down this path of giving evidence, and told  
22 me, unbeknown to me, about a family that he had known  
23 and he said, "I always suspected that this family had  
24 maybe abused kids, but I could never prove it, I just  
25 had an instinct". And I had a feeling that had

1 known JBY/JBZ so I kind of -- I poked the  
2 conversation on and I'd asked him some questions about  
3 JBY/JBZ and if he answered them I would have known  
4 it was them.

5 answered them and I said, "It's JBY/JBZ  
6 JBY/JBZ that you're talking about, isn't it?"  
7 And he said, "Aye", and he said, "Did they abuse you?"  
8 And I said, "Yeah, they did, ", and it was hard  
9 because not only has seen me go through my life.  
10 He ended up -- I had to -- I wish it had been anybody  
11 else that knew JBY/JBZ other than him. And he  
12 said, "I wish I'd reported them for my suspicions back  
13 when I felt that that had happened, because you might  
14 never have been abused" ... and he -- he knew them  
15 because I'm sure JBY was his brother-in-law. He  
16 knew about the birds. He knew about the conversations  
17 in the way that he would talk about having power over  
18 young people in his care. And that ... that's probably  
19 the most relevant thing I can share today that wasn't in  
20 my initial testimony.

21 Q. Okay.

22 A. (Pause)

23 The learning that needs to be taken away is that the  
24 children's voice comes first in every opportunity that  
25 they're' heard, because I know that I made this aware so

1 many times to the social work and I had the  
2 opportunity ... I had the opportunity for a very loving  
3 stable home long before I had met JBY/JBZ or [REDACTED]  
4 and GEF and the social work denied it because they  
5 believed in their own opinion than looking at the  
6 evidence of my behaviour, my reaction.

7 A residential worker in Harley Place offered to  
8 adopt me and it wasn't just an offer, there was a long  
9 built-up relationship for the time that I was in there.  
10 He loved me, I had an affiliation and affection for him,  
11 his wife was a social worker, and I was denied that love  
12 and it's cost me years of pain and suffering. And if  
13 the social workers had listened to me when I was with  
14 JBY/JBZ, despite what they -- you know, because  
15 it's on record that I had never ever shared anything  
16 like this before. It was the first time. It wasn't the  
17 boy crying wolf. And I was not listened to. I was not  
18 put at the centre and I've had to suffer my life and  
19 I'll suffer the rest of my life with thoughts and  
20 feelings and hardship.

21 Children's Hearing Panels and school, LAC Review,  
22 any opportunity where a young person in care is  
23 speaking, they need to be held as the truth. They need  
24 to be believed. You know, a national inquiry's had to  
25 take place because young people in care weren't believed

1 and they were let down.

2 That's -- that's the learning for me right now.  
3 It's the only thing I can think about, is if I was  
4 believed and taken seriously and if there was enough  
5 foster carers in the world, maybe they weren't so  
6 precious to keep me where I was because there was no one  
7 else for me.

8 Thanks, Ruth.

9 MS INNES: Okay, thank you, 'Jamie'. I don't have any more  
10 questions for you.

11 There are no applications, my Lady.

12 LADY SMITH: Are there any outstanding applications for  
13 questions of 'Jamie'?

14 'Jamie', that does complete all the questions we  
15 have for you. Thank you so much for engaging with us,  
16 both by giving your written statement, which is evidence  
17 before me and I've read and carefully considered, but  
18 also by coming here today to add to it, and particularly  
19 feeling able to talk to us about something that's deeply  
20 distressing to you, I can see that. You flag up not  
21 only the need to listen to children but I think the need  
22 to grow a culture of people speaking up if they're  
23 worried about a child in care.

24 A. (Witness nods)

25 LADY SMITH: It may be nothing, but it might be --



1 A. (Witness nods)

2 LADY SMITH: -- and you do point in the direction of the  
3 importance of recognising that. So thank you very much.

4 You've added a lot to my learning. I'm grateful to  
5 you for that and I'm now able to let you go.

6 Thank you so much.

7 A. Thank you, Lady Smith.

8 (The witness withdrew)

9 LADY SMITH: We'll take the morning break just now, noting  
10 in passing that we've used foster parents' names,  
11 EGB, JBY/JBZ and GEF-SPO, all of which  
12 are protected by my general restriction order, so these  
13 people can't be identified outside this room.

14 (11.42 am)

15 (A short break)

16 (12.02 pm)

17 LADY SMITH: Ms Innes.

18 MS INNES: My Lady, the next witness wishes to remain  
19 anonymous and has chosen the pseudonym 'Cathy'. 'Cathy'  
20 was in the care of the City of Edinburgh Council. She  
21 was placed in foster care with [REDACTED] and  
22 [REDACTED] from [REDACTED] 2006 until  
23 [REDACTED] 2006. City of Edinburgh Council is the  
24 responsible authority.

25 LADY SMITH: Thank you.

1                                   'Cathy' (affirmed)

2   LADY SMITH: 'Cathy', if you could keep in a good position

3                   for the microphone, that would be really helpful.

4   A. Can you hear me?

5   LADY SMITH: That's great. Because we need to hear you

6                   through the sound system.

7   A. Okay.

8   LADY SMITH: A couple of practicalities. You'll see there's

9                   a red folder there. It has your statement in it and

10                  you'll be taken to that in a moment. We'll also bring

11                  your statement up on the screen in front of you, which

12                  you might find helpful and we'll go to the different

13                  parts of it that we're discussing as we go through your

14                  evidence.

15   A. (Witness nods)

16   LADY SMITH: Separately from that, 'Cathy', I know how nerve

17                  racking it can be to come and give evidence in a public

18                  place, particularly when you're being asked to give

19                  evidence about your life as a child and you might get

20                  upset and it might be distressing. I get that. I fully

21                  understand. If at any time you want a break, whether

22                  just by sitting and pausing where you are or leaving the

23                  room, you must let me know. We can cope with that.

24   A. Okay.

25   LADY SMITH: Or if there's anything else that we can do to

1 help you give your evidence as clearly and carefully as  
2 you can, it's important --

3 A. Thank you.

4 LADY SMITH: -- to me that I know about that.

5 A. Thank you.

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

8 A. Okay.

9 LADY SMITH: Thank you.

10 Questions from Ms Innes

11 MS INNES: 'Cathy', we understand that you were born in  
12 1991.

13 A. Yeah.

14 Q. Is that right?

15 A. That's correct.

16 Q. We're going to look at your statement first of all,  
17 please. We give it the reference WIT-1-0000000897. I'm  
18 going to start by looking right to the end of your  
19 statement, to the last paragraph of it, it says there --  
20 it's coming up on the screen:

21 "I have no objection to my witness statement being  
22 published as part of the evidence to the Inquiry.  
23 I believe the facts stated in this witness statement are  
24 true."

25 I understand that you signed the statement on

1 31 January of this year; is that right?

2 A. Yeah.

3 Q. Thank you.

4 I'm going to ask you about some of the things that  
5 you tell us about in your statement and I'm going to ask  
6 you questions about your time with the [REDACTED], the  
7 foster carers.

8 Just to summarise what happened before then, you  
9 tell us you were born in Edinburgh and you lived with  
10 your mum and your older brother?

11 A. (Witness nods)

12 And my little sister.

13 Q. And then your little sister came along?

14 A. Yeah.

15 Q. You tell us at paragraph 4 that you understand that you  
16 were in foster care for a few months when you were very  
17 young; is that right?

18 A. Yeah.

19 Q. I assume you found that out from your records or maybe  
20 your mum --

21 A. Yeah, my mum mentioned it once or twice as well, but  
22 it's in my records.

23 Q. You tell us about your life after that, your life with  
24 your mum and I think a man that she lived with or was  
25 involved with --

1 A. (Witness nods)

2 Q. -- and the difficulties that you had over that time. If  
3 we can move, please, to page 5, paragraph 22, first of  
4 all. You say that you can't remember having any contact  
5 with social workers until you were about 13?

6 A. Yeah.

7 Q. Okay. So you're aware that there was this time early  
8 on --

9 A. (Witness nods)

10 Q. -- but you can't remember seeing anybody?

11 A. I think maybe when I was younger, when I was living in  
12 Piershill, there might have been social work's  
13 involvement. Yeah, I think there was, like -- obviously  
14 like memories slowly come back, like when you're in  
15 therapy and what not, but I think there was some form of  
16 social work involvement early on, I think.

17 Q. Okay. You mentioned living at Piershill there; was that  
18 living with your mum?

19 A. Yeah.

20 Q. Then you tell us at paragraph 23 on page 5 that there  
21 came a time when you were 13 where you'd had sex,  
22 I think, with a boy --

23 A. (Witness nods)

24 Q. -- and social work became involved at that point, is  
25 that right?

1 A. Yeah.

2 Q. You remember having to give a statement --

3 A. Yeah.

4 Q. -- about that, okay.

5 A. Yeah.

6 Q. After that at page 6 you say that your memory is that  
7 you started seeing more of social workers after that  
8 time?

9 A. Yeah, yeah.

10 Q. You talk in paragraph 25 about nobody actually speaking  
11 to you about safe sex or contraception?

12 A. Yeah, not really, no.

13 Q. Can't remember social workers sitting down with you and  
14 talking about those sorts of issues?

15 A. No, I can't remember, no, no.

16 Q. Okay. You say at this point they would come around and  
17 want to speak to your mum. You were still living with  
18 your mum at that point?

19 A. Yeah, yeah.

20 Q. Then you talk about your mum attacking you and you went  
21 into a neighbour's house?

22 A. Yeah.

23 Q. You tell us that you were living there and the social  
24 workers were aware that you were there and that you  
25 think that she received some money for looking after you

1 but you weren't sure if it was a formal arrangement or  
2 not, is that right?

3 A. Yeah.

4 Q. We've seen your records, 'Cathy', so what we know from  
5 your records is that you're right, it was an informal  
6 arrangement but the neighbour did get some money for  
7 looking after you at that point.

8 A. Oh.

9 Q. So your memory is right.

10 A. Okay. (Witness nods)

11 Q. Okay. So I want to move on to page 8 and paragraph 37  
12 when you talk about going to live with the [REDACTED].  
13 How did you feel when you went to live with this couple  
14 for the first time?

15 A. Scared and anxious. Yeah. But I think I was kind of  
16 glad I was going away from my mum, to be honest. Yeah.

17 Q. Okay. You say that you don't think you met them before  
18 you went to stay with them?

19 A. I don't know. I don't ... know. I don't think so.

20 Q. At paragraph 39 you describe them as being older than  
21 parent age, maybe more like grandparents?

22 A. Yeah.

23 Q. Okay. I should have done some sums, but we know from  
24 the records that their dates of birth were in 1946 and  
25 1947.

1 A. Okay.

2 Q. So that's how old they were.

3 LADY SMITH: So it would have been -- what are we talking  
4 about --

5 MS INNES: 2006.

6 LADY SMITH: 2006 that 'Cathy' went there. Yes.

7 MS INNES: So that would be 60. 59 and 60 at the time.

8 A. So were they of parent age then? Probably.

9 MS INNES: They were 59 and 60, and I think you talk about  
10 them having a grandson.

11 A. Yeah.

12 Q. Is that right?

13 A. Yeah, possibly, yeah. Sorry.

14 LADY SMITH: You were a teenager?

15 A. Yeah, yeah.

16 MS INNES: You say that you called them by their names.

17 A. Mm.

18 Q. You called them by their first names?

19 A. Yeah.

20 Q. Did you have a room to yourself in the house or did you  
21 have to share?

22 A. I had a room.

23 Q. You talk at paragraph 40 about the grandson and you say  
24 he was really young.

25 A. Yeah.



1 Q. Was he at school or younger than that?

2 A. I can't remember. He might have been at school.

3 Probably early school. I can't remember.

4 Q. Okay. There was another foster girl who was there who

5 was older than you?

6 A. Yeah.

7 Q. You describe in paragraph 41 that she moved out and

8 another girl moved in?

9 A. Yeah.

10 Q. This other girl was about a year younger than you?

11 A. Yeah.

12 Q. Was this somebody that you knew before --

13 A. No.

14 Q. -- you just met her for the first time when you were

15 living there?

16 A. Yeah, yeah.

17 Q. Okay. Then you go on to describe what the routine was

18 like. Did you carry on going to the same school that

19 you'd been going to when you were living with your mum?

20 A. Yeah, yeah.

21 Q. Okay. You'd have to get the bus there, I think?

22 A. Yeah.

23 Q. At paragraph 45 you talk about occasions when the foster

24 carers would go to their friend's house and take you and

25 the other girl with them.

1 A. Yeah.

2 Q. What would happen when you would go --

3 A. We would have to stay in their foster child's room.

4 There was a room that we would have to stay in. I don't

5 think we were allowed out that room. Like me and [REDACTED]

6 would be in that room, in the bedroom.

7 Q. Okay. So you mentioned the foster carer's room, so were

8 these friends also foster carers?

9 A. Yeah.

10 Q. Were there other foster children in the house, can you

11 remember?

12 A. There was a girl and maybe a boy, but I remember the

13 girl getting ready in her room and then she left,

14 I think she left to go out. But yeah, that's what

15 I remember.

16 Q. You remember you and the other girl having to stay in

17 this room?

18 A. Yeah, yeah.

19 Q. How did you feel about that?

20 A. At the time I didn't really think much of it. I don't

21 know, kind of used to that behaviour. But getting

22 older, I don't know, I don't think that's quite --

23 like -- I don't know -- normal. It might be normal, but

24 I don't know.

25 Q. Okay. You say in your statement that you didn't think

1           it was fair --

2    A.   Yeah.

3    Q.   -- for them to --

4    A.   Yeah.

5    Q.   -- single you out in that way?

6    A.   Not just me but [REDACTED] -- like the other girl as well.

7           It wasn't quite right to single us both out.

8    Q.   Okay.  If I can move on, please, to page 11 and

9           paragraph 58, you talk about the time -- this is the

10          time that you were in foster care and you say that you

11          spent a lot of your time out of the house?

12   A.   Yeah.

13   Q.   Why was that?

14   A.   I felt free for the first time.  I was pretty reckless,

15          if I'm honest with you.  Yeah.

16   Q.   You say that you would be meeting your friends from

17          school --

18   A.   Yeah.

19   Q.   -- and that you were drinking a lot as well at the time?

20   A.   Yeah.

21   Q.   Did the foster carers try to do anything about that, can

22          you remember?

23   A.   There might have been a couple of meetings, they maybe

24          thought I was a risk to myself, maybe.  I can't really

25          remember much of the meetings, but yeah, there could

1           have been meetings though.

2   Q.   You say that you had a curfew but you didn't really

3           stick to that?

4   A.   Yeah.  That's true, yeah.

5   Q.   Okay.  At paragraph 60 you tell us there that you

6           describe your behaviour as being toxic.

7   A.   Yeah.

8   Q.   In what way?

9   A.   I was just drinking, older men, if I'm honest.  Yeah,

10          there was just -- I felt like there was no safety net

11          so -- yeah, I just -- I don't know.  Yeah.

12   Q.   Okay.  When you say you felt there was no safety net,

13          who from?

14   A.   Anyone.  Anyone.  Guys -- I don't know, guys -- I don't

15          know, they give you something although it's wrong --

16          like I see how it's wrong now, but like my mum like

17          encouraged relationships with older men and it just felt

18          at the time that was okay.  I didn't know that it wasn't

19          okay.  Now obviously I do, like I wouldn't want any

20          other child to be in that situation, but yeah, it was

21          pretty toxic.

22   Q.   Did the foster carers try to speak to you about that

23          sort of behaviour?  Did they know that you were going

24          about with older men?

25   A.   I think they knew.  Well my social worker might have

1       knew, I don't know. I think -- like I think they had  
2       suspicions, like when I was living at my mum's, maybe  
3       sexual relationships with people, but I don't know.  
4       Maybe. I don't know.

