

Thursday, 6 October 2022

(10.00 am)

LADY SMITH: Good morning. We return this morning to oral evidence and as you'll see we have a link ready for the first witness.

Would you like to introduce him, Ms Innes?

MS INNES: Yes, my Lady. I have a few things to say by way of introduction.

The next witness is John Deeney. John Deeney's

██████████ were foster carers for Glasgow Corporation and then Strathclyde Regional Council. It's understood from records that prior to regionalisation they fostered with Glasgow from about 1968. They were accepted as foster parents for the Wishaw district of Strathclyde Regional Council in December 1976.

An applicant with the pseudonym 'Paul' was in the care of Strathclyde Regional Council. He was in a foster placement with John Deeney's ██████████ in Wishaw between ██████████ 1979 until he left care at the age of 18 in 1990. 'Paul's' statement was read in on Day 318, 16 August 2022.

Initially it was the Hamilton social work office of Strathclyde Regional Council who had responsibility for placing 'Paul' with MTD/SPO ██████████. The case was then transferred to the Wishaw office in 1986. Accordingly

1 in terms of successor authorities, both South  
2 Lanarkshire Council and North Lanarkshire Council have  
3 an interest. However, records were recovered from North  
4 Lanarkshire Council.

5 LADY SMITH: Thank you very much.

6 MS INNES: On 19 November 2020 at Glasgow High Court,  
7 John Deeney was convicted of the indecent assault of  
8 'Paul' on various occasions between [REDACTED] 1981 and  
9 [REDACTED] 1984. He was sentenced to four years  
10 imprisonment. An appeal against conviction was refused  
11 on 23 June 2021.

12 I wonder if we might look at JUS-000000095 at this  
13 point --

14 LADY SMITH: Thank you.

15 MS INNES: -- and pages 8 and 9.

16 Your Ladyship will see there the first charge, which  
17 is the charge of which Mr Deeney was convicted, and as  
18 I've indicated it was in respect of various occasions  
19 between [REDACTED] 1981 and [REDACTED] 1984, charges of  
20 indecent assault.

21 Then if we move over the page, on the second page of  
22 the indictment at page 9 Your Ladyship will see that  
23 a docket was added to the indictment and evidence was  
24 led during the trial that on various occasions between  
25 [REDACTED] 1977 and [REDACTED] 1978 Mr Deeney indecently

1        assaulted another boy. He is referred to in Mr Deeney's  
2        statement as "the docket witness". My understanding of  
3        the reason why this is in a docket is because of the age  
4        of the accused at the time. Mr Deeney was between 9 and  
5        10 at the time. And that boy, the boy referred to in  
6        the docket, was also a foster child in the MTD/SPO  
7        household.

8        LADY SMITH: Thank you.

9        MS INNES: That's all that I have to say by way of  
10       introduction, my Lady.

11       LADY SMITH: Thank you.

12                Good morning, Mr Deeney, can you hear me?

13       THE WITNESS: Yes, uh-huh.

14       LADY SMITH: Let me introduce myself. I'm Lady Smith and  
15       I chair the Scottish Child Abuse Inquiry here in  
16       Edinburgh. Before you give evidence this morning, I'd  
17       like to find out you wish to take the oath or you would  
18       prefer to affirm. Can you help me with that?

19       THE WITNESS: I'll just affirm.

20                        John Deeney (affirmed)

21                        (Evidence given via video conference)

22       LADY SMITH: Just before we go on to your evidence,  
23       practicalities, first of all.

24                If you have any problem with the link at any time,  
25       please let us know. Obviously we'll let you know if

1       we're having any difficulty here. It seems to be very  
2       clear, both in sound and picture, for us just now and  
3       I hope that continues for the next hour or so as we're  
4       taking your evidence.

5               Separately, what do you want me to call you? Do you  
6       want me to call you Mr Deeney or do you want me to call  
7       you John?

8   A. John is fine.

9   LADY SMITH: John? Very well, thank you.

10              Well, John, otherwise I know that you know we have  
11       difficult questions for you this morning and you may  
12       find it upsetting or distressing to have to engage in  
13       these matters again, some of which of course you've  
14       already listened to and engaged in going through in  
15       connection with your trial a little while ago.

16              I make no apologies for having to go through this  
17       with you again because of the interests of children.  
18       That's what we're all about here. It's children in the  
19       past, the present and the future, and that's why we're  
20       exploring what we're exploring at the moment in relation  
21       to foster care.

22              But, you know, if you want a break from engaging  
23       with us at any time, you must let me know, or if you  
24       have any queries or problems as we go along. I'm  
25       anxious to do what I can do to enable you to give your



1 evidence as clearly and carefully and comfortably as you  
2 can.

3 Finally, John, before I hand over to Ms Innes, this  
4 is a public inquiry. It's not a court hearing. But you  
5 are giving evidence in a public forum just as if you  
6 were in a courtroom. A transcript is being made and  
7 it's important that you understand that your evidence  
8 could be relied on outwith the Inquiry.

9 So if you're asked any questions relating to  
10 a matter other than those of which you have been  
11 convicted but questions which could incriminate you in  
12 relation to some other matter, you're not obliged to  
13 answer them. If you do choose to answer them, you must  
14 of course answer them fully.

15 Do you understand what I'm saying here?

16 A. Yeah. Yes.

17 LADY SMITH: As far as what you've been convicted of, you  
18 don't have that choice, but if we're in any other area  
19 and the answers could incriminate you, you do. All  
20 right?

21 A. All right.

22 LADY SMITH: If you're ready, I'll hand over to Ms Innes and  
23 she'll take it from there. Okay?

24 A. Yeah.

25 LADY SMITH: Ms Innes.

1 MS INNES: Thank you, my Lady.

2 Questions from Ms Innes

3 MS INNES: John, we understand that you were born in 1967.

4 Is that right?

5 A. Yes.

6 Q. We have a copy of the statement that you gave the

7 Inquiry and I hope you have that in front of you, do

8 you?

