

Wednesday, 5 October 2022

1

2 (10.00 am)

3

(Proceedings delayed)

4 (11.00 am)

5 LADY SMITH: Good morning.

6

I'm glad we're now able to start. I'm so sorry for

7

the delay this morning, but as I think has been

8

explained to you, there was a power cut in the city

9

early evening yesterday, which caused a problem with our

10

systems here in the hearing room, but they've now been

11

fixed, thanks to an engineer who came promptly to help

12

us, and we're ready to start.

13

I understand the first witness is here and ready to

14

give evidence. Is that right, Ms Innes?

15

MS INNES: Yes, my Lady.

16

This witness remains anonymous and has the pseudonym

17

'Dorothy'. 'Dorothy' and her husband, who has the

18

pseudonym 'Neil', were foster carers for the City of

19

Edinburgh Council from about 1996 until they were

20

de-registered in August 2021.

21

Their appeal against that de-registration was

22

unsuccessful.

23

I should also say, and it is noted in their

24

statements, that I think their initial application was

25

to Lothian Regional Council in 1994 and they did day

1 care for a period of time.

2 LADY SMITH: Thank you.

3 MS INNES: A witness with the pseudonym 'Amber' is the
4 adoptive mother of a child with the pseudonym 'Rosie'.
5 'Rosie' was in the care of the City of Edinburgh Council
6 and was placed in foster care with 'Dorothy' and 'Neil'
7 on [REDACTED] 2012 and remained there until
8 [REDACTED] 2015. 'Amber' gave evidence on Day 328,
9 28 September 2022.

10 As I said at that time, it will be noted that the
11 end of 'Rosie's' placement was after 17 December 2014,
12 which is relevant in terms of the Inquiry's terms of
13 reference. However, given the allegations and that they
14 could have occurred before that date, given the duration
15 of the placement, the evidence of 'Amber' is included in
16 this case study.

17 The City of Edinburgh Council is obviously the
18 relevant Local Authority.

19 LADY SMITH: Thank you very much.

20 'Dorothy' (affirmed)

21 LADY SMITH: 'Dorothy', the microphone is I think in a good
22 position for you.

23 A. Yes.

24 LADY SMITH: Could I ask you to make sure you stay in a good
25 position for the microphone --

1 A. Right, okay.

2 LADY SMITH: -- we need to hear you through the sound
3 system.

4 The red folder has a typed version of your statement
5 in it, but we'll also bring it up on screen and go to
6 the different parts of it that we want to discuss with
7 you as we go through your evidence.

8 Those practicalities apart, 'Dorothy', I want to
9 thank you for engaging with us as you have done in
10 coming here today, but please be assured also, I do
11 understand this is difficult and challenging and you're
12 no doubt anxious because we have some difficult
13 questions for you. I appreciate that and that it's not
14 easy to go through doing this in public before
15 strangers. It's a big ask. But we ask you to do it for
16 the sake of children in the past, children at present
17 and children in the future, and I'm sure you understand
18 that.

19 A. I do.

20 LADY SMITH: It may be upsetting for you at times, it may be
21 so tough that you want a break, either where you are or
22 leaving the room, that's absolutely fine, just let me
23 know or if there's anything else I can do to assist you
24 to give your evidence as clearly and carefully as you
25 can, please say.

1 If you have no questions at the moment?

2 A. No.

3 LADY SMITH: I'll hand over to Ms Innes and she'll take it
4 from there. Is that all right?

5 A. Yes.

6 LADY SMITH: Thank you.

7 MS INNES: My Lady --

8 LADY SMITH: Actually, there's one other thing at this stage
9 I will say, rather than leave it till later.

10 As you know, this is a public inquiry and not
11 a courtroom, but you are giving evidence, as I've said,
12 in public, a transcript will be made of your evidence,
13 and it's important that you understand that it could be
14 relied on outside the Inquiry. In these circumstances,
15 please be warned that if you're asked any questions the
16 answers to which could incriminate you, you're not
17 obliged to answer them. If you do choose to answer
18 them, of course you must answer them fully.

19 Do you understand that?

20 A. Yes.

21 LADY SMITH: If you have any queries about that particular
22 matter at any point, please speak up and we'll deal with
23 it at the time. All right?

24 A. Okay.

25 LADY SMITH: Thank you.

1 Questions from Ms Innes

2 MS INNES: 'Dorothy', we understand that you were born in
3 1954. Is that right?

4 A. Yes.

5 Q. First of all if I can refer to the statement that you
6 provided to the Inquiry, we give it the reference
7 WIT-1-000001086. If we can look, please, at the last
8 page of that statement, page 51 and paragraph 205 at the
9 top of that page.

10 It says at paragraph 205:

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

15 I believe you signed this statement on
16 26 September 2022; is that right?

17 A. Yes.

18 Q. Okay. If I can go back to the beginning of your
19 statement. At paragraph 2 you tell us that you got
20 married I think in 1979; is that right?

21 A. Yes.

22 Q. You tell us that you had twins born in 1979?

23 A. Yes.

24 Q. Then a son born in 1984 and a daughter in 1989?

25 A. Yes.

1 Q. You also tell us that you worked as a midwife --
2 A. Yes.
3 Q. -- during your career and I think you tell us there that
4 you worked two nights a week after your son was born and
5 you retired in 2012?
6 A. Yes.
7 Q. Is that correct? Then you tell us at paragraph 3 that
8 you did some private childminding?
9 A. Yes.
10 Q. You started that in 1993?
11 A. Yes.
12 Q. I think you say in your statement there that that's how
13 you became aware of day care for children?
14 A. I actually don't remember how I found out about child
15 day care through the social work department, but I must
16 have heard it from somebody or maybe one of my friends
17 did it already, which probably was how I found out about
18 it.
19 Q. Okay. The day care that you're referring to, is that
20 organised through the social work department?
21 A. Yes, yes.
22 Q. If we move on to the next page, please, you tell us
23 a bit more about becoming a day carer and you say that
24 somebody, a social worker, came and visited you and you
25 were put forward to do a course in 1994.

1 A. Yes.

2 Q. It would have been Lothian Regional Council at that
3 point, but it would have been in Edinburgh --

4 A. Yes, it was in Edinburgh, yes.

5 Q. You say that the course was for four hours on Saturdays
6 and you think about two hours over six evenings?

7 A. Yes.

8 Q. The course was both for day carers and foster carers?

9 A. Yes.

10 Q. So there was no different course --

11 A. Different, no.

12 Q. What sort of things were covered in this course? Was it
13 information or was it training?

14 A. It was training, probably along with information
15 about -- and us explaining why we wanted to look after
16 children and help ... help them and help parents, and
17 training along with it, yes.

18 Q. Okay. Sorry, I should have asked, did you and your
19 husband both do this --

20 A. Yes.

21 Q. -- training? You both applied together?

22 A. Yes.

23 Q. At that point was your husband working or not?

24 A. Yes.

25 Q. He was working, okay. Was he in a full-time job at

1 that --

2 A. Full-time job, yes.

3 Q. You then tell us that you went on to become a day carer
4 and you say at the end of paragraph 5 that the hours for
5 doing day care fitted in with your own children, who
6 were at school at the time, and you say that you would
7 do day care -- is that during the time that your own
8 children were at school?

9 A. School, yes, uh-huh.

10 Q. Was that the same for the whole time that you did day
11 care?

12 A. Yes, yes. The times fitted in, yes, with them being
13 away at school and then I would collect the children or
14 the mum would bring the children or whatever, and then
15 they were returned before my children came back from
16 school.

17 Q. Okay. I think you tell us later in your statement that
18 you did day care from about 1994 up to 2003?

19 A. Yes.

20 Q. Okay. If we move on over the page, please, I think at
21 paragraph 10 you tell us that your husband had a few
22 jobs and stopped working around 2006. Is that right?

23 A. Yes.

24 Q. Okay. After you became a day carer and started doing
25 that, was it after that that you decided to go down the

1 route of fostering?

2 A. Yes. I think it was probably about a year or whatever
3 after we started day care, we mentioned -- it would have
4 been a year or two years -- we mentioned we wondered
5 about looking into doing fostering and before we knew it
6 we had cots and prams and everything, all the equipment,
7 yes, and we got a wee girl, yes.

8 Q. Why did you decide to go down the route of fostering?

9 A. Just because I've been caring all my days, nursing,
10 midwifery and having four children, and day care, yes,
11 I loved and it helped parents and it actually helped
12 children coming into care, because you often supported
13 the parent as much as the children that we had for day
14 care, and we just progressed onto fostering. We just
15 thought we would like to do it.

16 Q. Okay. If we look into the next section on page 3 of
17 your statement you talk about training and you've
18 already told us about that initial course. After you
19 became a foster carer, I think you say that you did
20 a lot of training after that?

21 A. I also did training while I was a day carer.

22 Q. Okay.

23 A. You had to do that as well with day care. But yes,
24 training was essential, as I'm saying, and advisable,
25 but there were mandatory courses we had to go on and

1 that too was first aid training and child protection
2 training.

3 Q. Okay.

4 A. But we did -- our support worker that we had assigned to
5 us helped us work through what training would be
6 advisable, but you could go and do any training you
7 wanted.

8 Q. Okay.

9 LADY SMITH: Does that mean that at these courses there
10 would generally be a mix of foster carers and day
11 carers?

12 A. Day carers, until they stopped the day care. Edinburgh
13 stopped day care a few years back.

14 LADY SMITH: When did they stop day care?

15 A. I can't remember. That's when the vulnerable twos --
16 well, it is the vulnerable twos now -- went to nursery
17 earlier. So they stopped, I think, because of cost --

18 LADY SMITH: It would be a wee while ago?

19 A. Yes, a few years back they stopped it.

20 MS INNES: You mentioned the two mandatory units, first aid
21 training and child protection training. Over the time
22 that you were a foster carer and day carer, were these
23 elements always mandatory --

24 A. Yes.

25 Q. -- or did it change at some point?

1 A. No, they were mandatory.

2 Q. Okay. You say that there were refresher courses for
3 these every three years?

4 A. You had to do first aid every three years. Child
5 protection, I think it was about the same. It maybe
6 wasn't the full -- I think the first child protection
7 training was probably two full days and then after that
8 it was maybe a day.

9 Q. Okay. As a refresher?

10 A. Yes, a refresher.

11 Q. I think you do tell us later in your statement that you
12 did child protection training in 2008 for a two-day
13 workshop and then you obviously had refreshers, as
14 you're saying.

15 A. Mm-hmm.

16 Q. If we move down to paragraph 13, you talk about
17 safeguarding training and you say that that's detailed
18 in the carer agreement?

19 A. Yes.

20 Q. What's the carer agreement?

21 A. Well, when you're fostering you sign -- it's like,
22 I suppose, signing a -- a contract and it has
23 safeguarding -- well, what safeguarding -- what's meant
24 by safeguarding in the carer agreement.

25 Q. Okay.

1 A. And we signed and, sorry, but I can't remember how we
2 got this, but I think it would have been our support
3 worker that came with all the documents, because I've
4 got a box full of documents and a foster care handbook
5 about all the rules and regulations and things.

6 Q. Okay.

7 Yes, if we go on over the page to page 4 at
8 paragraph 17 you mention the foster care handbook.

9 A. Yes.

10 Q. You say that almost everything you needed to know was in
11 the handbook?

12 A. Yes, and anything we didn't, you asked your support
13 worker, because she's separate from a practice team
14 social worker. She looks after the foster carers.

15 Q. Okay, and when you say a practice team social worker,
16 what's --

17 A. It's the child's social worker.

18 Q. Okay. Over the time that you were foster carers, did
19 you always have your own support worker?

20 A. Yes.

21 Q. Did that person change over time or --

22 A. Oh yes. We had several. Quite a few.

23 Q. Okay.

24 A. Probably about eight different --

25 Q. Okay, we'll come back to that in a moment.

1 If we stay on page 4 but go back up to the top of
2 the page, you say that you also became involved in
3 delivering the training?

4 A. Yes.

5 Q. Is that correct? Is that because of your experience as
6 a foster carer or your experience as a midwife or
7 a combination?

8 A. It was probably both a midwife and a foster carer.
9 A midwife because I obviously looked after women who
10 were in who had drug addiction and we knew what the
11 babies were like the few days that they were in the
12 hospital or whatever and as we were doing babies and we
13 got drug-addicted babies pretty frequently, yes, I did
14 the training and then I spoke as a foster carer having
15 a drug-addicted baby at these training sessions.

16 Q. Okay. If we go down to paragraph 16, you say there that
17 your husband did the training separately to you?

18 A. Yes.

19 Q. So at paragraph 16, it's further down the page. You
20 explain that you couldn't go on courses at the same time
21 because of having children in your care?

22 A. Mm-hmm.

23 Q. Were there sufficient courses on offer that you were
24 able to --

25 A. Yes.

1 Q. -- go to different ones?

2 A. Yes.

3 Q. Were these courses offered by the City of Edinburgh
4 Council or other organisations?

5 A. It was the City of Edinburgh Council, but -- yes, it was
6 all by the City of Edinburgh council, but they obviously
7 got training sessions.

8 Like the Holly Van Gulden sessions, that's a lady
9 that came across from America, I think she is, and gave
10 us training, obviously Edinburgh Council bought the
11 training in and then gave it.

12 Q. You say here that you think you've done more training
13 than your husband, because in the beginning you say that
14 you were the main carer even although you were joint
15 carers and is that because you were at home more than he
16 was at the beginning?

17 A. Yes, that's probably what I meant by that, yes.

18 Q. Then we know that there was a time in 2006 when he
19 stopped working and you were still doing night shift up
20 till 2012. Did your roles change to any extent at that
21 point?

22 A. No, we were still joint carers. FZS obviously did
23 a lot more because he was there during the day with me
24 and we then -- when we -- FZS retired, that's when we
25 decided we could take two children as opposed to just

1 the one.

2 Q. Okay.

3 A. Even though we maybe had two for very short periods.

4 Q. You maybe had two for short periods before that?

5 A. Yes, yes, yes, but it was only maybe respite.

6 Q. Okay. If we move on over the page, please, to page 5
7 and to the bottom of that page at paragraph 21, it says
8 there that you and your husband didn't specify the
9 length of placement and you didn't choose between short,
10 medium or long term.

11 A. We didn't do long term. We didn't, no, because it was
12 mostly babies and the babies either went home or went
13 for adoption. So we didn't do long-term fostering. We
14 did -- the placement was open until the decision for the
15 child to move back to parents or go for adoption or
16 whatever was made, then the child went away from us.
17 But we didn't do long term like long-term foster carers
18 do.

19 Q. Okay, and what do you understand by a long-term foster
20 carer?

21 A. Well, I've had a wee boy -- one of our last placements
22 was a wee boy who they couldn't get adoptive parents for
23 him because he had issues, health issues and things, and
24 he went to a foster carer who long term cares for him
25 and she will keep him until he's older, 18, 19, 20 --

1 forever, probably, because he has got a lot of problems.
2 And he went where his brother was in long-term
3 fostering.
4 Q. Okay. So you would understand long term to be
5 indefinite, essentially, for the rest of a child's
6 childhood?
7 A. Yes, yes. Yes. Long term -- if -- well, sorry.
8 Q. The type of fostering that you were doing, you were --
9 and I think if we go on over the page at paragraph 22,
10 you say your approval was for the age range 0 to 5?
11 A. Yes.
12 Q. You were generally taking, as I think you've said,
13 babies, and the plan would not be that they would spend
14 the rest of their childhood with you, the plan would be
15 that they would either be rehabilitated to the care of
16 their parents or to another family member perhaps in
17 kinship care --
18 A. Yes.
19 Q. -- or go to adoption or long-term foster care?
20 A. Yes.
21 Q. Okay. I think what you're saying is that you didn't
22 have a limited time, so you wouldn't be saying, well,
23 after two years the child has to move on?
24 A. No, we didn't.
25 Q. You would keep them until that --

1 A. Yes.

2 Q. -- further stage was reached in terms of planning?

3 A. (Witness nods)

4 Q. Okay. If we go down to paragraph 24 on this page, you
5 say that in your opinion, foster carers should be
6 recognised as professionals, like social workers, nurses
7 and many others. Can you explain your thoughts in
8 relation to this, please?

9 A. Well, it's us that's on the front line. We've got the
10 children and looking after them and we attend all the
11 meetings and everything and why shouldn't we be equal to
12 the social workers and health visitors and everything
13 that's there?

14 Q. In what way would you say you're not equal?

15 A. Well, if you worked as a foster carer you would know.
16 Sometimes at meetings and things you were maybe felt you
17 were disregarded a wee bit and I did in a way, but I can
18 speak vocally for my children and the families that
19 I worked with. Some foster carers are maybe a bit more
20 quieter and you end up feeling a wee bit as if you're
21 down there and not on equal terms.

22 Q. Okay. So that's --

23 A. But as I went on to explain, this was going to change
24 about -- I'm talking about 2016, maybe 2017. No, was
25 it -- we were going to be told that the whole of

1 Scotland wide would be treated the same, wherever you
2 worked in an area, Edinburgh or Dundee or Inverness have
3 all different ways of training you, but if we went
4 through these SQA courses and things, we would -- we
5 could move from one area to another without having to do
6 any further training or different training. And we went
7 to meetings about how this would go ahead and it was to
8 go in front of the Scottish Government and it wasn't
9 accepted by the Scottish Government, it wasn't passed.

10 Q. Okay, so the meetings that you attended where this was
11 being discussed --

12 A. This was the social workers and other foster carers and
13 link workers and ...

14 Q. Was that organised by the City of Edinburgh or --

15 A. Yes.

16 Q. -- another organisation?

17 A. No, it was City of Edinburgh, I think.

18 Q. Not the Fostering Network, for example?

19 A. No, it wasn't. No, it was City of Edinburgh.

20 Q. Okay. Did you feel that that was a positive step?

21 A. Yes. I did.

22 Q. Because of the standardisation that would --

23 A. Yes.

24 Q. -- result?

25 A. Mm-hmm.

1 Q. Okay. If we move on to the next page, please, page 7
2 and paragraph 29, you say there that during the time
3 that you were doing day care and fostering you had 22
4 day care children and 50 fostered and respite care
5 children.

6 A. (Witness nods)

7 Q. And most of the placements have been short term, and
8 I think you go on to explain that you mean that the
9 majority -- the majority of children you had for about
10 a year?

11 A. Yes.

12 Q. And some you had for a bit longer.

13 A. (Witness nods)

14 Q. The child that we're discussing here who you know the
15 adoptive mother has given a statement to the Inquiry,
16 and in the same way as you have a pseudonym they have
17 pseudonyms. So the child I'm going to refer to as
18 'Rosie', okay?

19 A. Okay.

20 Q. I think you say that 'Rosie' was one of the longest
21 placements that you had?

22 A. And another wee boy. He was four. He was over four.

23 Q. You then go on to explain that 'Rosie' came to you at
24 four weeks old from the neonatal unit?

25 A. Yes.

1 Q. She stayed with you until [REDACTED] 2015, when she went to
2 live with her now adoptive mother?

3 A. Yes.

4 Q. Okay.

5 At paragraph 32 you talk about the time that you had
6 'Rosie' and that you had more children, I think, than
7 you should have done because they extended your
8 approval. I think you mentioned that a moment ago. Did
9 you have any difficulties with the Local Authority
10 extending your approval or not?

11 A. No. Because the extension was for -- I think -- we had
12 two full-time placements and respite care -- two of the
13 children we had on respite care were children that we
14 had fostered and who needed a wee bit of help, the
15 families, maybe once a month to get a -- well, to keep
16 them at home and keep them managing okay.

17 So -- by that time, as I say, my youngest daughter
18 had left home and we had actually three spare bedrooms.

19 Q. So you had plenty of space --

20 A. Plenty of space, yes.

21 Q. At paragraphs 35 and 36 over the page on page 9 you tell
22 us that you generally had notice that a child was coming
23 to stay with you and you would be given information
24 about that child's background.

25 A. Yes.

1 Q. Did you feel that the information you were given was
2 sufficient at the time?
3 A. At the time we were getting babies, yes.
4 Q. Did you feel that you had the ability to make a decision
5 as to whether or not --
6 A. Yes.
7 Q. -- it would be a good match?
8 A. Yes.
9 Q. Between you and the child?
10 A. Yes.
11 Q. Okay. At the bottom of this page at paragraph 38, you
12 say that you were always given the choice to refuse
13 a placement.
14 A. Yes.
15 Q. You give one example and that you think it's only once
16 that it's happened --
17 A. Why yes.
18 Q. -- that you describe having a placement thrust upon you?
19 A. Yes.
20 Q. You say I think the circumstances of that were that your
21 own support worker was away and somebody else called
22 you?
23 A. Yes. And somebody from the intake -- there's an intake
24 team that deal with all the calls that come in about
25 children needing to be taken into care and I got a phone

1 call from her and she persuaded me, she said somebody
2 else said that we would be very good for this placement
3 and they asked me if I'd take two sisters. And they
4 were older than what we normally take, because it was
5 usually babies, and that there would be no problem, very
6 easy to look after, and that's all I got and I never got
7 any background on them. And if I'd had the background
8 on them before they came, I would have refused the
9 placement.

10 Q. You go on to explain that in your statement. From what
11 you're saying, did you feel under pressure at the time
12 to take the children?

13 A. The -- I don't know. I just believed that they were --
14 there was not a big problem there and -- but probably --
15 she hadn't even had enough information to be saying --
16 I think they were just like on a weekend if it's coming
17 in as an emergency, they don't get all the information
18 and then we didn't get it and I didn't get it until the
19 social worker brought it with the children at 7 o'clock
20 at night and ...

21 Q. By that stage it's too late?

22 A. It's too late, yes.

23 Q. Okay. If we can move on a little, please, to page 11
24 and paragraph 45, you talk about -- you mention at the
25 start of that paragraph that 'Rosie' sometimes went to

1 other carers for respite and if we go down to the bottom
2 of this page to paragraph 46, you refer to her going to
3 respite quite a few times.

4 A. Yes.

5 Q. I wonder if we might just go through these.

6 A. Mm-hmm.

7 Q. You say that you're aware that she went to respite in
8 [REDACTED] 2012, which wasn't -- she came to you in the
9 [REDACTED], so this is not long after she'd come to you.

10 A. Mm.

11 Q. You were on a trip to Paris, you had two children at the
12 time, you couldn't leave your husband to look after them
13 both.

14 A. (Witness nods)

15 Q. And 'Rosie' went to respite carers.

16 A. Yes.

17 Q. A man and a woman. You say that the woman was a day
18 carer for the social work department?

19 A. Yes.

20 Q. Okay. Was the respite arrangement approved by the Local
21 Authority?

22 A. Oh yes. It all has to be done properly, yes.

23 Q. Okay. Then still in that month you say that she went
24 back again to the same carer. Then if we go on over the
25 page at paragraph 47 you talk about her going to another

1 carer, where she stayed for two weeks in [REDACTED] 2012, so
2 at the top of page 12.

3 A. Yes.

4 Q. So she went to stay with another carer.

5 A. Mm-hmm.

6 Q. You only mention a woman's name. Was that a single
7 female carer, can you remember?

8 A. If I've only mentioned a single carer, it would be
9 a single carer, but I -- I'm getting confused.

10 Q. Okay.

11 LADY SMITH: You do go on and say, "They were foster
12 carers".

13 A. What was that, sorry?

14 LADY SMITH: You do go on and say, "They were foster
15 carers".

16 A. I know, probably -- [REDACTED] 2012, I would have to look back
17 on my paperwork. I think it was -- I think it was
18 a couple with their two children.