5   Q.   So you're not sure if the foster carers were aware what  
6       was going on?

7   A.   Yeah.

8   Q.   What about the social workers? Did they know you were  
9       behaving in this way?

10  A.   I think so. Maybe. Yeah, I think so.

11  Q.   Okay. We'll come back to that in your statement in  
12       a moment.

13  A.   Okay.

14  Q.   If we look at paragraph 61, what would happen if you  
15       came back late or broke the curfew?

16  A.   Yeah, I think they would ground me.

17  Q.   And what did grounding mean?

18  A.   Just not allowed out. I think I would probably go out  
19       anyway sometimes. Yeah.

20  Q.   So even if you were grounded, sometimes you would go out  
21       anyway?

22  A.   Yeah.

23  Q.   Okay. And how did you find Mr and Mrs [REDACTED]? What  
24       were they like?

25  A.   Mr [REDACTED] was okay, but I don't know the Mrs. Yeah.

1           Yeah, I didn't really find her okay.

2   Q.   Can you remember how she behaved towards you?

3   A.   I just remember in the back of the car where she -- like

4           after a day with them -- her friends' house, in the back

5           of the car she was being quite threatening but I think

6           she'd had a couple of drinks maybe and I think her

7           husband was like telling her to calm down. The other

8           girl was at the back of the car with me and I told my

9           mum about that and social work about that, but I don't

10          think no one believed me.

11   Q.   Okay. When you say that she was being threatening, what

12          was she saying or doing?

13   A.   I can't remember, I think she threatened to hit me,

14          I think, but I can't remember if I'm honest, but I'm

15          sure ...

16   Q.   Okay. Then over the page on page 12 you talk about

17          meeting an older man when you were about 15. I think

18          that's when you were living with the [REDACTED].

19   A.   (Witness nods)

20   Q.   You say that initially you didn't tell him how old you

21          were?

22   A.   Yeah, initially I didn't, yeah.

23   Q.   Did there come a point where you did tell him how old

24          you were?

25   A.   Yeah, yeah.

1 Q. Okay. You say that at paragraph 64, that you told him  
2 how old you were and did that make any difference to the  
3 way he behaved towards you?

4 A. No.

5 Q. Did you tell anybody about being in this relationship  
6 with this man?

7 A. No, but I think they knew because I'm sure I read in my  
8 records that they kind of knew I was seeing someone or  
9 something like that, but I don't know. Possibly.  
10 Possibly. I think my friend at the time was seeing his  
11 friend, so I think there was a suspicion, I think.

12 Q. Okay. So you mentioned there having seen something in  
13 your records that perhaps the social workers knew that  
14 you were --

15 A. Yeah.

16 Q. -- maybe seeing an older man?

17 A. Yeah.

18 Q. Okay. Then you talk about an incident that happened  
19 where he got you really drunk and you had sex?

20 A. Yeah.

21 Q. You say at paragraph 65 that on that night you were out  
22 until 2 or 3 in the morning?

23 A. Yeah, something like that, yeah.

24 Q. Did anybody come to look for you or find you?

25 A. No. It was -- I think it was me that kind of went a bit

1 (unclear) and phoned the police or -- yeah, I think  
2 I went -- I don't know, I was really drunk and -- yeah.  
3 Yeah.  
4 Q. Okay, so you remember that you contacted the police?  
5 A. Yeah.  
6 Q. Do you know why you did that?  
7 A. I don't know. I was drunk and I think that was when  
8 I properly lost my virginity, to be honest with you.  
9 I didn't really know -- I don't know.  
10 Q. Okay. Did the police come and pick you up and take you  
11 away?  
12 A. (Witness nods)  
13 Yeah.  
14 Q. Did they interview you about what had happened?  
15 A. I think so. Probably, yeah.  
16 Q. You say that when you spoke to the police you told them  
17 that you'd lied about your age?  
18 A. Yeah.  
19 Q. Why was it that you did that?  
20 A. I just wanted them to know like the whole inside and out  
21 and -- I don't know. At the time when I was 15 I didn't  
22 know it was wrong, so I was like I have given consent,  
23 stuff like that. It's not until being much older that  
24 you kind of realise that -- yeah. But yeah, I think  
25 I was adamant that I didn't want him to be charged or



1 anything like that as well. Yeah.

2 Q. Okay. You talk about being taken to the hospital to be  
3 examined and checked out.

4 A. (Witness nods)

5 Q. You talk about your mum being there?

6 A. (Witness nods)

7 Q. Do you know why the foster carers weren't there?

8 A. Don't know. I don't know if they were there. I don't  
9 think so, but my mum was definitely there. But no,  
10 I don't know. Don't know.

11 Q. I think we know from your records that the foster carers  
12 said that they weren't available to come to the hospital  
13 and I think the social work department contacted your  
14 mum for her to come.

15 A. Okay, okay.

16 Q. Then just moving on from that, if I can move on, please,  
17 to page 13 and paragraph 69, you talk there about  
18 meetings with the social workers.

19 A. (Witness nods).

20 Q. You talk about two social workers, one called Dana and  
21 another called Claire. You mention Claire elsewhere in  
22 your statement and I think you describe you as having  
23 quite a good relationship with her?

24 A. Yeah.

25 Q. How were you able to form a good relationship with her?

1 A. I felt like she listened. We had a really good  
2 relationship, me and Claire. I think she was a student  
3 as well. But she listened, she took me out. I felt  
4 like I could trust her, felt like I could be myself with  
5 her. Yeah. She was there when I needed her as well.  
6 Like there was times that she was -- she showed up when  
7 my granny died and she was there when I went to -- like  
8 stayed with my friends. I just felt really supported by  
9 her.

10 Q. Okay.

11 A. She was amazing.

12 Q. Did you see her often?

13 A. Yeah. I think -- yeah, I did. I did. I think  
14 I would -- I don't know if I would contact her when  
15 I wanted someone to speak to, maybe? I can't remember,  
16 but yeah.

17 Q. I was going to ask you that. Were you able to contact  
18 her directly, can you remember?

19 A. I think I was -- I don't know if I had a phone, but ...  
20 probably not before then because I didn't have a phone,  
21 but maybe when I went to foster care maybe? But I think  
22 she left at some point. I don't know. But yeah.

23 Q. Did you meet her in the house that you were living in or  
24 did you go out to meet her at different places or did  
25 you go to the social work office, can you remember?

1 A. I think she would come and pick me up. Or she would be  
2 there after school, I would meet her after school and  
3 she'd be there after school. But I can't really  
4 remember where I first met her, if I'm honest.

5 Q. Okay. What about Dana? Is she a social worker?

6 A. Yeah.

7 Q. How did you get on with her?

8 A. Not very well.

9 Q. Okay, so what was the difference between her and Claire?  
10 Why was it that you didn't get on so well with Dana?

11 A. I didn't think Dana was supportive or quite listened.  
12 I don't know. Like she -- I don't know, it's like she  
13 often believed like my mother. I don't know, I just  
14 didn't get a good vibe from her. Yeah.

15 Q. Okay. At paragraph 69 you talk about having meetings  
16 with Dana and Claire when you were at the foster carers'  
17 and you remember the foster carers sometimes being there  
18 too at the meetings.

19 A. (Witness nods)

20 Q. "They would all sit and talk about how I was the problem  
21 and I was misbehaving."

22 A. (Witness nods)

23 Q. Were these general meetings or were they reviews, do you  
24 know?

25 A. Might have been -- I don't know. Don't know.

1 Q. Okay. But they were at the house?

2 A. Yeah.

3 Q. How did you feel when they were talking about you being  
4 the problem?

5 A. Not very good. Like I don't know, it would have been  
6 nice if they took you away and kind of sat you down and  
7 spoke to you like separately away from everyone. Again,  
8 it's just having that safety net and that comfort. But  
9 I don't know, it doesn't make you feel good like when  
10 you're a young child or teenager and you have so many  
11 people talking about you, talking about your behaviour  
12 and what not and -- yeah.

13 Q. Okay. You say at the end of this paragraph that they  
14 had made up their mind that you were the problem.

15 A. Yeah.

16 Q. I just wonder, going back to your description of your  
17 relationship with Claire, did you feel that from her too  
18 or not?

19 A. No. I really liked Claire. I really had a good  
20 relationship with Claire. She was -- yeah, she was  
21 good. She was good.

22 Q. Okay. I think just for completeness at paragraph 72 you  
23 mention that you think that your social worker Dana was  
24 aware that you were going with older guys?

25 A. Yeah.

1 Q. But your recollection is that she didn't try to speak to  
2 you about that?

3 A. I don't think so. I did have a -- I think I had  
4 a worker at school named Rachel, maybe?

5 Q. Okay.

6 A. I think she would take me to the clinic, because I think  
7 I thought I had lost my virginity at 13 but I don't  
8 think I actually did. But she was quite supportive.  
9 I think there was a group of children -- well, teenagers  
10 that would all meet with this Rachel and she was quite  
11 good, I think, that I can remember. She would take me  
12 to the clinics and stuff like that.

13 Q. Okay.

14 A. And not tell my mum, which was good.

15 I think Dana would often -- I don't know. My mum  
16 was a bit weird. She didn't mind anything like that  
17 with -- you know, she didn't -- yeah. Yeah.

18 Q. Okay. You think sometimes Dana would report things back  
19 to your mum?

20 A. Yeah, which I know is normal, which you should be doing,  
21 but if your mum's supporting you with older guys and not  
22 really being that figure, then she shouldn't really have  
23 had an input or -- yeah.

24 Q. Okay. This is at the time that you're in foster care?

25 A. Yeah.

1 Q. This group that you mention that you were at school --  
2 or that you went to with this person from school, were  
3 the other teenagers in the group, were they in care as  
4 well or not?

5 A. No. One of my friends, she did live with her  
6 grandparents. I think she had quite a tough time as  
7 well when she was younger. Yeah.

8 Q. Okay. Can you remember what the purpose of the group  
9 was?

10 A. I can't remember, no. No.

11 Q. Okay. You remember that there were some meetings that  
12 you went to with other people around about your age?

13 A. Yeah. It's quite vague though, yeah.

14 Q. At paragraph 74 you mention about self-harming when you  
15 were living at the foster carers'.

16 Do you remember ever being taken to hospital as  
17 a result of self-harm when you were with them?

18 A. I think I was at the hospital once for drinking too  
19 much, but I don't know if I was living with my mum then.  
20 I might have been taken to the hospital when I took  
21 tablets maybe. Yeah, probably, yeah.

22 Q. Okay. I think we do see in your records that there was  
23 a time when you were in foster care where you maybe took  
24 some tablets, as you mentioned there.

25 A. (Witness nods)

1 Q. I think we'll not look at the records just now, but I'm  
2 just going to give the reference for the notes. So  
3 EDI-000003555, pages 8 and 9 there are some records in  
4 relation to that incident and the response of the carers  
5 to what happened.

6 You then tell us at paragraph 76 that while you were  
7 still in foster care you'd actually discovered that you  
8 were pregnant; is that right?

9 A. Yeah.

10 Q. Then at paragraph 79 you tell us that you walked out of  
11 foster care and went back to live with your mum?

12 A. Yeah.

13 Q. Although you can't explain that decision now --

14 A. Yeah.

15 Q. -- looking back? Then you spent some time I think in  
16 Ferniehill --

17 A. Yeah.

18 Q. -- and then at Drylaw?

19 A. Yeah.

20 Q. I'd like to move on from that in your statement, I think  
21 if we look, please, at page 24 at paragraph 139. You  
22 mention there what you've already talked about to some  
23 extent in your evidence, about not being spoken to about  
24 safe sex and contraception and suchlike. Do you think  
25 that you would have listened to the social workers if

1           they had sat down with you and talked to you about those  
2           things?

3   A.   Eventually probably.   Eventually.   Again like my mum  
4           didn't really talk about safe sex or anything like that  
5           and -- I don't know.   I do think maybe teenagers or  
6           teenage girls or whatever might believe certain things  
7           are okay if they've been taught that, but it's not okay.  
8           I probably didn't listen, but maybe eventually.   Don't  
9           know.   Don't know.   Obviously I feel different about my  
10          actions like from a child, like I feel different about  
11          it now.   So yeah.   Don't know.

12   Q.   When you say you feel different about it now, can you  
13          explain that a little bit more?   What's different now?

14   A.   Well obviously I know it's wrong.   I wouldn't act like  
15          that now.   I wouldn't want another child or teenager  
16          acting like that.   But obviously sit down and like talk  
17          to them or listen to them or ... I don't know.

18   Q.   Okay.   If we can go on, please, to the end of your  
19          statement when you talk about these things, 'Cathy', so  
20          page 28, paragraph 159, you talk about the importance of  
21          every child having someone outside the family who they  
22          can speak to.

23   A.   Yeah.

24   Q.   Can you tell us your thoughts about that?

25   A.   I just think outwith school, outwith the family, like



1 a child should have one person that they can trust and  
2 that's for them, that's a consistent relationship. So  
3 they can build up that trust. It can make a difference  
4 just having one person to rely on. Throughout like  
5 having several different workers throughout your life,  
6 it's hard. You can't build trust, you can't build  
7 security, you can't do anything like that. You just  
8 feel like you're like floating about everywhere.

9 So I do think it would be beneficial for children to  
10 have that consistency.

11 Q. You talk about that consistency and then you say that  
12 you think there needs to be more support offered by  
13 schools?

14 A. Yeah.

15 Q. Can you tell us your thoughts about that?

16 A. Like a support group or a support person. You know,  
17 like a safe place. Like chill-out places in schools in  
18 case it gets too much. Anxiety, depression. I don't  
19 know.

20 Q. Okay. So are you thinking about that person being  
21 a teacher or are you thinking about that being somebody  
22 else?

23 A. Somebody else. Like someone else, like yeah, like  
24 another --

25 Q. Who works specifically with children?

1 A. Yeah, that's maybe got like -- I don't know, experience  
2 in dealing with trauma or whatever, but yeah. Who maybe  
3 works as a support worker or something like that.

4 Q. Okay, and you're not talking about a social worker  
5 either then?

6 A. No.

7 Q. Okay. Then at paragraph 160 you talk about there needs  
8 to be one place where a social worker or care worker can  
9 go and read about a child's situation instead of a child  
10 having to repeat themselves?

11 A. Yeah.

12 Q. Do you think it's important that if, for example,  
13 a child has suffered abuse, that that's noted down  
14 somewhere and --

15 A. Yeah.

16 Q. -- they don't have to repeat it to a new person?

17 A. Yeah. Like I don't know, trauma, like if a child is  
18 going into care, like they should really deal with the  
19 trauma while the child is in care. I think it would  
20 prevent so much mental health when they get older. So  
21 yeah, definitely deal with the trauma at that point.  
22 That's probably why I kind of was reckless, because the  
23 trauma wasn't dealt with. Yeah.

24 Q. Then at paragraph 162 you talk about the difficulty  
25 that, for example, a foster carer might face taking

1 a child who has grown up in a toxic environment.

2 A. (Witness nods)

3 Q. You say there:

4 "When a child grows up in a toxic environment, they

5 don't develop in the same way as other children ..."

6 A. No.

7 Q. So even if the foster carers are okay, issues might

8 still arise?

9 A. Your brain does develop differently. Like obviously

10 you're traumatised every day or whatever the situation

11 is, but your brain -- it's like clouds when you're

12 a child. Like you don't have the awareness or the

13 capacity to deal with things like what an adult would.

14 So, I don't know, there needs to be some form of

15 something that can deal with these things, I think, so

16 yeah.

17 Q. Okay. You talk about the importance of workers looking

18 out for the reasons why a child might act out?

19 A. Yeah.

20 Q. So understanding behaviour?

21 A. But then they should already know that if they've read

22 their records or if they've been working with the child.

23 They should already know that. Yeah.

24 Q. Okay. Then you talk about relationships with workers

25 and you talk about them needing to be more human and

1 maybe sharing about themselves. Does that reflect back  
2 on your relationship with Claire, the worker that you  
3 spoke to?