9 A. Yeah.

10 Q. We give it the reference WIT-1-000001085. If we can

11 look at the last page of the statement, please, page 8

12 right at the end, we can see there at paragraph 53 it

13 says:

14 "I have no objection to my witness statement being

15 published as part of the evidence to the Inquiry.

16 I believe the facts stated in this witness statement are

17 true."

18 I understand that you signed the statement --

19 I think maybe is that 6 September 2022?

20 A. Yes, uh-huh.

21 Q. Okay. If I can go back to the beginning of your

22 statement, please, you tell us there a bit about your

23 background and I think you grew up in Wishaw; is that

24 right?

25 A. That's correct.

1 Q. You tell us at paragraph 3 that you left home in  
2 April 1984?  
3 A. That's right, uh-huh.  
4 Q. Did you carry on living in Wishaw then or did you move  
5 away from the area?  
6 A. From Monday to Friday I stayed in Cumbernauld.  
7 Q. Okay.  
8 A. And Saturday, Sunday I stayed at home.  
9 Q. Okay. At home [REDACTED] ?  
10 A. [REDACTED].  
11 Q. Okay. I see you tell us about some of your background  
12 and career history. You tell us that you worked I think  
13 for a number of years in social care and you spent  
14 15 years as a team manager/addiction worker; is that  
15 correct?  
16 A. That's correct.  
17 Q. You also mention in paragraph 2 that I think you've been  
18 a foster carer; is that right?  
19 A. That's correct, uh-huh.  
20 Q. Okay. When was that?  
21 A. It was round about 1995/1996, but Wishaw are saying that  
22 they can't find any information on it.  
23 Q. Okay.  
24 A. Which I do think absurd, because there was an incident  
25 that happened when I stayed in [REDACTED] with a woman

1 further down the building and the police contacted  
2 social work and found out yes we were foster carers and  
3 they were able to leave the kid with us, relative to  
4 care, so I don't know why they've not got that  
5 information when the police can get hold of it.

6 Q. I think you tell us later in your statement that it was  
7 maybe you and [REDACTED] who were foster carers  
8 together at that time?

9 A. Correct, uh-huh.

10 Q. How long were you foster carers for?

11 A. Just about a year.

12 Q. Okay. Did you take children on a short-term or  
13 emergency basis or was it respite, can you remember?

14 A. It was just for one child who actually stayed as one of  
15 the original foster kids in the home. He'd left the  
16 house. We'd had him from a baby.

17 Q. So that was for one of the children who had been  
18 fostered by MTD/SPO [REDACTED] perhaps, is that what you're  
19 saying?

20 A. Yeah.

21 Q. Okay. You're saying he came to stay with MTD/SPO [REDACTED]  
22 as a baby and then there came a point where he went to  
23 live with you and [REDACTED]?

24 A. The relationship broke down when he was 15 and he wanted  
25 to come and stay with me and [REDACTED], but because he

1        was 15 and still in the care of social work, we had to  
2        go through -- we were told we would need to go through  
3        a fostering assessment, which was carried out by Wishaw  
4        social work. It took about nine months to do so. And  
5        [REDACTED] were part of that process as well.

6    Q.    Okay.

7    A.    And they took the youngster to stay with them until --  
8        she is a foster carer as well, so until the process was  
9        completed he stayed with her, before -- until our  
10       assessment was finished.

11   Q.    Okay.

12   A.    And then he moved in with us.

13   Q.    Did he stay with you for the rest of his childhood or  
14        did he go from you to somewhere else in care?

15   A.    He stayed -- he stayed with me until he was round  
16        about -- he was about 17/18, but he was a very, very  
17        confused young man, you know, that couldn't -- he  
18        couldn't understand why his mother had given him up and  
19        it's just something that he couldn't take to. He did go  
20        down a bit of a bad road, but he moved to stay with [REDACTED]  
21        [REDACTED] for a while because the relationship between me  
22        and him sort of broke down a wee bit (unclear) and  
23        stuff. So -- but we still kept in touch.

24   Q.    Okay, you kept in touch after that, after he moved away?

25   A.    (Witness nods)

1           Yes.

2   Q.   Right, thank you very much for explaining that.

3           If we can move, I suppose, back in time a bit, you

4       tell us at the top of page 2 about the people who were

5       living in your household as you were growing up. You

6       mentioned there [REDACTED], yourself, two brothers and

7       two foster children. Am I right in thinking that you

8       also had sisters?

9   A.   Yeah. But that I think was relating to the property at

10       [REDACTED]

11   Q.   I see.

12   A.   And we moved house because there was that many kids

13       coming through [REDACTED] just didn't have enough room.

14   Q.   Okay. Was it after that that your sisters were born?

15   A.   Yeah.

16   Q.   Okay. Am I right in saying that you have two sisters?

17   A.   I do, uh-huh.

18   Q.   Okay. You mentioned two foster children, so you've

19       talked about a lot of children coming through [REDACTED]

20       [REDACTED]'s care, so are the two foster children that

21       you're referring to children that stayed for a longer

22       time or who are they?

23   A.   They were the first that I can remember. They did stay

24       for a while and I still had contact with them for the

25       first three or four years -- well, (unclear) I had

1 contact with them for about three or four years,  
2 I actually met up with one of them.

3 Q. Okay. When you say they stayed with you for a while,  
4 what sort of length of time are you talking about?

5 A. Oh, I couldn't say exactly, you know, I was just too  
6 young to remember.

7 Q. Okay, that's fine. Right. Then you go on at  
8 paragraph 6 to talk about the two houses that you've  
9 mentioned, so you say that initially you were living at  
10 a prospect I think you said at [REDACTED], and then  
11 your family moved to another property which was a bit  
12 bigger. Is that right?

13 A. Aye.

14 Q. So I think the first property had three bedrooms and the  
15 second had four, you say?

16 A. Yeah.

17 Q. Okay. Then if we move down a little bit, please, to  
18 paragraph 10 on this page, you say that MTD/SPO [REDACTED]  
19 didn't get to choose who was placed with you as they  
20 were emergency carers and short-term carers.

21 A. Uh-huh.

22 Q. We obviously know that a person who we're referring to  
23 as 'Paul' and his sister stayed with your family for  
24 a longer time.