19 MS INNES: Okay. Then you talk about her going back there
20 again in [REDACTED] 2012.

21 Then you say in [REDACTED] 2013 she went for respite
22 for one week at another couple.

23 A. (Witness nods)

24 Q. Then in [REDACTED] you say she and another child went back to
25 them for two weeks when you were away. And then --

1 A. The dates don't work.

2 Q. It would be [REDACTED] 2013 she went for respite for one
3 week?

4 A. Right.

5 Q. Then you say in [REDACTED] -- maybe of the same year?

6 A. Mm-hmm.

7 Q. It's okay if you can't remember. It's fine.

8 A. She did go to respite several times. The first few
9 times were because they were organised before we got her
10 as a placement and a couple of the foster carers -- she
11 went back to the same foster carers at one point later
12 down the line, a couple that took her, and she --
13 unfortunately in that placement she was moved to another
14 foster carer while she was on respite because the wife's
15 mother was ill in Ireland. But I know the other carers
16 as well. But ...

17 Q. Okay.

18 A. I can't even -- that -- unless I see it in my paper --
19 I can't tell you who they were, but they were all
20 approved foster carers.

21 Q. Yes.

22 A. It just seems like she was away an awful lot, but ...

23 Q. Okay. So she was -- I think you mention in your
24 statement three sets of other carers who she went to
25 during the time that she lived with you.

1 A. Yes.

2 Q. Could there have been more than that, do you think?

3 I mean you mentioned a moment ago that this lady had to

4 go away and then 'Rosie' was moved to other carers.

5 A. Was moved, yeah, and then my friend did one of them, who

6 was a foster carer. And another lady and her husband.

7 I think that was it.

8 Q. Okay.

9 A. Yeah. So because she was moved from that couple, that

10 would be four, but that was unavoidable because of

11 the ...

12 Q. Okay. The friend that you mention who was a foster

13 carer, is that a single female carer or is that a couple

14 as well?

15 A. I don't know. I -- I don't know ... so what did you ask

16 me there? I was --

17 Q. You said that there was one time that 'Rosie' went to

18 a friend of yours.

19 A. She was a family. Her husband and -- her and her

20 husband.

21 Q. Okay. That's fine.

22 I think if we move on, please, to page 13,

23 paragraph 53, you also talk about your sisters having

24 assisted on occasion.

25 A. Of course, that would be the one, my elder sister went

1 through training to be -- so that FZV didn't have to
2 move again. That was when she was a wee bit older.

3 Q. One of your sisters went through training as a respite
4 carer?

5 A. Mm-hmm.

6 Q. And the other sister, did she do training or --

7 A. My sister in Coupar Angus is a schoolteacher and she had
8 Disclosure Scotland, but she didn't go -- she wasn't
9 left with my sister in Coupar Angus. I was there on
10 holiday with 'Rosie'.

11 Q. I see. Okay.

12 If we can move on, please, to page 15 and
13 paragraph 60, you talk about training on discipline.
14 One of the things that you say there is that you were
15 not allowed to smack a child.

16 A. (Witness nods)

17 Q. Was that for the whole time that you were a foster
18 carer, it was something that was never allowed?

19 A. Yes.

20 Q. Is that right? How would you manage any difficult
21 behaviour?

22 A. Just as I was saying there. You didn't reward negative
23 behaviour, you just instead rewarded good behaviour all
24 the time so it would be better. But these are babies
25 and little ones that we were -- we sometimes would

1 use -- and I've forgotten what we call it, but we were
2 trained in it, just to stand or sit beside you until
3 they behaved and you only did it for a minute if they
4 were -- if they were a year old they just had a minute
5 and then you would let them go on. But a lot of the
6 time we used distraction techniques to take them away.
7 Well, with 'Rosie' we did. She was always up to
8 mischief, but she was -- she was fine. Yes. That's the
9 way we did it.

10 Q. Okay.

11 A. Timeout.

12 Q. If we move on over the page to page 16 and paragraph 66,
13 you talk there about initially 'Rosie's' parents being
14 allowed contact three times a week.

15 A. (Witness nods)

16 Q. The contact initially took place at your own house?

17 A. Yes -- no, only one day a week out of the three.

18 Q. Okay.

19 A. The other two were done at Westfield House with the
20 social worker.

21 Q. At the times that it was at your house, did you have to
22 supervise that contact?

23 A. Yes.

24 Q. There wasn't a social worker there as well?

25 A. No.

1 Q. During the times that they were at the social work
2 office or building, was a social worker supervising the
3 contact?

4 A. Yes, a social worker or a social work assistant, yes.

5 Q. Okay. And --

6 A. It was always supervised. Set down by the Children's
7 Hearing system.

8 Q. Okay. The whole time that 'Rosie' had contact with her
9 parents over the time that she lived with you, the
10 contact with them was supervised?

11 A. Yes.

12 Q. You talk about them taking a picture of a roll-up
13 cigarette in the conservatory and you say that you
14 understand that the social work department suspected
15 that 'Rosie's' parents had planted it?

16 A. That's what they thought, yes.

17 Q. But you say:

18 "But I knew it was my nephew's cigarette and I knew
19 it wasn't cannabis."

20 Did you tell the social work department that?

21 A. Yes. Well, they -- what happened was they must have
22 taken the picture at one of the times they were at
23 contact and never said anything and then they brought it
24 up, it was quite a while afterwards, I think, and
25 I hadn't noticed it. My nephew obviously had rolled it

1 up, it was my son's wedding, and he put it down and it
2 had dropped behind a picture and they must have been
3 looking -- I don't know. They found it. And then they
4 made an allegation to the social work department that
5 I had a cannabis cigarette, I think, and -- well, I had
6 this cigarette and they took a photograph of it and the
7 department wondered if they were trying to set me up
8 basically and I said, well, it's a long time now since
9 I've had it and I don't have it now and how would you
10 prove that it was cannabis or it was a roll-up and I'm
11 saying to you now it is definitely a roll-up and you
12 could see on the picture it was a roll-up cigarette.

13 Q. And after that did they stop having contact?

14 A. They stopped, yes, because they thought maybe they were
15 trying to -- I don't know. It was a shame because doing
16 the contacts in the houses are quite good for the
17 parents, because there's not so much pressure on them
18 and it's easier to look after the baby in my house, but,
19 no, they stopped it because they thought they were
20 trying to maybe set things up for us.

21 Q. Okay.

22 A. But ... (Witness shakes head)

23 Q. If we can move on over the page to page 17, please, and
24 to paragraph 69. You talk there about the foster
25 carers' social workers being required to visit every so

1 many weeks. You say that most of the children's social
2 workers came very regularly. And sometimes they would
3 see the child at contacts that were taking place --
4 A. Yes.
5 Q. -- and sometimes they would come to the house?
6 A. Mm-hmm, yes.
7 Q. You say the only one of 'Rosie's' social workers who you
8 didn't see, for about eight months, was Chris Jack?
9 A. Yes.
10 Q. Do you know if he was seeing her elsewhere? So, for
11 example --
12 A. I don't know.
13 Q. -- when she was having contact with her parents?
14 A. No. Contact with parents by that point was with
15 a social work assistant and it was the social work
16 assistant that's named there that usually picked her up
17 for her contact visits and brought her back.
18 Q. Okay. Well, you say he may have had phone contact with
19 you but you can't remember that?
20 A. I -- we'd have had meetings probably because you have to
21 have childcare reviews in between when you've got
22 children every six months or so but that -- he probably
23 did have -- I can't remember and I haven't got a notes
24 or anything to help me remember. I'm sorry.
25 Q. Okay.

1 A. But he certainly didn't visit for eight months. But he
2 was a senior and he was given her case in the middle
3 of -- so I don't know. Sorry.

4 Q. Okay. You were saying he was given her case in the
5 middle of what?

6 A. Well, not in the middle of -- well, in the middle of the
7 placement with us. Well, not in the middle, near the
8 end.

9 LADY SMITH: In paragraph --

10 A. She had a social worker before that that regularly
11 visited, even though she did the contacts.

12 LADY SMITH: In paragraph 70 you suggest that it was around
13 2012 that Chris Jack got the case?

14 A. Yes, so that was probably round the beginning of 2012 --

15 LADY SMITH: Thank you.

16 A. -- because obviously FZV went -- I don't know, it
17 couldn't have been ...

18 MS INNES: I think FZV came to live with you in 2012,
19 so --

20 A. Yes, it couldn't have been 2012. That's a mistake.

21 Q. Okay.

22 A. No, because she had Rachel King for a long time. Sorry,
23 that's a mistake.

24 Q. That's fine, don't worry about it.

25 If we move down to paragraph 72, you talk about

1 unannounced visits.

2 A. Yes.

3 Q. Who would do the unannounced visits?

4 A. That was our support or link worker as they were known
5 later in my career. Yeah, our worker.

6 Q. How often would these happen?

7 A. Well, not until about 2018/2019. It didn't happen
8 very -- I don't know. They didn't do them when we first
9 started. They were more frequent when we stopped. This
10 is as I said there, when we stopped fostering they'd
11 really come out and started doing them more regular.

12 Q. You think it was towards the end of your time as
13 a foster carer that that happened?

14 A. I think so, yes.

15 Q. Do you think that they were happening during 'Rosie's'
16 placement, so that was 2012 to 2015?

17 A. Well, she had so much contact with parents and
18 everything, so -- I -- I can't remember. I can't.

19 Q. Okay.

20 A. Sorry.

21 Q. You talk about other inspections. Now, this would have
22 been at an earlier time when you were doing day care.
23 So if we move on to the top of page 18, you talk about
24 someone from the Care Commission coming?

25 A. Aye, yes.

1 Q. That would be when you were a day carer?

2 A. Yes.

3 Q. And --

4 A. They didn't do it for foster carers. The Care
5 Commission doesn't come out to foster careers. The Care
6 Commission comes out to us as day carers because we are
7 classed like doing private childminding, we are doing
8 childminding, so they came out and did visits. Well,
9 not many visits. I think one or two I had in the time
10 I did it. Probably more. Because we used to have to
11 keep our own records there and they would come out and
12 see that you had your records and everything.

13 Foster care, the Care Commission do the fostering
14 service as a -- as a thing, not individual foster
15 carers.

16 Q. What do you think about that?

17 A. Well, I would think it's more important to be looking at
18 foster carers than day -- well, the same. You can --
19 I don't know. Because how often do they do inspections
20 into the fostering service? They've done it I think
21 maybe ... well, I know of once.

22 Q. Okay.

23 A. That was not long before I finished fostering.

24 Q. When you say that you know of once, how did you become
25 aware that the Care --

1 A. Because we knew through being told that the fostering
2 service of Edinburgh was being looked at and they would
3 pick maybe certain foster carers to go to, I think to
4 speak to them. We weren't picked. I do think that's
5 how they did it. I don't know.

6 Q. Did you have to fill in any kind of survey or form that
7 would be given to the --

8 A. Care Commission? No, I don't think so.

9 Q. Okay. If we move to the next section, you talk about
10 reviews of the placement and you talk about official
11 foster carer reviews taking place every three years in
12 front of a panel.

13 A. Yes.

14 Q. Was that something that happened over the whole time
15 that you were a foster carer?

16 A. Yes.

17 Q. You talk there about the type of decisions that they
18 would make and you say the panels would have records of
19 what training you'd done?

20 A. (Witness nods)

21 Q. And if they saw blanks in your record, they wouldn't be
22 very happy.

23 A. (Witness nods)

24 Q. Was that your -- what was your experience --

25 A. No, not my experience, because I had done plenty of

1 training. I have all my certificates and everything of
2 my training and I did probably more than whatever. But
3 no -- yes, that was just -- I -- a throwaway -- sorry.
4 No, I was just meaning that if they saw blanks, they
5 would have picked it up and said, "Well, maybe you
6 should do more training on ..." or whatever, but no,
7 I had done more than enough training.

8 Q. Okay. Then you say -- you obviously talked about your
9 discussions with your support worker and the support
10 worker would talk to you about training and check that
11 you'd --

12 A. Mm-hmm.

13 Q. -- done relevant training.

14 A. Also latterly it was -- which I haven't put in there, it
15 was done online. We would get regular updates from --
16 I think it came from the City Council, it must have --
17 about what training was coming up and we could apply to
18 go on it through going online to do it.

19 Q. Okay. Did you have to prepare a report for the review
20 yourselves?

21 A. A carer's report, yes. And the social workers, practice
22 team social workers and -- yeah, lots of paperwork for
23 it, yes.

24 Q. Latterly was that all done online as well?

25 A. No. You have to go in front of a panel. What do you

1 mean --

2 Q. The reports.

3 A. Oh, the reports? I think certain foster carers could do
4 it, but we didn't. I always wrote mine out because I'm
5 not very computer literate, yes.

6 Q. Okay. If we move on to page 19 and paragraph 80, you
7 talk in a section there about records and you talk about
8 initially being given a diary and you say that initially
9 the diary would contain information about all of the
10 children that you were looking after.

11 A. (Witness nods)

12 Q. Did that change?

13 A. Yes, it did. You still get a diary but you didn't have
14 the stuff at the back that you could write about your
15 children. That happened pretty -- from probably right
16 up to, aye, 1997. Because if you're writing in your
17 diary and it goes to court, there's other children
18 written in your diary if you needed to show your diary.
19 So they stopped that and we got notes to keep everything
20 in about the records for the child in that.

21 Q. What was the purpose of the diary?

22 A. The diary was for your meetings and children hearings
23 and carer reviews and stuff. So you put your
24 appointments in your diary and I still have the diaries.

25 But initially when we got a diary first, we had to

1 write like contacts, if anything happened to the child
2 or if they had an accident you would write it in there
3 what it was and you reported it and things like that.
4 So really there weren't -- you know, you needed a file
5 to write up all your records.

6 Q. Would the child's social worker ever look at those
7 diaries?

8 A. No.

9 Q. No?

10 A. (Witness shakes head)

11 Q. Would your own link worker look at the diaries?

12 A. No, because they probably ... they came to us that often
13 they would be taking notes about what we were saying
14 about the children.

15 Q. Okay. The purpose of it seems to be something that you
16 would refer to?

17 A. They were supposed to -- well, we found out later on as
18 foster carers they are supposed to sign off your records
19 and everything, if you write anything in your records,
20 especially the individual folders we had, and no, nobody
21 countersigned them in the time that I was a foster
22 carer.

23 Q. Okay. Then if we go on over the page at page 20 you
24 talk about -- well, paragraph 83 you say that your
25 understanding is that as soon as a child left your care,

1 the child's social worker should have taken those notes
2 from you --

3 A. (Witness nods)

4 Q. -- and put them with the child's file, but that never
5 happened?

6 A. Yes.

7 Q. Ultimately were they taken away after you were
8 de-registered?

9 A. No. I -- I at one point after a few years asked one of
10 the social workers -- my worker, "What do I do with all
11 these notes I've got about these children that held
12 reports and everything?" And she took them away. That
13 was in I think 2008 roughly. And then from then I had
14 notes right up until I was de-registered and I asked the
15 social worker to come and take them away.

16 Q. Okay. Did she do that?

17 A. And she couldn't believe it, because -- she did. She
18 took them away.

19 Supposedly because I've had training in this and
20 I had training latterly, about 2016/2017 again that
21 these notes are supposed to be given to the practice
22 team social worker to be filed or to be whatever.

23 Q. Okay. At paragraph 84 you say:

24 "I believe I was supposed to duplicate all the
25 records I made and keep a copy ..."

1 A. Well, I think -- yes, but how can you? I didn't.
2 I mean -- because that was going to be kept.

3 Q. When you say that you believe that you were supposed to
4 duplicate all of the records, is that from the training
5 that you've mentioned?

6 A. I think they probably said you should but if you're
7 writing a daily record on every child you have got --
8 well, we didn't realise we were supposed to do that.
9 I mean every foster carer that was at that training --
10 I think one lady beside me nearly had a heart attack
11 because she got such a shock she should have been doing
12 that.

13 Q. If we go over the page to page 21, at paragraph 87 you
14 talk there about there being no training at the
15 beginning in relation to record-keeping?

16 A. Mm-hmm, that's what I'm saying. It's now improved
17 drastically.

18 Q. You think that it's something that should be mandatory?

19 A. Well, it should be. And the file should be taken away
20 every time. Because if you think how many children you
21 could have through your hands -- and they're locked. We
22 get little boxes to lock the notes in. They are locked
23 up so that nobody else can see them.

24 Q. I'm going to move on to look at some of the allegations
25 that were made against you and your responses and I'm

1 obviously not going to look at all of them. You've
2 given us a response in your statement.

3 If I can move on, please, to page 26 and
4 paragraph 109, this is a description of a meeting, which
5 I think is called a co-ordination meeting, between you,
6 the social work department and the prospective adopter.
7 During that meeting, she says that you became angry,
8 that you were very aggressive, and that you started
9 crying and shouting. Is that correct?

10 A. No.

11 Q. Sorry?

12 A. No.

13 Q. No? You didn't cry at the meeting?

14 A. No.

15 Q. Did you shout at the meeting?

16 A. I didn't shout at the meeting. I just disagreed with
17 what they were asking us to do, having the social worker
18 on a first visit of an adoptive mum coming to see her
19 child, because it had never happened before. Ten
20 adoptions before that we didn't do that, and he -- he
21 hadn't seen FZV for such a long time, I felt that it
22 would kind of distract from this mum coming to visit her
23 child for the first time.

24 Q. Okay.

25 A. So I just disagreed with it.

1 Q. Were your concerns taken on board?

2 A. Yes. They -- he didn't come the first ...

3 Q. Okay.

4 Then if we move on, please, to page 28,

5 paragraph 115, the adoptive mother, who has the

6 pseudonym 'Amber', so 'Amber' says that 'Rosie's'

7 clothes came in the standard black bag that you hear

8 about foster children having. This is when 'Rosie' went

9 to live with 'Amber' and is it correct that some of her

10 clothes went in a black bag?

11 A. No, it wasn't. We buy a suitcase or a bag or

12 whatever -- I take it she's meaning a black plastic bag.

13 But we buy an actual case or whatever and put her

14 clothes in them. No, they do not go away like that.

15 Q. Okay. So when 'Rosie' went, her clothes weren't put

16 into a plastic bag?

17 A. No, they weren't.

18 Q. Okay. Then she also says in this paragraph that her

19 clothes had holes in them, were covered in stains and

20 suchlike. Is that correct?

21 A. It's not true. No. It is -- no, it's not correct.

22 Q. If we go down to the bottom of the page to

23 paragraph 119, she says here that during the

24 co-ordination week you said that you hadn't had a home

25 visit or an unannounced home visit for about ten years.

1 If we break this down, can you remember having
2 a discussion with 'Amber' about --

3 A. No.

4 Q. -- visits?

5 A. No.

6 Q. Is it possible that you had a discussion?

7 A. No -- I mean -- no, we didn't have a discussion about
8 that at all. That never came up.

9 Q. Is it correct that you hadn't had a home visit for about
10 ten years?

11 A. A home visit. I have my link worker, support worker,
12 coming every two to three weeks to see me in the house,
13 and the practice team social workers as well. No, it's
14 not possible at all.

15 Q. Okay. Then in terms of unannounced home visits, is that
16 correct, that you hadn't had unannounced visits prior to
17 2015?

18 A. No, we had unannounced home visits.

19 Q. Okay. You think you had unannounced home visits before
20 2015?

21 A. Yes.

22 Q. Okay.

23 A. No, I don't ... what did I say earlier? I'm sorry, I've
24 forgotten. But she's saying for ten years. Oh, that
25 was 2015 ... before that I don't think they did

1 unannounced visits. I'm not sure about that question.

2 Sorry, sorry.

3 Q. It's okay.

4 Then if we go on over the page at the top of page 29
5 she says that you said that you and your husband hadn't
6 done any training in ten years.

7 A. I didn't say that at all.

8 Q. Is that correct, had you not done any training say
9 between 2005 and 2015?

10 A. I did lots of training.

11 Q. Okay. If we can move down to paragraph 120, 'Amber'
12 talks about being shown the bath-time routine during
13 this co-ordination week. She says that she sat on
14 a stool in the bathroom and that the bath-time routine
15 was described to her by your husband.

16 First of all, is that correct? Was it your husband
17 that described the routine to her?

18 A. It would have been both of us, but it was my husband
19 that did the bath.

20 Q. Okay. Was that something that he usually did?

21 A. We -- that's -- we had a baby at the time, yes, and my
22 husband would -- I'd get FZV ready for the bath, my
23 husband would run the bath, and the door was open, FZV
24 was in the bath, and then I took her out of the bath and
25 I dressed her, put her pyjamas on and her nappy or

1 whatever.

2 Q. Okay. In your house, is the bathroom upstairs --

3 A. No, it's downstairs.

4 Q. Okay. She then goes on to say that 'Rosie' was allowed

5 to pee in the bath. Is that something that could have

6 happened?

7 A. I don't know. I don't know.

8 Q. And --

9 A. But certainly it wasn't filled like a puddle and the

10 water was cold and there was no bubbles or toys.

11 (Witness shakes head)

12 Q. Okay. At the end of this paragraph she says that

13 'Rosie' was given her toothbrush, I think one might

14 infer when she was in the bath, because she says she

15 dipped it in the bathwater --

16 A. She did brush her teeth in the bath, yes.

17 Q. Can I move down to paragraph 122, please. You say there

18 you would have received some guidance from social work

19 on bathing.

20 You say:

21 "The safeguarding training made clear or said that

22 male carers shouldn't really bath females, but these

23 were babies we were looking after so if I was out

24 shopping or otherwise unavailable then there really

25 wasn't another option."

1 In terms of the safeguarding training, can you
2 remember if that applied to -- is that what it said in
3 the training, that male carers shouldn't really bath
4 females?

5 A. Well, the safeguarding is male carers, yes, but we're
6 talking about young children and it was babies we were
7 looking after, so FZS would bath -- and we had a lot
8 of female babies. So we'd -- we jointly did it
9 together. And the department knew we were -- what we
10 were doing. We told them. And ... that's what we ...

11 Q. So the department were aware that --

12 A. Aware we were looking after the children we had, yes.

13 Q. Okay. Was there any differentiation in terms of the
14 training that you had about -- did the training
15 distinguish between older children and male carers
16 shouldn't be bathing older female children and younger
17 children?

18 A. I can't remember if it did or not.

19 Q. Okay.

20 A. I don't know.

21 Q. Okay.

22 A. I think they meant older children, but maybe I'm wrong.
23 I ...

24 Q. If we go on to the next page at paragraph 123, 'Amber'
25 speaks about what she says happened after bath time and

1 she says that after she came out of the bath, you all
2 went back into the living room and she describes her
3 initially as running about naked?

4 A. No, that's not true.

5 Q. Okay, and --

6 A. We went straight from the bathroom there to the bedroom
7 down the stairs there, which has a table for changing
8 nappies and things on it, and we went into there and
9 dried her and got her pyjamas and if she was still in
10 a nappy then, she got a nappy on. So no, she wasn't
11 running about naked.

12 Q. When you're saying that that's what you did, do you mean
13 on that occasion you remember that's what you did?

14 A. Every time we did that. It's the way we did it, yeah.
15 But (pointing) that didn't happen on that occasion when
16 she was there that she went -- and she didn't, because
17 we just bathed her and put her pyjamas on in that
18 bedroom all the same every night.

19 Q. Okay. Then she goes on to say that you had to dry
20 'Rosie's' hair and that you had to get 'Rosie' to come
21 to you and calm down?

22 A. She hated getting her hair combed. She did. She didn't
23 like her hair getting combed, but I didn't act like
24 that, what she said. I didn't.

25 Q. Okay. She goes on to say that you started shouting, did

1 you do that?

2 A. No --

3 Q. That you grabbed her by the top of her arm?

4 A. No.

5 Q. And pulled her over and jammed her in between her legs?

6 A. No, I did not.

7 Q. If you were having difficulty with 'Rosie' wanting --

8 A. We'd just try and persuade her and sometimes had you to

9 leave it. And I -- she said I put the hairdryer on and

10 I really can't remember if I dried her hair that night,

11 because I didn't often dry her hair because she didn't

12 like it either and you just had to ... it was difficult.