4 A. Yeah. And I've had a good worker, a support worker,  
5 Laura. She was a good support worker for years.  
6 I didn't really know much about her background when she  
7 was supporting me, but now like we're friends now and  
8 I know more about her background and it's like -- you  
9 understand or -- yeah, I don't know. It just kind of  
10 made me feel bad to learn about her trauma. Yeah.  
11 Don't know. But obviously not talk about their trauma,  
12 but maybe just like just be more normal, more human.  
13 Like I don't know, I think a child like when you're in  
14 care it's all formal, it's all written down, it's all --  
15 I mean it's just fake. It's just -- I don't know. If  
16 a child feels like they're in a normal situation as well  
17 they might feel a little bit more safer. I don't know.

18 Q. To talk about what's happening?

19 A. Yeah, or just be themselves or -- yeah, just -- yeah.

20 Q. Okay. You talked about the importance of a relationship  
21 of trust, I think --

22 A. (Witness nods)

23 Q. -- and that might give the child the ability to open up  
24 about any abuse that has been suffered?

25 A. Yeah.

1 MS INNES: I've come to the end of my questions for you,  
2 'Cathy', so thank you very much for your evidence.  
3 A. Thank you.  
4 MS INNES: There are no applications, my Lady.  
5 LADY SMITH: Are there any outstanding applications for  
6 questions of 'Cathy'?  
7 'Cathy', as Ms Innes says, that completes the  
8 questions we have for you. Thank you so much for  
9 engaging with us --  
10 A. Thank you for listening.  
11 LADY SMITH: -- both by providing your written statement,  
12 which of course is evidence before me and I have read  
13 and carefully considered that already, but also by  
14 coming along to give evidence in these public difficult  
15 circumstances this morning. I'm grateful to you for  
16 doing that.  
17 A. Thank you.  
18 LADY SMITH: I'm able to let you go and I hope you can relax  
19 for the rest of the day.  
20 A. Okay. Thank you.  
21 (The witness withdrew)  
22 LADY SMITH: Ms Innes.  
23 MS INNES: My Lady, Ms Rattray has a short read-in to do  
24 just now.  
25 LADY SMITH: Thank you very much.

1           While you're swapping over I should mention the name  
2           ██████████, who are foster parents also protected by my  
3           general restriction order and they can't be identified  
4           outside this room.

5           Ms Rattray.

6 MS RATTRAY: My Lady, the next read-in is a read-in of  
7           a witness who has the pseudonym 'Christine'.

8 LADY SMITH: Thank you.

9 MS RATTRAY: And 'Christine's' statement is at WIT-1073.

10 LADY SMITH: Thank you.

11                               'Christine' (read)

12 MS RATTRAY: My Lady, 'Christine's' parents were foster  
13           carers for Banff County Council. An applicant using the  
14           pseudonym 'Mike' was boarded out with her parents on  
15           ██████████ 1957 and he remained with them until he turned  
16           18. 'Mike' gave oral evidence on Day 292, which was  
17           8 June 2022.

18 LADY SMITH: Thank you.

19 MS RATTRAY: 'Mike' was in the care of Banff County Council  
20           in a part which is now covered by Moray Council, part of  
21           Banff County Council also falls within Aberdeenshire.  
22           Records in respect of 'Mike's' time in care were also  
23           recovered from Moray Council, indicating that they are  
24           indeed the responsible authority.

25           "My name is 'Christine'. I was born in 1939. My

1 contact details are known to the Inquiry.

2 My husband is now deceased. We have children  
3 together.

4 After I left school I was employed as a weaver.  
5 After that, I worked in Buckie and then at a shop.

6 My parents are both now deceased. I had an older  
7 brother and a younger brother, who are also now  
8 deceased.

9 We lived in Keith, which was a house comprising of  
10 a kitchen, living room, three bedrooms, a bathroom and  
11 a garden outside. My memories before sharing my home  
12 with foster children is that life was pretty normal, if  
13 basic, in rural 1950s Banffshire.

14 My parents started to foster children in the 1950s.  
15 I found out when my mother told me she was fostering  
16 a boy and I felt okay about it.

17 I don't really know the reason my parents wanted to  
18 foster but I think my mother wanted to help a boy.

19 I don't remember anything about the process of my  
20 parents becoming foster carers, I wasn't involved in it.  
21 I also don't know if they got any training or written  
22 instructions or what support they got from the  
23 authorities. Similarly, I don't know if they had their  
24 own social worker or if they got any financial support  
25 to help look after children.

1           I don't know if my parents got to choose the foster  
2           care arrangement they undertook.

3           They only fostered one child, who was a boy called  
4           'Mike'. At the time they fostered there were five other  
5           people living in the household, who were my mother and  
6           father, my older brother, my younger brother and myself.

7           I don't know if I was related to 'Mike', nor if  
8           I knew him before he came to live with us.

9           I can't remember how much notice my parents got that  
10          'Mike' was coming to live with us, it was over 60 years  
11          ago. I don't know how long it was before 'Mike' arrived  
12          that I found out he was coming and I didn't know  
13          anything about his background.

14          There were no preparations made to help me adjust to  
15          the new living arrangements that I can remember, however  
16          as far as I do remember everyone settled into the new  
17          arrangements quickly and fine.

18          Our home was clean, tidy and well maintained. We  
19          all led normal lives, getting up in the morning and  
20          either going to work or school, coming home and helping  
21          out around the house, having evening meal and then going  
22          to bed in the evening.

23          I don't think any of the children in our home wet  
24          the bed, although I can't remember.

25          Everyone in the house had full access to the one



1 bathroom in the house. The bathroom door had a lock and  
2 all the children had privacy.

3 Everyone was clothed adequately. I presume my mum  
4 provided the clothes. I can't remember if 'Mike' had  
5 his own clothes, but back in those days everyone either  
6 shared clothes or wore hand-me-downs. 'Mike' would,  
7 however, have been smaller than the other members of the  
8 family.

9 Mealtimes were normal and the food was good. My  
10 mother prepared and cooked the meals and we enjoyed her  
11 cooking. Everyone in the household ate together and all  
12 ate the same food.

13 As happened at that time, children spent their free  
14 time playing outside with balls. 'Mike' also had access  
15 to toys, books and the radio. In those days we didn't  
16 do such things as going on shopping outings or to the  
17 cinema. I don't know if 'Mike' went to any club or  
18 other organisation.

19 I don't know if 'Mike' had his own personal  
20 possessions, I can't remember. I also can't remember if  
21 he got pocket money or treats.

22 There were no day trips or holidays at that time.

23 I was a bairn myself and I can only say that 'Mike'  
24 did go to school. I don't know if he went to the same  
25 school as me or if he changed school when he came to

1 live with my family. I don't know where homework was  
2 done, nor what help he might have got with homework.

3 Everyone went to church.

4 I don't know if 'Mike' got help learning for adult  
5 life as I had left the home by that time.

6 There was only one doctor, who looked after anyone  
7 who was ill. 'Mike' did not have to go to hospital.

8 We had a normal Christmas, which back then was  
9 a family dinner and was a time when everywhere was  
10 together.

11 Discipline was normal for the time. I got belted at  
12 school.

13 I don't know if 'Mike' kept in touch with his  
14 parents, other siblings or other relatives. I can't  
15 remember any contact but I don't know for sure.

16 I don't know if any officials visited our home.  
17 I can't remember as it was over 60 years ago.

18 'Mike' did not move placement while I lived at home.  
19 He was still there when I left to get married.

20 I had a good relationship with 'Mike'. We kept in  
21 touch and indeed I supported him with my late husband  
22 throughout his life. My husband got him a job on the  
23 oil rigs.

24 About three years ago, when I was 80, 'Mike'  
25 contacted me in an aggressive and threatening manner

1 saying he had said something saying that I had hit him  
2 and that he was going to the police. He bothered me on  
3 and off for a good while after that.

4 I was contacted by the police who interviewed me and  
5 said that if 'Mike' kept on bothering me I was to get in  
6 touch with them and I have not heard from him since.

7 'Mike' was treated just the same as me and my  
8 siblings by everyone in the household.

9 I am aware that 'Mike' has given a statement to the  
10 Scottish Child Abuse Inquiry. I have been provided with  
11 a copy of that statement.

12 'Mike' came to stay with us and was obviously a very  
13 mixed-up boy. I kept up with him until he married his  
14 third wife, then the contact stopped. He was an angry  
15 young boy, probably because of whatever happened in his  
16 early life. I don't know what that was.

17 I can't remember if he was ever given a sanction or  
18 punishment, but my mum was his carer. I never  
19 sanctioned or punished him."

20 From paragraphs 39 to 48, 'Christine' sets out  
21 excerpts from 'Mike's' statement in which he says that  
22 'Christine' abused him physically, hitting him with  
23 implements, including a poker, throwing him against  
24 walls, pulling his hair and kicking him, that she  
25 verbally abused him, that she directed her husband to

1 thrash him and that her mother watched her beat him. He  
2 also says that later in life he spoke to her in the  
3 street and asked why she used to beat him all the time  
4 and she said, "Beat you? I could have killed you any  
5 time", but on another occasion when he asked whether she  
6 remembered beating him on Facebook, she said that she  
7 never touched him.

8 Moving now to paragraph 49 on page 8:

9 "What 'Mike' says in his statement is untrue and  
10 I cannot understand why he would say such things. It's  
11 not possible that the passage of time has affected my  
12 recollection about what 'Mike' alleges.

13 I can't explain why 'Mike' has said these things,  
14 but I know there was a time when he started being  
15 aggressive towards me.

16 I accept that treating a child in the way 'Mike'  
17 describes wouldn't be right, but it is untrue to my  
18 knowledge.

19 I have no objection to my witness statement being  
20 published as part of the evidence to the Inquiry.  
21 I believe the facts stated in this witness statement are  
22 true."

23 'Christine' signed her statement on  
24 12 September 2022.

25 LADY SMITH: Thank you very much.

1 MS RATTRAY: My Lady, that concludes the evidence for this  
2 morning.

3 We have another oral witness who is due at  
4 2 o'clock.

5 LADY SMITH: Very well.

6 I will rise now and sit again at 2 o'clock.  
7 (12.50 pm)

8 (The luncheon adjournment)

9 (2.00 pm)

10 LADY SMITH: Ms Rattray.

11 MS RATTRAY: Thank you, my Lady.

12 The next witness is an applicant who wishes to  
13 remain anonymous and has the pseudonym 'Joe'. 'Joe' was  
14 in the care of Strathclyde Regional Council. The foster  
15 placement in which he alleged abuse was with a FSQ-SPO  
16 FSQ-SPO in Larbert from 1993 until  
17 1999.

18 He then moved for a short period to a second set of  
19 foster carers, a Mr and Mrs .

20 Both the and the FSQ-SPO were foster  
21 carers who were provided by the Barnardo's Special  
22 Family Service.

23 LADY SMITH: Thank you.

24 MS RATTRAY: 'Joe' also speaks of carers towards the end of  
25 his time in care, who were Mr and Mrs and were

1 supported carers.

2 The current responsible authority is Glasgow City  
3 Council.

4 'Joe' (affirmed)

5 LADY SMITH: 'Joe', if I could begin by asking you to try  
6 and stay in a good position for the microphone that  
7 would be really helpful, because we need to listen to  
8 you through the sound system.

9 The red folder on the desk there has your statement  
10 in it and you'll be taken to that in a moment or two.  
11 But we'll also bring the statement up on screen, it  
12 should be in front of you now on the screen there, and  
13 we'll go to the different parts of it we want to discuss  
14 with you as we're going through your evidence. You  
15 might find that helpful.

16 Otherwise, 'Joe', thank you for agreeing to do as  
17 you're now doing and coming and speaking in public about  
18 your experience in foster care. I know it's a big ask  
19 and I know it can be difficult. You may think you're  
20 not going to get upset and you're going to cope and you  
21 may suddenly find yourself getting upset. I get that  
22 and if there's anything I can do to help, whether  
23 allowing you a break out of the room or a pause sitting  
24 where you are or something else that would be helpful to  
25 you, please do let me know.

1 A. (Witness nods)

2 LADY SMITH: If it works for you, it'll work for me.

3 A. Sure.

4 LADY SMITH: If you're ready, I'll hand over to Ms Rattray  
5 and she'll take it from there, all right?

6 Questions from Ms Rattray

7 MS RATTRAY: 'Joe', to start with you have given a statement  
8 to the Inquiry and we've given that a reference which  
9 I'll read out: WIT.001.001.8429. That will appear on  
10 the screen in front of you.

11 To start with, I'd like you to go to the paper  
12 version, which is in the red folder to your side, and if  
13 you could actually go to the back page of your  
14 statement, which should be page 31, and the last  
15 paragraph there, paragraph 148, you say:

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

20 Is that correct?

21 A. Yes.

22 Q. That is fine. You can put that to one side now, thank  
23 you.

24 To start with, 'Joe', I'm going to ask you a little  
25 bit about how you came to be in care. You tell us you

1           were born in 1986?

2    A.   Yeah.

3    Q.   Is that right?  You give us some information about what  
4           you've been told about your life before you went into  
5           care.

6    A.   (Witness nods)

7    Q.   What do you know about your family background?

8    A.   I don't really know a lot.  I was never really told  
9           a lot.  It was always kind of -- because I was quite  
10          young it was kind of hush-hush up until I was a certain  
11          age, maybe 13 or 14, then I started to learn a bit more  
12          about my background.

13                Yeah.  But now I do know.

14   Q.   What was your background that you've learned about?

15   A.   My mother was an addict, my dad was a drinker, abusive,  
16          just quite hectic, hectic family life.

17   Q.   You say you've been told, who was it who told you about  
18          your family background?

19   A.   It was actually an old social worker I had, who used to  
20          have like a family book when I was younger, but it was  
21          never really anything negative in it.  It was -- what  
22          I mean is, as I said, it was kind of hush-hush till  
23          a certain age then I started to learn the kind of  
24          nitty-gritty about what actually happened when --  
25          I guess they thought I was ready and old enough to kind



1 of hear what kind of happened as a child.

2 Q. Do you have any memories of that early time yourself?

3 A. I have some, yeah. Even though they're vague, but yeah,

4 I still have quite a photographic memory, I would say,

5 with a lot of stuff.

6 Q. When you were taken into care, you think you were about

7 five years old, would that be about right?

8 A. I think I was a wee bit younger as well. I do vaguely

9 remember getting taken about different mother and baby

10 kind of places.

11 Q. Right.

12 A. Toddler kind of places. And then officially kind of

13 being placed about three or four years old, yeah. Maybe

14 five.

15 Q. I think to be honest with you, my apologies, 'Joe',

16 I think I got that wrong. You were right. What

17 I realise is that I'm looking at my notes and my

18 understanding is you were in Garfield Children's Home

19 until you were aged about five?

20 A. Yeah.

21 Q. You went into Garfield home with your brother; is that

22 right?

23 A. Yeah.

24 Q. What's the age difference between you and your brother?

25 A. Two years.

1 Q. He's older than you; is that right?

2 A. Yeah.

3 Q.  Secondary Institutions - to be published later

4

5

6

7

8

9 A.

10 Q.

11

12 A.

13 Q.

14 A.

15

16

17

18

19

20 Q.

21

22 A.

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Secondary Institutions - to be published later

Q. Moving now, 'Joe', to foster care, from paragraph 17 at the foot of page 3 of your statement, you tell us firstly about receiving visits from your new foster family when you were still in Garfield.

A. (Witness nods)

Q. What do you remember about those visits?

A. Vaguely again I remember a family showing up. Me and my brother were in a big room in Garfield, kind of had like bunk beds and I remember people coming in, spending a bit of time. Didn't really know about what was going on. But eventually kind of realised that these were going to be basically our new foster carers.