25 A. Yeah.

1 Q. So did she have some people that stayed for a longer  
2 time and then at the same time was she doing emergency  
3 fostering?  
4 A. Yeah. Yeah.  
5 Q. You say that you think that MTD/SPO must have  
6 fostered over 150 children?  
7 A. Yeah.  
8 Q. Why is it that you think that?  
9 A. Because there was a lot of children coming through the  
10 house, a lot of children.  
11 Q. Okay. In the next paragraph I just want to clarify what  
12 you say here. You say MTD/SPO could have up to 11  
13 or 12 foster children at any one time; is that right?  
14 A. No, that's a mistake. It was 11 children at any one  
15 time in the house.  
16 Q. 11 or 12 children. That would be the five of you; is  
17 that right?  
18 A. Uh-huh.  
19 Q. So you and your brothers and sisters, and then  
20 potentially another six children in addition to that?  
21 A. Another five, six on top of that, uh-huh.  
22 Q. In terms if we think about the houses or the house that  
23 you can remember, where did all of these children sleep?  
24 Was there a sort of boys' room and a girls' room or how  
25 did [REDACTED] organise the house?



1 A. There was -- initially MTD/SPO were down  
2 the stairs and then there was three rooms up the stairs.  
3 One was for the girls, one was for the younger boys and  
4 one was for the older boys.  
5 Q. Did you and your brothers and sisters have to share your  
6 room with the foster children?  
7 A. Myself and my brother didn't.  
8 Q. So you had your own room?  
9 A. Yeah, we had our own room -- well, initially there was  
10 three of us in the room but that went down to two.  
11 Q. When you say there were three of you in the room and it  
12 went down to two, was that you and your two brothers and  
13 then one of your brothers moved out?  
14 A. That's right, uh-huh. He moved into the other room.  
15 Q. Okay. So he was in a room with the foster boys?  
16 A. Yeah.  
17 Q. Then were your sisters in a room with the foster girls?  
18 A. There was only one sister at that time.  
19 Q. Okay.  
20 A. No, she was -- there was a -- sorry, there was two.  
21 Because was young to there was two -- because  
22 there was baby alarms in the hall -- in the room with my  
23 other sister, because there was a baby in that room, and  
24 then the back room where the boys slept there was also  
25 the young gentleman that I spoke about earlier on, he

1        was a baby, and he was in the other room with the  
2        younger boys.

3    Q.    Okay. You say in this paragraph that due to being  
4        emergency carers children arrived out of the blue and  
5        would these children that arrived in an emergency, would  
6        they stay for long or not?

7    A.    I don't remember any of them staying a long time.

8    Q.    So it would be maybe a few days or a few weeks or  
9        something like that?

10   A.    Months it could be, you know I'm unsure.

11   Q.    How did you feel about having all of the foster children  
12        coming and going to the house as you've described?

13   A.    I didn't -- I didn't bother much about it, you know,  
14        because myself and my brother, we had our own life, you  
15        know, so we didn't really have much engagement with them  
16        unless we were all in the house together, but most of  
17        the time we just -- me and my brother, who is now  
18        deceased, you know, we spent our time either playing  
19        football or in our room. We didn't have much engagement  
20        with the foster kids.

21   Q.    Okay. I should have clarified this earlier, John, but  
22        are you the oldest in the family?

23   A.    Yeah.

24   Q.    Then your brother that you referred to who's passed  
25        away, he would be the next oldest to you. Is that

1 right?

2 A. Yeah.

3 Q. Okay. In terms of the foster children, can you remember  
4 what they called MTD/SPO ? Did they call them by  
5 their first names or did they call them mum and dad?

6 A. The young gentleman I was speaking about earlier called  
7 them mum and everybody else it was auntie and uncle.

8 Q. Okay, I see.

9 If we move on to the next page, to page 3,  
10 paragraph 15, you talk about not having any warning or  
11 notice of when the foster children were coming, and as  
12 you've described, some children would just appear on  
13 an emergency basis. At paragraph 15 you say:

14 "Some settled easily and some were very difficult as  
15 it was a very busy household for as long as I can  
16 remember."

17 What sort of difficulties are you talking about  
18 there?

19 A. Well, one for example is the docket witness was  
20 an absolute nightmare to live with. You know, he was  
21 about the only one child that none of us got on with.  
22 You couldn't sit in peace, he was pulling your hair, he  
23 was starting fights, you know, he was just a little  
24 terror. And that's why he sticks out.

25 There was another couple, you know, that found it

1 difficult to settle because they had relations near us  
2 and they run away a few times to go to their relations  
3 but they brought them back.

4 But most of them, you know, settled pretty well, but  
5 there was a few that you know just didn't settle at all  
6 and were quite difficult.

7 Q. Okay. You then go on to talk about the routine in the  
8 household and how this was managed. If we look down to  
9 paragraph 20, I just want to clarify there, you say:

10 "Everyone had access to the bathrooms, the doors had  
11 no locks."

12 I think you've said in relation to each of the  
13 properties there was one bathroom in each property; is  
14 that right?

15 A. Yeah.

16 Q. Okay. If we can move on a little, again in your  
17 statement you talk about some of the day-to-day life.  
18 I wonder if we can move, please, to page 5 and  
19 paragraphs 36 and 37. You talk there about discipline  
20 and the types of discipline that would be employed.

21 A. Mm-hmm.

22 Q. At paragraph 37 you say:

23 "I can't say if there was any physical punishment  
24 towards the foster children as I don't remember."

25 Did MTD/SPO [REDACTED] employ physical discipline with you

1           and your siblings?

2   A.   Yes.

3   Q.   What was that? Was it smacking, was it using a belt?

4           What was it?

5   A.   You'd get a smack, do you know what I mean, if you were

6           cheeky or you lifted a hand to one of the foster kids or

7           that, you would get a smack for it, you know.

8   Q.   Would that be [REDACTED] or MTD [REDACTED]?

9   A.   It would be [REDACTED] She dealt with the discipline.

10   Q.   Okay.

11   A.   MTD [REDACTED] would -- sorry, MTD [REDACTED] with us -- but [REDACTED]

12           just with the foster kids, she would only deal with the

13           foster kids. MTD [REDACTED] didn't.