13 She did -- she hated her hair getting tugged. But --

14 tugged not tugged, combed or brushed. But you just

15 persevered and managed to get it done normally.

16 Q. She says that you made no attempt not to tug her hair

17 I think while brushing it, maybe. Is that right?

18 A. Yes -- not. No.

19 Q. Okay. If we can move down, please, to paragraph 125

20 where she talks about 'Rosie's' bedroom and her

21 description of it is that it was narrow and looked a bit

22 like a cupboard. She says there was a single bed on one

23 side and stacked-up chairs and tables on the other. Is

24 that right?

25 A. No.

1 Q. Were there chairs and tables in that room at that time?

2 A. No. There possibly -- and I can't quite remember --

3 would have been the cot that FZV slept in and the

4 single bed in that room or I might have moved the cot

5 from that room to the other room at the time, I can't

6 remember, but there certainly wasn't a table and chairs

7 because FZV only moved into a bed when she was ...

8 nearly three, because she loved her cot. She just loved

9 sleeping in her cot. So the cot might have still been

10 there. But there certainly wasn't stacked-up tables and

11 chairs at all. That's not right. And it isn't

12 a cupboard. It's a single bedroom.

13 Q. If we can move on, please, to page 33 and paragraph 135,

14 which is what 'Amber' says happened after 'Rosie' went

15 to live with her. She says that she noticed that in the

16 morning 'Rosie' was too scared to come out of her room.

17 You then respond about what would happen when 'Rosie'

18 lived with you and you say:

19 "She didn't come out of her room in the morning ..."

20 Why was that? Why did she not come out of her room?

21 A. FZV could sleep for Scotland. FZV loved sleeping

22 and she liked her bedroom door closed. She is one of

23 the children -- and often children don't like sleeping

24 in the dark, but she did. She slept for Scotland and

25 she wanted the door closed and what she would do, it was

1 a game we played. She would shout out, "FZS, FZT,
2 it's time to get up", and she'd knock on the door and
3 that was the routine and we did it every morning and we
4 knew it was time to get up, but FZV could sleep till 7
5 or 8 in the morning from 7 at night. She was wonderful.
6 And it didn't happen like that at all.

7 Q. Would you not go in if you were up in the morning?

8 A. Oh yes, yes. If I was wakened and she wasn't, but -- or
9 if we had gotten up, yes, we would go in to see she was
10 fine, yes.

11 Q. Okay.

12 A. We certainly didn't shut her in the bedroom or lock her,
13 because we don't have a lock on her bedroom.

14 Q. Okay. If we move on over the page, please, to page 34
15 and paragraph 137, 'Amber' says there a couple of things
16 that she says that 'Rosie' said when she came to live
17 with her. One of those things was that 'Rosie' said
18 that your husband called the other child who lived with
19 you at the time "little tits" when he was giving her
20 a bath.

21 A. (Witness shakes head)

22 Q. Is that what your husband called that child?

23 A. No.

24 Q. Is it possible that he called her that when you weren't
25 there?

1 A. No, he wouldn't have used that language at all.

2 Q. Okay. If we move down on this page into paragraph 140,
3 and this is an occasion where 'Amber' says at the end of
4 the quote it says that 'Rosie' said that you and your
5 husband both smacked her bum.

6 A. No, we didn't.

7 Q. Why do you think she might have said that?

8 A. I don't know, but I -- well, if you read the next bit,
9 this is a game that we played going up the stairs.

10 Q. What was that game?

11 A. Well, we used to -- I used to run up behind her and
12 I would go, "Smack a bum, smack a bum, smack a bum", and
13 it was -- we tapped her bottom to run up the stairs as
14 a game. And I know I shouldn't have used the word
15 smacking, but I didn't smack her and my husband didn't
16 smack her.

17 Q. Okay. Were you spoken to about that by the social work
18 department at the time?

19 A. Yes.

20 Q. Okay. If we can move on a little in your statement,
21 please, to page 36 and at paragraphs 145 to 147 'Amber'
22 is talking there about 'Rosie' having a scar on her
23 bottom lip. I think she says that 'Rosie' has told
24 her -- she's given different explanations, but she said
25 that she either fell or she was pushed. How did she get

1 that scar on her lip?

2 A. She was wanting to help me wash the dishes, like I've
3 said in there, and we've got two steps for getting up to
4 the toilet and one of them is slightly taller than the
5 other and she decided she wanted the bigger one. And
6 she was standing on it beside me while we were washing
7 the dishes and she stepped backwards and she -- what she
8 did was hit her lip -- well, like that (indicates). Hit
9 her mouth, her chin it would have been, and she bit
10 through her lip and we took her straight to the
11 hospital.

12 Q. Okay.

13 A. Then we had to go back the next day because she had to
14 get plastic surgery on it, she had to get it glued. And
15 the social work department came, a senior came from the
16 social work department to sign the anaesthetic form for
17 her, because it should be the parents but they got them
18 to phone the parents to say it was okay for the social
19 worker to sign it.

20 Q. Okay. If we move on to the bottom of this page to
21 paragraph 148, 'Amber' says there about an occasion when
22 a male friend of 'Amber's' was in the house and 'Rosie'
23 had pulled down her pants and leggings and had bent over
24 to display her bum to him and you say that you never saw
25 any behaviour like that when she was with you.

1 A. (Witness shakes head)

2 Q. You say:

3 "I never had any male adults in my house, just my

4 children."

5 A. Well, I mean my children, my family, sorry. That sounds

6 like I never had any male -- my sons -- I've got three

7 sons and a daughter, but that was all the male people

8 that would be in the house.

9 Q. Okay, so you didn't have any --

10 A. Nobody that was -- no.

11 Q. No friends or relations that were male that came around?

12 A. Male ... I can't think. No, I don't think so.

13 Q. Okay. If we move on, please, to paragraph 155, and in

14 that paragraph and other paragraphs that go just before

15 that in the statement, 'Amber' talks about 'Rosie' doing

16 things which might be termed sexualised behaviour.

17 You've seen those descriptions --

18 A. Yes.

19 Q. -- in 'Amber's' statement. Did you ever see 'Rosie'

20 ever behaving in that way?

21 A. Not at all, no.

22 Q. Did you ever have any concerns about 'Rosie's' behaviour

23 when she lived with you?

24 A. Nope. Only that she was on the go all the time, we were

25 always running after her, and she would go away with

1 anybody strange, but not anything like that, no.

2 Q. Then at paragraph 157, 'Amber' talks about FZV perhaps
3 having night terrors.

4 A. She never had a night terror ever when we had her. She
5 was one of our best children for sleeping. She was
6 great.

7 Q. Okay. Then if we move on to the next paragraph,
8 paragraph 158, 'Amber' is talking about meeting with you
9 and your husband in a park and I think this was after
10 the allegations of smacking had been made. She says
11 that you said not to worry and there were lots of false
12 allegations against foster carers?

13 A. (Witness shakes head)

14 We know there is, but no, we'd -- we don't -- we
15 didn't say anything like that to her. We didn't.

16 Q. Okay, not even in the context of --

17 A. No.

18 Q. -- the allegation that had been made about smacking?

19 A. No. I -- I honestly -- I don't -- we didn't.

20 Q. Okay. If we can move on, please, now to page 41 and
21 paragraph 167, 'Amber' is reporting there things that
22 'Rosie' said in about June and July 2019 and obviously
23 you know that after those things were said, I think they
24 were reported to the police and you and your husband
25 were spoken to at that time.

1 At paragraph 167, 'Amber' talks about things that
2 'Rosie' said about when she was having a bath, that your
3 husband took his clothes off, came into the bath and
4 peed in the bath, put runny soap on her hair that came
5 down her face into her eyes. You say in response to
6 this that your husband would not have had the
7 opportunity to do this outwith your presence.

8 A. That never happened. (Witness shakes head)

9 Q. Okay.

10 A. At all.

11 Q. Were you always in the house when --

12 A. I was always in the house when **FZV** had her bath.

13 Q. You were never out of the house for any reason at that
14 time?

15 A. (Witness shakes head)

16 I just can't say anything -- it's like I said.

17 I can't say anything about -- that I know that that was
18 never -- that it's not true.

19 Q. Okay. If we move on in this statement again to
20 paragraph 171 on page 42, this is something that 'Amber'
21 reports that 'Rosie' said, that your husband had hurt
22 her privates and she said that your husband and his
23 cousin touched her privates. I think she goes on in her
24 statement to say that 'Rosie' might use the word
25 "cousin" for a friend.

1 Your answer to this is that your husband doesn't
2 have a cousin. Is that correct?

3 A. A male cousin, no. That's correct, he doesn't have
4 a cousin, a male cousin.

5 Q. Okay. You say --

6 A. And there wouldn't have been any adult males, no,
7 visiting the house. No.

8 Q. Okay.

9 A. Like it's been said, no. No.

10 Q. Okay.

11 If we can again move on from that, please, to the
12 bottom of page 43 and paragraph 178, where you note that
13 'Amber' says that you shouted and threw plates in the
14 kitchen and on one occasion a plate smashed to the floor
15 and you made 'Rosie' clear that up.

16 A. (Witness shakes head)

17 Q. Is that something that happened or not?

18 A. No. It didn't. No.

19 Q. If we move on again --

20 LADY SMITH: Can you remember anything happening that
21 involved a plate breaking in the kitchen on the floor?

22 A. No, and I think that's where I don't remember her having
23 a scar on her palm and if she had cut her hand, I would
24 have filled in an accident form and I don't remember it.
25 I don't. No, I would never have asked her to pick up

1 anything like that. If I had done it and I had not and
2 I don't remember and I certainly didn't throw plates
3 around my kitchen.

4 MS INNES: Okay. If we can move on, please, to page 45,
5 paragraph 183. 'Amber' reports various things that
6 'Rosie' has said that happened with your husband in
7 relation to her going to the toilet. You say in your
8 response to this:

9 "I was always around when she went to the toilet."

10 A. Well, I was -- yes, I was. And ... it's just not true.
11 And I have no idea what she's talking about. I don't,
12 because that never happened. And we had a toilet seat
13 and we had a -- and a potty.

14 LADY SMITH: 'Dorothy', can I just be clear about this. Are
15 you saying that --

16 A. Sorry.

17 LADY SMITH: -- you were there every time --

18 A. No, and I wasn't --

19 LADY SMITH: -- 'Rosie' went to the toilet?

20 A. No, I probably wasn't, but that didn't happen --

21 LADY SMITH: I know you're talking about everything that's
22 said, but let's just take it one step at a time. To be
23 fair to you, you're not suggesting that every single
24 time the child went to the toilet --

25 A. No, because obviously if I was at meetings or anything

1 and she needed the toilet, FZS would have had to take
2 her to the toilet or a potty, yeah.

3 LADY SMITH: Thank you.

4 A. Sorry.

5 LADY SMITH: It's all right. Are you okay?

6 A. (Witness nods)

7 LADY SMITH: Thank you.

8 MS INNES: At the bottom of this page at paragraph 185 you
9 respond there to 'Amber' saying that 'Rosie' had gone
10 for a forensic examination and this examination found
11 signs of sexual abuse.

12 I think your response to that is there is nothing
13 that you can say in response to that. You have no idea
14 how -- if we go on over the page, please, to the top of
15 page 46, you say there's nothing that you can say in
16 response.

17 "I have no idea how 'Rosie' could have sustained
18 these injuries."

19 During the time that she was in your care, did you
20 ever have any concerns about --

21 A. No.

22 Q. -- her having been abused?

23 A. None. None. Never.

24 Q. During her evidence there are a couple of things which
25 'Amber' mentioned which I want to give you the

1 opportunity to comment on.

2 One was that 'Rosie' had said that there was sand in
3 a sandpit at your home and that your husband would get
4 angry and shove her face in the sandpit --

5 A. (Witness shakes head)

6 Q. -- and she wouldn't be able to breathe.

7 First of all, did you have a sandpit at the house?

8 A. Sorry, I didn't have that in my witness statement, that
9 question.

10 Yes, we had a sandpit, we did and, no, he never did
11 any of that to FZV .

12 Q. Okay. She also said in her evidence that she thinks she
13 might have broken bones during her time in your care?

14 A. Well, I don't know where that's coming from, sorry.

15 I don't.

16 Q. Okay. Did she ever have any --

17 A. No.

18 Q. -- broken bones as far as you --

19 A. No, she didn't. She was never at the hospital apart
20 from the time with the lip.

21 Q. Okay. Right, you then go on to tell us in your
22 statement that there was a police investigation, and if
23 we can move on, please, to page 48 and paragraph 193 and
24 you talk about what happened at the time that you became
25 aware of the investigation. I think you tell us that

1 the child who was in your care at the time was taken

2 away --

3 A. Yes.

4 Q. -- in [REDACTED] 2019. You were told that allegations had
5 been made. Were you told anything about the nature of
6 the allegations or not?

7 A. None. Nothing. It was just that there had been
8 an allegation made against us and they couldn't tell us
9 who the allegation was relating to or what the
10 allegations were.

11 Q. Okay. Then you tell us that you were interviewed, at
12 the bottom of this page at paragraph 196, you say you
13 were interviewed in October 2019?

14 A. Yes.

15 Q. Is that when you found out that the allegations were in
16 respect of 'Rosie'?

17 A. That was when Inspector Cooper said -- yes, we didn't
18 know right up till that point what the allegations --
19 who the allegation was against, which child -- or
20 whatever.

21 Q. Okay.

22 Then I think it took -- well, you were then
23 interviewed and you were released without charge and
24 I think you didn't hear anything more for a period, so
25 if we go on to page 49, paragraph 197.

1 You say that in September 2020 -- about a year
2 later -- you received a letter to say the enquiry was
3 still ongoing.

4 Then in March 2021, your solicitor told you that the
5 police had told him that the enquiry was now complete
6 and that there would be no charges brought.

7 A. Yes.

8 Q. After that, you tell us that there were some discussions
9 with the social work department.

10 A. Yes.

11 Q. Obviously you'd not had a child placed with you since
12 ██████████ 2019.

13 After the investigation concluded, did you want to
14 carry on or resume fostering?

15 A. Yes, we did. Well -- yes. Or do something that helped
16 with children and we didn't want to retire, we wanted to
17 kind of -- we were talking in the future, a few years
18 down the line. But ... yes, we did want to continue,
19 but we weren't allowed.

20 Q. Okay. You say at paragraph 198 that you asked for
21 a meeting with Neil Bruce and Sharon Burn. Was
22 Sharon Burn your link worker at the time?

23 A. No, my link worker left right in the middle of
24 everything, or just after the allegation came to the
25 fore. Instead of getting a new link worker, they --

1 they left it as Sharon Burn, who's the senior, to just
2 liaise with me about everything that was happening.

3 Q. Was Neil Bruce a senior --

4 A. He's the head of children and families.

5 Q. Okay. You say that they were trying to persuade you to
6 retire?

7 A. Yeah.

8 Q. How did you feel about that at the time?

9 A. Well, we were really upset because we wanted to retire
10 on our own time and we had 26 years worked for the
11 department.

12 Q. Okay.

13 A. We didn't want it to end like this.

14 Q. Okay. We know that you then went to a panel, which
15 I think was in August 2021.

16 A. Yes.

17 Q. I wonder if we can look at the minutes of that panel
18 meeting, please. It's at EDI-000001983, and it will
19 come up on the screen in a minute. We see that this is
20 the minutes of a fostering panel dated 6 August 2021 and
21 we can see I think that you attended that panel. It
22 might have been online at the time?

23 A. It was a Zoom. Yes, it was a Zoom.

24 Q. If we can go on to page 2, please, under, "Reason for
25 the panel", we see that it says there:

1 "The panel met to consider the de-registration of
2 you and your husband ..."

3 The chair explained:

4 " ... that the City of Edinburgh Council were
5 recommending that you and your husband were
6 de-registered as the balance of risk cannot be managed."

7 Do you understand what is meant by "the balance of
8 risk" not being manageable?

9 A. I think so, yes. That they can't ... they can't say
10 that we did or didn't do anything, I suppose. I don't
11 know.

12 Q. Okay. It says:

13 "Michelle acknowledged the receipt of a solicitor's
14 letter from Levy & McRae [who were representing both of
15 you] and reports by Sharon Burn (team leader)."

16 It's said that she:

17 "... clarified that today's panel is not based on
18 the presumption of guilt or innocence and would focus on
19 the risk assessment presented by Family Based Care."

20 Then if we can go on to page 3 and if we can scroll
21 down to a paragraph beginning:

22 "Sharon told the panel that you and your husband
23 were put in an extremely difficult position. The police
24 investigation was protracted and concluded after two
25 years. Sharon reiterated that the recommendation to

1 de-register you and your husband as foster carers is not
2 based on her believing the allegation to be true. It is
3 based on managing potential risks for children and you
4 as carers."

5 It was:

6 "... suggested that the allegation would impact on
7 your ability to meet the competency of caring for
8 children in the future."

9 It says that she told you that she acknowledged that
10 the circumstances are very regrettable.

11 In the next paragraph it goes on to note that you
12 responded that:

13 "... you would like to continue to offer children
14 a safe and caring environment. You don't want to suffer
15 any more due to the allegation made. You would like to
16 provide care on a reduced capacity and this would allow
17 them to retire in their own time and to minimise their
18 own concerns."

19 If we move on to page 6 and look at the summary and
20 recommendations, and if we -- yes, there.

21 We see under that:

22 "The chair advised that after further discussion
23 with panel members they have unanimously decided that
24 a recommendation cannot be reached. The panel do not
25 feel that they have enough information and there are

1 areas which need explored further to give a better
2 understanding of the situation."

3 Was that your understanding of the outcome of the
4 panel?

5 A. Yes. Yes.

6 Q. That they were going to ask for some more information?

7 A. Yes.

8 Q. Okay. There's reference to a full assessment requiring
9 to be completed, including full medical reports for you
10 and your husband, and it says:

11 "The panel required an assessment and history of
12 safer caring and things which have or have not been put
13 in place. An assessment the impact the allegation has
14 had on them and their current position. If any other
15 provision would be considered, and if not, an analysis
16 of the reasons for this. Sharon added that your husband
17 suggested other people were named in the allegation.
18 More clarity is needed on this disclosure."

19 Then it says:

20 "Michelle told the panel that you and your husband
21 have a 26-year record of good practice and the panel
22 acknowledges the serious nature of the allegation made.
23 The panel are interested to know if there is any way
24 forward and if not the reasons behind this."

25 After that panel, did you think that there would be

1 these further investigations?

2 A. Yes, and we didn't get it. The agency decision-makers
3 said no, we weren't to be looked at. They said it had
4 all been looked at and she said no and de-registered us.

5 Q. Okay. So if we can just look at that, it's on page 8 of
6 this document. We can see there that she says that she
7 confirms that she has read all the information, she's
8 had a discussion with the panel chair, she spoke to
9 Sharon Burn. Then she notes the decision of the panel
10 and says:

11 "In reaching my decision I have carefully considered
12 the panel's request for more information and have
13 balanced this with Ms Burn's arguments as summarised in
14 sections 7 and 8 of the minute. In their deliberations
15 the panel have already noted the strengths and the
16 competence that you and your husband have demonstrated
17 in their role as foster carers over the years and the
18 high standards of care and cooperation they have
19 afforded to children and to the Local Authority. The
20 skills of you and your husband are also explicitly
21 recognised by Ms Burn and Family Based Care, as is the
22 significant and adverse toll that the child protection
23 investigation has taken on you. I am satisfied that
24 further assessment would not take us much further on
25 these issues. Nor would any additional information be

1 available to the panel in relation to the child
2 protection investigation.

3 My decision therefore is to support the
4 representation of Ms Burn that you and your husband are
5 de-registered as foster carers with the City of
6 Edinburgh Council."

7 I think we can see if we scroll down a little that
8 that's the decision of the agency decision maker, if we
9 scroll down a wee bit, to -- Joyce Wood, dated
10 23 August 2021, and that's the decision that you
11 referred to a moment ago in your evidence?

12 A. Yes.

13 Q. Did you appeal that decision?

14 A. Yes, we did appeal it, yes.

15 Q. I think your solicitor wrote to the next panel with
16 arguments on your behalf?

17 A. Yes.

18 Q. Is that correct?

19 Then if we can look just for completeness at
20 EDI-000002104. We can see that this is minutes of
21 a de-registration panel dated 5 November 2021 and was
22 this in person or was this another --

23 A. That was a Zoom as well, yes.

24 Q. You were at that panel?

25 A. Yes.

1 Q. If we can look, please, to page 2, I think again we see
2 that the reason for the panel is to consider the appeal
3 of the de-registration. What was the outcome of that
4 panel?

5 A. They unanimously decided to de-register us, the panel,
6 so the ADM wrote and told us we were de-registered.

7 Q. If we move to page 3 and part 5, "Summary and
8 recommendations", it says:

9 "Sam Ross (chair) acknowledged that you and your
10 husband's (carers) views and the horrendous situation
11 they find themselves in. Sam further acknowledged that
12 there is no justice or resolution for either party. The
13 current system is the one which the panel and agency
14 decision maker have to work within and at present there
15 is no risk assessment framework which could support you
16 and your husband to continue as departmental foster
17 carers."

18 She recognised that you and your husband had made
19 children's lives better over 25 years as committed and
20 highly skilled carers.

21 If we scroll down towards the bottom of that page,
22 as you've said:

23 "The panel were unanimous in their endorsement of
24 the recommendation of de-registration ..."

25 A. (Witness nods)

1 Q. Okay.

2 I just want to ask you about one further matter in
3 relation to this period of time. Did you feel that you
4 were given any support after the allegations were made
5 or not?

6 A. Not from Edinburgh Council at all. But the Fostering
7 Network was our point of call. We got a slip of paper
8 that told us other numbers to phone and Fostering
9 Network were brilliant and I couldn't fault Levy & McRae
10 as being brilliant at helping us articulate what we
11 would like to say about what's happened and everything
12 and we got more support from them than anybody else.

13 Q. Okay. I think the process, as we've seen, it also took
14 quite a long time --

15 A. Yes.

16 Q. -- from the time of the allegations up until the
17 de-registration.

18 A. (Witness nods)

19 Q. Did the length of the time cause a difficulty for you?

20 A. Well, it was terrible because we were told we couldn't
21 say anything to anybody, we couldn't tell anybody, we
22 couldn't -- and all we had was our family, really, to
23 support us.

24 The only thing that they did do was they actually
25 paid us a fee for right up until 6 August, they actually

1 paid us a fee as if we had had a child in our care, just
2 a fee, and then that stopped right away on 6 August.

3 Q. Right. Do you think that is something that should be
4 learned from your experience?

5 A. Oh, I think it should be. It's -- it's -- just the way
6 it was handled and our children actually had to get --
7 the police came to them and they knew more from the
8 police than actually we did from the department and that
9 was not right either.

10 MS INNES: Okay. I've come to the end of my questions for
11 you.

12 There are no application, my Lady.

13 LADY SMITH: Thank you.

14 Are there any outstanding applications for
15 questions?

16 'Dorothy', thank you very much for engaging with us
17 as you have done and coping with our difficult
18 questioning this morning as calmly as you have done.
19 I really appreciate that.

20 A. Thank you.

21 LADY SMITH: You'll be glad to hear that I'm now able to let
22 you go, but before I do, can I just say one thing. Your
23 husband, you know is our next witness. Please don't
24 discuss your evidence with him between now and him
25 giving evidence.