Q. Do you remember anyone sitting down and explaining to you who these people were or why they were visiting?

A. Not really, no. No. no.

Q. You do tell us that the social worker asked you if you'd like to go and live with them.

A. (Witness nods)

Q. Do you remember what your answer was to that question?

A. My answer probably would have been yeah. I'm kind of guessing any kid's answer would have been, "Yeah, let's do it".

1 Q. Moving on to paragraph 18, you tell us that you were  
2 fostered by [REDACTED], you and your  
3 brother?

4 A. (Witness nods)

5 Q. You think it was a Barnardo's foster placement and  
6 indeed we're aware that Barnardo's provided the foster  
7 carers, albeit you remained in the care of the Local  
8 Authority. About how old were the [REDACTED] do you  
9 think when you first went there?

10 A. They seemed a lot older. If I was putting my money on  
11 it, I would say they were maybe in their 40s. While  
12 I was that age, that would have seemed about right from  
13 how they looked.

14 Q. Did they have a family of their own?

15 A. They had two daughters.

16 Q. What kind of ages were the daughters when you first went  
17 there?

18 A. One was 21 and one would have been about 24/25, maybe.

19 Q. Who all was living in the house?

20 A. There was just two foster carers and the youngest  
21 daughter, I think it was, [REDACTED].

22 Q. Did the foster carers have jobs?

23 A. They did. I still refer to them as mum and dad --  
24 actually that's how I've always kind of referred -- but  
25 the [REDACTED], they were a physiotherapist and one

1 worked in retail.

2 Q. Were they working full time?

3 A. Yeah.

4 Q. You mentioned that you called them mum and dad.

5 A. Yeah.

6 Q. Did you call them that from the outset or did that --

7 A. I think so. I think it was pretty early. Didn't take

8 long for me and my brother to call them mum and dad.

9 Q. Was that something you were wanting to do at the time?

10 A. I don't know. I can't remember if it was kind of asked

11 to call mum and dad or if it was kind of pushed.

12 I don't know if it just happened. Yeah.

13 Q. Paragraph 19, what were your first impressions when you

14 went to live with the [FSQ-SPO] ?

15 A. It seemed okay. I always had a good relationship with

16 the foster mum. Her I got on really well with, I had

17 a good bond with, but I never really always had a good

18 bond with her husband, [FSQ] But yeah.

19 Q. I think you tell us there that you thought it was quite

20 a nurturing placement at the start.

21 A. (Witness nods)

22 Q. In what way did you find it was nurturing?

23 A. I think just in the fact that somebody's taken you into

24 their home and wanting to spend time with you and

25 showing you some love and -- yeah, being compassionate

1           and just, yeah, being part of something different.  
2           Something that you're not used to.

3   Q.   You also mentioned the cooking and you say that your  
4           foster mum was a fantastic cook?

5   A.   Yeah, I still say that now, yeah, fantastic, still.

6   Q.   What about your foster father, foster dad? You describe  
7           him as strict and old-fashioned in his ways. What makes  
8           you say that?

9   A.   Just the way you were kind of disciplined and just --  
10           again, when you look back it seemed normal at the time,  
11           maybe that's just how families worked, but back then you  
12           were never allowed to go in sit in rooms, you weren't  
13           allowed to go and get something to eat without pretty  
14           much begging for something. It was all kind of -- yeah,  
15           just military kind of based. And it was weird, because  
16           they weren't like that with their daughters.

17   Q.   Is it possible, your recollection that they weren't like  
18           that with the daughters because the daughters were  
19           almost adults or adults? Is that possible or did you  
20           sense there was a difference in treatment for other  
21           reasons?

22   A.   I couldn't really say. I've never really been told  
23           much. I have spent time with one of the foster --  
24           ██████████, maybe going back maybe five years ago and  
25           stuff, and she says when she was younger they were

1           pretty strict as well. He's never really changed.  
2           That's kind of how he's been.

3   Q.   Okay. You give some examples of that at paragraph 20  
4           and you've mentioned that you had to ask if you wanted  
5           a drink or a biscuit or something.

6   A.   (Witness nods)

7   Q.   And you'd get into trouble if you did it without asking?

8   A.   Yeah.

9   Q.   Okay. When you got into trouble, what form did the  
10          trouble take?

11  A.   You'd have obviously vocal -- get shouted at. Going on  
12          periods of time within obviously the placement I'd get  
13          threatened with a belt. I've been smacked and -- sorry  
14          about my language, but basically smacked on the  
15          backside. You know, loads of weird punishments I would  
16          say. A lot -- again at the time that you think are just  
17          ordinary, but the more you get older you realise, well,  
18          hang on a minute, he should never have done it. Yeah,  
19          there's a lot of weird ...

20  Q.   You mentioned one of the rooms you couldn't go into, you  
21          mentioned that would be their bedroom. I think you make  
22          the point but kids normally go and sit with their  
23          parents or jump around on their bed in the morning or  
24          something like that?

25  A.   Yeah, it's true. I have kids myself now and they're

1 always in my bedroom, like can't get them out my  
2 bedroom. It's just weird that -- again that's why  
3 I think about old-fashioned, maybe just didn't allow  
4 kids in their room, they wanted their own privacy.

5 We -- me and my brother started off in a room and  
6 then we got kind of moved into a loft a couple of months  
7 into -- maybe within a year in the placement, kind of  
8 just had to climb a ladder to get into it, you know, so  
9 it was a bit weird.

10 Q. So the room that you'd been in before --

11 A. They turned that into their own bedroom. So that was  
12 our room and then they turned it into their bedroom and  
13 their bedroom had been turned into a -- an office for  
14 his work and then we got put in the loft.

15 Q. Right. You mention if they had people over for dinner  
16 that you would get shunted away. Tell us about that.

17 A. Yeah. Again it sounds really weird. It was as if we  
18 were like slaves. We'd help to make the dinner, help to  
19 cook the dinner, help to set the table, but we were  
20 never part of the dinner. It was always like we would  
21 have something completely different in the kitchen while  
22 they were entertaining guests. So it was never as if  
23 you were -- sometimes it didn't feel you were part of  
24 the family. You were just there to kind of tidy up and  
25 do chores and -- yeah.



1 Q. You say that your response to that seemed to be that the  
2 more their attitude towards you changed --

3 A. Yeah.

4 Q. -- you started to respond. In what way were you  
5 responding?

6 A. I would say I was quite negative. Like I kind of just  
7 started doing -- ah, I didn't listen. Like with the  
8 whole -- the whole food stuff, I would always steal food  
9 because I was never allowed to take food. I would steal  
10 biscuits and sweets. I would start stealing money  
11 because we'd never get any money in the hand or  
12 anything. I would just kind of start acting out.

13 Q. You went there when you were about five years old, so  
14 about what age did you start acting out, do you think?

15 A. I would say within the first year.

16 Q. Right.

17 A. That's where things just started to change a wee bit.  
18 I started -- the school they put me in I got expelled  
19 straight away from -- not expelled, but I kind of got  
20 told to leave because I was just -- yeah.

21 Q. What about your brother? Was he doing the same or was  
22 he different?

23 A. No, he ... he was always treated a bit different to me.  
24 He was always -- maybe just because he never got caught  
25 doing anything, he was just -- if I was to look back on

1           it, it was like he was left to his own accord and I was  
2           always under scrutiny. Yeah.

3   Q. Okay. At paragraph 22 of your statement, 'Joe', you  
4           tell us about the bathroom --

5   A. Mm-hmm.

6   Q. -- and where it was you could go and have a shower or  
7           a bath or something. Tell us about that?

8   A. So again within the first year we were allowed to use  
9           the bathroom in the house but apparently we were just  
10          too messy, so there was a big -- you'd have to go  
11          outside, down steps, down into a bottom part of the  
12          garden and into a basement basically where there was  
13          another bathroom and shower. That's where we got told  
14          to shower and use the toilet. We weren't allowed to use  
15          the toilet in the house any more.

16   Q. What happened if you needed the toilet during the night?

17   A. You had to go downstairs to use the toilet outside,  
18          downstairs basically, yeah.

19   Q. You said that you were told because you made a mess?

20   A. Yeah.

21   Q. As an adult now thinking about kids making a mess in the  
22          bathroom --

23   A. It's normal.

24   Q. -- what's your take on that?

25   A. I think it's terrible. I think it's horrendous being

1 told to go out in the freezing cold or wake up in the  
2 cold mornings and having to go outside downstairs into  
3 a dingy -- not even a nice bathroom, just kind of  
4 plywood round about the walls because it was a gym  
5 downstairs, because he used to teach karate and stuff,  
6 boxing ...

7 Q. On the question of chores, you tell us you had to do  
8 chores, what kind of chores did you have to do?

9 A. Everything. Everything you could think we had to do.

10 The garden, without lying, was about the size of  
11 a football pitch, had to mow the grass, do the weeding,  
12 everything. Like literally the car, hoovering, dusting,  
13 polishing, everything.

14 Q. Who was doing that? Was that you and your brother?

15 A. Mostly me. My brother was always in a lot of clubs so  
16 he was always quite busy doing his own thing. Compared  
17 to me, he was quite academic. Part of debate clubs,  
18 doing really well in high school, primary school. Yeah,  
19 so generally I felt it was always me having to do most  
20 of the work.

21 Q. What about the other people in the house, the grown-up  
22 daughters or whatever. Were they out doing the  
23 gardening?

24 A. ██████████ ended up moving out, so it was just us that  
25 were left in. And it was a huge garden to maintain.

1 A huge house to maintain.

2 Q. You say at paragraph 22 it started to feel as we were  
3 being segregated. Sorry, that's in relation to the  
4 bathroom.

5 A. Yeah.

6 Q. Who was doing the chores, did that contribute to that  
7 feeling at all?

8 A. Definitely. You'd always see your friends out playing  
9 and you can't go out to play until you've mowed the  
10 grass or do this, do that. But again you just think  
11 it's normal, but then you start to go, "How come my  
12 other pals aren't doing it?"

13 Q. What kind of age were you when you first had to mow the  
14 grass, do you think?

15 A. Probably six.

16 Q. What kind of lawnmower was it?

17 A. Petrol.

18 Q. It was a petrol one?

19 A. Petrol.

20 Q. Did you have to start it yourself or was it started for  
21 you?

22 A. Yeah -- I suppose that was -- again, when you look at  
23 kind of positives, you were kind of taught stuff that  
24 you'd never learn, but I suppose it was at a really  
25 young age. But yeah, there's a lot of stuff that

1 I learnt that my friends didn't know.

2 Q. My understanding is that you do want to bring out that  
3 there were positive parts to the placement?

4 A. Loads of positive -- definitely, loads of positive  
5 parts.

6 Q. I think one of those is at paragraph 24, where you say  
7 that the **FSQ-SPO** were quite an active family so you  
8 did lots of sort of activities?

9 A. Yeah.

10 Q. So what kind of activities were you doing as a family?

11 A. A lot of cycling, going away hill walking all the  
12 time -- I hated hill walking, but we had to do it, never  
13 had a choice. But -- hated it at the time but you look  
14 back on it now and you think kind of glad I done all  
15 that. Holidays to like Center Parcs in Guernsey and  
16 stuff, stuff I'd never experienced before. So I can  
17 always look back and go yeah, I did enjoy some of it.

18 Q. I think you say that you have fond memories from Center  
19 Parcs and you take your own kids there now?

20 A. Yeah.

21 Q. In relation to school, did you enjoy school?

22 A. No.

23 Q. What were the problems about school?

24 A. Just never seemed to fit in anywhere I went. Yeah.  
25 I remember -- obviously at that time there was not

1 really a lot of coloured people in schools. I think the  
2 first school I went to it was just me and my brother  
3 were the only kind of -- me and my brother never ever  
4 got along, so there was always talk about separating us  
5 at schools anyway, so he got put to one school, I got  
6 put to another, he got put to one high school I got put  
7 to another. But yeah, I got expelled from every school  
8 I was in while I stayed there.

9 Q. I think as part of your problems at school, I think  
10 whilst in the placement you ended up at three different  
11 primary schools?

12 A. Yeah.

13 Q. In relation to birthdays and Christmas, I think you say  
14 that these were usually pretty good?

15 A. Generally, yeah. Starting off.

16 Q. You remember one exception to that, that there was one  
17 year when you didn't get many presents and why was that?

18 A. Apparently I'd just been too badly behaved all year in  
19 school and -- yeah. It wasn't the best. I do remember  
20 waking up in the morning feeling a bit disappointed,  
21 especially looking at my brother, seeing all the stuff  
22 that he was kind of getting and mine was all ... I know  
23 you need to be thankful for everything you get, but as  
24 a kid it was all just kind of educational and -- yeah,  
25 clothes.

1 Q. In your statement you say that it was made clear to you  
2 that you received less because you had been misbehaving?  
3 A. Yeah.  
4 Q. And you had to sit and watch your brother opening all  
5 his big presents?  
6 A. Mm-hmm.  
7 Q. How did that make you feel?  
8 A. I would say I was really disappointed. But that's how  
9 it was.  
10 Q. Did it affect your relationship with your brother in any  
11 way, do you think?  
12 A. I don't think me and my brother's ever had  
13 a relationship. Even now we don't have one. We've  
14 never had a strong bond. More so at the FSQ-SPO we  
15 just never had a bond. We always fought, we always  
16 argued. We got made to fight each other in the gym.  
17 Q. Who was it made you fight each other in the gym?  
18 A. The foster dad. Because it was a gym. He'd always say,  
19 "Right, go down, put boxing gloves on and sort it out".  
20 Q. "Sort it out", so if you weren't getting on with your  
21 brother, his suggestion to try and deal with it was to  
22 put boxing gloves on?  
23 A. Yeah.  
24 Q. Did that help you build your relationship with your  
25 brother?

1 A. No. If I was to go back and think about when that kind  
2 of stuff was happening, I did enjoy it, I did enjoy  
3 getting to kind of beat my brother up, but what younger  
4 brother wouldn't like to do it? But now, again, as you  
5 look back on it, it's wrong. You shouldn't be competing  
6 with each other.

7 Q. In relation to your birth family, did you have any  
8 contact with any relatives?

9 A. No. I always asked. More so out of me and my brother.  
10 My brother would never ask anything, I remember that, he  
11 was never interested, but from a very young age I was  
12 always interested in my real family. But again it was  
13 all kind of -- yeah -- swept away. Never really got  
14 a response.

15 Q. You say at paragraph 29 in your statement, 'Joe', you  
16 say when things went wrong you would ask to go and live  
17 with your real parents and would be made to pack your  
18 bags?

19 A. Yeah. A lot of times. So if I had been getting into  
20 trouble, like any kid did you'd cry and I would always  
21 say, "I don't want to live here, I want to go and live  
22 with my real parents", they'd say, "Right, okay, we've  
23 got hold of your mum, social work are aware, you can go  
24 and stay with her, go and pack your room up". And  
25 they'd literally make me pack my full room up and then



1           in the end they would say, "Oh, she doesn't want to come  
2           and get you any more". And that was it.

3    Q. Who was it who made you pack your full room up?

4    A. Foster dad.

5    Q. Then you'd be told that someone didn't want to come and  
6           get your after all?

7    A. That your mum didn't want you and you're staying here.

8    Q. Although you might have said something like, "I want to  
9           leave", you say like other children do if they're  
10           getting a row, was that something you meant at the time  
11           or did you not really mean it, you were just --

12   A. I think I used to say it a lot of times. I said a lot  
13           of things a lot of times. I would always say I wanted  
14           to leave there, because they just were so strict, with  
15           me anyway, but I think when it came to the crunch,  
16           because I'd kind of -- I would say I'm quite  
17           an attachive person. Once I attach to somebody, I kind  
18           of -- that's it, you know. Deep down I didn't really  
19           want to go, but at the point of being angry and upset  
20           I would always want to -- surely there must be something  
21           better than here. That was my kind of outlook.

22   Q. Against that background, how did you feel when you were  
23           told to pack your bags and get everything in your room  
24           and you were going?

25   A. At the point -- if I was to remember probably happy,

1 thinking oh yeah, I'm going to go and see my mum again  
2 and this and that, and then obviously be a bit crushed  
3 when you got told, "No, they don't want ... they don't  
4 want you".