14   Q.   In terms of the discipline that MTD [REDACTED] used, did he

15           smack you or hit you as well?

16   A.   Yeah, he would give us a smack.

17   Q.   Did he use his hand or a belt?

18   A.   His hand.

19   Q.   Okay. In his statement, 'Paul' says that he was hit --

20   A.   Sorry, excuse me. Can I say something here. There was

21           once he used a belt on me.

22   Q.   Okay. What kind of belt was it?

23   A.   It was a trouser belt. I can't say for ... but it was

24           a belt.

25   Q.   Okay. 'Paul' says in his statement that he was hit by

1 MTD with a leather belt.

2 First of all, did you ever see that happen?

3 A. No.

4 Q. 'Paul' says that another child, who is a foster child,  
5 but to assist you I'll give you his name, it's  
6 a [REDACTED], was hit by MTD with a leather  
7 belt whenever he wet the belt. Did you ever see MTD  
8 MTD doing that?

9 A. No.

10 Q. Is it possible that those things might have happened  
11 when you weren't around or weren't there?

12 A. I'm trying to think. I don't even think [REDACTED]  
13 was at the house when 'Paul' was there.

14 Q. Okay. Another thing that 'Paul' says about this child  
15 is that MTD would make him stand on a stool and  
16 sing that he was a dirty wee stink bag if he'd wet the  
17 bed.

18 A. No.

19 Q. Did you ever see that happening?

20 A. No, never.

21 Q. Is that something that you ever saw MTD do with  
22 any of the children?

23 A. Never. Never.

24 Q. 'Paul' also says that MTD would hit this child  
25 by slapping him across the head and the body. Did you

1       ever --

2   A.  No, [REDACTED] -- [REDACTED] dealt with discipline with  
3       the foster kids, not MTD [REDACTED].

4   Q.  Okay.  If we move on to the next page of your statement,  
5       please, to paragraph 40, you say:

6       "Social worker visits were two to three days per  
7       week ..."

8       You're talking there about MTD [REDACTED] and you say  
9       that he was a "chronic alcoholic".

10  A.  Yes, uh-huh.

11  Q.  Was that the case throughout your childhood?

12  A.  For as long as I can remember.

13  Q.  Can I ask you a little bit more about that?  Was he  
14       somebody that drank in the house?

15  A.  He would hide it.

16  Q.  Okay.  Would he hide it in the house and drink?

17  A.  Yes, yeah.

18  Q.  Would he go to the pub to drink?

19  A.  Sometimes.

20  Q.  Was he drinking every day?

21  A.  I couldn't tell you.

22  Q.  Did you have any impression of -- would he start  
23       drinking during the day or would he just drink at the  
24       weekends, for example, or in the evening?

25  A.  It varied.  It varied, as far as I can remember.



1 Q. Can you remember if it got worse over time or --  
2 A. Yeah.  
3 Q. Okay.  
4 A. Yeah.  
5 Q. How did this impact on your home life, if MTD  
6 was drinking?  
7 A. It was -- [REDACTED] done a bit to protect it, what we  
8 had and keep things together. I felt a lot more fell on  
9 my shoulders at times, you know, which is maybe -- if [REDACTED]  
10 [REDACTED] was cooking and stuff like that, you know I would  
11 be trying to keep the kids quiet, you know, if he'd been  
12 drinking and lying in bed. So I just felt a wee bit  
13 more responsibility was placed on my shoulders at that  
14 time, you know when I was a bit older.  
15 Q. You talked about him being drunk and lying in bed and  
16 suchlike. Was he out of the house a lot or did he tend  
17 to be around the house?  
18 A. He was around the house a lot, because he couldn't keep  
19 a job due to his alcoholism.  
20 Q. Okay. In his statement 'Paul' says that MTD [REDACTED] was  
21 in and out of prison when he was there. Is that right?  
22 A. I think there was once or twice he got lifted, but that  
23 was about it.  
24 Q. And he describes MTD [REDACTED] as a nasty drunk?  
25 A. Oh, he could be a nasty drunk, yeah.



1 Q. What would that look like?

2 A. He was just -- it was like Jekyll and Hyde. You know,

3 he was -- he could be violent towards [REDACTED].

4 Q. Okay. Was he violent towards you and your siblings?

5 A. No, me and my brother stood up to him together.

6 Q. Was he violent towards the foster children?

7 A. No.

8 Q. From what you say in this paragraph, you say that the

9 social workers were visiting and I think you're saying

10 because MTD [REDACTED] was a chronic alcoholic, is that

11 what you're saying there or not?

12 A. No.

13 Q. Can you explain --

14 A. There was a lot of social work visits, because there was

15 a lot of kids in the house, you know, and there was --

16 they were there regular to see the kids and you will

17 this, but I think there was a sort of heightened visits

18 because obviously MTD [REDACTED] condition. But, yeah,

19 there was a lot of social work visits.

20 Q. I'm going to ask you to look at a document which -- if

21 you just bear with me a moment -- I think should be at

22 tab 5. The reference is NLC-000000210. Just for the

23 avoidance of doubt, I'm giving tab references for the

24 folder that is with John at present.

25 LADY SMITH: Thank you.

1 MS INNES: But for our reference it's NLC-000000210,  
2 page 11.

3 I appreciate this isn't a document that you'll have  
4 looked at or seen before, but I just wonder if you can  
5 bear with me as we have a look at it.

6 This is part of 'Paul's' social work records and we  
7 see there's a period July and September 1983 and it's  
8 noted:

9 "Several phone conversations with Angela Curran  
10 about MTD/SPO ' personal difficulties."

11 Then in this paragraph it seems to be suggesting  
12 that MTD/SPO were having marital difficulties at  
13 that time, and from what you've said with MTD  
14 being violent to , do you remember MTD/SPO  
15 MTD/SPO having marital difficulties?