1 A. No.

2 LADY SMITH: It wouldn't be in the interests of either of
3 you to do so, but you probably realise that already.

4 A. (Witness nods)

5 LADY SMITH: Now go and relax.

6 A. Thank you.

7 (The witness withdrew)

8 LADY SMITH: We'll take the lunch break now, Ms Innes, and
9 we'll try to start again at about 2 o'clock.

10 MS INNES: Yes, my Lady.

11 LADY SMITH: Thank you.

12 (12.44 pm)

13 (The luncheon adjournment)

14 (2.00 pm)

15 LADY SMITH: Good afternoon.

16 Ms Innes.

17 MS INNES: My Lady, the next witness remains anonymous and
18 has the pseudonym 'Neil'. We have just heard evidence
19 from 'Neil's' wife, who has the pseudonym 'Dorothy'. As
20 a result, I'm not going to repeat the entire preamble
21 that I gave earlier this morning.

22 However, I would note that 'Neil' and his wife
23 'Dorothy' were foster carers for the City of Edinburgh
24 Council from around 1996 until they were de-registered
25 in August 2021. As we saw earlier, they appealed

1 against that de-registration and that appeal was
2 unsuccessful.

3 Prior to 'Dorothy' giving evidence this morning,
4 I provided the details of evidence given by a witness
5 with the pseudonym 'Amber', who is the adoptive mother
6 of a child with the pseudonym 'Rosie', who was in foster
7 care with 'Dorothy' and 'Neil' from [REDACTED] 2012
8 until [REDACTED] 2015.

9 LADY SMITH: Thank you very much.

10 'Neil' (affirmed)

11 LADY SMITH: 'Neil', I would ask you to try and stay in
12 a good position for the microphone because we need to
13 listen to you through the sound system.

14 A. Okay.

15 LADY SMITH: If you could do that.

16 The red folder that's on the desk has your statement
17 in it and you'll be taken to that in a minute or two.
18 You'll also see the statement coming up on the screen in
19 front of you and you might find it helpful to look at
20 it, or the hard copy if that's easier for you, as we
21 take you to the parts we'd like to discuss.

22 Separately from those practicalities, can I just say
23 this. I do understand that being asked to come here
24 today and give evidence in public about matters that
25 took place a little while ago, where you know that some

1 of the questions that we have for you will be difficult
2 questions and could be upsetting, it's all hard, I get
3 that.

4 I don't really make any apologies for it, because
5 we're doing this for the benefit of children --

6 A. Yes.

7 LADY SMITH: -- children in the past, children now and
8 children in the future --

9 A. Yes.

10 LADY SMITH: -- and I'm sure you'll understand that, so bear
11 with us if it does feel difficult and tough at time.

12 A. Yeah.

13 LADY SMITH: But if you want a break, either just sitting
14 where you are or leaving the room, you must let me know,
15 because there's no problem about that. Or if there's
16 anything else we can do to help you give your evidence
17 as clearly and carefully as you can, you must let us
18 know because we might not have thought of everything,
19 all right?

20 A. Okay.

21 LADY SMITH: Before I hand over to Ms Innes, there's one
22 other thing I'd like to say. You're here to give
23 evidence at a public inquiry, this is not a court, but
24 you are giving evidence in public. A transcript is
25 being made and it's important you understand that the

1 transcript could be relied on outwith the Inquiry
2 hearing.

3 In these circumstances, I need to warn you that if
4 you're asked any questions the answers to which could
5 incriminate you, you're not obliged to answer them. If
6 you choose to answer them, you must of course give full
7 answers, given the oath you've taken to tell the truth.

8 A. Okay.

9 LADY SMITH: Do you understand all this?

10 A. Yes, I do.

11 LADY SMITH: If you have any queries about it as we go
12 along, do speak up and we can go through it again, all
13 right?

14 A. Okay.

15 LADY SMITH: Very well. If you're ready, I'll hand over to
16 Ms Innes and she'll take from there.

17 A. Thank you.

18 LADY SMITH: Ms Innes.

19 MS INNES: Thank you, my Lady.

20 Questions from Ms Innes

21 MS INNES: 'Neil', I understand that you were born in 1953.

22 Is that correct?

23 A. That's correct.

24 Q. I want to refer first of all to your statement that
25 you've provided to the Inquiry and we give it the

1 reference WIT-1-000001090.

2 If we can look at the last page to begin with,
3 please, page 62. At paragraph 245 it says there:

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

6 I believe the facts stated in this witness statement are
7 true."

8 I understand that you signed the statement on
9 27 September 2022; is that correct?

10 A. That's correct.

11 Q. If I can move, please, to the beginning of your
12 statement, you tell us a little bit about your
13 background and your family life, and obviously we've
14 already heard evidence from your wife this morning.

15 I understand that you and your wife married in 1979; is
16 that right?

17 A. 1979, yes, that's right.

18 Q. Okay.

19 A. [REDACTED].

20 Q. We understand that there were four children of your
21 marriage --

22 A. Yes.

23 Q. -- twins and then a boy and a girl?

24 A. That's correct, that's correct.

25 Q. If we look at page 4 of your statement and paragraph 11,

1 you talk there about becoming foster carers. From your
2 perspective, why did you decide to become a foster
3 carer?

4 A. Basically all my life I've been -- my younger sister was
5 adopted when I was 10 and basically I've just been --
6 I seem to have been bringing up children all my life.
7 And I -- FZT is the -- you know, she's a midwife and
8 I can only describe her instincts to look after children
9 and babies as just something phenomenal and I share that
10 with her. It's just something that we do. And our
11 children are hooked into that as well.

12 LADY SMITH: 'Neil', I should say at this stage you've used
13 I think the name of your wife.

14 A. I beg your pardon?

15 LADY SMITH: I think you were using the name of your wife
16 there.

17 A. Yes, sorry --

18 LADY SMITH: For your reassurance and hers, I want to make
19 a formal statement that she does have anonymity before
20 the Inquiry, she's known as 'Dorothy' before the
21 Inquiry.

22 A. Sorry.

23 LADY SMITH: No need to apologise. I just want to make it
24 clear to everybody else she's not to be identified
25 outside this room.

1 A. Yes.

2 LADY SMITH: My having said that, it's a matter for you. If
3 you find it easier to use her actual name, you can do so
4 knowing that it can't be used outside this room, but
5 otherwise if you just want to refer to her as your wife
6 or 'Dorothy' as the name that we were using, feel free
7 to do that. It's your choice, all right?

8 A. Okay.

9 LADY SMITH: Thank you.

10 MS INNES: Did you and your wife make a joint application to
11 become foster carers?

12 A. We would have done, yes.

13 Q. Did you go to training courses together before you
14 became foster carers, can you remember?

15 A. Yes. We -- we did training [REDACTED]
16 [REDACTED]

17 Q. Okay.

18 A. It was on Howdenhall Road and it was [REDACTED]
19 [REDACTED] maybe to where we did our training.

20 Q. Okay.

21 A. It involved weekend work and evening work.

22 Q. Okay. Then at paragraph 15 on this page you say that
23 you believe there were checks carried out for you and
24 your wife and you think that they had gone into a fairly
25 in-depth history from every address you'd been at to get

1 the disclosure done?

2 A. Yes, I think that's correct, yeah.

3 Q. You talk about a social worker called Maggie Harvey --

4 A. Mm.

5 Q. -- was she the person who did the original assessment?

6 A. Yes, I think she would have been, yeah. Yeah, she was

7 the catalyst for it all, yeah. She was a fantastic

8 lady.

9 Q. Okay. You describe her as being one of the most

10 thorough social workers you've ever met.

11 A. Oh yeah. She's -- she's just brilliant.

12 Q. Did you work with her after you became foster carers?

13 A. Yes.

14 Q. Okay. Was she one of the social workers then that might

15 be described as a link worker or a support worker?

16 A. Yeah. Yes, that's -- liaison worker I think they

17 eventually were called.

18 Q. Okay, so the terminology has changed, but you've always

19 had a social worker that would work with you and your

20 wife as opposed to the children's social workers?

21 A. Yes. Although there was gaps and, you know, some -- we

22 had quite a few that stayed a little while and then

23 left, then we got new ones.

24 Q. Okay. If we look over the page to page 5 and

25 paragraph 18, you say:

1 "In hindsight with what has happened here I don't
2 think any of the training covers the real threat of
3 allegations."

4 Can you explain your thoughts in relation to that?
5 Do you think that's something that ought to be covered
6 in training?

7 A. Very much so now.

8 Q. Okay.

9 A. But I don't think it was particularly highlighted. It
10 might have been mentioned, but I don't remember that.
11 As I say, I think I talk about the men only in foster
12 care later on.

13 Q. Mm-hmm.

14 A. I mean, I think if they did highlight that, you know,
15 people wouldn't -- maybe that would put them off, you
16 know.

17 Q. Okay. I'll just ask you about the men in foster care
18 just in a moment, but just staying with this paragraph,
19 you talk about with allegations it gets to a point where
20 you are basically abandoned and you say:

21 "That is the worst thing after working with the
22 department for so long to be abandoned. I can't believe
23 the way we have been treated."

24 A. Yeah.

25 Q. You talk about it a bit more later on in your statement,

1 but you can outline the concerns that you have about the
2 way that you were treated by the social work department?

3 A. Well, when -- it was when they came to -- and we got
4 a phone call from the liaison worker and she said,
5 "There's something come up, we're going to come up and
6 speak to you". You know, what -- we didn't know what it
7 was, and there was two of them and they said, "Oh,
8 there's been an allegation and basically we're going to
9 take [REDACTED] ..." -- oh, sorry, take the little girl we
10 had, "We're going to take her away". And it was the
11 back of 5 in the afternoon and the little girl was still
12 having her dinner. And then all of a sudden the little
13 girl's -- they suddenly said -- oh, the other social
14 worker's going to take her away and they wouldn't say --
15 you know, it's -- you know, it's:

16 "What's going on? What do you mean there's been an
17 allegation?"

18 "Well, we can't tell you."

19 And it was like -- it was like somebody that you had
20 thought you knew, and thought you knew and trusted, had
21 just suddenly turned on you and ...

22 Q. Was that your own social worker that came to visit you
23 on that day?

24 A. Yes.

25 Q. Okay.

1 A. And her senior. And then the -- the little girl's
2 social worker. So that's what happened. They just
3 basically -- and they wouldn't say, "There's been
4 an allegation, can't say what it was, who it was, what
5 it is", you know it was -- it still is, it's just
6 unbelievable what happened and the way they did it.

7 Q. Okay.

8 A. It's never left FZT or I till this day. I think it was
9 [REDACTED]. It's still in my brain.

10 Q. After [REDACTED] 2019, when was it that you found out the
11 nature of the allegation and who had made it?

12 A. Right, it was the beginning of October.

13 Q. Okay.

14 A. Maybe about 2 or 3 October 2019.

15 Q. Okay.

16 A. And then FZT took the call. It was from
17 an Inspector Cooper.

18 Q. Okay.

19 A. And he said it's about the ... 'Amber', I think it's
20 'Amber'. And that was the first we knew that it was
21 about that. But we didn't know anything at all until
22 then. And then the policeman said, "Well, you need to
23 organise a lawyer", and I think -- I think the Fostering
24 Network service had recommended Levy & McRae in Glasgow,
25 so we phoned them and they arranged everything after

1 that. Then it was a couple of weeks later, I think it
2 was 17 October that we were -- they said we had to go to
3 Livingston police station and it would be a "no comment"
4 interview.

5 Q. Between [REDACTED] and then you speaking to the police on
6 that occasion, had you had any support from the City of
7 Edinburgh Council?

8 A. No. No. The senior would occasionally phone, it kind
9 of went down to once a month, just to say there was
10 no -- there was no updates, but that was her words there
11 was no updates, still can't tell you anything.

12 Q. Mm-hmm.

13 A. And then if I remember rightly now, in September my
14 youngest son, who's my number third, had emailed the
15 senior to arrange a meeting at Westfield House just to
16 find out what was going on, and the senior and our
17 liaison worker said, "Yeah, we'll -- we can't tell you
18 anything", so my -- my number three child and FZT [REDACTED] and
19 I, we went along to Westfield House to supposedly
20 a booked room and we got asked to leave because they
21 hadn't even booked the room. You know, it was stuff
22 like that that was going on. That's the -- and they
23 still couldn't say, wouldn't say anything, who it was,
24 what it was, when it was. It was ...

25 Q. Did they explain to you why they were unable --

1 A. They weren't allowed to.

2 Q. By whom?

3 A. By?

4 Q. Why were they not allowed to?

5 A. Oh, I don't know --

6 Q. Okay.

7 A. -- but we weren't -- they also told us things like we
8 weren't allowed to speak about it to anybody.

9 Q. Okay.

10 A. We weren't allowed to -- and we were well known where we
11 are, with having children, going walks and buggies and
12 things like that.

13 So people ... and one of my granddaughters is the
14 same age as ...

15 Q. 'Rosie'.

16 A. 'Rosie', sorry, yes. She's the same age and they were
17 great friends. They went -- they would go to the
18 nursery together. So when -- and also the little girl
19 that we had, they -- my two granddaughters, my older
20 ones, they were so fond of the little one, so when she's
21 gone and we can't explain why. You know, it was
22 unbelievable.

23 I mean there's a few other things that happened at
24 that time as well with the department, but I don't know
25 if you want me to say.

1 Q. What do you mean when you say there were a few other
2 things that happened?

3 A. We had one of the main people, he came to the house and
4 he said, "I can't tell you" -- I think it was FZT he
5 was speaking to. He says, "I can't tell you over the
6 phone because it's a sensitive matter", and then he --
7 when he came, he asked -- he asked for my mobile numbers
8 for my twins and my daughter, because they had children.
9 I don't remember him saying he was passing them on to
10 Police Scotland, but I think -- well, that's what they
11 did. And then he said I couldn't see my grandchildren.

12 Q. Did he explain why that was?

13 A. He said it was a ... it would invalidate the insurance
14 or their insurance. That was the words he used.

15 Q. Okay.

16 A. And later on I found out from my twins that what -- when
17 the -- the police had phoned or they'd phoned ██████████
18 and they'd gone round to ██████████'s and they had said it
19 was advice, but it wasn't written in stone, but I never
20 saw my grandchildren for weeks.

21 I mean, that was one of the lowest points. I mean
22 there's been a series of ... low points.

23 Q. Okay. We'll come back to -- later on in your evidence
24 we'll come back to the later period when we know that
25 there was a de-registration panel and that period of

1 time. But if I can move back to your statement, please,
2 and if we can move on to page 6 and paragraph 23 where
3 you talk about the course that you mentioned or the --
4 A. Yeah, yeah.
5 Q. -- a men-only men in foster care course, who was that
6 run by, do you know? Was it the City of Edinburgh?
7 A. Yeah. It was taken -- I can always remember that one.
8 There was 16 and they were male foster carers from all
9 over Scotland.
10 Q. Right.
11 A. And it was two -- two foster carers that took it. They
12 must have had -- I don't know, must have had the
13 authority to do that.
14 Q. What was the purpose of that course? What was discussed
15 at it?
16 A. Well, lots of things, like biasness against men in
17 foster care and stuff like that, yeah. And allegations,
18 the threat of allegations did come up and then he asked
19 had anybody in the room had any allegations and it was
20 half of them had had -- had had allegations against
21 them. In fact, one of the -- the other guy that was
22 helping them had -- he had been out of work, forced to
23 stop fostering for about 18 months until they were --
24 you know, he got back working again as a foster carer.
25 Q. Okay. Just in the next paragraph at paragraph 24 you

1 talk about child protection training that you had and
2 you say in the next sentence:

3 "It was mostly babies that we looked after and a lot
4 of child protection is common sense."

5 A. Mm.

6 Q. Can you explain that? What do you mean by it being
7 common sense?

8 A. Well, you wouldn't do anything inappropriate in the way
9 that's been alleged, you know. You just -- you just
10 wouldn't. You know.

11 Q. And do --

12 A. You would never put any child at risk of any -- you
13 know.

14 Q. Did you find the child protection training helpful or
15 are you saying, well, it was common sense so you knew it
16 anyway?

17 A. Oh right -- I beg your pardon?

18 Q. Are you saying that the child protection training was
19 helpful? Or are you saying it was common sense so you
20 didn't need it anyway?

21 A. All right, no, I'm saying you definitely need the
22 protection training.

23 Q. Yeah.

24 A. But coupled with common sense, yeah.

25 Q. Okay. If we can move on, please, to page 9 of your

1 statement and paragraph 40, you say there that you
2 viewed foster care as a profession and you say that your
3 wife shares your view. Can you explain your thoughts on
4 that? Why do you see it as a profession?

5 A. Basically because you're having to liaise with troubled
6 parents, troubled children, other professionals, social
7 workers, medical people, hospitals. You're having to
8 have a wide range of skills and an ability to speak to
9 these people on a professional level.

10 I don't know if that makes sense to you or not.

11 Q. Yes, you talk about it being a professional job and
12 I think you talk elsewhere in your statement about you
13 having three careers and one of those careers is in
14 fostering?

15 A. Mm. Very much so.

16 Q. Over the page at the top of page 10 at paragraph 41 you
17 say that you absolutely believe that foster carers
18 should have childcare qualifications.

19 A. Yes.

20 Q. Can you tell us about that, what are your thoughts on
21 that?

22 A. I can't imagine any foster carer not wanting to be --
23 have recognition and not do, you know, all the training
24 that's been available. You know, just -- it doesn't
25 make any sense to me otherwise. You know.

1 Q. Okay.

2 A. I think it's a -- you know, if you have an honours
3 degree in physics or chemistry, it's a badge of pride,
4 isn't it, and it's the same. It's the same with that.
5 You know, it's a matter of pride as well. And your
6 recognition of -- in your ability to do a very demanding
7 job.

8 Q. Do you think such qualifications would help you,
9 I suppose, be the best foster carer that you could be?

10 A. Absolutely. There's no -- there's nobody got a --
11 nobody knows everything about everything. You know, you
12 can always -- you learn every day.

13 Q. Okay. I wonder if we can move, please, to page 13,
14 paragraph 58. At the end of that paragraph you're
15 talking about you have fostered more than 50 children
16 and it was about 70 if you include the respite, you say:

17 "Every one of these children that we have looked
18 after all have a voice and indirectly they have been
19 affected by these allegations as well."

20 Can you explain what you mean by that?

21 A. Well, what I thought was that after this happened that
22 the police had gone back to all our placements and
23 spoken to them, so can you imagine speaking to some of
24 the people that we view as friends: did we harm your
25 child when they were in our care? It's that I think

1 I was trying to -- I can't quite remember what John was
2 asking me about that, but that's ... I mean ...
3 Q. Okay, so that's what you were meaning --
4 A. I think so.
5 Q. The impact of the police investigation on them?
6 A. Yeah.
7 Q. Okay, I understand.
8 LADY SMITH: 'Neil', can I be clear? You're not saying, are
9 you, that the police should not --
10 A. Oh no.
11 LADY SMITH: -- investigate allegations in that way?
12 A. Absolutely not, no. I think the police have done --
13 I think they've been the ones that have been so fair in
14 all of this.
15 LADY SMITH: Your personal experience apart, it may be that
16 such police investigation does bring to light that there
17 is supporting evidence --
18 A. Absolutely, yes.
19 LADY SMITH: -- for a well-founded allegation --
20 A. Yes.
21 LADY SMITH: -- and shows -- hang on. And shows that the
22 allegation made --
23 A. Yes.
24 LADY SMITH: -- by the child or by somebody speaking on
25 behalf of the child is absolutely right.

1 A. Yes. I understand what you're saying, Lady Smith, and
2 if any child of mine had been abused in this way, then
3 I sure as heck would want to get to the bottom of it.

4 LADY SMITH: It's difficult --

5 A. I think what I think I was trying to say at the time was
6 foster carers look after children to the best of their
7 abilities. They come into a family home or a home and
8 then they move on and then, you know, what happens after
9 that? They've all got a story to tell. They've all got
10 a -- and I probably think they don't get enough voice on
11 that.

12 LADY SMITH: Thank you.

13 MS INNES: I wonder if we can move on again in your
14 statement, please, and I just wanted to ask you about
15 something you say about sibling contact.

16 At page 24, paragraph 110, you tell us there that
17 the foster children that you had didn't have regular
18 contact with their siblings without their parents being
19 involved. You reflect on your wife's view in relation
20 to that.

21 In the next paragraph, at paragraph 111, you say:

22 "When I think about what I would change about foster
23 children having contact with their siblings I would say
24 that wherever possible they should have contact with
25 each other."

1 Do you mean even if they're not having contact with
2 their parents at the same time, that they should be able
3 to see their siblings?

4 A. Oh, I think they should be able to see their brothers
5 and sisters. But I mean every case, if you like, is
6 different. Maybe -- well, we had one baby, newborn
7 baby, that the mother had died, you know so there was no
8 chance -- and she had other children as well I think,
9 so -- I mean every case is different but brothers and
10 sisters should be able to see each other, surely.

11 Q. I think what you're saying is that your experience is
12 over the time that you were a foster carer that children
13 would only have contact with their brothers and sisters
14 if that happened to be along with their parents. That
15 was your experience?

16 A. Can you just say that again, please, because I'm --

17 Q. What you say in paragraph 110 at the beginning of the
18 paragraph, you say that the foster children that you had
19 didn't have regular contact with their siblings without
20 their parents being involved. So they would only see
21 their siblings if their parents were there too.

22 A. Right. That's possible, yeah. But I --

23 LADY SMITH: Is that what happened, 'Neil'?

24 A. I don't remember any brothers or sisters meeting up with
25 parents.

1 LADY SMITH: No, what we're interested in is looking at how,
2 if at all, a child in your foster care was able to have
3 contact with brothers and sisters and whether that could
4 only happen if the parents were involved in the contact.
5 A. I don't remember that. I don't remember siblings coming
6 to the house or anything like that.
7 LADY SMITH: Right.
8 A. Maybe once. But -- and I can't remember if the parents
9 were there or not.
10 LADY SMITH: Okay. Thank you.
11 Ms Innes.
12 A. It's -- you know, I think the point I was trying to
13 make --
14 LADY SMITH: Don't worry about it, 'Neil'. It's fine.
15 That's just what we were interested in.
16 Were you trying to make a point about brothers and
17 sisters?
18 A. All I was trying to say, I think, was that brothers and
19 sisters, you know, should be able to meet up.
20 I don't -- I don't get it why -- well, I think the --
21 well, I don't know if the department's against it or
22 not. I don't know why that's an issue.
23 MS INNES: Okay. Thank you.
24 If we can move on, please, to page 25 and
25 paragraph 118, you talk there about remembering a couple

1 of unannounced visits?

2 A. Yes.

3 Q. Was that done by your link worker?

4 A. Yeah, the liaison -- yeah, the link worker, yeah.

5 Q. Did that happen throughout the time that you were
6 a foster carer or was it something that was brought in
7 by the department?

8 A. It was so long ago. I mean the liaison workers were
9 often visiting. The only one I can remember actually
10 saying, "This is an unannounced visit" was that lady
11 there who was an Australian lady.

12 Q. Okay.

13 A. But they -- I mean our house was constantly -- I mean it
14 was like a revolving door with people coming in and out.
15 I think sometimes they maybe did count -- what was it?

16 Q. An unannounced visit.

17 A. An unannounced visit if they were visiting.

18 Q. When you say people were coming in and out of the house,
19 are you referring to social workers?

20 A. I think I'm referring to social workers,
21 physiotherapists, medical people, you know the social
22 work assistants that would come and collect and take
23 away for visits. What do we call them? They're like
24 nurses, people like that coming in. I mean it was --

25 Q. You mean like a health visitor maybe?

1 A. Health visitor, sorry, yes. Health visitors. We had
2 one health visitor that she had tripped out the front
3 door and I ended up having to put a driveway in so she
4 wouldn't do that again.

5 Q. In terms of unannounced visits, in the next paragraph,
6 119, you finish that by saying:

7 "Why not make these unannounced visits more often?"

8 A. Yeah.

9 Q. You think it would be quite a good idea to have more
10 unannounced visits?

11 A. Yeah. I don't see -- I don't see an issue with that.

12 Q. Okay.

13 I'm going to move on to the part of your statement
14 now where you deal with various allegations that you
15 have had sight of. As you know, these are in
16 a statement from a witness who we're calling 'Amber' in
17 respect of a child with the pseudonym 'Rosie', okay?