5 Q. You mentioned that you wrote a letter to your mum once?

6 A. (Witness nods)

7 Q. And the social worker brought a reply back to you?

8 A. Mm-hmm.

9 Q. How did that make you feel?

10 A. Butterflies, because it was the kind of first time any  
11 of that kind of happened.

12 Q. Were you wanting to maintain that kind of contact?

13 A. Yeah. I've always -- I was always quite a -- as I said,  
14 I always homed in and always wondered what was.

15 Q. Were you able to maintain that contact by letter or  
16 cards or anything?

17 A. No. No. I think I can only go back and say that I was  
18 always told that my mum wasn't well enough to kind of  
19 maintain that kind of contact.

20 Q. What do you remember about any social workers coming to  
21 visit?

22 A. So you'd have -- I had a -- my social worker at the time  
23 was Frances Shah and there was a Barnardo's worker, Ros.  
24 And everything was just always so great. He was always  
25 getting me to think this is just magnificent before they

1           came. You were allowed to go into the sweetie cupboard,  
2           you were allowed to do anything, because now you're  
3           looking at they wanted you to basically tell the social  
4           worker everything's amazing, when it really wasn't.

5   Q. I think you say that you remember things were always  
6           good in the build up --

7   A. Yeah.

8   Q. -- to a social work visit and that's like being allowed  
9           to have sweeties and --

10 A. Yeah, pretty much.

11 Q. Okay. Do you remember being spoken to on your own by  
12           any social worker?

13 A. No.

14 Q. I think you say that you remember the Barnardo's worker  
15           coming out to visit and having meetings quite often.

16 A. (Witness nods)

17 Q. Her name was Ros Was.

18           "I don't remember how often the social worker  
19           Frances Shah visited, but it wasn't very often."

20           How often do you think Frances Shah did visit, that  
21           you can remember?

22 A. Not too often, I don't think. I can't really remember.  
23           A few occasions but nothing -- but more seen Ros  
24           probably more than what I did my social worker.

25 Q. Ros, how frequently did she come, do you think?

1 A. A good couple of times a year, I would say. It seemed.

2 Q. If we turn to paragraph 31 of your statement, here you

3 tell us that the social workers came up with the idea

4 that you should spend time with an Asian family in

5 Edinburgh.

6 A. (Witness nods)

7 Q. What do you remember about that?

8 A. I vaguely remember things weren't going well in school,

9 just things weren't going good at all and it was

10 proposed that I go and spend a bit of time with this

11 family in Edinburgh. At the time it seemed okay.

12 I went and done skiing, learned something else I didn't

13 know how to do. Never ever thought the FSQ-SPO were

14 happy about it, but it happened.

15 Q. What about your brother? Did he go as well?

16 A. No.

17 Q. After that came to an end, do you remember ever being

18 asked questions about what happened when you were

19 visiting that family?

20 A. Vaguely. Like all I remember is getting told that their

21 son had been hit by a train at Waverley and were no

22 longer able to maintain the contact. Obviously being

23 jogged my memory today I do vaguely remember some stuff

24 about Mr GFZ behaviour, but again I was young so

25 I can't really go into too much detail because I can't

1           really remember.

2   Q.   What kind of things about Mr GFZ behaviour, even if  
3       you can't recall the detail?

4   A.   Just about maybe appropriateness, about how he was round  
5       about you, again the touchy-feely cuddly kind of stuff.  
6       Yeah.

7   Q.   Do you remember at the time being concerned at all?

8   A.   Again, just by going by memory, I think I kind of knew  
9       it was weird, but it didn't bother me. Do you know what  
10      I mean? I was young, I was enjoying getting taken  
11      skiing, I was joying actually being part of a family, do  
12      you know what I mean, enjoying people actually paying  
13      you attention and not having to just make you do stuff  
14      all the time.

15           Yes, so if I look back I think I did enjoy it.

16   Q.   So what you got with that family was people giving you  
17      some attention?

18   A.   Yeah.

19   Q.   Which in contrast you didn't feel you were getting in  
20      the FSQ-SPO ; is that right?

21   A.   Yeah.

22   Q.   And on to the question of discipline and you've  
23      mentioned something about this already, 'Joe', and you  
24      say that discipline was enforced by just the foster dad  
25      and you feel it was just you who got it in the neck

1 a lot of the time?

2 A. Yeah. I probably couldn't even tell you a time my  
3 brother was ever treated the way I was treated like in  
4 that kind of sense.

5 Q. You say that a lot of the things you got in trouble were  
6 for things done by your brother?

7 A. Yeah.

8 Q. If that happened, did you speak up and say, "It wasn't  
9 me, it was him"?

10 A. I was never believed. I was always the one that was in  
11 bother, I was always the one in school getting into  
12 mischief, I was -- yeah, it was always me.

13 Q. You say that you got shouted at and grounded, but the  
14 foster father never resorted to violence but there was  
15 always the threat of it?

16 A. Yeah.

17 Q. And I think you referred to the belt thing?

18 A. Yeah.

19 Q. What was the threat?

20 A. Lots of times getting chased up the ladders -- I used to  
21 crawl up the ladders -- with a belt. I do remember  
22 being smacked, but again smacking was allowed then,  
23 I think. But --

24 LADY SMITH: Where were these ladders?

25 A. Just -- so as you come in the main door, they would have

1           been like if you came in the main door to your left  
2           would have been his office, to the right would be  
3           basically the good room where everybody would have  
4           dinner and entertain, then would be their bedroom,  
5           toilet ahead and then a set of ladders, which were  
6           a couple of years in were then made into stairs. It  
7           would go into two bedrooms upstairs.

8   LADY SMITH: Can you tell me anything about the belt, like  
9           what it was made of, what it looked like?

10   A. Just an ordinary belt, one that he would take off.

11   LADY SMITH: Okay.

12   A. Yeah.

13   LADY SMITH: With a metal buckle?

14   A. Yeah.

15   MS INNES: You say he threatened you with the belt.

16   A. (Witness nods)

17   Q. But you don't recall that he ever hit you with the belt?

18   A. I don't recall him actually ever hitting me with a belt.

19   Q. You also say something about he would sit you on a chair  
20           in a room in the dark?

21   A. Yeah.

22   Q. Tell us about that?

23   A. Again, it was like just obviously unruly behaviour  
24           again. It was a weird one, I was grounded, not allowed  
25           out. I was told to strip and go to my bed and then

1 I was basically just out in my T-shirt, it would just  
2 hang over me, told to sit in a chair, he'd turn the  
3 light off, pretend he'd left the room and then come and  
4 slap my feet. Weird.

5 Q. He would come and slap your feet?

6 A. Yeah.

7 Q. Were your feet on the ground?

8 A. Just hanging from a chair.

9 Q. And he would slap them?

10 A. Mm-hmm.

11 Q. What would he slap them with?

12 A. His hands: and I remember after that one of my friends  
13 came to the door to for me and asked me to come out and  
14 play and I wasn't allowed to go out and play and he made  
15 me go to the door with just my T-shirt hanging over and  
16 then said, "If you want to go out and play, you'll go  
17 like that", and I was going to go like that but he was  
18 like, "No, get in".

19 Q. When you say you just had your T-shirt hanging over, you  
20 didn't have a pair of pants on or pyjama bottoms or  
21 anything like that?

22 A. No.

23 Q. You tell us in your statement that once you were on the  
24 chair you weren't allowed to move?

25 A. (Witness nods)



1 Q. Approximately for how long would you have to sit in the  
2 chair?

3 A. It could be hours. Loads of weird punishments that  
4 would come -- well, he'd come up with. Yeah.

5 Q. How were you feeling when you were sitting on the chair  
6 in the dark?

7 A. Annoyed but it was weird because he ended up -- after  
8 a bit of time he ended up making it like a game and then  
9 it was kind of laughed off basically. But I still look  
10 back at it and it's just wrong. Just weird.

11 Q. You tell us at paragraph 35 that you used to play up  
12 quite a bit when your foster father was away.

13 A. Mm-hmm. All the time.

14 Q. What did your foster mum do about that?

15 A. She would never do anything. She would always just say,  
16 "Just wait until he comes home".

17 Q. How did you feel waiting for him to come home?

18 A. Scared. I would always like run up the stairs, because  
19 I knew I was just going to get into absolute bother.  
20 Yeah.

21 Q. You say in your statement:  
22 "I always remember being worried about what he was  
23 going to do to me."  
24 Is that right?

25 A. (Witness nods)

1           Because that was the feeling you had. That was  
2           always the -- "wait till he gets home", and at the time  
3           it would never bother me, until I knew he was about to  
4           come home and then I'd go, "Oh no".

5   Q.   Moving on to a different topic, 'Joe', and that's  
6           Children's Hearings. You say you remember going to  
7           Children's Hearings which you think were in Bell Street  
8           in Glasgow?

9   A.   Yeah.

10  Q.   You describe it as quite an eerie place to go as a kid.  
11           Can you tell us why you describe it like that?

12  A.   There never seemed to be anybody there. Like you would  
13           go in and it was just a wee reception and then you sat  
14           yourself the whole time.

15  Q.   I think you say that they'd ask you questions at a big  
16           table?

17  A.   (Witness nods)

18  Q.   How many people were at the table, do you think?

19  A.   Generally quite a lot. One of your big kind of round  
20           tables, people all sitting around it.

21  Q.   You say that you've always been a talkative person, even  
22           as a wee boy, and you didn't shy away from talking?

23  A.   Mm-hmm.

24  Q.   But you only ever mentioned the good things and you  
25           never mentioned anything that was annoying or upsetting

1           you in foster care?

2    A.  It was always kind of -- again, it was like the social  
3           worker visiting you in your house.  It was as if you  
4           were kind of prepared to kind of be like, "Everything's  
5           great, this is that, this is good, this is great",  
6           remember tell them about the holiday we're going on,  
7           remember telling them about the mountains we've just  
8           climbed.  It was always drilled in, that's the kind of  
9           stuff that was in your head when you'd go.

10   Q.  Was there any time that you felt you could have spoken  
11           up at the Children's Hearing and said you were unhappy  
12           about anything?

13   A.  No.  I don't think there was ever an opportunity where  
14           you were ever alone to kind of -- for somebody to go,  
15           "Is everything really okay"?  Or, "Are you sure?"  There  
16           was never any kind of thing like that.

17   LADY SMITH:  When you were at the Children's Hearings were  
18           you ever given a questionnaire to fill in?

19   A.  Yeah.

20   LADY SMITH:  What do you remember about?

21   A.  It was like silly questions, like I remember writing  
22           stuff like, "Mum is my favourite" and all weird kind of  
23           things and things we used to do and yeah.

24   LADY SMITH:  Were there cartoon --

25   A.  Yeah.

1 LADY SMITH: -- depictions on it?

2 A. Yeah.

3 LADY SMITH: How did you feel about being given that at all?

4 A. I was young, so it was something different. It was --

5 I remember the cartoons, I used to sit and colour them

6 in while you're waiting. Mine always referred to the

7 foster mum. There was never really anything about the

8 foster dad on it. So mine was always like praising the

9 foster mum. Now I don't really know why nobody ever

10 clicked on, why is he always just ...

11 LADY SMITH: Thank you.

12 MS RATTRAY: You were saying positive and good things about

13 the foster mum, but you just didn't mention the foster

14 dad?

15 A. Yeah, unless it was about activities.

16 Q. Did you feel that someone should have picked up on

17 perhaps there wasn't such a good relationship with the

18 foster dad?

19 A. I think my brother had more of a bond with the foster

20 dad than what I did. I was -- I would say I was quite

21 a motherly person.

22 Q. You say you remember that everything was always good in

23 the run-up to the hearings?

24 A. Yes.

25 Q. Is that in the same way as it was good in the run up to

1 visits by social workers?

2 A. Very much, yeah. I remember going to a hearing and we  
3 were kind of ushered out quickly, because apparently my  
4 mum was in another room under the influence and I'd  
5 vaguely seen her briefly for like two seconds, so that  
6 was a bit weird.

7 Q. You say it was weird. How were you feeling about that  
8 at the time?

9 A. Intrigued. I didn't really -- we didn't really know  
10 what was going on until we were told, "Your mum was  
11 invited to come to one of the hearings, she's turned up  
12 and she's under the influence and you can't see her".

13 Q. The times you were in the hearings, your mum wasn't in  
14 the same hearing at the same time?

15 A. No -- yeah. I didn't know ... any of them she'd be  
16 allowed to go to them.

17 Q. Moving on to a topic it's under the heading of  
18 "healthcare" but at paragraph 37 you say:

19 "I went through a stage when I wished I was someone  
20 else."

21 A. (Witness nods)

22 Q. Can you help us to understand why that was?

23 A. I think when you're maybe lying in your bed and you're  
24 drifting off to go to sleep you kind of think of  
25 everything that's happened in that day or you might have

1        been given into trouble or you're hating everything and  
2        you just imagine yourself as somebody else having  
3        a better time, being in a better place, just it's that  
4        time you can just forget who you are and always think of  
5        something better.

6    Q.    You say that you were taken to see psychologists --

7    A.    Mm-hmm.

8    Q.     Secondary Institutions - to be published later

9

10   A.

11   Q.

12   A.

13

14   Q.

15   A.

16   Q.    Did you feel believed by the foster carers?

17   A.    I did, yeah. They -- we would always kind of sit at the  
18        table and go over things, just random subjects all the  
19        time. Again there was one where they made us tell as  
20        many racist jokes as we could. That was a weird one as  
21        well. I think I had learned a joke at school and I'd  
22        come back and I'd said it and we were sat around the  
23        table and they said how many more can you come up with  
24        and made us say loads of racist jokes. It was just  
25        weird things. And we would go into different subjects

2

3 Q. You say that nowadays you'd be diagnosed with something  
4 like ADHD?

5 A. I think I genuinely did have something.

6 Q. But back then it was just thought that you were  
7 misbehaving?

8 A. Or too much sugar.

9 Q. You say too much sugar. You mentioned something on  
10 a sugar-free diet.

11 A. Yeah, one of the psychologists told them to put me a  
12 no-sugar-at-all diet, where I was drinking soya milk  
13 and -- just not good.

14 Q. At paragraph 41 you also tell us that your foster  
15 father, who was a physiotherapist, also tried things  
16 like acupuncture to try and calm you down?

17 A. Yes, I had needles all sticking out of all my legs and  
18 all my arms.

19 Q. What did you think about that at the time?

20 A. Curious.

21 Q. Do you feel it helped at all?

22 A. No.

23 Q. You also mention that the foster carers' daughter was  
24 training to be a psychologist --

25 A. Yeah.

1 Q. -- and she would try to work with you as well?

2 A. (Witness nods)

3 Q. What form did that take?

4 A. I had a good bond with [REDACTED]. Kind of had a good  
5 bond with her and her husband. But again it was kind of  
6 taken away. I don't know, maybe she was told to stop  
7 kind of interfering. I don't know. But ...

8 Q. You say at paragraph 42 that you didn't tell her about  
9 your feelings of being excluded and segregated in the  
10 foster home?

11 A. No. I only told her about that about five or six years  
12 ago and she was kind of -- understood.

13 Q. Moving on to your relationship with your brother, which  
14 you've spoken about on various occasions. You say that  
15 you were always fighting and the foster dad would send  
16 you down to the gym. Apart from sending you to the gym  
17 to box or whatever, was there anything else he did to  
18 try and bring you and your brother together and to have  
19 a more positive relationship?

20 A. No. Not really. I can't remember any. My brother was  
21 always just away doing his own thing. Got to travel  
22 abroad with school and stuff and -- yeah. No.

23 Q. Were you ever able to travel abroad with school?

24 A. No.

25 Q. Your relationship with the foster parents, how would you



1 describe your relationship with them?

2 Firstly, your foster mum. Did you regard her as  
3 your mum?

4 A. Yeah. I think I doted on her a lot. She was my kind of  
5 comfort blanket. And who really I think looking back  
6 genuinely did care and always was quite nurturing, but  
7 had to take the side of her husband.