16 A. Yes, I do.

17 Q. Then if we look down, please, to October and  
18 December 1983 and it says:

19 "Statutory visit only. Continued intense  
20 involvement from Wishaw office in view of MTD/SPO  
21 personal problems."

22 A. Yeah.

23 Q. It looks there as though people were coming from the  
24 local office to visit your home and that was connected  
25 to MTD/SPO ' difficulties.

1 A. Yeah.

2 Q. Would that make sense to you?

3 A. Yeah.

4 Q. Then it says in December:

5 "Phone call from ..."

6 It's blanked out on the copy that you have but it's

7 [REDACTED].

8 "... indicating that MTD [REDACTED] is in Hartwood

9 receiving treatment for his drinking problem."

10 A. Sorry, what paragraph?

11 Q. It's under October/December 1983 and the first paragraph

12 was:

13 "Statutory visit only."

14 Then the next paragraph says:

15 "In December phone call from [blank] ..."

16 Do you see that?

17 A. Yeah.

18 Q. I'll just go over it again:

19 "In December phone call from [it's [REDACTED]

20 that's blanked out there] indicating ..."

21 A. Sorry, it wouldn't be [REDACTED].

22 Q. Okay, well, it's somebody called [REDACTED].

23 A. That would be [REDACTED].

24 Q. [REDACTED], sorry:

25 "In December a phone call from [REDACTED]"

1        indicating that MTD [REDACTED] is in Hartwood receiving  
2        treatment for his drinking problem."

3    A.   That's right.

4    Q.   Can you remember him being somewhere called Hartwood?

5    A.   He was there for a wee bit a couple of weeks or  
6        something, I'm not sure how long.

7    Q.   Can you help me with what Hartwood is or was?

8    A.   It was a mental health hospital as far as I'm aware.

9    Q.   Okay.

10        Then in the next section, January to June 1984, it  
11        says:

12        "Statutory visits to MTD/SPO [REDACTED] home. Twins appear  
13        to have accepted the marital situation. Phone contact  
14        with Fiona Swift, MTD/SPO [REDACTED]'s social worker."

15        Then it says:

16        "MTD [REDACTED] is on probation and living outwith the  
17        family home. On a home visit, [REDACTED] claimed that  
18        the situation at home more relaxed since MTD [REDACTED] had  
19        left. She has a part-time job and seems to be coping  
20        with the situation."

21    A.   Yeah.

22    Q.   Can you remember a time that MTD [REDACTED] was living outwith  
23        the family home?

24    A.   Not really, because I wasn't at home a lot of that time  
25        from April 1984 onwards.

1 Q. I think you said that was the time you were coming back  
2 to the house at the weekends when you'd started work?  
3 A. Yeah, but there was a lot of difficulties at the weekend  
4 with my brother, do you know what I mean, he couldn't  
5 accept that I was coming home and not paying board,  
6 sorry, it started a lot of fights so I spent a lot of  
7 time up at my mate's house in Coltness, all the  
8 weekends, you know, out with my mates.  
9 Q. Can you remember MTD being probation or are you  
10 saying that that makes sense to you that that happened?  
11 A. I can't remember, but it probably makes sense.  
12 Q. Okay. It looks from this document as though the social  
13 work department knew of the difficulties that  
14 was having and MTD had in terms of  
15 a drinking problem.  
16 A. Mm-hmm.  
17 Q. Okay. Now --  
18 A. Sorry, can I say something just I'd like to add as well,  
19 because I'm looking at this document and it totally goes  
20 against what MSS's been saying.  
21 Q. In what respect?  
22 A. Well, the breakdown, moving them would be a last resort,  
23 they were unaffected by the situation, showed no signs  
24 of insecurity. The statutory visits, they appeared to  
25 have accepted the marital situation.

1           So, you know, this just doesn't make sense to me.

2   Q.   Okay.

3   A.   The document makes sense, but what MSS [REDACTED] is saying

4       doesn't.

5   Q.   Right. If we can move back to your statement, please,

6       and we're just at paragraph 40 just now. We were

7       talking about MTD [REDACTED] being out of the family home

8       on probation.

9       Did [REDACTED] form a relationship with a man

10      called [REDACTED] when MTD [REDACTED] was away?

11  A.   I'm sorry, they're not here and I'm not prepared to talk

12      about that.

13  Q.   Okay.

14       I think you perhaps know that 'Paul' in his

15      statement says that she formed a relationship with

16      another man, who was Mr [REDACTED].

17  A.   Yeah.

18  Q.   What you're saying is you're not prepared to answer any

19      questions about that; is that right?

20  A.   Well, I think it's very disrespectful to speak about

21      people that are not here, do you know what I mean, when

22      they are still alive.

23  LADY SMITH: Did she have a relationship with another man,

24      John?

25  A.   I did, I answered that, I said yes.

1 LADY SMITH: Thank you.

2 MS INNES: Moving on from that, if we can move down the page  
3 to paragraph 42, you say there that you kept in touch  
4 with a few children after they left home and up to four  
5 years ago and you've already mentioned that and you say:  
6 "Two children came to stay with me in later years,  
7 one was 18 years old ..."  
8 You've written in yourself, I think, "accuser"?  
9 A. Mm-hmm.

10 Q. Who are you referring to?

11 A. MSS [REDACTED].

12 Q. When did he come and live with you?

13 A. That was around 1990/1991. 1991.

14 Q. Were you living on your own at the time or were you  
15 living with somebody else?

16 A. No, I was living with [REDACTED].

17 Q. Okay. Did he also come and stay with [REDACTED]  
18 while you were there?

19 A. Yeah. Yes. Which he denied in court.

20 Q. Okay.

21 A. He says that I never stayed there.

22 Q. Sorry, that you never stayed there or that he didn't  
23 stay there?

24 A. That I didn't stay there.

25 Q. Okay.

1 A. [REDACTED] would not have entertained him on his  
2 own.

3 Q. If we can move down to the next section where you talk  
4 about relationship with foster children. At  
5 paragraph 44 you say:

6 "Foster children were better protected and not  
7 punished as much as me and my siblings. Foster children  
8 knew this and played on it."