18 If we can move, please, to page 39, paragraph 173,
19 in this paragraph 'Amber' is describing I think what's
20 called the co-ordination week and at one point during
21 this week she was at your house and she was learning
22 about the bath-time routine. She says there that you
23 described the bathroom routine to her. Is that right?
24 Can you remember that?

25 A. Yeah, that was a normal thing for adoptive parents, to

1 come to our house to see the bedtime routines and what
2 the bath-time routines were.

3 Q. Okay, so did you describe the bath-time routine to
4 'Amber'?

5 A. I would have -- but not that. I would have said, "Yeah
6 this, is what we do" and shown her. She would have
7 watched. She was basically there to watch.

8 Q. Okay. Now I just want -- you're saying "I would have
9 done". I just want to be clear as to whether you can
10 actually remember the occasion that 'Amber' is referring
11 to or if you're thinking, well, this is what we normally
12 did so I would have done that?

13 A. Yeah, I can remember -- I can remember FZU in the
14 bathroom, yeah -- sorry, I said her name.

15 LADY SMITH: You remember 'Amber' in the bathroom, do you?

16 A. Yes.

17 MS INNES: You say this would have been the normal routine.
18 Would you usually have done 'Rosie's' bath time?

19 A. I would have -- yes, I would have done the bath. When
20 we had two in, you know I would do one, FZT would come
21 through and then I would take the baby, if we had
22 a baby, and I would do the baby. But we had another
23 bath, you know, a baby bath. But as they got -- you
24 know, when FZV -- sorry, 'Amber' was two --

25 Q. 'Rosie' was two.

1 A. 'Rosie' would have been too big for -- you know, the
2 plastic backs that you fit onto the bath.

3 Q. What 'Amber' goes on to describe is that -- a couple of
4 things in this paragraph. She says that 'Rosie' and the
5 baby that you had at the time were in the bath together.
6 Is that right?

7 A. No. That's -- that's just so untrue. We would -- we
8 would never -- I just -- untrue. It's totally untrue.

9 Q. Were they ever in the bath together or were they always
10 bathed separately?

11 A. Bathed separately, yeah.

12 LADY SMITH: How old was the baby at the time?

13 A. The one that was in would have been under -- under
14 10 months.

15 LADY SMITH: How much under 10 months?

16 A. Well, she came from birth as well, so it could have
17 been ... maybe six months at the most, maybe?

18 LADY SMITH: Was she sitting up?

19 A. I can't remember that, Lady Smith. She certainly -- to
20 answer your question: were they bathed together? Never.
21 They were never ever, ever.

22 LADY SMITH: That wasn't what I was asking you, 'Neil'.

23 A. Oh, sorry.

24 LADY SMITH: I was just asking whether you had a memory of
25 whether she was at the stage that she was sitting up or

1 not?

2 A. No.

3 LADY SMITH: You don't remember or she wasn't?

4 A. Oh, she wasn't, no.

5 LADY SMITH: You sure?

6 A. I'm very sure, Lady Smith. I can report that back to
7 you that that little baby was never sitting up, no.

8 LADY SMITH: All right, thank you.

9 MS INNES: Then 'Amber' goes on to say that 'Rosie' was
10 allowed to pee in the bath. Is it possible that that
11 happened?

12 A. I'm not aware of ever that happening, no. I don't --
13 don't accept that at all.

14 Q. Then she says that after that you gave her her
15 toothbrush and she dipped it in the bathwater and
16 brushed her teeth.

17 A. That is simply -- it's simply not true.

18 Q. So where did she brush her teeth?

19 A. It would be at the sink.

20 Q. So she didn't brush her teeth in the bath?

21 A. No.

22 Q. Okay. After that, if we go to the bottom of this page,
23 paragraph 175, you're referring there to something that
24 'Amber' said about what happened after 'Rosie' got out
25 of the bath. She says that 'Rosie' was running about

1 naked. You put pyjamas on her. She was still running
2 about and it was chaotic. And then your wife said that
3 she had to dry 'Rosie's' hair and try to get her to come
4 to her and calm down.

5 Again, can you remember when 'Amber' was there, can
6 you remember what happened after 'Rosie' came out of the
7 bath?

8 A. Basically FZI dried her, put her jammies on and
9 that's -- there was nothing like that. She certainly
10 wasn't running around naked.

11 Q. Okay. She then goes on to say at the top of page 40
12 that she started shouting at 'Rosie', grabbed her by the
13 top of her arm, pulled her over and jammed her in
14 between her legs. Did that happen, can you remember?

15 A. Absolutely -- I can report back to you that that never
16 happened. Anything like that ever happened.

17 Q. Okay. Then she says that your wife put the hairdryer on
18 and 'Rosie' was crying and your wife made no attempt not
19 to tug 'Rosie's' hair. Did that happen on that
20 occasion?

21 A. No. No way. No.

22 Q. Okay.

23 I want to move on to page 42, paragraph 181.

24 'Amber' talks about the way in which 'Rosie' behaved
25 when she went to live with her and she described her as

1 being too scared to come out of her room in the morning.

2 I think later she says that 'Rosie' said she was
3 locked in her room. When 'Rosie' lived with you, was
4 she allowed to come out of her room in the morning?

5 A. Yes, of course she would have -- yes, she was. There is
6 no lock on the doors. One thing about FZV was
7 she -- she used to burn up so many energy, at night she
8 would sleep all night. She was the best sleeper that we
9 ever had. So no, that -- too scared to come out of her
10 room? No, that's -- I don't know -- I don't know why
11 that's -- why she's said that or how she's said that,
12 because it's just not true.

13 Q. In the morning, would 'Rosie' come out of her room of
14 her own accord?

15 A. I think FZT used to go in and get her.

16 Q. Okay. Were you involved at the morning time or not?

17 A. No. Not -- no.

18 Q. Was it generally your wife?

19 A. Mm-hmm.

20 Q. Is that because you wouldn't be up at that time or --

21 A. Possibly.

22 Q. Okay.

23 A. Possibly, yeah. I mean it might ... I mean if I had
24 maybe got up I would have been downstairs maybe boiling
25 the kettle or something like that, you know.

1 Q. Moving on to the next paragraph, you quote there what
2 'Amber' says about something that 'Rosie' said. At the
3 end of the quote it says that 'Rosie' said that you
4 called the baby, who you've mentioned already, "little
5 tits" when he was giving her a bath. Is that something
6 that you did?

7 A. Absolutely not. I've already said there that's just
8 language I would never use. I never used that. And
9 I can report that back to you, Lady Smith, as well.
10 That is just -- it's just not me at all.

11 Q. In the next paragraph at paragraph 183 'Amber' says that
12 if 'Rosie' spilled a glass of water, she would cower her
13 head and start shaking.

14 If something like that happened in your house when
15 'Rosie' lived with you, did she ever behave like that
16 with you?

17 A. Never, I mean absolutely never.

18 Q. If water was spilled or anything, how would you react?

19 A. I would wipe it up. I wouldn't chastise a little one
20 for doing something like that. I mean that's just not
21 true.

22 Q. What about your wife? How would she react if 'Rosie'
23 did something like that?

24 A. Well, she would wipe it up herself or either me. I mean
25 she wouldn't react.

1 Just to let you understand, we've had so many
2 different children with -- you know, there was one
3 little boy that maybe in my statement I talk about how
4 he used to smear food all over the place and throw food.
5 We have had ones that -- we would never react. You
6 don't react. I mean that's just ... it's just not true.

7 Q. If we move on over the page, please, to page 43 and
8 paragraph 184, again you quote various things that
9 'Amber' says.

10 First of all she says that when 'Rosie' first moved
11 in, her toenails hadn't been cut and the nails were
12 curling in because they were so long. Is that correct?

13 A. That's -- that's just incorrect. It's not correct at
14 all.

15 Q. The next sentence she says that 'Rosie's' clothes came
16 in the standard black bag you hear about foster children
17 having.

18 A. That's completely untrue.

19 Q. What did you put 'Rosie's' clothes in when she moved to
20 live with 'Amber'?

21 A. Well, they certainly weren't what's being described
22 there. There were like cases, you know like little
23 suitcases or -- but they weren't -- they certainly
24 weren't standard black bags.

25 Q. Did any of the clothes go into a plastic bag, say?

1 A. No. Absolutely not.

2 Q. Then she goes on to say that her clothes had holes in
3 them, were covered in stains and the seams were coming
4 away.

5 A. Absolutely untrue. And I can say FZT spent a fortune
6 on the best clothes for our foster children.

7 Q. Okay. In the next paragraph you go on to quote what
8 'Amber' says about an occasion when 'Rosie' told her
9 that you and your wife both smacked her bum. Did you
10 ever smack 'Rosie'?

11 A. Never. I've never smacked 'Rosie' or any child, even my
12 own children. I've never smacked anybody. And
13 certainly that's not true and I can report that back to
14 you.

15 Q. Did your wife smack 'Rosie'?

16 A. No.

17 Q. Do you have any idea why it was that she might suggest
18 that she'd been smacked by you?

19 A. I have no idea. I have no idea why any of these
20 allegations are being said. I really don't know. It's
21 beyond me.

22 Q. I think you were aware of the allegation of smacking at
23 the time, I think the social work department spoke to
24 you about it?

25 A. Yes.

1 Q. If we move on a little bit, please, in paragraph 197 on
2 page 46 and going on to the top of page 47, you talk
3 about how it is that 'Rosie' had got a scar on her lip
4 when she was living with you. If we look at the top of
5 page 47, towards the end of your answer here you say
6 that you had to be so careful with 'Rosie' because she
7 had no idea that she could fall and hurt herself. Can
8 you explain that a little bit, please?

9 A. Well, she was often -- you know, if you went on a walk
10 around [REDACTED] where we lived, you know, she would
11 just suddenly fall, trip. She was just quite clumsy
12 that way. So that's why -- you know, all the time we
13 had to be careful with her.

14 Q. Okay. Would she hurt herself? Would she be upset when
15 she fell over or not?

16 A. Sometimes she would have been, yeah.

17 Q. In the next paragraph at paragraph 198 you quote what
18 'Amber' says about an occasion when 'Rosie' was in her
19 house, there was a male friend there and 'Rosie' pulled
20 down her pants and leggings and had bent over to display
21 her bum to him.

22 When 'Rosie' was living with you, do you have any
23 recollection of her ever doing anything like that?

24 A. She never had any -- she never displayed any behaviour
25 like that at all, no. I mean -- and I can report that

1 back to you, Lady Smith, as well. She never had
2 anything like -- did anything like that.

3 Q. Did you have male visitors in your house when she was
4 living with you?

5 A. No.

6 Q. No?

7 A. Well, what --

8 Q. As in, you know, friends or relatives who were male?

9 A. Well, my children, yeah. But -- no, in terms of what
10 you're trying to allude to, I think.

11 Q. I'm not trying to allude to anything, I'm just asking
12 you whether you had male friends and relatives coming
13 round to your house?

14 A. Well, there would have been, yeah.

15 Q. Okay. Now paragraph 199 at the bottom of this page, you
16 quote that 'Amber' says there she talks about a report
17 from nursery and you're aware that she talks in a number
18 of places in her statement about 'Rosie' having what
19 might be termed sexualised behaviours, so masturbating
20 and that sort of thing. Again, did you see any of that
21 type of behaviour when 'Rosie' lived with you?

22 A. I can report back to you that she never displayed any
23 signs of sexualised behaviour in our time.

24 Q. Okay. If we can move on, please, to paragraph 200 on
25 page 48 again this is quoting from something 'Amber'

1 said and that 'Rosie' had said to her, which was that
2 you had come into her room, did a roly-poly on her and
3 it really hurt.

4 You comment in relation to that and I think you say
5 that "roly-poly" was a word that you wouldn't have used
6 when she lived with you?

7 A. I -- as I said in my statement, the only time I heard --
8 I've heard the word roly-poly was when 'Amber' came into
9 the house on her first visit after a year, it was her
10 that used that expression. I've never used that
11 expression.

12 Q. Did you ever do anything that might be described as
13 doing a roly-poly on 'Rosie' and hurting her?

14 A. No.

15 Q. Okay.

16 A. Absolutely not.

17 Q. If we move to page 50 of your statement, at
18 paragraph 208 onwards you refer to various allegations
19 that are made about things that 'Rosie' said. This is
20 from about June 2019 onwards. Essentially these are
21 allegations of sexual abuse which ultimately went to the
22 police. So allegations of sexual abuse against you
23 were, as we understand it, investigated by the police.

24 A. As far as I know, yes.

25 Q. Okay. If we look at some of these allegations -- so at

1 paragraph 209, if we go to the top of the page, page 51
2 at the top of the page, you quote there 'Rosie' said
3 that you put your willy in her face and it was smelly.
4 A. That's --
5 Q. Did you ever do that?
6 A. No. I mean I can report that back to you, Lady Smith,
7 and I can look at you and tell you that that never ever
8 happened.
9 Q. In the next paragraph, at paragraph 210, you talk there
10 about something which 'Amber' says about 'Rosie' saying
11 that you took off your clothes and came into the bath
12 and peed in the bath. Did you ever get into the bath
13 with 'Rosie'?
14 A. Never. No. That's just simply untrue.
15 Q. If we look towards the bottom of your answer, about
16 maybe five or six lines from the bottom it says:
17 "I fully understand ..."
18 I'm just wanting to understand what you mean by
19 this, it says:
20 "I fully understand privileged protection and
21 I fully endorse it, but when it's malicious and
22 unfounded then at some point it needs to be challenged."
23 Now, what do you mean by "privileged protection"?
24 A. Well, during lockdown we -- we'd been -- early on while
25 the case was still open, Chris Shaw had been on the

1 phone and I had said what, "Do we not have any right to
2 fight back? Or, you know, challenge this?" And he
3 said, "No, because the allegation's come from a child
4 and it has privileged protection".

5 Q. Okay, so --

6 A. And it's to stop -- it's to stop -- or it's to help
7 other people that have been abused from coming forward,
8 you know, so there's no come back on them.

9 Q. Okay, so you mentioned Chris Shaw there and he was your
10 solicitor at the time?

11 A. Yeah.

12 Q. Is that right? Okay.

13 A. But that's -- I mean I'd just like you to understand
14 what it's been like having all this stuff said when none
15 of it is true and there's no way -- there's no recourse.

16 Q. Okay.

17 A. You know, I mean it's --

18 LADY SMITH: 'Neil', help me with this. Are you talking
19 about a stage at which you didn't know who the
20 allegation was coming from?

21 A. No. I'm talking about during and afterwards -- that was
22 after -- after the "no comment" interview.

23 LADY SMITH: Okay. Of course you knew by then who it was
24 that was saying these things?

25 A. Yes. It's when we went through to Livingston, we knew

1 that it was about 'Rosie'. But we didn't know what it
2 was. We didn't -- we didn't know ... you know, we
3 didn't know what the allegations were. We had no idea
4 until they were read out. We had absolutely no idea.

5 And that's why I said why -- and that's the reason
6 why -- after the witness statement on 10 May, you know,
7 after we'd gone home, we thought this isn't right,
8 I mean it's just not true, none of these allegations are
9 true, and I thought, well, oh, we'll speak to a lawyer
10 and find out if we have recourse and I -- that's why we
11 went down the lawyer route. That was all. It wasn't to
12 have somebody here like a -- like Mr Cooney is today.
13 It was just to find that out. And apparently we don't.

14 Basically the point I'm trying to make, Lady Smith,
15 is these allegations have been coming and coming and
16 coming for over three years now and all of them, and
17 I can report back to you, all of them are not correct,
18 true or happened. But we have got no recourse, you
19 know.

20 LADY SMITH: I'm sorry, 'Neil', and it probably doesn't
21 matter for our purposes. I don't quite understand what
22 you're saying, because you have been able to respond to
23 the allegations.

24 A. I accept that now, I understand that now, and I actually
25 apologise for putting the Inquiry team through having to

1 get solicitors.

2 LADY SMITH: That's fine. Thank you.

3 MS INNES: You also mention in this sentence about

4 allegations being malicious and unfounded. Do you think

5 that what 'Amber' has said is a malicious allegation?

6 Is that the way you would describe it or not?

7 A. Well, I -- I think so, yeah. That's why -- that's why

8 I've done what I've done recently, yeah. And -- I think

9 any fair and reasonable person would go along with that.

10 Q. Okay. And --

11 A. If they were true, then -- no, they're not. But they're

12 not true.

13 Q. Okay. As far as 'Rosie' is concerned, are you saying

14 that she's making malicious allegations?

15 A. Ah, well, I have no idea why 'Rosie's' saying this.

16 I honestly don't. I don't know why. I have no idea

17 why. But they're not true. That's the bottom line in

18 all of this.

19 Q. Okay.

20 A. They're just simply not true.

21 Q. Okay, if we can move on, please, to page 52 and

22 paragraph 213, you quote there from 'Amber' saying that

23 'Rosie' had said that you had hurt her privates and then

24 there's reference to you and your cousin touching her

25 privates and I think later on in the quote she says:

1 "When 'Rosie' called someone a cousin, it could mean
2 they were a family friend."

3 First of all, do you have a cousin?

4 A. I don't have a cousin. I don't. My mother was a single
5 parent. My dad had a brother that lived in London and
6 I think he had two children and I have no idea what
7 their names are even. So, no, I don't have a cousin.

8 Q. You've seen, I think, or heard reference to this cousin
9 or person before and what's your response to the
10 suggestion that a friend of yours touched her privates?

11 A. It's completely untrue. It's -- it's just -- it's
12 just -- it's just not true.

13 Q. Then in paragraph 214 you quote there again from what
14 'Amber' says and she says on 13 July one of the things
15 that 'Rosie' said was that you put your willy in her bum
16 cheeks. Is that something that you ever did?

17 A. No, absolutely not. And I can report that back to you,
18 Lady Smith, as well. That is just not true.

19 Q. Then in the next paragraph, paragraph 215, again a quote
20 where 'Rosie' says to 'Amber' that you told her to go to
21 bed, say nothing happened and be quiet about it to your
22 wife. Is that something that you did?

23 A. Absolutely not.

24 Q. Then if we can move on, please, to page 55 and
25 paragraph 222, there is a description here where 'Amber'

1 says that 'Rosie' describes sexual abuse and rape by you
2 as part of her daily routine. She has described how she
3 doesn't like having catarrh in her throat because it
4 reminds her of your goo. She says he would often insert
5 his penis down her throat and push it back and forward
6 until she couldn't breathe and then his goo would come
7 out in her throat.

8 Is that something that's ever happened?

9 A. That's never happened, no. And that's one of the most
10 hurtful things that's ever been said. I mean it's just
11 not true. Or happened. It just ...

12 Q. When you say it's one of the most hurtful things, what
13 makes it one of the most hurtful things?

14 A. Because it's not true. And it's -- it's just not true.

15 Q. Then if we go on to page 56 and paragraph 226, you quote
16 there again from something that 'Amber' says and she
17 talks about 'Rosie' having difficulties with toileting
18 and bowel problems and there's reference to you hitting
19 'Rosie' and shouting at her, that you would lift her and
20 throw her down on the toilet seat with no child seat.

21 Is that something that happened?

22 A. That's never happened.

23 Q. Then she would fall into the toilet essentially and land
24 in her own faeces? Is that something that happened?

25 A. That's never happened.

1 Q. She then goes on to say that at other times you would
2 shove objects that she describes like sticks up her
3 anus. Did you do that?
4 A. Absolutely not.
5 Q. I think you're aware that when 'Amber' gave evidence she
6 told us that she had some additional allegations to
7 describe. I'm just going to go through each of them and
8 give you the opportunity to comment on them.
9 The first one is similar to that, what's at
10 paragraph 226, so I won't go through all of it. But she
11 said in evidence that you would force 'Rosie' to eat her
12 faeces. Is that something that happened?
13 A. No.
14 Q. Then she went on to say:
15 "And obviously when she ate it, it would make her
16 vomit and then he would batter her and beat her because
17 she was sick on the floor."
18 Is that something that happened?
19 A. That's never happened.
20 Q. She said this is something that happened more than once?
21 A. It's never ever happened.
22 Q. Then she says she talked again about feeling that she
23 was going to die quite a lot, especially when she
24 couldn't breathe, when she had his penis in her mouth
25 and the goo that would come from his penis. Did that

1 ever happen?

2 A. It's never -- it's never happened, no.

3 Q. Then she went on to say that 'Rosie' talks about another

4 time which came out in the process of her therapy with

5 her therapist about sand and the sandpit at their home.

6 Was there a sandpit at your house?

7 A. We had a sandpit, yeah, in the back garden.

8 Q. Then she went on to say and how you would get angry and

9 just shove her face in the sandpit.

10 A. No.

11 Q. Is that something that you did?

12 A. No.

13 Q. And she wouldn't be able to breathe and she thought on

14 these occasions that she was going to die, and when he

15 lifted her out she'd obviously have sand in her eyes and

16 her nose and mouth and it was very painful.

17 A. None of these things happened or are true. I mean just

18 none of them.

19 Q. Then finally she said she thinks she might have had

20 broken bones during her time with you.

21 A. No.

22 Q. Did she ever have any broken bones?

23 A. Not that I'm -- no. No.

24 Q. She went on to say she talks specifically about being

25 sore and having bruises, but particularly in her legs,

1 having sore legs or a sore leg that she repeats a lot.
2 Can you remember her ever having a sore leg when she was
3 with you?
4 A. I don't remember that. I know nothing about that.
5 Q. Okay. Then if we go on, please, to page 57 and
6 paragraph 229. You refer there to a report of
7 a forensic examination and it says in 'Amber's'
8 statement that the examination found signs of sexual
9 abuse and penetration. Do you have any explanation as
10 to why the medical examination found that she --
11 A. I have no explanation for that at all. If -- if little
12 FZV been abused, it certainly wasn't by me.
13 I can't give an explanation for that.
14 Q. Then over the page at page 58, paragraph 230 you say:
15 "To me the questions I ask are what has happened to
16 'Rosie' at that point ..."
17 You're talking about a point when 'Amber' was due to
18 go into hospital, I think, and you say:
19 "... what happened to her at that point, who looked
20 after 'Rosie' during that gap?"
21 Why are you asking that question?
22 A. Probably at that point I was getting tired, it was
23 a long, long day, and I -- well, that -- why I'm asking
24 that, I suppose, is 'Amber' had been texting FZT and
25 keeping in touch with FZT up -- and had asked if we

1 would help with FZV after she came out of hospital,
2 because she was going to be laid up for a few weeks.
3 And I don't know what -- I mean I don't know who looked
4 after her, because she had nobody, apparently, to look
5 after -- to look after FZV. So I don't -- I think
6 that's all it was. I don't know what -- you know, where
7 did she go to be looked after if FZU couldn't --
8 sorry, if 'Amber' couldn't manage her, manage to do it?

9 Q. Okay.

10 A. That was all.

11 Q. Just moving on to the final parts of your statement,
12 you've already talked about the circumstances in which
13 you became aware that allegations had been made and then
14 the police investigation. If we can look, please, at
15 paragraph 238 on page 60, so we know and we looked in
16 evidence earlier with your wife at the minutes of the
17 panel meetings, but we know that there was a panel, as
18 you say here at paragraph 238, there was a hearing of
19 your appeal in November 2021.

20 A. Mm.

21 Q. You say that more or less right away they said that they
22 were going to de-register you and you talk about various
23 issues in relation to that. Then you say towards the
24 end of this paragraph:

25 "One of the last things that the chair lady had said

1 was that if you and your wife could be champions to
2 change the law."