8 Q. What about the foster dad? Obviously he was the one who  
9 laid down the rules and did the discipline, but apart  
10 from that, do you think you had a warm relationship with  
11 him at all?

12 A. No. I don't think I ever had a warm relationship.  
13 I think I enjoyed all the new things he would show us,  
14 like kind of DIY stuff and all the activities, but  
15 I never had that kind of closeness or bond to -- yeah.

16 Q. Did you feel part of the family?

17 A. Not all the time, no.

18 Q. But perhaps you did some of the time?

19 A. I would say yeah, there was sometimes that things were  
20 good. Like if you were away on holiday and things were  
21 going well. But again things were just weird. Like  
22 I remember being taken to Guernsey and there was -- it  
23 was like one of their big house tents that you stay in  
24 and I got on really well with people that were camping  
25 next to us and they offered to take us away down to one

1 of the seas, the beaches, and because I wanted to go  
2 with them, the foster family decided they were going to  
3 go that day and made me sit on a rock and not go near  
4 the sea because I wanted to go with somebody else,  
5 because I'd made a friend. Do you know what I mean?

6 Q. Okay. Moving now onto what you tell us about abuse in  
7 the foster home.

8 You relate two things that happened. It was  
9 a punishment involving tablet. What happened there?

10 A. I can't remember -- I remember basically [REDACTED] had made  
11 a tray of tablet and again because you weren't allowed  
12 to take anything I basically guzzled down the tray of  
13 tablet she made, so she made another tray of tablet but  
14 instead of using sugar she used salt and I was made to  
15 eat the tray of tablet, like the full tray.

16 Q. With salt in it?

17 A. Yeah.

18 Q. Who was it who made you do that?

19 A. Foster dad.

20 Q. Then you say something about your brother being caught  
21 smoking and something happened after that? What  
22 happened there?

23 A. We got made to sit down at the table and smoke a pack of  
24 something like 40 cigarettes one after the other, and  
25 then -- I didn't smoke, it was my brother who smoked and

1 fag butts were found in the toilet we used. I got  
2 basically the blame for it, but he was happily chuffing  
3 away. I'd never tried a cigarette basically until that  
4 day. Got me to smoke through 40 cigarettes and drink  
5 bottles of beer which had salt poured at the bottom of  
6 them and I had to drink them all.

7 Q. Did you say that you didn't smoke and you didn't do  
8 that?

9 A. Yeah.

10 Q. But you still had to do that?

11 A. Still had to do it.

12 Q. You say in your statement that you guessed the foster  
13 dad was thinking that this would put you off smoking?

14 A. Mm-hmm.

15 Q. But you think his way of dealing with these things just  
16 messed you up even more?

17 A. Just so old-fashioned, yes, I smoked every day after  
18 that pretty much, so. Yeah. And then I used to steal  
19 money for cigarettes, it's something I'd never done.  
20 I used to steal her cigarettes -- [REDACTED] cigarettes,  
21 you know, the daughter's cigarettes when they came after  
22 that, so ...

23 Q. Let me backtrack a bit. You were being given this  
24 apparently lesson about not smoking but there were  
25 adults in the house who were smoking?

1 A. Uh-huh.

2 Q. Moving on to leaving the FSQ-SPO and you tell us you  
3 were about 12 --

4 A. (Witness nods)

5 Q. -- when the placement came to an end. What led up to  
6 the end of the placement?

7 A. Things had just been going completely wrong at high  
8 school to the point I'd been expelled again from  
9 Woodlands and I was -- I had nowhere to go. I was in  
10 the house kind of getting -- they were trying to put in  
11 some educational stuff for me to do while he was  
12 working. I used to just jump out the skylight window  
13 and disappear for hours, because I knew he wouldn't come  
14 check and I used to actually cycle down to the school  
15 and meet up with my pals. Yes, things were just not  
16 great at all.

17 Q. You say against a background that you were kicked out of  
18 school and you say that the FSQ-SPO were stopping you  
19 from seeing some kids and you felt that you hated  
20 everything?

21 A. Mm-hmm.

22 Q. Then you did something, what was it you did?

23 A. [REDACTED]

24 Q. Where were you when you did that?

25 A. I walked down to a wee woodland bit, just down probably

1 about 400 yards from the house and just sat and cried  
2 and -- yeah.

3 Q.

4 A.

5

6

7

8

9 Q. You were taken to hospital?

10 A. Mm-hmm.

11 Q. But I think fortunately you weren't badly hurt?

12 A. Yeah.

13 Q. And you were kept in for one or two days and you say you

14 think the FSQ-SPO came up to the hospital initially,

15 but then didn't come back to visit?

16 A. Yeah.

17 Q. Do you remember seeing them in the hospital?

18 A. No, I can't remember.

19 Q. When you were discharged from hospital, where did you go

20 then?

21 A. I got taken to a temporary foster family, a temporary

22 carer in Larbert.

23 Q. Why didn't you go back to your family?

24 A. Nobody told me.

25 Q. At the time no one explained to you why you weren't

1 going back --

2 A. No.

3 Q. -- to your family?

4 A. Mm-hmm.

5 Q. I think when you signed your statement you hadn't really

6 read your records, but I know from speaking with you

7 this afternoon that more recently you have read your

8 records?

9 A. Yeah.

10 Q. Do you understand -- no one gave you the reason at the

11 time, but what do you think the reason is now?

12 A. They just couldn't handle my behaviour, to the point

13 that social work had made the decision from then on to

14 go, "No, that's just not happening now".

15 Q. Having looked at the records, I'm not going to put them

16 on the screen, just now, we will look at those, I think

17 you know that your social worker's giving evidence later

18 this week and we'll look at them then, but the records

19 indicate that Mr FSQ refused to have you back.

20 A. (Witness nods)

21 Q. I think your foster mum wanted you back?

22 A. Yeah. I can't really remember reading that in my

23 records, so again that's new to me now. I didn't

24 really -- I think because there's so much I was reading

25 I didn't actually know that, so.

1 Q. At paragraph 49 you tell us how you felt about being  
2 taken elsewhere and not going back to your foster  
3 family. What are you telling us there?

4 A. I just didn't understand why my mum and dad didn't want  
5 me to come back and stay with them. I remember being in  
6 a -- in fact this was before I went to Larbert,  
7 I remember being in a social work office for hours and  
8 hours and hours, they were trying to source a place for  
9 me to stay, it was myself and Frances. And the only  
10 thing that calmed me down was she went and bought me  
11 40 fags, and it kind of calmed me down a bit.

12 Q. At paragraph 49 you tell us that you were quite  
13 hysterical --

14 A. (Witness nods)

15 Q. -- as FSQ and [REDACTED] were technically your family?

16 A. Yeah. They left a phone in the office in the room I was  
17 in, in the social work department. I kept trying to  
18 phone them. They didn't realise it until they phoned up  
19 and said, "Look, you need to take that phone, he keeps  
20 trying to phone".

21 Q. You were trying to phone them?

22 A. Yes.

23 Q. You say that you called them mum and dad and you just  
24 couldn't understand why your mum and dad would want to  
25 get rid of you?

1 A. Mm-hmm.

2 Q. What about your brother? Did you see him?

3 A. No. Got told that he didn't want any contact with me.

4 Q. Did anyone ask you what you wanted?

5 A. (Witness shakes head)

6 I just -- at that point I just wanted to go back to

7 my family. I just wanted to go back home.

8 Q. We know from your records that you went to live with the

9 FSQ-SPO in ██████████ 1993 and this was some six years

10 later.

11 A. Mm-hmm.

12 Q. Is it fair to say that they were the only family you

13 knew?

14 A. Yeah. That was -- they were our mum and dad. That's

15 who you considered -- even though things were wrong or

16 you hated life sometimes, in my head they were still my

17 family, it's people I relied on, it's who I wanted to

18 live with.

19 Q. Moving on, you say that you went to other foster carers?

20 A. Mm-hmm.

21 Q. I think you tell us that was in Dunfermline?

22 A. Yeah, I went to one in Larbert first and again that

23 quickly broke down after a day I think -- that lasted

24 a day. And then I got taken up to Dunfermline.

25 Q. Who were the person you were staying with in



1 Dunfermline?

2 A. [REDACTED] and I can't remember her husband's name, but

3 [REDACTED] yeah.

4 Q. In your statement you tell us that you think the foster  
5 dad's name was [REDACTED] --

6 A. [REDACTED] and [REDACTED].

7 Q. -- and the woman was called [REDACTED] and the surname was  
8 [REDACTED]?

9 A. Yeah.

10 Q. What were they like?

11 A. I liked them. I genuinely got on well with them. I got  
12 on well with the other foster boy that was there, [REDACTED].  
13 It was just a completely different experience from what  
14 I was used to and I quickly settled in with them. Again  
15 I think it's the whole attachment thing. Someone else  
16 has taken an interest in me and, yeah. I enjoyed  
17 staying there.

18 Q. What was it about their care of you and staying there  
19 that was different to your experience at the [REDACTED] FSQ-SPO [REDACTED]?

20 A. I think just from the get go I didn't understand --  
21 I remember it was like supper time, they were like,  
22 "Right, go and see what you want", and I was like,  
23 "What's supper, I don't know ...". She was like, "Would  
24 you like to make yourself some chocolate Nutella and  
25 toast?" It was all new to me, do you know what I mean?

1 Nobody had ever said, "Go and you do it". She said she  
2 had money to buy me clothes. She gave me a choice of  
3 what I wanted to buy. It was never -- nothing was ever  
4 done for me, there was always choices and -- yeah,  
5 everything was a choice.

6 Q. I think you say that you were there for about two months  
7 and that --

8 A. It could have been longer. I can't remember.

9 Q. The woman, I think that's [REDACTED] you mean, met the  
10 social work to try and arrange for you to stay with them  
11 on a permanent basis?

12 A. Yeah. I remember she actually told me she was going to  
13 try get me to stay full time.

14 Q. Did that happen?

15 A. No.

16 Q. Do you know why it didn't happen?

17 A. Apparently I was more suited to be with an Asian family  
18 and that's what the social work were looking for.

19 Q. What did you think about the view that it was more  
20 suited for you to stay with an Asian family?

21 A. I didn't want to stay with an Asian family, I know it  
22 sounds terrible but I was always brought up with white  
23 people, so it would have been out of my comfort zone.  
24 The [REDACTED] used to always joke about it, that's  
25 another one with [REDACTED], "Did they make you say

1 a prayer?" And all that kind of stuff. It was always  
2 a weird sensation.

3 Even though I was Asian myself, I always pictured  
4 myself as part of a white family, because that's what  
5 I'd been brought up with.

6 Q. From the foster carers in Dunfermline, you were then  
7 moved to Liddlesdale Children's Unit, Milton, in  
8 Glasgow?

9 A. Mm-hmm.

10 Q. I'm not going to ask you about your experience there,  
11 but there are one or two things which arise whilst you  
12 were there that I do want to ask you about.

13 The paragraph, just for the reference, is  
14 paragraph 56, which in our copy is blanked out because  
15 it deals with the different care setting. But what it  
16 says here is that at Liddlesdale you'd never experienced  
17 that much freedom before?

18 A. Mm-hmm.

19 Q. And you went swimming a lot, was out in the community  
20 doing daft things?

21 A. Yes.

22 Q. Did you not get that level of freedom at the **FSQ-SPO** ?

23 A. No. No, not at all.

24 Q. You also tell us that the staff there got you a hamster?

25 A. Yeah.

1 Q. What did you think about getting a hamster?

2 A. Just strange, like I asked for it and they got me it.

3 It was -- it was just -- yeah. It was just weird. I'd

4 never been in -- obviously I'd been in a children's home

5 prior to the FSQ-SPO, but I was older now and ...

6 Q. Did you ever have a pet at the FSQ-SPO?

7 A. We had dogs, which was great but I never had something

8 of my own to say that's mine.

9 Q. Later on I think you moved to Maxton Children's Home in

10 Bridgeton. Once again, although that's not our focus,

11 I'm going to take you to a paragraph there, which you

12 probably won't see on your screen because it'll be

13 blacked out. For the record it's paragraph 69 and what

14 you're saying is you're talking about running away.

15 A. (Witness nods)

16 Q. Where were you running to?

17 A. Falkirk.

18 Q. Why were you going to Falkirk?

19 A. To try and be back with my mum and dad.

20 Q. When you say your mum and dad, you're talking about the

21 FSQ-SPO?

22 A. Yeah.

23 Q. I think just for the record you say in that paragraph,

24 which as I say is otherwise redacted:

25 "When I got to Falkirk, I'd hang about to see who

1           was around or I'd sit in the park across from the  
2           FSQ-SPO house."

3    A.   Mm-hmm.

4    Q.   "And they'd see me sometimes and I'd just sit there.  
5           And they'd phone social work who would then come and get  
6           measurement and I saw my brother once, I think they were  
7           having a barbecue one time and they took me in and let  
8           me have some dinner before the social work came to  
9           collect me."

10   A.   Mm-hmm.

11   Q.   You just wanted to go back home, essentially?

12   A.   Yeah.

13   Q.   You talk about sitting outside watching them and one  
14           time being taken in for dinner. Were there ever any  
15           times where you were sitting outside and they knew you  
16           were there?

17   A.   Probably, knew. I was there quite a lot of times but  
18           just didn't -- didn't, no.

19   Q.   They didn't invite you in every time you went?

20   A.   No.

21   Q.   What about visits when you were in the children's home,  
22           did you get visits from the FSQ-SPO at all?

23   A.   One in Maxton and that was it and that was just to drop  
24           off like a bike and I think they spent about 20 minutes,  
25           20 or so minutes, there and then left and that was the

1 last time I seen them.

2 Q. What about your brother? Did they bring your brother?

3 A. No, apparently my brother didn't want any contact with  
4 me, so.

5 Q. What I'm going to ask you about now in the context of  
6 foster care, because we know that after Maxton I think  
7 you were moved to Kerelaw at one stage?

8 A. (Witness nods)

9 Q. I think you say that you left there when you were about  
10 16 --

11 A. Yeah.

12 Q. -- and you were taken to live with another kind of  
13 foster carer, who's a supported carer.

14 A. (Witness nods)

15 Q. If we turn to paragraph 116, page 24 of your statement.  
16 You tell us that you were given an option.

17 A. Mm-hmm.

18 Q. I think the paragraph before you're told the social  
19 worker gave you an option of going to Polmont as a place  
20 of safety or going to supported carers in Glasgow and  
21 you chose the supported carers. You say their names are  
22 [REDACTED] and [REDACTED]. Tell us about your experience  
23 living with the [REDACTED]?

24 A. Yeah.

25 Things were just going -- prior to -- when I was

1 leaving Kerelaw, they'd offered me the chance to either  
2 go to -- it was basically the way they put it to me was  
3 my own accommodation, my own house or a foster family.  
4 They were trying to drum the foster family into me but  
5 that was it, I was 16, I'd had the experience of  
6 a foster family before, I didn't want that. So I'd  
7 chosen to take the option to go apparently in my own  
8 house, but it was a Blue Triangle they took me, so  
9 things bombed pretty much straight away there, to the  
10 extent I was just picking up charge after charge after  
11 charge after charge until one time I'd got lifted on  
12 a night out with people that lived there and, yeah, that  
13 was my option.

14 Obviously I didn't want to go to Polmont. I'd  
15 always managed to kind of not get to that stage in my  
16 life of being that -- behaviour wise to merit Polmont.  
17 So, yeah, I chose [REDACTED] and [REDACTED]. I remember  
18 refusing to go into the house, like just standing  
19 outside for about two hours just arms folded saying,  
20 "I'm not going in, I'm not going in". They eventually  
21 managed to coax me in and yeah, phenomenal family.

22 They had another girl living with them who had  
23 a little girl and -- yeah. I've never had someone just  
24 given me so much guidance ever. [REDACTED] is still a father  
25 figure to me now. I call them auntie and uncle [REDACTED].