9 Can you explain that, please?

10 A. Some of them did, and one of them in particular was the  
11 docket witness, and there was a couple of others. Yeah,  
12 we weren't allowed -- if we lifted our hands to the  
13 foster children, we knew all about it.

14 Q. Okay.

15 A. Do you know what I mean, we were always brought up to  
16 know better and told, you know, that we had to treat  
17 them as part of the family. It wasn't a case of you  
18 work together to be part of the family. We had to treat  
19 them as part of the family. If we lifted our hands,  
20 then we knew all about it.

21 Q. Okay. Over the page you refer to your conviction --

22 A. Can I go back to something just briefly, because I think  
23 it's important.

24 MS INNES: Yes.

25 LADY SMITH: What is it, John, that you want to go back to?



1 A. It's paragraph 42.

2 LADY SMITH: Okay.

3 A. And it's obviously to do with MSS

4 LADY SMITH: If you use his name 'Paul', could you, John,

5 that's his pseudonym. Thank you.

6 A. Yes, I will.

7 LADY SMITH: Thank you.

8 A. When he was staying with , it doesn't tell

9 you in here but it does in other statements that

10 I worked with 'Paul' to get him in contact with his

11 original family and I was over visiting his natural

12 family in Hamilton two or three times at his request,

13 you know, to help him settle in.

14 LADY SMITH: Thank you.

15 MS INNES: Moving on to page 7, paragraph 46 you talk about

16 your conviction there and you know obviously that 'Paul'

17 has also given a statement to the Inquiry in which he

18 alleges the same -- it's the same thing of which you

19 have been convicted, that is that you sexually abused

20 him over a period of time. You'll appreciate that we

21 can't look behind the fact of your conviction, but

22 I think you say here that you essentially continue to

23 maintain your innocence of the offence of which you were

24 convicted. Is that right?

25 A. Yes. Yes.

1 Q. Okay.

2 A. I don't -- I can't understand why people can't look  
3 behind the conviction. It's as if, you know, we are  
4 living in a society whereas you're convicted that's it,  
5 you know, they don't want to know.

6 LADY SMITH: Well, John, that's the law. The conviction  
7 proves itself, as we say.

8 A. Mm.

9 LADY SMITH: That's why. All right?

10 Ms Innes.

11 MS INNES: Thank you, my Lady.

12 I think just in the final part of your statement at  
13 paragraph 47 you say you weren't aware of any abuse  
14 within the household.

15 At paragraph 48 you mention the incident -- you  
16 mention the docket witness and you said earlier in your  
17 evidence that he was disruptive.

18 A. Mm-hmm.

19 Q. But I think here you specifically mention that there was  
20 an incident where he was found behind the couch with  
21 [REDACTED]?

22 A. Mm-hmm.

23 Q. And you say "no underwear on and three years old".  
24 I just want to clarify what you mean.

25 A. I only found out about that in a statement that I've

1 read from a solicitor when we were going through the  
2 process of the statements.

3 Q. Where did that information come from?

4 A. It came from [REDACTED].

5 Q. Okay. When you say no underwear on, was it the boy who  
6 had no underwear on or [REDACTED] or both?

7 A. [REDACTED].

8 Q. You say three years old. Who was three years old at the  
9 time? [REDACTED]?

10 A. [REDACTED].

11 Q. Okay. At paragraph 49, at the end of that paragraph you  
12 say that that incident was investigated by Wishaw social  
13 work?

14 A. Yeah.

15 Q. How do you know that?

16 A. It was in a witness statement.

17 Q. Whose witness statement?

18 A. [REDACTED]'s.

19 Q. [REDACTED]'s, okay. Do you know what happened as  
20 a result of that investigation or not?

21 A. You know what kids are like, you know -- it's in the  
22 statement again, you know what kids are like, they were  
23 playing doctors and nurses.

24 Q. That was what was in [REDACTED]'s statement?

25 A. Yeah, as it came from -- that's what the social work

1       said.

2   Q.  If we move on over the page to page 8 you say at  
3       paragraph 52 that you think that the question that  
4       should be asked is:

5       "... what support should be given to foster families  
6       that are good enough to take damaged children into their  
7       homes and then face ludicrous allegations?"

8       Can you tell us your thoughts in relation to that?  
9       What do you mean?

10   A.  Yeah, I think we're living in a society just now where  
11       everything's going towards kids and everybody's  
12       terrified, you know they're frightened to get it wrong.  
13       And, yeah, I think back then there was no support given  
14       to foster families for taking people in.  We were --  
15       people were -- families were taking in kids who had been  
16       abused by their own parents.  You know, we didn't know  
17       any of that.  We knew nothing.  So there was no support  
18       for people back in that day.  You got these kids, you  
19       knew nothing about them, so basically what they were  
20       doing is they were giving you a rope to hang round about  
21       your neck.

22   Q.  In what way?  Why were they giving you a rope?

23   A.  Well, I'm sitting here just now for something that's  
24       never happened.

25   Q.  Okay.

1 A. You know, so they were -- they were putting damaged  
2 children into your home and you're doing your best to  
3 treat them as part of your family, you know, having them  
4 involved in your Christmases, your birthdays, your  
5 holidays, your life. And then you face this.

6 MS INNES: Okay.

7 Right, I've come to the end of my questions for you,  
8 John.

9 There are no applications, my Lady.

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

12 John, that does complete all the questions we have  
13 for you. Before we leave the link, can I just thank you  
14 for your written statement, which I have, which is part  
15 of your evidence, and thank you for answering the  
16 questions we have for you today.