3 I wondered if you could explain that a little bit
4 more, change the law about what?

5 A. I think -- I think what -- I think it was the system,
6 the fostering system. I mean I've obviously said the
7 law, but I think what I meant was the -- the actual way
8 foster carers are treated when allegations are made.
9 When you can't answer them.

10 Q. Okay.

11 A. I think that's what I meant. I've obviously said to
12 change the law, but ...

13 Q. Okay, so you think that's what she was referring to?

14 A. Mm-hmm.

15 Q. The way in which allegations are dealt with?

16 A. By the department and the -- you know, the system as it
17 stands.

18 Q. I think one of the things that happened as a result of
19 the allegations being made was that the City of
20 Edinburgh Council made a report to Disclosure Scotland
21 in relation to the allegations. I think you brought
22 with you today -- it's not available in the bundle as
23 yet -- a letter from Disclosure Scotland, which is dated
24 23 May 2022. I'm just going to read it out and it says,
25 it's addressed to you:

1 "We previously wrote to you on 17 December 2021 to
2 tell you that you had been placed under consideration
3 for listing in the children's and adults' lists. This
4 process is now complete and it has been decided that you
5 will not be included in the children's and adults'
6 lists. This means that you are not barred from doing
7 regulated work with these groups. This does not mean
8 Disclosure Scotland are approving or endorsing you for
9 regulated work, it will be for any potential employer to
10 assess whether you are suitable for specific roles.
11 There is more information on the PVG scheme on our
12 website. Yours sincerely."

13 I think you wanted to make clear to the Inquiry that
14 Disclosure Scotland had decided not to include you on
15 a list that would bar you from doing regulated work
16 either with children or vulnerable adults.

17 A. That's right, yes.

18 Q. Okay.

19 A. I mean, I can tell you a little bit more about that if
20 you want me to.

21 Q. What else would you like to tell us about that?

22 A. Well, the department came to my house, our house, and
23 said that they would be writing off to their -- they
24 would be passing the information on to the department's
25 legal department and then they would write off to

1 Disclosure Scotland and I would be put on -- put on that
2 list. And that's -- that's what they told me.

3 So I think it was in March, I can't remember the
4 exact date in March, that I got a pack about that from
5 Disclosure Scotland on all the allegations and the
6 police report. I had the two Levy & McRae letters and
7 a form to say, you know, if I wrote why I shouldn't be
8 put on the list, so I replied to that. I put about
9 several bullet points on why I thought -- you know, that
10 I shouldn't be, and the letter also said it would take
11 several months before I got a reply -- I would get
12 a reply. And then it came just basically a few weeks --
13 well, it came in May, just after the witness statement.

14 The reason I'm bringing -- I'm trying to highlight
15 it is to have had these allegations that are so wrong
16 and then these -- you know, the department comes to say,
17 "You're going to go on this list" and the fact that they
18 haven't done it, that's -- I mean it was -- you know,
19 that's no way to treat people, to say -- because they
20 said I would definitely be going on it.

21 Q. The social work department said?

22 A. Yeah.

23 Q. They said you would definitely --

24 A. They said I would be going on it, but **FZT** -- sorry,
25 'Dorothy' wouldn't. But they never ever said -- like

1 the first letter I got from them used the words
2 "considered" and it was just another -- another body
3 blow when I got the letter. But when I got that back,
4 that was obviously something I wanted to -- you know,
5 I actually felt, well, they -- you know, they believed
6 me, or they believe us. That's what it felt like.

7 Q. Okay. If I can ask you, please, to look on to page 61
8 of your statement and there you're reflecting on your
9 experiences and I think you've already told us about
10 some of this in your evidence.

11 At paragraph 242 you say:

12 "It's just this threat for foster carers of
13 malicious allegations that needs to be followed up.
14 This will make sure for the child's sake and the carer's
15 sake in particular that this type of thing will not
16 happen. How you go about organising that I don't know."

17 Can you tell us what your thoughts about that were?
18 How could you stop people making allegations that are
19 unfounded?

20 A. Well, I honestly -- I think if -- if you have
21 a looked-after child that comes into your house and goes
22 on for adoption or it's -- it's reunited with its
23 parent/parents, you know, that type of thing needs to be
24 brought up and say it's -- like to the adoptive parent
25 or the -- is there any concerns about, you know,

1 allegations? You know, it's basically something simple
2 like that.

3 What I think is -- when -- when you have
4 a looked-after child from birth and it goes for
5 adoption, you know, there's maybe officially one visit.
6 It's usually a month or so after the baby's gone home or
7 to the adoptive parent. And then after that it's up to
8 the -- it's up to the parents to keep in touch if they
9 want to and we've always left that door open.

10 But maybe there needs to be more, you know, just to
11 see if everybody's -- like everybody's all right. You
12 know, I just think it's like one in, one out, one in,
13 one out, and then goodness knows what's happening after
14 that.

15 Q. Okay.

16 Then finally at paragraph 243 you highlight the
17 issue about the support or lack of support that you had
18 when allegations were made and you say that you know
19 that social work have a process to follow, but did you
20 feel supported, and I think you've already told us about
21 your experience of that in your evidence, that there was
22 a lack of support from the department at that time.

23 A. Yes.

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

25 There are no applications, my Lady.

1 LADY SMITH: Are there any outstanding applications for
2 questions of 'Neil'?

3 'Neil', that does complete all the questions we have
4 for you this afternoon. Thank you so much for engaging
5 with us as you have done, both by providing your
6 thoughtful written statement, which is part of your
7 evidence, and it's helped me not just in relation to the
8 particular child we were talking about but your
9 experience generally of the foster care system,
10 training, preparation and so on. It's really useful to
11 the work we're doing here.

12 Thank you for bearing with us in relation to the
13 difficult questions we've had to ask.

14 A. Right.

15 LADY SMITH: You must be exhausted having been taken through
16 them and I'm now glad to be able to say that you're free
17 to go and I'm able to let you do that.

18 A. Thank you, Lady Smith.

19 Can I say something else just before I go?

20 LADY SMITH: Please do.

21 A. One of the reasons I was so -- well, keen, I was glad to
22 come to the witness statement is to help -- if you can
23 help ... if you can help looked-after children and
24 foster carers in the future, I know you can't do it now,
25 then this Inquiry will be worth it.

1 LADY SMITH: Thank you very much for that. Thank you.

2 (The witness withdrew)

3 LADY SMITH: Ms Innes, we could take a short break now and
4 then go to some read-in work, yes?

5 MS INNES: Yes.

6 LADY SMITH: Thank you.

7 (3.25 pm)

8 (A short break)

9 (3.40 pm)

10 LADY SMITH: Ms Rattray.

11 MS RATTRAY: Thank you, my Lady.

12 The first read-in is in relation to an applicant
13 whose cypher is FHO and she is an applicant who wishes
14 to remain anonymous and has the pseudonym 'Donna'.

15 Her statement is at WIT-1-000000222. 'Donna' was in
16 the care of Strathclyde Regional Council and was in
17 a foster placement with a couple in Glasgow from
18 [REDACTED] 1986 until [REDACTED] 1986. The successor
19 authority is Glasgow City Council.

20 (Discussion with EPE operator)

21 LADY SMITH: We can maybe move on to another one.

22 She was on my list for this morning, but there's
23 maybe been a mix-up. Don't worry, we can make progress
24 with other evidence.

25 MS RATTRAY: The next one I'm looking at is EPF.

1 LADY SMITH: Referred to as?

2 MS RATTRAY: This is an applicant who has the pseudonym
3 'Gillian'.

4 LADY SMITH: Thank you.

5 'Gillian' (read)

6 MS RATTRAY: Her statement is at WIT-1-000000890. This is
7 an applicant who is anonymous and has the pseudonym
8 'Gillian' and she was in the care of Fife Regional
9 Council. She was in seven foster placements.

10 With a Mr and Mrs [REDACTED] in Leven, from
11 [REDACTED] 1984 to [REDACTED] 1984.

12 With a Mr and Mrs EPH-SPO in Leslie from
13 [REDACTED] 1984 to [REDACTED] 1986.

14 Then a Mr and Mrs [REDACTED] in Glenrothes from
15 [REDACTED] 1986 to [REDACTED] 1986.

16 Then there was Mr and Mrs [REDACTED] in Methil from
17 [REDACTED] 1994 to [REDACTED] 1994.

18 Then Mr and Mrs [REDACTED] in Kirkcaldy from
19 [REDACTED] 1994 to [REDACTED] 1994.

20 Mrs [REDACTED] in Kirkcaldy from [REDACTED] 1995
21 to [REDACTED] 1995.

22 Then a Mr and Mrs [REDACTED] in Saline from [REDACTED]
23 1995 to a date in [REDACTED], the date's not clear, 1995.

24 The successor authority is Fife Council.

25 LADY SMITH: Thank you.

1 MS RATTRAY: "My name is 'Gillian'. I was born in 1979."

2 From paragraphs 2 to 5, 'Gillian' speaks of her life
3 before care. She lived in Glenrothes with her parents
4 and three siblings. An older brother and younger
5 brother and sister. Her parents drank and were violent.
6 Her mum had a lot of mental health issues. The social
7 work department were involved with the family.

8 Moving now to paragraph 6 on page 2:

9 "I spent a lot of time living with my grandparents
10 and with various foster parents from the age of three,
11 but I don't remember much about all of them. Apparently
12 from my records the first time I was put into foster
13 care was with my younger brother and we were put
14 somewhere in Leven. I seem to only remember the bad
15 ones where I was abused and unhappy. I'm not sure when
16 it was but at a very young age I was deemed to be
17 outwith parental control and that was probably the start
18 of me going in and out of care.

19 The first foster care placement I remember was with
20 EPH . I don't know why I went to her at this
21 time. I just remember skipping home from school and
22 wearing a blue school dress. I was at primary school in
23 Glenrothes. I went into the house and there was a woman
24 sitting with my mum who was crying. She was upset and
25 was telling the woman to take me away. The woman then

1 told me I was going with her and she put her arm around
2 my waist, scooped me up and took me out of the house.
3 I later learned she was a social worker. My nails were
4 digging into the wallpaper on the walls trying to stop
5 her taking me away and I was screaming at my mum for
6 sending me away again. I think we were often sent away
7 by my mum so she could go out drinking.

8 EPH lived in Leslie, Fife. I don't remember
9 there being other children living with her but I have
10 since been told that there were. EPH's husband
11 lived with her but I can't remember his name. I met him
12 when we arrived and only saw him on one other occasion.
13 I would have been about three years old when I first
14 went there. My older brother was never in care with me.
15 He always stayed at home or went to our grandparents.
16 My younger brother and sister were with me at
17 EPH's. I can still picture the social worker who
18 took us. She had long dark hair and a big nose. She
19 told us this was where we had to go for a while and we
20 went straight from our house to EPH's house.

21 I have been told that EPH couldn't have her
22 own children so that's why she got into fostering. Her
23 husband lived with her and I presume he worked through
24 the day as he got home around teatime and was there most
25 evenings. There was a lot of screaming and shouting

1 between them and I suspect they had issues in their
2 relationship.

3 EPH [REDACTED]'s house was directly above a little shop
4 in Leslie. There was a set of stairs leading up to her
5 house and the front door was a big thick wooden door
6 with an old knocker. The house was massive compared to
7 my house, it was like a palace. It was all on one level
8 and there was a big hall off which were the bedrooms and
9 bathroom. I don't remember ever being in any of the
10 other rooms like the dining room or sitting rooms. The
11 only rooms that I remember were the bedroom that my
12 sister and I shared and the bathroom. Our bedroom
13 window was over the shop front and had a big mahogany
14 window. The only other place we were allowed was in the
15 garden. It was massive. I remember these three places
16 because there was abuse in them. Our bedroom had a bolt
17 to lock the door from the outside.

18 My brother, sister and I used to have to stand in
19 a row and pose for photographs to make it look like we
20 were being well cared for. In the beginning living
21 there was brilliant. It must have been when the other
22 children left that the abuse started.

23 There was no specific time when we went to bed. We
24 didn't get to sleep on the mattresses on the bed.

25 EPH [REDACTED] removed them leaving only the metal bed

1 frame. My sister and I just had to curl up together on
2 the floor when it was dark and went to sleep.

3 I don't remember ever sitting at a dining table and
4 having a meal in the house. I was always hungry. The
5 food she gave us was very minimal. It felt like food
6 was a luxury and you had to earn it. I was never given
7 food that I couldn't or didn't want to eat. I used to
8 go to school and I was starving. At school lunchtime
9 I used to take food and put it in my pockets to take
10 home for my sister. I am not sure where my sister went
11 through the day, possibly nursery.

12 In all my time with EPH I was never given
13 anything that resembled a sweet. The only sweet I ever
14 saw were the chocolate eclairs which she once showed us
15 and told us we weren't to touch. We were later punished
16 for eating some of them but we hadn't.

17 I'm not sure how often we had a bath. I just
18 remember the one time when my sister and I were put in
19 the bath as a punishment. I have no memory of ever
20 sitting in a bath playing with toys.

21 I am not sure what we did if we weren't well.
22 I never did any chores about the house. I was probably
23 too young.

24 I don't remember what clothing I had there. I just
25 recall being made at some point to wear white sandals

1 and a red polka dot dress and being made to stand and
2 get our picture taken. The only thing I do remember was
3 white pants and vest.

4 I went to school and I had a school uniform. I must
5 have been at Leslie Primary School when I was in
6 EPH's care, but I don't remember ever walking
7 there.

8 We were put in our room at night and there was
9 nothing for us to do. The door was locked from the
10 outside. I think we went into the bedroom as soon as
11 I got home from school and I didn't come out again. My
12 sister and I played roleplay games like mummy and baby.
13 Sometimes we used to play a game which was counting our
14 bruises to see who had the most. A lot of the time we
15 just sat cuddling each other.

16 I don't recall ever going to any parks to play and
17 we never went on any trips or holidays. I just remember
18 being in the big garden of the house and there were lots
19 of flowers but we weren't allowed to touch them. It was
20 a beautiful big garden and there was grass. We even
21 played outside in the rain and we ran around the
22 flowerbeds.

23 My birthday wasn't recognised or celebrated in any
24 way. It was just another day. I woke up on
25 Christmas Day and there were no presents. I can't

1 remember any good times or any happy times with

2 EPH .

3 I didn't have any toys or anything that belonged to
4 me. All I had was my wee sister. We didn't have dolls
5 so we used to pretend we were doing each other's hair by
6 pretending our fingers were a brush.

7 My social worker came to visit me at EPH 's.

8 EPH always spoke to us before she arrived or before we
9 arrived at the social work office if we went there.

10 I had time alone with the social worker and she would
11 ask me how things were going. I think I went home to
12 see my mum possibly once a month.

13 I don't remember how EPH reacted if I wet the
14 bed. That could be because I don't remember being in
15 the bed very often. I did have wet pants often, but I'm
16 not sure what she did or if she punished me. I never
17 ran away from EPH 's. I was too young to even
18 think about it.

19 EPH made people think she was a caring,
20 doting, loving person but she was quite the opposite.
21 She was evil. Our beds had mattresses but most of the
22 time they were taken out of the room and my sister and
23 myself just had to sleep on the floor. The only time
24 the mattresses were put on the bed was if she knew the
25 social workers or someone else was coming to the house.

1 If they called unannounced she would say that the
2 mattresses were standing on their end to dry as we had
3 wet the bed.

4 One time she showed us two packets of chocolate
5 eclairs sweets and put them in the kitchen drawer after
6 telling us that we must not touch them. She warned us
7 that we would be in trouble if any went missing. It was
8 almost like she was luring us into wanting them. Her
9 husband was standing behind her and took the sweets out
10 the drawer and ate some. He knew exactly what he was
11 doing and he did this knowing that we would get into
12 trouble. The husband was very cunning and sleekit in
13 the way that he did things.

14 Later on EPH [REDACTED] called me and my sister out of
15 our bedroom into the hall. I remember I was wearing a
16 vest and pants. She said she had warned us about eating
17 the sweets and she didn't believe that we hadn't. She
18 grabbed me and started shaking me and dragged me into
19 the bedroom and threw me onto my bed. The bed didn't
20 have a mattress on it and it was a metal-framed bed with
21 a metal springy base. My leg was cut on the bed and it
22 was bleeding. She then went back into the hall and
23 I heard my sister screaming. I was sitting in the room
24 crying, knowing that I couldn't do anything to help my
25 sister. I don't know what EPH [REDACTED] was doing to her.

1 Her husband wasn't there when this was going on.

2 At some point I was standing on the windowsill
3 banging on the bedroom window which looked into the
4 street hoping to attract someone's attention. I was
5 begging that someone would see me and call the police.
6 If anyone saw me they probably just thought I was
7 a child refusing to go to bed or something like that.
8 EPH then came into the room and threw my sister
9 at me. There was nothing of my sister and I and we were
10 both just skin and bone. We both huddled up together on
11 the floor and were crying. I got into trouble because
12 I got blood on the carpet from my bleeding leg.

13 Another time, and I am not sure what the lead up to
14 it was, but EPH threw me down the stairs and when
15 I woke up I was in the garden only wearing a vest and
16 pants. It had been daylight and a warm day before this
17 happened and when I woke up it was dark, the street
18 lighting was on and I was freezing. My fingers were so
19 cold they were in a locked position. I went back
20 upstairs and I was banging and banging on the front door
21 for what seemed like ages. EPH eventually opened
22 the door and when she did she grabbed my head here and
23 pulled me down to the bottom of the garden where there
24 was a cement birdbath. I must have told her that my
25 mouth was really dry, because she dunked my head into

1 the water in the birdbath.

2 She then dragged me back into the bathroom in the
3 house and started running a bath. I could see the steam
4 coming off the hot water. She made my sister and I get
5 in the bath and she pushed us down so that we were
6 sitting. It was burning. She then filled a glass jug
7 with cold water and poured it over us. When I came out
8 of the bath my legs were red where they had been in
9 contact with the hot water. I'm not sure which was
10 worse, stepping into the burning water which made my
11 legs go bright pink or the freezing cold water poured
12 over me. That only happened once.

13 There were dog kennels in the garden which were big
14 homemade huts surrounded with chicken wire. EPH
15 had hairy Alsatian dogs which she had for protection.
16 She always told me never to go anywhere near the dogs
17 and to keep my fingers away from the chicken wire.
18 I never saw EPH going for family walks or
19 anything like that with the dogs. They were vicious,
20 nasty horrible dogs. I am not sure what I did one day
21 but EPH dragged me to the kennels and pushed my
22 face against the chicken wire. The dog was on the other
23 side snarling and slavering all over me. I was
24 petrified that the dog would bit me. EPH seemed
25 to get off on the fact that there was fear in me and she

1 was controlling it. She did this to me at least three
2 times.

3 EPH used to belt and cane my sister and
4 myself. I think I got belted or whipped every day.
5 I am sure every morning I would wake up and wonder how
6 I was going to get hit that day. The belt was a trouser
7 belt. The cane was bamboo, like would be used in the
8 garden. She whipped our bare legs with the cane. If
9 she used the belt it was the buckle end that hit us.
10 She always hit us on the lower body. If you flinched
11 when she hit you, she hit you again. I think by the end
12 I became numb and accustomed to it. This meant I didn't
13 cry or give her a reaction so I am sure she hit me even
14 more. When I stopped reacting that was when she started
15 beating my sister. EPH knew that would affect me
16 more by hitting her. She obviously enjoyed hitting us.

17 At other times she would make us stand at the wall
18 and face it. She was brutal with us. I never saw my
19 brother being hit by her and I am not even sure if he
20 was there all the time.

21 I used to have long hair and my mum made it clear
22 that my hair wasn't to be cut. EPH cut it short
23 one time and my mum was mad at her. I think EPH
24 said it was because we had head lice.

25 I went home sometimes for the weekend. I was too

1 frightened to say anything to my mum about EPH .
2 Before I left her house she would warn us if anyone
3 asked about our bruises we were to say that we got them
4 when we fell or that their dog jumped on me. She
5 inferred, but it was more of a threat, that something
6 might happen to my sister if I said something different.

7 My mum must have seen me and my sister covered with
8 bruises. My sister and me used to count each other's
9 bruises. If my mum saw them she never did anything
10 about it. My mum definitely saw my hair after EPH
11 EPH had cut it. I know she wasn't happy about it, but
12 I don't know what she did about it. Mum told me later
13 in life that she was mad at EPH for cutting my
14 hair. I think she told the social worker and she got
15 the response that EPH cut my hair because I had
16 head lice. I don't think that was true.

17 I don't know if the teachers at school noticed my
18 bruising, but if they did they never said anything to me
19 or did anything about it

20 I saw my social worker on her own when she visited
21 or if we went to her office. I was too frightened to
22 say anything to her because I knew I would suffer at the
23 hands of EPH if I did.

24 I'm not sure what happened when we left
25 EPH's. I have very few memories of my brother

1 there and he didn't come with me to any other foster
2 carer. My sister came with me to EPH [REDACTED]'s and after
3 that she stayed at home. I remember being home for
4 a short while and then getting put to different foster
5 carers. I can't remember who I went to first or the
6 order. All I know is that I went back and forth from my
7 mum to different carers. I was passed from pillar to
8 post.

9 I would have been around 12 or 13, maybe younger,
10 when I went to foster carers in Saline, Fife. This was
11 a married couple and they had an older son. I don't
12 remember much from there but it was a house with
13 an upstairs and a downstairs. I had my own bedroom and
14 I got taxis back and forward to school. They were
15 a really nice couple and she made me rolls every day for
16 my lunch. She then saw me off to school. This could
17 have been the first time I thought that this was what
18 normal family life should be like. I went to school and
19 had a normal day at school. Then when I got home
20 I would tell her about my day.

21 I would go upstairs and chatted with their son. My
22 bedroom was directly opposite his bedroom on the
23 landing. Initially he was quite distant and spent most
24 of his time playing on his computer on his own. I can't
25 remember his name but he was very tall, had a tanned

1 complexion and was good looking. He was 17 or 18,
2 possibly older.

3 After a while their son started inviting me into his
4 bedroom but I had to wait until his mum and dad were
5 sleeping. It started off that I would go into his room
6 and we would play games on his computer. We did this
7 for a while and we became quite close. It was a slow
8 process. Looking back as an adult I should have read
9 the signs, but as a child I thought he was showing
10 an interest in me and he liked me, which I wasn't used
11 to. He made a pass at me but I went along with it
12 because this was someone showing me attention. Before
13 I knew it we were lying on his bed canoodling. We were
14 kissing, cuddling and then I was touching him and he was
15 touching me. I don't think we had penetrative sex. At
16 the time I thought it was all normal. Straight
17 afterwards he was quite abrupt and told me to get out of
18 his room.

19 The foster carer's son at some point told his mum
20 that I had made a pass at him so I was quite quickly
21 removed from their house. I remember being in a taxi
22 and I thought I was going back to Saline, but I was
23 taken to other foster carers. I asked my social worker
24 why I couldn't go back and was told that a situation had
25 happened and I had to move on. I was with the foster

1 carers in Saline for around a year or just less.

2 I can't remember where I went straight after Saline.

3 I never told anyone about what went on at Saline.

4 I didn't see the point and by then I still didn't

5 consider what we had done was wrong. Looking back now

6 I think what we were doing was wrong because he was

7 an adult and I was a minor. I was 12 or 13 and he was

8 17 or 18.

9 There was another carer who I was fostered to in

10 Kirkcaldy. She was like the mother I never had. She

11 did baking with me and lots of other things. I had my

12 own room there and she tried to make it as good as

13 possible for me. I made the mistake of telling my mum

14 how happy I was with her and how I was having a great

15 time. The next thing I knew I was removed. This seemed

16 to happen quite often. My mum didn't like me getting

17 attached to any of the foster carers and when I got too

18 close or if I suggested they adopt me she took me away.

19 I was with other foster carers in Methil. They were

20 an older couple. Everything was fine with them and

21 I got quite attached to the couple. I think they

22 couldn't care for me any longer so I had to leave.