1 I have an open-door policy with them, I can just walk in  
2 just now if I wanted to. How you doing? Put the kettle  
3 in. They were at my wedding, at the top table in my  
4 wedding. Yeah, just a brilliant family.

5 And I'd done so many things there, they could have  
6 easily said, "Right, no, enough's enough, out", but they  
7 just stuck by me and they still have stuck by me. I'm  
8 35 now and I still get a phone call from [REDACTED] giving me  
9 a telling off or advice, you know. Yeah.

10 Q. I think you generally say that -- at paragraph 123,  
11 page 26, you say if it wasn't for [REDACTED] and [REDACTED] you  
12 wouldn't be in the situation you are in now and you'd  
13 have taken a completely different path?

14 A. Yeah, 100 per cent. I think -- yeah.

15 Q. You were kind of heading of the rails and they brought  
16 you -- back

17 A. I was picking up a lot of drug charges, assault charges,  
18 I was self-harming relentlessly. Yeah.

19 Things turned around, they helped me get back into  
20 college and helped me get my own flat, took me back in  
21 when I -- I moved down to England for a year, broke  
22 down. They took me in straight away. They've just  
23 always been consistent in my life. Like even if I don't  
24 want them there to the point where I want them -- they  
25 wouldn't let it -- they would just invade my privacy



1           anyway.

2   Q.   I mean what you describe might be what one would hope to  
3       expect from real parents, if you like.

4   A.   But it wasn't just them.  Every single member of their  
5       family just made me feel so accepted.  Even now, I was  
6       at the -- I was at [REDACTED]'s sister's funeral two  
7       weeks ago and all the family there, like the nephews  
8       were calling me their cousin, the uncles were calling me  
9       their nephew, you know, introducing me to other people  
10      that I had not seen since I was 16, "Do you remember my  
11      nephew?"  You were just made to feel part of something,  
12      which is still strong today.

13  Q.   Under the heading of reporting abuse, and I think you're  
14      not talking about abuse in foster care but you do make  
15      the comment at paragraph 126, that you say:

16           "I find it embarrassing talking about my experiences  
17      in care.  I even think I'm wasting the Inquiry's  
18      time ..."

19           Why do you say that?

20  A.   I think -- it took me a long time -- took me a long time  
21      to realise that things were wrong, and actually in every  
22      setting I've been in, because I've been in the system  
23      since I was pretty much 2 years old right up until I was  
24      21 when I officially came out of care and every place  
25      I've been, everything that happened just because that's

1 all you know, you don't have any other -- anything else  
2 to compare it to, it's normal.

3 So being in foster care with the FSQ-SPO,  
4 everything they done -- I had no experience of foster  
5 care before that, I had no experience of a family, so to  
6 me that was just how a family was. I had to accept  
7 that's what happened. Even going on to -- I know we're  
8 not doing residential, but I just thought it was normal,  
9 that's what happens in these places.

10 And I got asked to speak about stuff when I was 16  
11 and again it was still normal to me when I was 16, it  
12 was just I'm not bothering with that, why would I want  
13 to get myself -- now I work in this line of work.  
14 I think it's a -- I'm a hypocrite if I don't speak about  
15 the things that have happened and I now know that a lot  
16 of things that happened to me were wrong and shouldn't  
17 have happened. And I myself now go to young people and  
18 support them to make allegations and report abuse, you  
19 know, so ...

20 Yeah. Now I get it, but I always thought I'd just  
21 waste people's time and always thought people would  
22 never listen.

23 Q. I think you now work in residential care with children  
24 and young people; is that right?

25 A. Yeah.

1 Q. If we move on to the paragraph 145 on the last page of  
2 your statement you tell us about other information, what  
3 lessons do you think that we can learn from your  
4 experience?

5 A. Again just the preparation of leaving care. There's not  
6 much of it. I work in social work now and even still  
7 there's not much preparation for kids leaving maybe  
8 a residential setting or maybe going on to leave  
9 a foster family or even foster families that are just in  
10 it for the money and the social work know they're in it  
11 for the money but there's nothing they can do, you know.  
12 I've heard horrific stories whilst being in the job that  
13 I'm in and you think: how are people still getting away  
14 with it?

15 I work beside people that shouldn't be working in  
16 the line of work that they're in, people that I have  
17 known from when I was younger, and that's been difficult  
18 to take in.

19 There's so many lessons that can be learned, but --  
20 yeah. For me I would want kids to have more preparation  
21 leaving care, where it's not just a pathway, fill this  
22 in and that's you done. There's so much work that needs  
23 done. I still don't know how to budget money properly.  
24 I'm 35. Nobody ever taught me. Money was always  
25 provided, things were always there for me and then

1 suddenly it's gone and you're left to stand on your own  
2 two feet and things can spiral and spiral.

3 MS RATTRAY: Thank you very much, 'Joe', for answering all  
4 my questions. I don't have any more for you.

5 I'm not aware of there being any applications for  
6 questions, my Lady.

7 LADY SMITH: Are there any outstanding applications for  
8 questions of 'Joe'?

9 'Joe', that does complete all the questions we have  
10 for you. Thank you so much for engaging with us as you  
11 have done.

12 A. No problem.

13 LADY SMITH: There's much really useful helpful detail in  
14 your written statement and you've made that come alive  
15 by being here today and talking to us about it.

16 I really appreciate you making the effort to do that.

17 A. You're welcome.

18 LADY SMITH: Thank you so much and I'm glad to be able to  
19 let you go now and relax I hope for the rest of the day.

20 A. Thank you.

21 LADY SMITH: If we take the afternoon break now, do we have  
22 a read-in that will fit in after that?

23 MS RATTRAY: Yes, we do.

24 LADY SMITH: Very well. Thank you.

25 (3.20 pm)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

(A short break)

(3.29 pm)

LADY SMITH: Just before I invite Ms Innes to start the read-in, I should remind everybody that there were names mentioned there of foster carers, the FSQ-SPO and the and also some of the members of their family. They're all protected by my general restriction order and they can't be identified outside this room.

Ms Innes.

MS INNES: My Lady, the next read-in is for an applicant who wishes to remain anonymous and has chosen the pseudonym 'Anthony'.

LADY SMITH: Thank you.

'Anthony' (read)

MS INNES: I'm going to go to his statement in a moment, I'm going to have a look at another document first. 'Anthony' was in the care of Tayside Regional Council. He was in a foster care placement with a Paul Martin, who we will also see is also known as Polnacha O'Marthini, in Perth from 1993 until about 1995. Perth and Kinross Council is the relevant successor.

We can see JUS-000000087 on the screen now. On 20 October 2008, Paul Martin pled guilty to five charges of sexual offences against four complainers, not

1 including the applicant, and one charge of failing to  
2 appear at a diet.

3 If we stay with page 1 and we look at the bottom of  
4 the page, we can see the nature of the offences and we  
5 can see that the court sentenced the accused to six  
6 years' imprisonment in cumulo in respect of charges 2,  
7 3, 4, 6 and 8 of the indictment and two years and three  
8 months in respect of charge 12, which was the failure to  
9 appear, I think, which was to run consecutively.

10 If we can look over to the next page, please, we can  
11 see the nature of the charges.

12 At charge 2, a period on various occasions from  
13 1 January 1994 to 31 December 1995, lewd and libidinous  
14 practices and behaviour towards a boy then aged between  
15 14 and 15. Your Ladyship will note that that includes  
16 showing him pornographic films.

17 Then charge 3, there is a further charge from  
18 19 December 1995 to 19 December 1997 and that is in  
19 respect of the same complainer, so it's a charge of  
20 assault there but it's the same complainer as was  
21 mentioned in charge 2.

22 If we go on over the page, at charge 4 we see  
23 various occasions between 1 January 1993 to 30 July 1997  
24 a charge of lewd and libidinous practices and behaviour  
25 towards a boy then aged between 11 and 15 years.

1           Then at charge 6, a charge of a single occasion  
2           between 1 December 1988 and 30 November 1999, a charge  
3           in respect of one person, and that's a charge of  
4           assault.

5           Then over the page on page 4, charge 8, on various  
6           occasions between 19 September 1995 and  
7           18 September 1996, a charge of lewd and libidinous and  
8           indecent practices in respect of a boy aged 15. Again  
9           there's reference to showing him pornographic films.

10          Then finally at charge 12 the charge in respect of  
11          failure to appear without reasonable excuse.

12          As I've indicated, a plea of guilty was tendered to  
13          those charges.

14          Turning to 'Anthony's' statement, which is at  
15          WIT-1-000000633:

16          "My name is 'Anthony'. I was born in 1978. It's  
17          hard remembering where I was and at what times when  
18          growing up in care and with my father and mother. The  
19          majority of it is set out in the records I have  
20          recovered, but not all of it is there. I have tried to  
21          detail as best I can what I remember.

22          My father was ex-SAS and in the Territorial Army.  
23          My mother was married many times. Her extended family  
24          was German and she herself spoke German. My first  
25          language was German because of that.

1 I had two very abusive parents. Neither of them  
2 cared about me. There were probably drink and drug  
3 problems when I was born. I know that the social work  
4 department decided I would be at risk so I had a social  
5 worker before I was even born. They wanted to keep  
6 an eye on me."

7 From paragraphs 5 to 9, 'Anthony' speaks of his life  
8 before care. He was spent to a special school and was  
9 told it was all his own fault. It wasn't until he was  
10 14 or 15 that he was diagnosed with ADHD.

11 From paragraphs 10 until 133, 'Anthony' describes  
12 the time he spent at Starley Hall School. Secondary Institutions - to b  
13 Secondary Institutions - to be published later

14 From paragraphs 134 to 140, 'Anthony' describes  
15 living with his father again. He describes being  
16 physically abused by his father.

17 He then explains at paragraph 141 that he was placed  
18 in the care of his mother, initially in Dumfries but  
19 then they returned to Perth.

20 Moving to page 35, paragraph 144, he says:

21 "Over the course of my time living with my mother in  
22 Muirton I was going backwards and forwards to various  
23 psychiatrists. When I was 12 years old I finally  
24 started to be taken to see a proper psychiatrist. His  
25 name was Professor Mike Field and he was based at the



1 Moray Royal in Perth. At first they couldn't get  
2 a diagnosis.

3 My mother eventually said enough is enough and  
4 I became homeless. It was then that all the social  
5 workers and everyone else had to become involved again.  
6 I ended up staying over a series of months in a homeless  
7 hostel in Perth followed by a couple of months with my  
8 uncle at his flat in Perth. In the end a decision was  
9 made to place me in Nimmo Avenue. Going to Nimmo Avenue  
10 wasn't really announced to me. I was basically told at  
11 a Children's Hearing that I would be going there right  
12 now. That was in the panel building in Perth."

13 From paragraphs 146 to 202, 'Anthony' describes the  
14 time he spent at Nimmo Place Children's Home in Perth.

15  
16

17 At paragraph 203, 'Anthony' speaks of being in  
18 a house in Crieff run by the council.

19 I'm going to read a couple of paragraphs which are  
20 redacted, but do set out when decisions were made that  
21 'Anthony' would be placed in foster care. For the  
22 record it's at paragraph 210 on page 51:

23 "I remember a couple of the staff saying to me,  
24 'You're really not doing well so we need to do something  
25 to me'. They then decide they needed to get me some

1 place secure. Looking back by saying all of that they  
2 were basically saying that I thought it was time for me  
3 to be going into foster care. Nobody explicitly asked  
4 me whether I wanted that because I would have said  
5 I didn't want that. The staff ended up selling it to me  
6 by saying that there were all these different sorts of  
7 people who I could stay with and who would allow me to  
8 do this, that or the other by way of activities. I was  
9 given all these sorts of pre-conceptions about how good  
10 the arrangement may be and all the beautiful things  
11 I could be doing. One of the things I was told was that  
12 I could go on holiday to America if I stayed with  
13 a particular person. They were basically trying to  
14 catch me and move me unawares.

15 Looking back, Perth Council weren't very good at  
16 stuff like that. I think deep down I knew what was  
17 going to happen but just agreed to it anyway.  
18 Ultimately it was suggested that I could go into foster  
19 care. I remember Alan Keep, a social worker who had  
20 been assigned to me, had a lot of input into arranging  
21 the foster care placement. Polnacha O'Marthini then  
22 made a couple of visits to the council house.  
23 I remember that I met him whilst Carol Murray was there.  
24 By the time he made those visits I really had enough.  
25 I just got fed up with fighting against them in terms of

1           what they were going to do with me."

2           Then at paragraph 213 on page 52:

3           "I was 14 when placed into foster care. That would  
4           have been in about 1992. I would stay at his properties  
5           under his care until I was about 15. That would have  
6           been about 1993."

7           Just pausing there, the dates that the applicant  
8           mentions are incorrect. It was [REDACTED] 1993 until  
9           [REDACTED] 1995 that he was --

10       LADY SMITH: So he was then 15 when he went there, was he?

11           Maybe he hadn't had his 15th birthday?

12       MS INNES: That's correct, I think, my Lady.

13       LADY SMITH: Around 15.

14       MS INNES: Yes.

15           Moving on in his statement he says:

16           "There was nothing whatsoever good about the  
17           placement. It was dreadful.

18           When I initially moved in with Polnacha O'Marthini  
19           he had a little rented flat in Friarton just to the  
20           south of Perth. The flat wasn't close to anything or  
21           anyone. I was given a tiny little room to sleep in. My  
22           room was right opposite the entrance.  
23           Polnacha O'Marthini's room was to the right-hand side,  
24           to the right of that was the kitchen. To the left of  
25           the flat was the living room. We later moved to

1 a rented detached three-bedroom house in an area of  
2 Perth called Ashgrove. I don't know exactly when that  
3 move took place but I moved with him. I don't know the  
4 reasons behind the move.

5 Polnacha O'Marthini's name was an Irish Gaelic name.  
6 He was also known by Paul Martin, which was the English  
7 version of his name. The name he used most often with  
8 his female friends was Pol. With everybody else he was  
9 called Polnacha or Nacha for short. He probably would  
10 have gone by his full Irish Gaelic name in any records  
11 that may have been made.

12 When he wasn't in the properties he stayed in he  
13 worked for a firm called PGL. I don't know what the  
14 letters stood for but it was like an outdoor activities  
15 centre up by Aberfeldy. Where he worked was right in  
16 the middle of nowhere across from Blairgowrie on the A9.  
17 There were various things you could do there. One of  
18 the things you could do was grass skiing. He was a bit  
19 like a leisure centre manager. He was very well known  
20 by everyone. I remember him being very good friends  
21 with two members of staff at PGL called Alison and  
22 Steve. They would come over to the house quite often.

23 Polnacha O'Marthini was the only foster parent in  
24 the houses I stayed in whilst I was in foster care.  
25 There were never any other care workers or social

1 workers who came to the two properties to help out with  
2 the care of me or my foster brothers.  
3 Polnacha O'Marthini was always on his own.

4 When I arrived at the house in Friarton I was the  
5 only person to have moved in. I was the only person who  
6 lived there long term. My foster brothers did come to  
7 visit the houses and went on holidays with us, but they  
8 never stayed at the houses for any length of time. They  
9 would usually only stay for weekends. There would be up  
10 to four other children staying over at  
11 Polnacha O'Marthini's properties at any one time.

12 I had 22 foster brothers during my time staying with  
13 Polnacha O'Marthini. It was always boys rather than  
14 girls. Boys I remember being around in my time include  
15 a boy who was around 13 or 14. He had a younger  
16 brother. There were two other boys who were brothers  
17 who stayed there. They were 13 or 14 when they were in  
18 care with me. I saw them pretty much every weekend  
19 during my time in foster care. They stayed in the  
20 houses overnight during the weekends. They stayed  
21 during the week with their mum. There was also another  
22 boy who I remember sleeping in the tiny little box room  
23 in one of the houses we stayed at. I can't remember his  
24 name but I know that the police know who he is.