17 A. Could I bring something else?

18 LADY SMITH: Is there something that you're wanting to  
19 mention? What is it?

20 A. Yes, I do. I think it's very important.

21 LADY SMITH: What's this?

22 A. It's with regards to Police Scotland and their  
23 investigation.

24 LADY SMITH: Hang on a minute, John. Which investigation?

25 A. Against me.

1 LADY SMITH: I can't look into that. That's not within my  
2 terms of reference.  
3 A. But ...  
4 LADY SMITH: I'm sorry, I'm not trying to be difficult about  
5 this.  
6 A. I thought that's what this Inquiry was about.  
7 LADY SMITH: You see, because I don't -- it sounds as though  
8 you're wanting to criticise the police in relation to  
9 their investigation into the subject matter of your  
10 trial. Am I right about that?  
11 A. No, in how they handle investigations regarding this.  
12 LADY SMITH: John, I can't start an exploration of that  
13 subject matter here and now. If there is something you  
14 believe is relevant to our terms of reference, they're  
15 on the website if you want to check what they are --  
16 A. Well, I (overspeaking) --  
17 LADY SMITH: -- please do get in touch with us and let me  
18 know about that. But now is not the time for me to  
19 embark on an avenue of enquiry where I'm not aware of  
20 where you're trying to go with this.  
21 A. It was just the practice and how they do things.  
22 LADY SMITH: Well, as I say, if you have something that you  
23 want us to know about that, please get in touch.  
24 A. Yeah, I will do.  
25 LADY SMITH: All right?

1 A. Yeah.

2 LADY SMITH: Thank you, thank you for being patient with us  
3 and answering the questions that we have for you. I'm  
4 grateful to you for that and I'm now able to let you go  
5 so we can switch off the link. Thank you.

6 (The witness withdrew)

7 LADY SMITH: Right. Before we go on to the next stage, the  
8 name of the applicant who has the pseudonym 'Paul' was  
9 used on occasion by John during his evidence. As  
10 I mentioned, MSS has the pseudonym 'Paul' and is only  
11 to be referred to by that name and not otherwise  
12 identified outside this room. Thank you.

13 Ms Innes.

14 MS INNES: My Lady, I have a statement to read in at this  
15 point.

16 LADY SMITH: Thank you.

17 'Alan' (read)

18 MS INNES: This is a statement of a witness who wishes to  
19 remain anonymous and has the pseudonym 'Alan'. His  
20 cypher is FZM.

21 'Alan' and his late wife were foster carers for East  
22 Lothian Council. An applicant with the pseudonym  
23 'India' was in the care of 'Alan' and his late wife from  
24 1999 to 2000. She gave evidence  
25 on Day 325, 22 September 2022.

1           Turning to 'Alan's' statement, which is at  
2           WIT-1-000000985:

3           "My name is 'Alan'. I was born in 1946. I'm not  
4           sure when I became a foster carer. I don't know the  
5           year, but I think probably the late 1980s, but it could  
6           be early 1990s. I fostered alongside my late wife.

7           I'm not sure how long we fostered for. We did it  
8           for a few years and we had a few kids. We had one girl  
9           for years and she was with us the longest.

10          When we started to foster kids we had our own two  
11          children. My son had a partner at the time and he was  
12          back and forward to our house. He might have left the  
13          house when we first started fostering. My daughter  
14          still lived at home with us. I think my daughter was  
15          high school age when we started fostering.

16          My wife worked in a knitwear factory and she was  
17          made redundant. There was a couple of carers locally  
18          that we knew and they said to us why not try fostering,  
19          so that's what we did. I was working full time in what  
20          was called light engineering in gear cutting and making  
21          pulleys. When my wife lost her job, I was working full  
22          time, Monday to Friday, and I worked late on a Tuesday  
23          and Thursday night to 7.30, a Saturday morning for  
24          a half day and six hours on a Sunday afternoon. I was  
25          busy. I did that overtime so we could go on holiday now



1       and again, but not abroad as we couldn't afford that.

2       We went to stay in caravans in caravan parks.

3               Later on I was made redundant from that and then  
4       I got a job with Securicor making deliveries. It didn't  
5       suit me as I preferred factory work. I had to give it  
6       up as I was too hyper and if I didn't get to a place on  
7       time to make a delivery it got to me. After that job  
8       I retired through ill health.

9               We got in contact with the people that the local  
10       carers told us to contact in social work in Haddington.  
11       We did our training in Haddington. There was a group of  
12       four couples and we would sit and discuss different  
13       things. When we passed our training we had a meeting  
14       every month or so in Haddington to discuss our  
15       situations in our own houses. Every couple told a story  
16       about the kids they had and what was happening. That  
17       was how it was done, sharing each other's stories about  
18       what the kids were up to and things like that.

19              Our own social worker was called Liz Coleridge. The  
20       couples all had social workers and maybe Liz had more  
21       than one couple. I don't think there was a lot of  
22       social workers there at the training, maybe just  
23       a couple of them.

24              The meetings might have been for an hour or a couple  
25       of hours. We just sat and chatted about different

1 things and what you could do and what you couldn't do.  
2 I don't remember them telling us what we could and  
3 couldn't do in the training. I think a lot of it was  
4 common sense. When we had the kids in the house, it was  
5 a learning process and you learned something all the  
6 time about looking after them. You learned not to shout  
7 at them all the time.

8 When I was at school myself, your parents or their  
9 friends would say that if you didn't behave yourself  
10 you're going to the jaggy jersey club or the jaggy  
11 jersey home. That was St Joseph's near where I lived.  
12 I had that in mind when I was growing up that the kids  
13 that go there are bad, but they're not, it's the  
14 upbringing they've had really. I've come to realise  
15 that through doing the fostering. It wasn't the kids to  
16 blame, it was the way they were brought up. That was  
17 something I learned. Now St Joseph's is called  
18 Pathways, I think.

19 I'm not quite sure if we were well prepared and  
20 trained before we started fostering. I think there were  
21 more things we could have been informed about, but you  
22 take more in as you go along and do the job. I said to  
23 my wife we'll treat this as a job, but it didn't work  
24 out like that. It was more than a job.

25 We had police checks on us before we started, but

1 other than that we didn't need to have any  
2 qualifications. I think they did get references. I'm  
3 sure I did have two or three references. I can't  
4 remember how long the process took from making the  
5 application and having the first child placed with us.  
6 My wife did most of that side of things. She was the  
7 full-time career and I gave her a hand when I came home.

8 After we started fostering we had a meeting every  
9 month or every two months in Haddington. I think  
10 Liz Coleridge was always at our meetings. She was very  
11 experienced and a good social worker. The meetings were  
12 mainly for us to share stories and get ideas from each  
13 other. I found them helpful and it was a good way of  
14 meeting other carers and we made friends with them.