23 I have since found out from my records that she had

24 cancer and although they wanted to keep me her health

25 prevented that.

1 There was very little contact with social workers in
2 all the time I was with these foster carers. They only
3 ever showed up if things got a bit rough or if there
4 were any issues or to take me home or to the next set of
5 foster carers. I went to some children's panels because
6 my mum was fighting to get me back. Most of the time
7 she was told that she wasn't fit to look after me."

8 From paragraph 48 'Gillian' speaks of a period she
9 spent at home when not in foster care and then her
10 experiences at Rimpleton House school, Glenrothes. She
11 then describes her life after care.

12 Moving now to paragraph 88, page 22, where 'Gillian'
13 speaks of reporting abuse:

14 "When I was in prison a lot of people tried to
15 encourage me to report the abuse I suffered to the
16 police. I didn't see any point because I was involved
17 in drugs and in prison so nobody was likely to believe
18 me. I decided to wait until I was drug free, in a good
19 place, stable, and my memory was better.

20 I have told my daughter little snippets of my abuse
21 at appropriate times. When I contacted the police they
22 wanted to speak to my mother and ask her if, when I came
23 home from EPH [REDACTED]'s my hair had been cut and if she
24 saw the bruises on my body. They wanted to know if she
25 knew where the bruises came from and if she thought that

1 EPH abused me and my sister. My daughter
2 messaged my mum and asked her about my time with EPH
3 EPH .

4 My mum replied that she remembered EPH and
5 that she lived in Leslie, Fife. She said EPH
6 couldn't have her own children so that is why she
7 fostered. Her first husband was very controlling and
8 hit her. After she remarried her ex-husband returned
9 and caused bother at the house. My mum then went on to
10 say that EPH regularly left the kids playing outside
11 even in the rain. Sometimes she made the kids stand and
12 face the wall. She goes on to say that EPH cut
13 my hair without her permission and that EPH
14 fostered another child about the same age as my younger
15 brother. This boy put a Dinky car in a sock and started
16 swinging it about and hit my brother on the face really
17 close to his eye. My mum went on to say that EPH
18 fostered other children after us and apparently did
19 a lot of cruel things to them too but nothing ever
20 happened to her for what she did.

21 I think it was after I contacted the Scottish Child
22 Abuse Inquiry that the police contacted me and they
23 arranged to come and see me. In November 2021 a female
24 police officer Lauren Hunter came and I gave her part of
25 my statement. She is going to return at some point and

1 finish taking my statement. As an adult I have asked my
2 brother about his time in care but he doesn't want to
3 talk about it."

4 To paragraph 93, where 'Gillian' speaks about
5 impact:

6 "Because of the time EPH put me and my sister
7 in the roasting hot bath I have never been able to have
8 a hot bath. It takes me back to my unhappy time with
9 her. When I have a bath now the water is always just
10 lukewarm and would be suitable for a baby.

11 I am petrified of dogs, regardless of their breed or
12 size. This has been ever since EPH pushed my
13 face against the wire of the dog cage in her garden. If
14 I see a dog, even if it is the cutest little thing, my
15 heart starts pounding and I almost have a panic attack.
16 I feel I have to get away from it as quickly as
17 possible."

18 To paragraph 97:

19 "Because I have never been anywhere that birthdays
20 were celebrated I still don't celebrate my birthday now.
21 To me it is just another day. Me and my sister wet our
22 beds probably until we were about 15. It was
23 embarrassing. I think it stems back to my time with
24 EPH when I couldn't go to the toilet because
25 I was locked in the bedroom."

1 To paragraph 100:

2 "It upsets me when I am out for a walk and I see
3 people in their houses sitting around their dining table
4 having a meal. I never had that and I have always
5 missed having family experiences like this. I want my
6 children to never have to ask if they can have anything
7 when they visit me. I want them to feel at home and to
8 be relaxed and feel loved. I always wanted a nice house
9 with nice things. I now have a nice house and I hate
10 the idea of anyone coming in and spoiling or messing up
11 my house.

12 Since I left EPH [REDACTED]'s house I have never been
13 back in Leslie, Fife. I have never stepped foot in it
14 and if ever I am driving somewhere and the route takes
15 me through it I take an alternative route. It brings
16 back too many bad memories. I am angry that she took
17 what she did to us to the grave because she is dead.
18 I am sad that because EPH [REDACTED] is dead I won't get to
19 watch her in court on trial for what she did to me and
20 my sister.

21 I came forward to tell people about my experiences
22 in care, because I know what it has been like for me
23 carrying it about in my head every day. There are some
24 days I cope with it better than others. I see it almost
25 every day on the television about children getting

1 abused and it brings it all back. I was diagnosed with
2 depression at 16 and in my notes it states that this
3 relates to past family trauma.

4 I have great difficulty in trusting anyone. I feel
5 that anyone coming into my life has an ulterior motive.
6 I am always suspicious of anyone that wants to be my
7 friend, that they want something back from me. I still
8 feel that way today. I try to see the best in everybody
9 but at the back of my mind I am wondering what they are
10 trying to get out of me."

11 Now to paragraph 107 on page 26:

12 "My mental health in my adult life has not been
13 great. I have attempted suicide three times. At times
14 I felt worthless and don't deserve to be here.
15 I sometimes think to myself that I was put on this earth
16 to be abused. I often wonder if EPH [REDACTED] abused me
17 before I was old enough to remember anything and not
18 able to defend myself."

19 To paragraph 115 on page 27:

20 "My school should have noticed when I shut down or
21 how hungry I was and realised that something was wrong.
22 Any adults that saw or were aware of my bruises should
23 have raised suspicion and some enquiries should have
24 been made. They should have acted on their instinct and
25 it doesn't matter if they are wrong.

1 The social workers were responsible for me. They
2 put me into people's houses where I was supposed to be
3 looked after, loved and protected. It was quite the
4 opposite and these people continued to abuse me. When
5 I was taken away from these places I was put back into
6 the care of my mum and dad. They did this knowing that
7 I had been abused by my father. This shows that the
8 social work department seriously let me down.

9 I hope by coming forward I get some sort of closure
10 and that the abusers I have spoken about in my statement
11 are dealt with. I know that some of them will be dead.
12 I would like to put it all behind me and should I get
13 any compensation I can do nice things with my children.
14 Money won't make the memories go away for me but it
15 would be good to get a little help to do something for
16 the future. The people who abused me shouldn't just get
17 away with it.

18 I hope that speaking about my time in care will
19 encourage other people to come forward and share their
20 experiences to stop children in the future being
21 subjected to the abuse I was. Children need stability
22 and consistency in their lives. They shouldn't be moved
23 from pillar to post otherwise they become very insecure.

24 It would be good if there was one person that the
25 child can trust and speak to at any time. This has to

1 be an independent person not attached to the abusers or
2 the social work department. In the event that any
3 abuse, especially sexual abuse, is suspected or made
4 known, the child should be removed immediately and the
5 matter fully investigated. The child should not be
6 returned to that care situation unless it is established
7 it's a safe environment."

8 To paragraph 121 on page 29:

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

13 'Gillian' signed her statement on 19 January 2022.

14 LADY SMITH: Thank you.

15 MS RATTRAY: My Lady, we do have one record I would like to
16 look at in connection with EPF .

17 LADY SMITH: Let's do that.

18 MS RATTRAY: This record is at FIC-000000679.

19 That's the correct one.

20 By way of a background, what this is, it's
21 a decision and findings in fact of a sheriff at
22 Kirkcaldy, dated 17 June 1986.

23 By way of a background, while 'Gillian' -- sorry,
24 I might have called her an entirely different pseudonym
25 at one stage.

1 While 'Gillian' was staying with EPH in
2 foster care there were proceedings ongoing at Kirkcaldy
3 sheriff court raised by the Local Authority, a petition
4 to free 'Gillian' and her siblings for adoption. That
5 proceeded to proof and in fact was refused.

6 The reason for looking at this is that it would
7 appear that EPH was a witness in these
8 proceedings, presumably called by the council, and the
9 sheriff had some comments on EPH .

10 LADY SMITH: I see.

11 MS RATTRAY: If we scroll down to the foot of the first page
12 we see that in relation to findings in fact the sheriff
13 says:

14 "During the periods of access at the foster mother's
15 home, the birth mother found it difficult because of the
16 attitude of the foster mother who was obstructive and
17 unsympathetic. The birth mother complained to the
18 department about this."

19 Then if we move over to page 2 and if we scroll to
20 the foot of the page again, where the sheriff once again
21 speaks about access. The sheriff speaks about access in
22 general and various issues, but then about halfway down
23 the paragraph he once again speaks about access at the
24 foster mother's and says:

25 "The arrangements for her having access to the

1 children at the offices of the social work department
2 were, in my view, well meant but nothing short of
3 disastrous. It was said that the children were
4 unmanageable on these occasions but I do not see what
5 else could be expected when children who were already
6 disturbed were reunited with their mother in such
7 clinical surroundings. One would have expected more,
8 however, when access was arranged at the home of the
9 foster mother."

10 This continues over the page on page 3:

11 "This too, however, seems to have been singularly
12 unsuccessful and, having seen the foster mother and
13 heard her evidence, I am left in little doubt that she
14 contributed to the lack of success of the access visits.
15 She is a woman of 31 years who has no children of her
16 own and who has been fostering children for the Local
17 Authority for a period of about two years. In the
18 circumstances of this case I do not think that she did
19 anything to contribute to the success of the birth
20 mother's access visit. She struck me as lacking in
21 sympathy towards the birth mother and having little or
22 no compassion. Her attitude seemed to be one of
23 regarding access visits as a disturbance to her routine
24 and if she were to be disturbed then the birth mother
25 would require to obey, to the letter, the arrangements

1 made by the social work department and the rules which
2 she laid down. She said in evidence that she did not
3 want the birth mother to visit. The birth mother's
4 reaction against this regimentation no doubt led to
5 unfavourable reports being made by the foster mother to
6 the department. If blame is to be apportioned then at
7 worst for the birth mother she was only half to blame
8 and in my view she was a good deal less to blame than
9 that. The birth mother complained to the department
10 about the foster mother but nothing seems to have been
11 done."

12 Then if we move to page 4 of this document, this is
13 another extract from this decision. If we scroll down
14 to the last paragraph at the foot of the page here,
15 which reads:

16 "In respect of [it's a reference to a child of the
17 family] there is one matter I would wish to mention
18 which concerned me. Shortly after she was taken into
19 care and had been placed with the present foster mother,
20 the birth mother noticed that she had a bruise on her
21 face. The first mother mentioned this to the foster
22 mother who made light of it. It would appear that the
23 bruise had been caused by a young child whom the present
24 foster mother was fostering at that time. He was
25 a three-year-old and not related to the children who are

1 the subjects of these petitions. He had apparently been
2 taught by the foster mother's mother to place a toy car
3 in a sock and swing it over his head. As a result of
4 doing so, the child was struck and bruised. The social
5 work department heard about this but took no steps to
6 investigate what happened nor did they consider it of
7 any consequence. I do not look upon it in that way and
8 consider it to be a serious matter. I am not [turn over
9 to page 5] at all surprised that the birth mother was
10 concerned, having reported the matter to the department,
11 that she received no reassurance either that such
12 a thing would not happen again or that it would be
13 investigated."

14 If we turn to page 6, we have one last comment by
15 the sheriff in relation to the foster mother as
16 a witness. Once again if we scroll down there, the
17 paragraph starting:

18 "It was said by some witnesses for the social work
19 department that the birth mother was hard to contact but
20 others said she was constantly in touch with them. It
21 was said by some that she had never complained about the
22 difficulties of access at the home of the foster mother,
23 but others said she had complained. I am satisfied she
24 did complain but no action would appear to have been
25 taken.

1 "As I have previously said, much information on the
2 behaviour of the children and of the birth mother during
3 periods of access came from the foster mother. The
4 social work department appear to have been prepared to
5 accept that at face value.

6 "Having heard and seen the foster mother I was not
7 prepared to place the same reliance on her evidence as
8 they did. In short, I am not satisfied with her
9 reliability as a witness."

10 Those are the comments and turning to page 8 of this
11 document, that is simply confirmation that the council
12 appealed the decision of the sheriff, and the sheriff
13 principal on 3 July 1986 refused the appeal.

14 LADY SMITH: Can you tell me who the sheriff was?

15 MS RATTRAY: I can't, there's no name. It's just -- this is
16 the only reference. It just refers to the sheriff at
17 Kirkcaldy.

18 LADY SMITH: Thank you.

19 MS RATTRAY: That concludes that particular read-in and
20 I can move on to another.

21 LADY SMITH: Thank you.

22 MS RATTRAY: The next are read-ins which are relatively
23 short but connected. It's in relation to an applicant
24 with the cypher LCT.

25 LADY SMITH: And the pseudonym?

1 MS RATTRAY: The pseudonym is 'Yvonne'.

2 LADY SMITH: I thought it might be. Thank you.

3 'Yvonne' (read)

4 MS RATTRAY: These are read-ins of two applicants who are
5 sisters and they're sisters who shared the same
6 placement.

7 The first applicant has the pseudonym 'Yvonne' and
8 her statement is at WIT-001.001.4244 and we'll look at
9 that one first. But for the record, her little sister
10 has the pseudonym 'Bernie' and her statement is at
11 WIT.001.001.7940.

12 'Yvonne' and 'Bernie' were in the care of Glasgow
13 Corporation and then Strathclyde Regional Council. They
14 were in care at Nazareth House and we heard evidence
15 from them in the course of that case study. 'Yvonne'
16 gave oral evidence of her experience at Nazareth House,
17 including a holiday she had with certain carers, and
18 that was on Day 55 on 8 May 2018. And on the same day,
19 parts of 'Bernie's' statement was read in.

20 In the course of that evidence, Mr MacAulay did
21 refer to a period of care which appeared to be foster
22 care while at Nazareth House and referred to some
23 records. In the course of this case study we have
24 recovered further records.

25 LADY SMITH: Can you remind me which of the Nazareth Houses

1 she was in? If you don't have that to hand, I can
2 check.

3 MS RATTRAY: I believe it was Cardonald, but that's
4 something I can check. I think it would be Cardonald.

5 Whilst at Nazareth House, they were on a holiday
6 placement with a Mr and Mrs LFN/LFO in Tamworth in
7 Staffordshire and Mrs LFO formerly worked in Nazareth
8 House and had befriended the girls from an early age.
9 Mr and Mrs LFN/LFO then lived in Tamworth and applied to
10 foster the girls. They had completed a formal
11 application and the checks at the time were carried out
12 by Staffordshire County Council on behalf of Glasgow
13 Corporation.

14 Glasgow Corporation said that the stay with the
15 LFN/LFO was to be classed as a holiday rather than foster
16 care or even a trial period of boarding out, because of
17 LFN/LFO home circumstances at the time. They lived
18 in a static caravan. Also at the time relatives of the
19 girls had put themselves forward as possible foster
20 carers for them.

21 However, one of the reasons I want to refer to that
22 is because these people were formally checked as foster
23 carers. Abuse occurred and in the records we've since
24 recovered, there are records about sharing of
25 information about the abuse and what happened which

1 might be helpful from our perspective.

2 LADY SMITH: Thank you very much.

3 MS RATTRAY: The girls' second placement in terms of foster
4 care was with [REDACTED],
5 a John Smith, in Glasgow in the latter part of 1977
6 until [REDACTED] 1977. The Glasgow records are sparse
7 and rather peter out some time before each of the
8 children left Nazareth House. We have no later records.

9 We know from the Nazareth House records that
10 'Yvonne' left there on [REDACTED] 1977 and 'Bernie' left on
11 [REDACTED] 1977. 'Yvonne', as we'll hear in her
12 statement, believes the placement was foster care.
13 Alternatively it could also have been a discharge of
14 care into the care of an adult [REDACTED] or it could have
15 been a [REDACTED] regulated solely as a condition
16 of residence of a supervision requirement. We do not
17 know.

18 However, we know from the records that John Smith's
19 placement when he was a child was with relatives and was
20 a foster placement. And also the proposed care of the
21 girls by [REDACTED] was dealt with as
22 a potential foster placement.

23 Accordingly, the placement of 'Yvonne' and
24 LDI [REDACTED] with [REDACTED] as foster care would be
25 consistent with the previous approach taken by the Local

1 Authority to care by [REDACTED].

2 For the avoidance of doubt at the time the
3 regulations generally excluded single men from being
4 foster carers. An express exception was [REDACTED]
5 [REDACTED]. The successor
6 authority is Glasgow City Council.

7 LADY SMITH: Thank you.

8 MS RATTRAY: Turning firstly to 'Yvonne's' statement, she
9 says:

10 "My name is 'Yvonne'. I was born in 1962. My
11 contact details are known to the Inquiry.

12 I lived with my family in Glasgow. I was two and a
13 half years of age. At that time I had eight brothers
14 and sisters and we all lived with my mum and dad. My
15 sister was murdered [REDACTED]."

16 From paragraphs 3 to 6, 'Yvonne' speaks of her life
17 before care in Glasgow. Her dad was in and out of
18 prison. Her mum couldn't cope after the death of
19 'Yvonne's' sister and she committed suicide. The
20 children were taken into care.

21 From paragraphs 7 to 59, 'Yvonne' describes her
22 experiences in Nazareth House where she suffered abuse.
23 She ran away and was then sent to Beechwood Assessment
24 Centre, where she says she had a brilliant time and was
25 never hurt there.

1 Before moving to the part of her statement on foster
2 care with [REDACTED], I'll turn to what she says about
3 the holiday placement whilst at Nazareth House, which is
4 at paragraph 50 on page 11:

5 "I was taken out on holiday by LFO [REDACTED] and
6 LFN [REDACTED]. They were not our relations. We were
7 taken to a caravan. It had been a good holiday.
8 I remember playing with 'Bernie' beside some water.
9 I ended up in the water. Apparently I nearly drowned.
10 When I came to, I was lying on the grass and I saw
11 LFN [REDACTED] standing over me. I thought he had saved my
12 life. I got taken to hospital as they had to pump my
13 chest to get rid of the water.

14 'Bernie' and I slept on the floor of the caravan and
15 LFN/LFO [REDACTED] slept in the bed. I remember walking in
16 and LFO [REDACTED] was lying on the bed and I saw her boobs.
17 I had never seen a woman's boobs before. On this one
18 occasion, LFO [REDACTED] left the room. I don't know where she
19 went. LFN [REDACTED] then came down to the floor and sexually
20 abused me. After he was finished with me, he moved on
21 to 'Bernie'.

22 LFO [REDACTED] was changing us later that day and she noticed
23 blood on my pants. She asked me what happened. I can't
24 remember what I told her. We were taken back to the
25 home.

1 I used to think that in some way I deserved the
2 abuse because he had saved my life. 'Bernie' told me
3 years later that it wasn't LFN [REDACTED] that had saved me
4 that day. Another man had been walking by and jumped
5 into the water to save me. I just assumed it was
6 LFN [REDACTED] as he was the first face I saw when I opened
7 my eyes.

8 I heard the nuns talking about 'Bernie' and I going
9 back out with LFN/LFO [REDACTED]. This was a few
10 days after we got back to the home after LFN [REDACTED]
11 abused me. I told the nuns that I wasn't going back out
12 with LFN/LFO [REDACTED]. I told them that he had abused me.
13 The nuns didn't believe me. They called me a liar and
14 a troublemaker. I was told I should be thankful that
15 someone had chosen to take me out on holiday. I was
16 told to go down to the chapel, I was told to say 10 Our
17 Fathers and 20 Hail Marys. I wasn't lying. It hurt me
18 so much. I learned to keep my mouth shut. I don't know
19 how old I was at this time."

20 I'm now moving to paragraph 60 on page 13 where
21 'Yvonne' speaks about foster care with [REDACTED]
22 after leaving Beechwood Assessment Centre:

23 "I was taken out of Beechwood. I don't know the
24 reason why. I don't know who made the decision. I was
25 to go and live with [REDACTED] John Smith.

1 I refer to him as [REDACTED]. I don't
2 consider him as [REDACTED]. He had already served time
3 in prison. I don't know what he had been convicted of.
4 I don't know why he was ever allowed to foster me and my
5 sister 'Bernie'. It was less strict to foster at that
6 time I suppose. This is one of the reasons I would like
7 to see my records. I want to understand why the social
8 work department let John Smith foster my sister and I.

9 John Smith was seven years older than me. He lived
10 with his partner. They had a small kid. [REDACTED]
11 [REDACTED]. I went to live with them first. 'Bernie' was
12 still in Nazareth House. Then she came to live with us.

13 There was always a lot of drink about the house.
14 John was always fighting with his partner. He would
15 beat her up. He would hit her head off the toilet pan.
16 There would be blood everywhere. She eventually left
17 him. She left her daughter with him. He should have
18 phoned the social work department and told them that his
19 partner had left. He must have got money for us.
20 That's why he never told them she'd gone. I would
21 rather have been back in care than in John's care.

22 He was always drunk. He would beat me up. I used
23 to have black eyes. He hit me when he was drunk. He
24 was not a nice person. He used to say I was cheeky.
25 I would stand up for myself and tell him the truth.

1 I behaved like I did in the home.

2 I don't think John worked. He would drink lager all
3 day. To this day, I hate the smell of lager. I think
4 he took drugs too. I think it was pills and cannabis.
5 Back then I didn't know what cannabis was. I just knew
6 it was a different smell to tobacco smoke. He used to
7 have his pals in the house. One of his pals stood up
8 for me, he saw me with a black eye, he told John to stop
9 beating me up. John told him to fuck off, it had
10 nothing to do with him.

11 I remember another time John had his friends in and
12 they were playing darts. One of his friends had
13 a dimple in his chin. I said I had always wanted one of
14 them. He said, 'Aye, here, I'll give you one of them'.
15 He fired a dart at me and it stuck into my chin. None
16 of his friends said anything to him at the time.
17 I think they were scared of him.

18 John used to sit and his leg would shake. I would
19 sit waiting for him to assault me. He would kick me
20 right in the face with his foot. I don't like sitting
21 with someone and their leg is shaking. I feel as if
22 they are going to hit me. He was not a nice man at all.

23 One night I was out with my pals playing football.
24 My sister was away at a dancing competition. I remember
25 going into the house and I sat on the couch. The TV was

1 on. There was a programme on about kids getting a day
2 out from school. I was watching it. John was playing
3 records on his record player. He was drunk. A song
4 came on, 'Jailer bring me water'. He said to me he was
5 going to be saying that soon.

6 John grabbed me by the throat and said he was going
7 to rape me. He held an open razor to my throat. I was
8 gobsmacked. I didn't know what to do. I was scared.
9 He was much bigger than me. I knew I couldn't beat him.
10 He told me that if I was to tell anyone I would go back
11 into care. John told me that his wee daughter would go
12 into care and go through everything that I went
13 through. I kept thinking of this wee baby. She was
14 a beautiful wee baby. [REDACTED]

15 [REDACTED]

16 I just sat there. I was trying to sneak my shoes on
17 because I was going to do a runner. The doorbell went.
18 It was my sister. She came in. She saw me trying to
19 get my shoes on. She asked me what was going on.
20 I told her I needed to go. She shouted to John that
21 I was putting my shoes on, that I was going to run away.
22 She didn't realise what was going on.

23 That night I begged my sister to let me sleep with
24 her. She didn't let me. We slept in bunk beds in one
25 room and John had his own room with a double bed. He

1 had a lock on his door. She kept running between the
2 rooms. I was scared and begging her to let me sleep
3 with her. She ran out our room into his room and locked
4 the door behind her. I was lying in the bunk bed on my
5 own. John came in and raped me. He had a blade with
6 him. I thought he wanted to kill me.

7 The next morning he came into my room and told me
8 that Elvis was on the TV. He was acting as if nothing
9 had happened. I went downstairs. My sister asked me
10 what was wrong. I told her that John had raped me. She
11 said she knew he was going to do that. I ran out of the
12 house to his friend's house. I told her and she phoned
13 the police. The police came to her house.