25 Another foster brother who was very different but

1           there was never really anything wrong with him. He was  
2           born into Perth social work care. Coincidentally one of  
3           the maternal aunties looked after him while he was  
4           younger."

5           Moving to paragraph 221:

6           "Polnacha O'Marthini would make out that he was such  
7           an awesome cook but in reality the food was fucking  
8           terrible. The only thing I ever remember being bought  
9           by him was a Walkman. During the weekends we would meet  
10          up with my foster brothers and go to all sorts of  
11          different places. I remember meeting up with his  
12          colleagues from PGL. One of them was called [REDACTED] who  
13          I have remained in contact with. No effort was made for  
14          Christmas or for birthdays.

15          When I turned 15 it was decided at a Children's  
16          Hearing by a panel that I should go to college. I then  
17          did what they called academic studies at the Perth  
18          College. I did quite well there but unfortunately  
19          I didn't end up with a qualification. I remember being  
20          quite popular with the other people there. Until  
21          recently a portrait I had drawn at college was still  
22          hanging up in the UHI Millennium Institute.

23          I wasn't really keeping in contact with any  
24          relations. By that time my grandparents had washed  
25          their hands of me. I was aware however that I did have

1 relatives who said it wasn't right that I was staying  
2 where I was.

3 There were never any social workers or people from  
4 the council who came round the properties to see how  
5 I was doing. They didn't care whatsoever. It was  
6 pretty much as if they had closed their case on me.  
7 After I started my foster care placement with  
8 Polnacha O'Marthini Alan Keep stopped seeing me. He  
9 stopped having an input into my care. Looking back  
10 I think he knew what was happening with  
11 Polnacha O'Marthini. He lived right over the road from  
12 one of the properties where Polnacha O'Marthini was  
13 staying so how could he not?

14 I never witnessed or experienced any abuse  
15 perpetrated by anyone else during the time I stayed with  
16 Polnacha O'Marthini, it was only him.  
17 Polnacha O'Marthini abused me during the time I was in  
18 foster care. It started the first night I was there.  
19 After arriving at the house I really wanted a bath  
20 because I hadn't had a bath in ages. He came into the  
21 bathroom while I was in the bath. I remember I had  
22 a flannel over my private parts. He told me to make  
23 sure I had cleaned myself properly and told me to do  
24 this and that to get clean. I told him to leave me  
25 alone because I knew it wasn't right he was in the room.

1 The next thing I think I knew he was pepper milling the  
2 top of my penis. I said to him, 'No, I'm fine thank  
3 you.' I told him to leave me alone and to 'Fuck off'.  
4 It wasn't right. I remember thinking to myself, 'is  
5 this what my life is going to be like from this time now  
6 on?'

7 Things progressed to him trying to get me to  
8 masturbate him and to do other things to him.  
9 I remember him lying flat on his back on his bed with  
10 his penis out and asking me to give him a blowjob.  
11 I told him to fuck off and leave me alone.

12 When we went to Ashgrove he tried to move things on.  
13 He held me down on the floor, kneeled on me and tried to  
14 put his penis in my mouth. I still remember the smell  
15 of his bollocks. It was stinking.

16 During the time we were in Ashgrove,  
17 Polnacha O'Marthini would take myself and my foster  
18 brothers into his lounge, put on a video of the Joy of  
19 Sex or something like that and sit down with us.  
20 I remember him doing that with myself and the other  
21 boys. He would say that we needed to learn about what  
22 was on the video. I don't know why the boys I saw in  
23 the lounge felt the need that they had to masturbate  
24 themselves when he put that video on.  
25 Polnacha O'Marthini would sit there in the loose jogging



1 bottoms he used to wear with his hand down his pants.  
2 You just knew that he was up to something. Although you  
3 couldn't see what was happening it was pretty clear what  
4 he was doing with his hand beneath his jogging bottoms.  
5 I never saw him go further than showing the porn movies  
6 to my foster brothers but given what I experienced  
7 I think he would have likely gone further

8 Looking back, I think that is how he got a lot of  
9 the boys he was supposed to be looking after. There is  
10 nothing wrong in a boy masturbating to a porno.  
11 However, it is quite another thing entirely for a foster  
12 parent to put that porno on and remain in the room  
13 whilst that was happening. There is never any occasion  
14 when that is okay.

15 Before going into foster care I had been told  
16 Polnacha O'Marthini had taken boys on holiday with him  
17 to America and there was a chance that might happen with  
18 me. Two other boys came on that holiday to America with  
19 us. That holiday was dreadful. It was just another  
20 opportunity for Polnacha O'Marthini to sexually abuse  
21 myself and the other boys.

22 There was never a time when I sat down with my  
23 foster brothers and discussed what was happening. There  
24 wasn't a time when someone said that's not right.  
25 However, there were things going on.

1 I told the police that I was being raped by  
2 Polnacha O'Marthini. I told the police about the abuse  
3 I was suffering because of my foster parent. It was the  
4 same answer as all the other times I had tried to report  
5 things to the police back then. They just shrugged  
6 their shoulders. They did nothing.

7 I was telling people what was happening in foster  
8 care but no one would listen to me. I had to find a way  
9 that I could get out. When I was 15 my friend from  
10 Luncarty, which is a place near Perth, moved to  
11 Edinburgh. I started to go across to Edinburgh to see  
12 him and I said to my social workers that I don't mind  
13 staying there. As soon as the social work could they  
14 started talking about me getting a flat or a bedsit.  
15 They told me that they would get me a place that would  
16 be nice and comfortable for me. I ended up moving to  
17 a room in Marchmont in Edinburgh. That was part of what  
18 they called trying to get me into independent living.

19 There wasn't anything like a Children's Hearing or  
20 a meeting for that to be arranged. There was nothing  
21 formal surrounding the end of my foster placement. All  
22 that happened was that Steve Waugh, who was my social  
23 worker at the time, gave me £200 to buy furniture in  
24 Argos. That was all I got when I moved into that room.  
25 I wasn't given any benefits or anything. That was the

1 end of Perth Council's involvement with me. It was as  
2 if they sorted the room, gave me the £200 then told me  
3 to 'fuck off'.

4 It wasn't long until I was on the streets. I ended  
5 up homeless when I was still 15. That would have been  
6 in about 1993. I was sleeping rough in Edinburgh. As  
7 far as Perth Council my I was nice and safe in a flat in  
8 Edinburgh. I ended up having to beg on  
9 George IV Bridge. I spent time under a blanket asking  
10 strangers for money. That was the only way I could get  
11 money for food. I continued to be on and off homeless  
12 really until I joined the army at the age of 21 in  
13 1999."

14 From paragraphs 237 'Anthony' provides more detail  
15 of his life before going into the army. Turning on to  
16 page 59 and paragraph 242:

17 "My experience in the British Army was just as bad  
18 as being in care. I was told where and when I was going  
19 and I wasn't able to have any say. Whilst I was in the  
20 army I told the padre, which is what we call chaplains  
21 in the army, what had happened in my life before and  
22 after care. I remember he told me that I should not  
23 have joined the army. I ended up being in the army for  
24 about three and a half years. I got into trouble and  
25 ended up being asked to leave. I didn't want to leave

1 but they forced me out."

2 At paragraphs 243 to 245 'Anthony' speaks about his  
3 life after leaving the army. He then goes on to speak  
4 about the impact on him and on his health of his  
5 experiences in care and the treatment and support that  
6 he has sought.

7 Moving on to page 62, paragraph 252:

8 "No matter what and when I have said to anyone about  
9 the abuse I suffered in care it hasn't reached anyone.  
10 I have repeatedly tried to report what happened during  
11 my time in care and afterwards and nothing has happened.  
12 All the people who have abused me have walked.

13 There have been several times when I have spoken to  
14 the police about things that happened during my time in  
15 care. Nothing happened. It seems that it's only when  
16 other people started coming forward that things started  
17 to happen. It's only then that the police started  
18 wanting to speak to me properly. That makes it all  
19 a bigger insult to me.

20 Two of my foster brothers when I was in foster care  
21 reported Polnacha O'Marthini to the police and managed  
22 to get him charged. At that time I was sleeping rough  
23 and did not manage to speak to the police. The case  
24 progressed to a trial and unfortunately I had no  
25 involvement because I was sleeping rough at the time and

1 wasn't aware. Polnacha O'Marthini was ultimately  
2 prosecuted for sexually abusing my foster brothers and  
3 given a prison sentence.

4 About 12 years ago, after Polnacha O'Marthini's  
5 prosecution, I reported what had happened with  
6 Polnacha O'Marthini during the time I was in foster care  
7 with him. That was in approximately 2009 at Perth  
8 police station. I remember that I was interviewed on  
9 the top floor of that building. It took the police  
10 seven days to take my statement. I told them everything  
11 that I have said in this statement concerning what  
12 happened during my time in foster care. I gave the  
13 police 22 names of other children that he had interfered  
14 with.

15 Later on I spoke to a Procurator Fiscal. I remember  
16 that when I came out of the meeting I noticed that  
17 [REDACTED], one of Polnacha O'Marthini's colleagues at PGL  
18 who we would meet at the weekends, was sitting there in  
19 the waiting room.

20 I was told by the police after they took my  
21 statement that they took a statement from  
22 Polnacha O'Marthini. That was during a time that he was  
23 in jail. The police have told me that he told them that  
24 nothing happened. After speaking to Paul O'Marthini,  
25 the police spoke to me again. The police told me that

1           because my foster brothers didn't see  
2           Polnacha O'Marthini abusing me and there is no other  
3           account of it happening, there is nothing that they can  
4           do. They are essentially saying that it didn't happen.  
5           I don't know what I was supposed to do? It's almost as  
6           if they were saying that I had to give X-ray goggles to  
7           my foster brothers. I was also told that there is  
8           nothing that they can do about the abuse I suffered when  
9           Polnacha O'Marthini took us to America. I've been told  
10          that that would be something for the American police to  
11          deal with. I have also been told that Steve Waugh, who  
12          was my social worker during the time I was in foster  
13          care, has now died.

14                 The Procurator Fiscal is not going to do anything  
15          about what I reported. I didn't get my time in court.  
16          The whole experience of trying to report what has  
17          happened has left me feeling lost. I just don't know  
18          how the police couldn't take all the things that I had  
19          reported to them as being serious. I gave them all that  
20          evidence and they decided to do nothing. It's my word  
21          against his. Still to this day I am not getting treated  
22          seriously by the police.

23                 To Perth Council Polnacha O'Marthini was a hero. He  
24          was seen as someone who was taking all of the naughtiest  
25          kids. However, the reality was that he was

1 a paedophile. He is now out of jail. Still to this day  
2 he is walking free. They didn't try to prosecute him  
3 for the things I reported. It is almost as if because  
4 they managed to get two people to prosecute him that is  
5 perfectly grand. It isn't for the rest of us who  
6 suffered his abuse."

7 **Secondary Institutions - to be published later**  
8  
9  
10

11 Moving on to page 66, paragraph 269:

12 "My experience of being in care was not being  
13 listened to and not being given any help. It was  
14 horrible. No kid should ever have to go into care. If  
15 kids do go into care they should be treated a hell of  
16 a lot better than I was. It should be a holiday. Even  
17 now the same thing is happening with kids in care. My  
18 little brother ended up in care and in a house in Perth  
19 and the same things are happening. It still continues.  
20 You get placed in care at a place so they can take your  
21 benefits. You get given nothing and they use your money  
22 so that they can continue. Why can't kids do what they  
23 want with their money? Why does all of that money have  
24 to go straight to the social work? It's almost as if  
25 they are saying, 'Yeah, we are going to abuse you and

1 completely ruin your life but don't worry, we won't give  
2 you any of your money'.

3 As far as I am concerned, councils are supposed to  
4 be there to provide services like collecting rubbish or  
5 maintaining the roads. If I want them to do something  
6 with my bins then I speak to the council. If a person  
7 is upsetting me for some reason but it isn't a big  
8 enough problem to speak to the police yet, I speak to  
9 the council. I don't want councils taking over  
10 children's lives. Councils are responsible for lamp  
11 posts, not children. No way is it right for them to be  
12 involved in saying that a child should be placed in  
13 a home."

14 Then at the end of paragraph 271:

15 "If there is a problem or an issue with a child then  
16 those who are supposed to be caring for them should sit  
17 down and talk about it. That's all you have to do with  
18 a child.

19 They need to register carers and make sure that  
20 those persons who look after children are policed.  
21 Children shouldn't be handed across to anyone so as they  
22 can abuse them. Experienced social workers should come  
23 in and question the carers on how they are going to look  
24 after the children in their care. If they don't answer  
25 correctly then they shouldn't be allowed to foster. If



1           need be social workers should go in incognito and  
2           inspect how carers are looking after the children in  
3           their care. They should send in people who wouldn't be  
4           noticed to see what is really happening. They should be  
5           there to say stop and to call people right in if they  
6           need to.

7           I have kept in touch with a lot of kids who were in  
8           care with me over the years. For many of them, if not  
9           all, their experiences didn't end very well. A lot of  
10          them didn't make it or ended up on heroin. There are  
11          people out there who are really suffering. It is really  
12          bad to think that out of all the kids I was in care  
13          with, I am doing the best out of most of them. I have  
14          two degrees and have seen a lot of the world."

15          He then goes on at paragraph 274 to talk about  
16          a particular concern in relation to one of the children  
17          that he was in foster care with.

18          Moving on over the page to paragraph 276:

19          "Why did it all just get left? They knew about  
20          Polnacha O'Marthini before he was finally prosecuted.  
21          Councils and other organisations knew about the nuns and  
22          the men who worked for Celtic Boys Club and did nothing.  
23          Nobody listened. It shouldn't have to wait until people  
24          are like me or people are taking heroin and killing  
25          themselves. I am the one who has had to try to do

1 things. It's taken me to do things by myself to get  
2 things happening. There should be people coming forward  
3 and speaking to me and asking whether I have tried this  
4 or that and making suggestions. I have had none of  
5 that.

6 It's never okay for any person looking after  
7 children to abuse them. Even if it is mental abuse it  
8 shouldn't happen. I don't want this to continue for any  
9 child who is in care. When people ask me what is going  
10 on I say, 'You wouldn't know, I had a lot of shirt going  
11 on when I was a bairn'. For some reason people  
12 automatically say in response 'Celtic Boys Club'. That  
13 wasn't what happened to me but I am thankful that people  
14 are starting to understand and listen to what went on.

15 Looking back, there was never any choice for me in  
16 life. The only choice I had was care. As soon as I was  
17 placed in care I was abused. All I wanted and want now  
18 is a normal life. I don't understand why I was treated  
19 the way I was when I was growing up. I just hope that  
20 giving a statement to the Inquiry might end up with the  
21 Procurator Fiscal looking at what happened to me in care  
22 again. I hope that the people who I have spoken about  
23 in this statement that are still working for councils  
24 are got rid of.

25 I have no objection to my witness statement being

1 published as part of the evidence to the Inquiry.

2 I believe the facts stated in this witness statement are  
3 true."

4 'Anthony' signed his statement on 5 March 2021.

5 LADY SMITH: Thank you very much.

6 MS INNES: My Lady, that concludes the oral and read-in  
7 evidence for today.

8 Tomorrow we have the final day of oral evidence from  
9 applicants in this case study and we hope to have three  
10 applicants coming to give evidence, but read-in evidence  
11 will also be available if time allows.

12 LADY SMITH: Thank you very much.

13 I'll rise now until tomorrow morning when I'll sit  
14 again at 10 o'clock.

15 (4.00 pm)

16 (The Inquiry adjourned until 10.00 am on  
17 Wednesday, 28 September 2022)

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

'Leigh' (read) .....1  
'Jamie' (affirmed) .....24  
    Questions from Ms Innes .....25  
'Cathy' (affirmed) .....66  
    Questions from Ms Innes .....67  
'Christine' (read) .....94  
'Joe' (affirmed) .....102  
    Questions from Ms Rattray .....103  
'Anthony' (read) .....157