14 I told them that John had raped me. The police took
15 me down to the house. I wasn't allowed in. I sat in
16 the police car outside the house. My sister was walking
17 past with her pals. She walked right up to me and
18 shouted, 'You fucked grassed him you bastard'. I wished
19 the ground could have opened up and swallowed me.
20 I wanted to kill myself, I didn't want to be there.
21 That was humiliating for me. I had to tell the police.
22 I knew if I didn't tell the police he would keep on
23 doing it. He would have got more violent.

24 The police took a statement from me. He was charged
25 and prosecuted. He pled guilty and I found out he had

1 raped my sister three weeks before he raped me.
2 'Bernie' knew what had happened to her. She did nothing
3 to protect me. I thought, 'Did she want that happen to
4 me because it happened to her?' I was young and I felt
5 a lot of anger towards my sister. I was angry that she
6 didn't warn me. I fell out with her for years after
7 this. She was only a child herself. I wondered why she
8 didn't tell me. She was probably told by John not to
9 tell anyone.

10 I don't know how long we were at John Smith's house.
11 I was beat up the majority of the time, he beat me like
12 I was a grown man, punches, kicks in the head, bottles
13 over my head. I don't remember any social workers
14 coming to visit. No one checked up on us.

15 I don't know when things happened. That's why
16 I want my records. I don't remember a nice time in
17 John's house. It was the worst experience, [REDACTED]
18 [REDACTED] abusing me.

19 John got five years in prison for raping me.

20 My sister and I then went to stay with the friends
21 I had run to for help. I attended secondary school.
22 I started sniffing glue and getting into trouble. I was
23 only 15. I then went to another secondary school in
24 Glasgow. I stayed with my uncle and auntie, my mum's
25 brother. I still felt like I didn't belong. I didn't

1 stay at school for long.

2 I got a job at Fine Fare on Duke Street in Glasgow.
3 I took another job somewhere else and then gave them up.
4 The friends I had stayed with couldn't control me. They
5 had four kids of their own. I still say they only took
6 my sister and me for the money. We never got anything
7 out of it."

8 From here on in her statement, as we've heard from
9 'Yvonne' on the remaining parts of her statement when
10 she gave oral evidence I'll move to paragraph 94 on
11 page 20, where she says:

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

16 'Yvonne' signed her statement in June 2017.

17 LADY SMITH: Thank you.

18 'Bernie' (read)

19 MS RATTRAY: I'll move to her sister's statement, that is at
20 WIT.001.001.7940:

21 "My name is 'Bernie'. I was born in 1964. My
22 contact details are known to the Inquiry."

23 From paragraphs 2 to 4, 'Bernie' speaks of her life
24 at home before care, of which she has no memories as she
25 was only two years old when she went to Nazareth House.

1 From paragraphs 5 to 65 'Bernie' speaks about
2 Nazareth House, where she experienced abuse.

3 Moving now to paragraph 23 on page 6, where 'Bernie'
4 speaks about the holiday placement whilst at Nazareth
5 House:

6 "'Yvonne' and I were taken to a caravan once with
7 a couple we'd never met before. We were sexually and
8 physically abused there. I have no memories of going on
9 any other trips with people not connected with the
10 home."

11 To paragraph 49 on page 10:

12 "'Yvonne' and I were sent on a holiday trip to
13 a caravan with a couple called LFN/LFO .
14 He looked like he was in his 30s and she looked in her
15 20s. I don't know where the caravan was. I was about 9
16 or 10 at the time. I don't know who these people were
17 or where they lived. We hadn't even met them before.
18 We just got sent away with them, which I thought was
19 quite strange. LFN sexually and physically
20 abused both me and 'Yvonne' on that trip. He took us
21 into the room one by one, so I think LFO knew what he
22 was doing to us."

23 Now moving to paragraph 66 on page 14, where
24 'Bernie' speaks about foster care with [REDACTED]
25 after leaving Nazareth House:

1 " [REDACTED] John came back on the scene and 'Yvonne'
2 went to live with him when she came out of the Approved
3 School. I think John was about nine or ten years older
4 than me. He started coming to Nazareth House to visit
5 me. That's when I started to see 'Yvonne' again as she
6 would come with him to see me.

7 I started going home for overnight visits and after
8 a few visits it was a case of 'Pack your stuff, you're
9 out of here', so I was sent home to live with John.
10 I say 'home' because that's what we called it. It all
11 happened so fast. Nobody asked me if I wanted to go and
12 live with him. I think I was about 13 or 14. As far as
13 [REDACTED]
14 he started coming with 'Yvonne' to visit me at Nazareth
15 House. I don't even know who he was [REDACTED]
16 [REDACTED].

17 June O'Brien and Jim Cameron were still my social
18 workers when I went to live with John. There was no
19 discussion with them about me going there and they
20 didn't ask me whether I wanted to go.

21 When we came back from the caravan, 'Yvonne' told
22 one of the nuns what LFN [REDACTED] had done to us and then
23 I spoke to the nun. She said that she'd go to another
24 sister and tell her. That sister then took us into
25 a room and 'Yvonne' tried to tell her what had happened.

1 The sister told us these people had gone out of their
2 way to do this for us and we should be more grateful.
3 She told 'Yvonne' to stop telling lies. I said we
4 weren't telling lies and that he had done 'dirty
5 things'. That's how I put it. Nothing at all was done
6 about it."

7 Moving to paragraph 76 on page 16:

8 "██████████ lived near Anniesland in Glasgow. I was
9 only there for around a couple of months. Moving in
10 with him happened so fast and it fell through so quickly
11 as well. The social workers didn't come to visit me at
12 John's. I would remember if they had done.

13 John raped me and 'Yvonne'. He raped me first but
14 I didn't tell 'Yvonne'. I was petrified living there.
15 He then raped 'Yvonne' at knife point. We went to the
16 police and he went to prison for seven years. I had to
17 give evidence at his trial. He then pled guilty early
18 on in the trial.

19 We then went to stay with family friends, the
20 ██████████, for a short while. They were total strangers
21 to me but 'Yvonne' knew them. I was treated like
22 a skivvy by them. I felt like Cinderella. I then ended
23 up back in care. I rang the social work office and told
24 them how I felt. I think I spoke to Jim Cameron.
25 I went to live in a hostel on West Princes Street just

1 off Charing Cross in Glasgow. I was still only about
2 14. 'Yvonne' stayed with the [REDACTED] and then she
3 went to live with my mum's brother in Easterhouse."

4 As we've also heard other parts of 'Bernie's'
5 statement which have already been read in, I'll move to
6 paragraph 108 on page 22.

7 LADY SMITH: Thank you.

8 MS RATTRAY: Where 'Bernie' says:

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

13 She signed her statement on 13 April 2018.

14 LADY SMITH: Thank you.

15 MS RATTRAY: My Lady, now to the records.

16 LADY SMITH: Yes.

17 MS RATTRAY: Those sitting beside me have been making
18 enquiries and it was Cardonald, the Nazareth House --

19 LADY SMITH: I thought it might be, given the general
20 reference to Sisters of Nazareth, Glasgow. That would
21 make sense.

22 MS RATTRAY: The first record to look at is JUS-000000045.

23 Both 'Yvonne' and 'Bernie' speak to John Smith being
24 convicted and sentenced to a period of imprisonment,
25 although they say five or seven years.

1 We have been unable to obtain a copy of that
2 conviction or a record of it. The only record we've
3 recovered is a copy of an indictment and this is it at
4 JUS-000000045.

5 We see that there are two charges of [REDACTED]
6 intercourse with [REDACTED], the first in respect of
7 'Bernie', aged 13 years, between the dates [REDACTED]
8 [REDACTED] 1977, and the second in respect of 'Yvonne',
9 aged 15 years, on [REDACTED] 1977, both then
10 residing with John Smith.

11 Turning now to records relating to the holiday
12 placement, which were technically not foster care
13 because it was never formally approved as such by
14 Glasgow Corporation, nonetheless proceeded with Glasgow
15 Corporation's agreement and following what appears to be
16 a full foster care application and checking process of
17 the times. The purpose of looking at these records is
18 to see the response of the Local Authorities involved to
19 the girls' allegations of sexual abuse.

20 We've already heard that LFO [REDACTED] had written to
21 Glasgow seeking for her and her husband to be foster
22 carers for 'Yvonne' and 'Bernie'. There is a copy of
23 that letter there, but if we turn first to
24 GLA.001.001.9599. It's a bit dark, this copy, but it's
25 a letter from Glasgow Corporation to the Social Services

1 in Staffordshire, dated 11 April 1973. Asking
2 Staffordshire to approve suitability of LFN/LFO to
3 act as foster parents for the girls and that there would
4 be a holiday as a first step if Staffordshire considered
5 them suitable prospective foster parents.

6 Turning to a different document, which is at
7 GLA-000002136, page 4. The next letter is a letter from
8 Staffordshire County Council of 4 June 1973. What this
9 does it encloses various reports and references that
10 they have obtained on behalf of Glasgow so that Glasgow
11 can decide if LFN/LFO are to be approved as foster
12 carers.

13 Staffordshire take the view that perhaps a holiday
14 could take place and if successful the girls could
15 remain for a trial period of boarding out.

16 I don't think we need to look at the details of the
17 various reports, but we'll turn to page 5, which is the
18 original application for boarded-out temporary child
19 adoption on behalf of LFN/LFO

20 If we turn to the second page of that, which is
21 page 6 of this document, and if we scroll down a little
22 to about the middle towards the end, what it says is:

23 "The general home conditions, the caravan is very
24 clean and tidy, comfortably furnished. It is not really
25 a suitable home for the girls on a long-term basis, but

1 temporary arrangements could be made."

2 At the foot of the page we see the childcare
3 officer's recommendations:

4 "It would seem that LFN/LFO have the girls'
5 interests at heart, and that a trial boarding-out period
6 should be arranged."

7 They enclose with that various references of the
8 type we normally see from a minister, priest or doctors
9 and there were also police checks carried out.

10 If we turn still on this document to page 17, this
11 is a letter from Glasgow Corporation to Staffordshire
12 Social Services of 8 June 1973, where they say that they
13 were, "Inclined to the opinion that because of the
14 LFN/LFO present home circumstances the girls should just
15 go for a holiday to them this summer and then return to
16 Nazareth House and that boarding out even on a trial
17 basis should not yet be attempted", so that I think is
18 the turning point as to why this wasn't foster care,
19 albeit the equivalent.

20 The next is a different document which is at
21 GLA.001.001.9596. This is a letter from Staffordshire
22 to Glasgow of 20 September 1973. What this is saying is
23 that the holiday was a great success and LFN/LFO are
24 looking forward to have the girls on a permanent basis
25 and they are now going to be allocated a three-bedroom

1 house, so the issue of the accommodation has been dealt
2 with and Staffordshire are confirming that they are
3 happy to supervise such a foster placement on behalf of
4 Glasgow.

5 At the foot of this page -- I think this is one of
6 the documents that Mr MacAulay was able to look at in
7 previous evidence -- there is a handwritten note. It's
8 difficult to read but essentially what it seems to say
9 is reference to "troublesome in class -- noisy and
10 unruly. Reported and referred to the educational
11 psychologist".

12 Then it has LDI [REDACTED] but then I don't know if
13 that's scored out, but it also has "'Yvonne'", "... did
14 not want to go, said Mr LFN [REDACTED] did dirty things ..."

15 LADY SMITH: To her.

16 MS RATTRAY: "To her" I think is what it says.

17 There's also a reference to Mrs LFO [REDACTED] and it's not
18 quite clear what, "... Mrs LFO [REDACTED] did not possibly know
19 [I'm not sure] anything about this".

20 There's reference to wanting to go to an auntie in
21 Newcastle and that their sister is there.

22 It does appear that what the girls reported to
23 Nazareth House, one way or the other, was passed on to
24 the social workers in Glasgow Corporation.

25 If we return to the previous document, which is

1 GLA-000002136, page 18. This is a report that is then
2 sent by Staffordshire to Glasgow and they have been out
3 to see LFN/LFO again on 28 September 1973, talking
4 about the allocated three-bedroom house and saying:

5 "Mr and Mrs LFN/LFO have heard nothing from Glasgow
6 since the girls went home, although they have had
7 a couple of letters from the girls themselves."

8 One wonders, but perhaps it's wrong of me to
9 surmise, I'm just wondering whether at Nazareth House
10 they were told to write a thank you letter. That might
11 be in keeping with why, in these circumstances, the
12 girls would be writing letters.

13 "This led us on to discussing how the summer trial
14 had gone. Mr and Mrs LFN/LFO felt things had gone very
15 well. I was impressed with the insight they obviously
16 had into the girls' behaviour. They had both noticed
17 aspects of the girls' behaviour which they felt was the
18 institutionalised effect, and they both felt the girls
19 had been testing them out to see how far they could go
20 with them. Mr LFN intended to spoil the girls ..."

21 It says.

22 Then the next item in this correspondence is at 19,
23 which again is a letter from Staffordshire to Glasgow of
24 28 September 1973 enclosing that report and asking for
25 some feedback as to how 'Yvonne' and 'Bernie' reacted to

1 their holiday.

2 Turning to the next page, which is page 20,
3 Staffordshire are writing again on 20 November 1973 and
4 here they say they have been approached on numerous
5 occasions by LFN/LFO who want to hear whether the
6 girls are to be placed with them.

7 Then they say:

8 "If, in view of recent development, the girls are
9 not to be placed with LFN/LFO, I should be most
10 grateful if they could be officially informed of this as
11 soon as possible."

12 We know there are recent developments and I think
13 when we see further correspondence it would appear that
14 there's been a telephone call, because there is in later
15 correspondence reference to a telephone call.

16 It would appear that perhaps some time before
17 20 November there's been a telephone call and I think we
18 will see it's by Mr Meldrum of Glasgow Corporation to
19 Staffordshire. It looks like that information was
20 shared over the phone in relation to the allegations.

21 If we turn to the next page, page 21, which is
22 a reply from Glasgow Corporation of 26 November 1973,
23 they say they:

24 "... have to advise that because of the possibility
25 now of a placement of these girls in

1 Glasgow it has been decided not to proceed with their
2 placement with Mr and Mrs LFN/LFO .."

3 And they've written to Mr and Mrs LFN/LFO

4 So they're then in writing saying that it's because
5 of a possible placement elsewhere.

6 The next letter we look at is at page 22. We now
7 have a third Local Authority getting involved, which is
8 the City of Birmingham Social Services department, it's
9 a letter to Glasgow Corporation of 14 December 1973
10 saying:

11 "Mrs LFO has written to us in response to
12 an advert for long-term foster parents. We have
13 contacted Mrs Watsham in Tamworth [that's Staffordshire]
14 who explained that she visited and approved them on your
15 behalf and suggested we get in touch with you."

16 So Staffordshire aren't going to tell Birmingham
17 what's going on, they want Glasgow to do it, and
18 Birmingham are saying:

19 "We would be grateful for copies of any relevant
20 reports, police checks and other relevant information in
21 view of their recent acceptance."

22 The next document to look at is on page 23 -- sorry,
23 I'd like to go to GLA.001.001.9585, page 3.

24 Another darkened copy, but it's a letter --

25 LADY SMITH: This is probably a copy of the principal letter

1 on yellow paper.

2 MS RATTRAY: Yes. It appears to be. You will note from the
3 earlier references we have to a previous system, that
4 these are the letters which we previously have and --

5 LADY SMITH: I'm sure it's my age, but I remember routine
6 practice in offices at that time in the 1970s was to use
7 yellow thin paper for copies of outgoing letters.

8 MS RATTRAY: Right.

9 LADY SMITH: That would be why it's --

10 MS RATTRAY: What this is is Glasgow Corporation writing to
11 Birmingham on 3 January 1974 enclosing the reports from
12 Tamworth and saying that they're not intending to
13 proceed with the proposed fostering with Mr and
14 Mrs LFN/LFO as there is possibility of placement with
15 relatives, so there's no reference to the allegations at
16 this stage.

17 If we now move back to the previous record,
18 GLA-000002136, and GLA-000001236 are the additional
19 records we've recovered since we last looked at this
20 issue. On page 23 we see that this is another letter
21 from Birmingham to Glasgow of 25 April 1974 and
22 referring to a recent telephone conversation with
23 Mr Meldrum and informing them of the outcome and saying:

24 "We consider it most unfortunate that information
25 regarding the allegation made by the LCT

1 of some kind of sexual misbehaviour by Mr LFN [REDACTED] was not
2 revealed at the time of our original request for
3 relevant reports and other information in December 1973.
4 The social worker in Tamworth did not in fact receive
5 written confirmation about what had happened, and did
6 not therefore feel able to raise the matter with
7 Mr LFN [REDACTED] at the time, not being in complete possession
8 of the facts, and had expected that a full account would
9 be passed to us following our request for the reports.
10 It has been decided that we cannot now use LFN/LFO [REDACTED] as
11 foster parents, and they have been informed of our
12 decision, although we have not revealed the reason for
13 this."

14 If we turn to page 24, we see another letter from
15 Staffordshire of 26 June 1974:

16 "You may remember this couple applied to become
17 foster parents for 'Yvonne' and 'Bernie', who were in
18 the care of your authority. However, your social
19 worker, Mr Meldrum, in a telephone conversation with
20 this office, reported that certain allegations had been
21 made by one of the girls about an incident which
22 occurred during the stay in Tamworth. Mr and Mrs LFN/LFO [REDACTED]
23 have now applied to become foster parents to a child in
24 the care of this authority, and in view of Mr Meldrum's
25 telephone conversation, I should be grateful if you

1 could supply me with written information on exactly what
2 was alleged to have taken place, and of your own
3 follow-up investigation."

4 If we turn now to page 25, this is a reply from
5 Glasgow to Staffordshire of 5 July 1974, where they
6 repeat the allegations of which we've seen a note,
7 a handwritten note in earlier letters, that they spent
8 their summer holidays with Mr and Mrs LFN/LFO in
9 a caravan, when they were still living in a caravan:

10 "But when they returned to Glasgow the elder sister,
11 'Yvonne', said she did not want to go back and live with
12 Mr and Mrs LFN/LFO and alleged that one morning, when they
13 were getting up, Mr LFN had done dirty things to her.
14 She would not go into any details about the alleged
15 incident and a sister in charge of these girls at
16 Nazareth House, Cardonald, was also unable to get
17 anything more out of the girl. 'Yvonne' had apparently
18 not made any complaint to Mrs LFO, who was therefore
19 unaware of the alleged incident.

20 "This may have been more in the nature of a bit of
21 horseplay on the part of Mr LFN, but however no
22 follow-up investigations were made, because at this
23 point the girls' maternal grandfather in Glasgow had
24 started taking an interest in them and was having them
25 to his home for weekends with a view to eventual

1 fostering."

2 The letter continues on page 26 and explains the
3 girls will no longer be fostered by the grandfather and
4 saying that the girls returned to school and 'Yvonne':

5 "... became very troublesome in school, being noisy
6 and unruly in class. Educational psychologist, a woman,
7 was sought to endeavour to find out what had taken place
8 during the alleged incident at LFN/LFO s home, but
9 without any further success."

10 Turning to page 27, which is another letter from
11 Staffordshire to Glasgow, of 4 September 1974,
12 acknowledging and thanking for this letter and saying:

13 "LFN/LFO have now applied to become daily minders
14 of children."

15 And therefore because they have a right of appeal,
16 they want Glasgow's permission in writing for
17 Staffordshire to use their letter 5 July and:

18 "... also be grateful for any more written
19 information on any further investigations you may have
20 undertaken.

21 "In order to investigate this matter further on your
22 behalf, I told Mr Meldrum of your department that I was
23 intending to interview Mr LFN myself. I have not yet
24 managed to find him at home, but I still intend seeing
25 him and putting to him the allegations that have been

1 made by 'Yvonne', and I would request your written
2 consent to this course of action."

3 Then the final letter is on page 28, which is
4 a letter from Glasgow of 6 December 1974 regretting the
5 delay in replying to the letter and saying that they
6 have no objections to them producing their previous
7 letter, albeit they refer to it as 4 July when it was
8 5 July, but:

9 "As stated ... there were no further investigations
10 made by this department into the allegations made ..."

11 What perhaps we can take from this correspondence is
12 that neither Glasgow Corporation, nor Staffordshire
13 County Council appear to have carried out a proper
14 investigation into the allegations, and neither appeared
15 to want to take responsibility for any such enquiry.

16 Glasgow, in whose care the girls were, didn't as
17 they say another care plan had arisen so they were not
18 pursuing fostering.

19 But then Staffordshire, where the alleged abuse had
20 taken place by a man checked and approved as suitable by
21 them, didn't either.

22 They referred Birmingham to Glasgow for copy records
23 without telling Birmingham of the allegation and leaving
24 that to Glasgow. It was only when Staffordshire itself
25 had to address the issue of the application to be daily

1 minders did they speak of putting allegations to
2 Mr LFN Even then the wording in the letter is, "In
3 order to investigate on Glasgow's behalf ..."

4 Then on 6 December Glasgow passes the buck back to
5 Staffordshire, saying that it's up to them to take any
6 further course of action you may now consider necessary
7 to take in this matter.

8 There's no indication at all of the allegations
9 being reported to the police by either authority.

10 Glasgow Corporation did share the allegations by
11 a telephone call fairly early on, but there seems to
12 have been a reluctance or hesitation to put the
13 allegations in writing and it wasn't until almost a year
14 later in July 1974 and when pressed by Staffordshire
15 that they did put the allegations in writing.

16 However, it does one way or the other say that when
17 allegations were shared, it did act to prevent the
18 LFN/LFO from being approved for other childcare
19 positions, and accordingly if the allegations are true
20 then arguably the sharing, as it was, did help to
21 protect other children at risk of abuse in care.

22 LADY SMITH: Fortunately, on what we're seeing, no child was
23 placed with them in the meantime.

24 MS RATTRAY: No, it doesn't, but clearly --

25 LADY SMITH: But that's happenstance, I think, looking at

1 it.

2 MS RATTRAY: Yes.

3 LADY SMITH: Am I right in having worked out that the older
4 girl, 'Yvonne', at the time they were on this holiday
5 with LFN/LFO would be about 11 years old?

6 MS RATTRAY: It would --

7 LADY SMITH: About 11 years old when she made the
8 allegations --

9 If somebody would just move, that would probably
10 bring the lights on again. Thank you.

11 MS RATTRAY: It was in 1973 and 'Yvonne' was born in 1962,
12 so yes, she would be about 11 years of age.

13 LADY SMITH: Yes.

14 MS RATTRAY: I think 'Bernie' is about two years younger.

15 LADY SMITH: I think she was, births dates 1962, 1964, so at
16 11 she is of an age where she is able to articulate
17 clearly what she's talking about.

18 MS RATTRAY: Yes.

19 I think that probably concludes read-ins for today.

20 LADY SMITH: Thank you very much indeed and thank you to
21 everybody for helping by staying on today. That's my
22 thanks to the stenographers, my surviving member of the
23 team to my left here and to counsel, solicitors and the
24 final remnants of those sitting in the public benches,
25 I'm very grateful to you all.

1 Before I rise, I should mention the names EPH
2 EPH , LFN/LFO and John Smith, whose
3 identities can't be revealed outside this room.

4 Thank you very much indeed.

5 Until 10 o'clock tomorrow morning -- do we start
6 with a link tomorrow?

7 MS RATTRAY: We start with a witness by a videolink and then
8 we will have two further oral witnesses --

9 LADY SMITH: Yes.

10 MS RATTRAY: -- and hopefully room for further read-ins.

11 LADY SMITH: Thank you very much.

12 (4.59 pm)

13 (The Inquiry adjourned until 10.00 am on
14 Thursday, 6 October 2022)

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