15 I don't think there was any specific guidance on  
16 dealing with children who came from abusive backgrounds  
17 or had additional needs. If there was any guidance on  
18 child protection issues and having two parents present  
19 for certain things, I think it would be along the lines  
20 of keeping us safe and not being on our own and having  
21 two people there all the time.

22 There wasn't any special guidance on disciplining  
23 children. We did our own. If they misbehaved we'd  
24 ground them. At the start when we got them, we didn't  
25 have a computer and then we all got them for the kids

1 from the social work. We got training for that as well  
2 at a school on a Saturday morning to learn the basics.  
3 I liked it, but all I could do really was send an email  
4 to my sister in Australia. The kids would use it for  
5 different things, but if they misbehaved they got banned  
6 from the computer. I can't remember social workers  
7 giving us any specific training on disciplining  
8 children. You just used common sense. Like my own  
9 kids, if they misbehaved they got grounded or they  
10 couldn't use the computer. When we stopped fostering  
11 the first thing social work asked for was the computer  
12 back.

13 I'm not sure about getting any written guidance from  
14 social work on do's and don'ts of fostering. I've got  
15 documents in the house saying we'd passed certain things  
16 for the fostering but I don't know about anything else.  
17 We had contact numbers for the emergency duty team so if  
18 something happened and the kids disappeared for a night  
19 or whatever we had emergency numbers to phone them.  
20 I think if we needed extra support we would phone Liz.  
21 She was our main contact. I didn't look at myself as  
22 being self-employed as a carer or an employee of the  
23 council as I was still in a full-time job. My wife  
24 looked at herself as being in a full-time job doing the  
25 fostering.

1           You didn't know how long you were going to get the  
2           kids for, unless it was a specific thing. There was one  
3           time we got two toddlers, two wee boys aged around two,  
4           and they were just getting ready for being adopted. We  
5           only had them for a fortnight. They were an absolute  
6           pleasure but they were tiring as we have to take them to  
7           the swing parks and the rest of it. We had a wide range  
8           of children placed with us. That was a one-off thing  
9           with the two wee ones.

10           It was mostly kids of high school age that we had.  
11           I think that was just the way it worked out rather than  
12           us asking for older children. Later on, my wife  
13           preferred to get girls because she was better with the  
14           lasses as she understood more about them. They all had  
15           their challenges and we were happy with what we did for  
16           the kids and we did all right. I've seen a few of them  
17           since we looked after them.

18           When my wife took ill with cancer, that's when we  
19           decided to pack it in because she was ill. I think she  
20           first found out she was ill in 2002 and started to have  
21           treatment. I'm not sure if that is when we stopped  
22           doing it.

23           We never had more than two children at the one time.  
24           The sleeping arrangement was that they would be in the  
25           room with the bunk beds. My daughter says she shared

1 her bedroom at the very start of the fostering and it  
2 was when my son moved out that his room became  
3 available.

4 When it came to deciding what kind of children we  
5 would foster my wife took the lead. I felt that we had  
6 the support we needed from our social worker as  
7 Liz Coleridge was good. She was our social worker all  
8 the way through. I can't think of anything that could  
9 have been done better to prepare us for being foster  
10 carers. I think there's only so much you can prepare  
11 people for. In my opinion it's a learning process.  
12 I think they have to keep some information about the  
13 kids private but I don't know if I'm right or wrong.

14 I can't remember what financial support we were  
15 given for the children. My wife handled all of that.  
16 She did the accounts herself. Some carers got  
17 accountants to do them but my wife did ours herself.  
18 I don't know if we were paid per child or if we got  
19 a monthly allowance as a carer. I think if you took two  
20 children you would end up with more money. I don't  
21 think we were given any guidance on how to spend that  
22 money. My wife will have dealt with all of the  
23 financial side of things. When I got paid I handed her  
24 my wages and I just kept my pocket money back and she  
25 paid all the bills.

1           We probably got an extra allowance at Christmas for  
2           the kids but I'm not sure on that as my wife dealt with  
3           it. I think the financial support we got was enough as  
4           it was a big help to us after she was made redundant.  
5           That's why I said to her we should treat it like a job,  
6           but it turned out to be more than a job. We got more  
7           delight from the bairns than the standard job and it  
8           wasn't like a normal everyday job, it was part of life,  
9           keeping them safe and on the right lines.

10          The longest placement we had was a girl who was just  
11          at the high school, Preston Lodge, when she came to us.  
12          I think she was with us for years.

13          We lived in Prestonpans. There were three bedrooms.  
14          There was upstairs and downstairs. The downstairs was  
15          the kitchen, toilet, living room. Upstairs was three  
16          bedrooms and a landing. Me and my wife had one bedroom,  
17          the back bedroom had one set of bunk beds in it for the  
18          kids. Most of the time we didn't have two kids at one  
19          time in the same room. My daughter says she had to  
20          share her room for a while but then they moved into the  
21          other bedroom when my son had left home.

22          I think someone from social work came to check out  
23          the house to see if it was suitable and if we needed  
24          anything additional. They probably supplied the bunk  
25          beds we used but I'm not sure. There wasn't any changes

1       done to the house in preparation for children coming to  
2       stay with us. Later on we ended up getting locks placed  
3       on our bedroom door for obvious reasons and you find out  
4       kids have been in your room. My son got one of his tops  
5       stolen by one of the laddies. After that we got locks  
6       put on the bedroom doors. Then the children would know  
7       that something had happened. You could say to them that  
8       they'd been in our room, but we couldn't really prove  
9       that they had been in our room.

10       We had the two young boys for a fortnight and five  
11       other girls. There was another lassie. I wasn't  
12       related to any of the children we fostered.

13       I didn't have a lot of involvement in the day-to-day  
14       fostering as I was at my work.

15       It was East Lothian Council who placed the children  
16       and it was in Haddington we did our training. We never  
17       changed any child's name that came to stay with us.

18       The notice we got before a child was placed with us  
19       would depend. Sometimes it happened very quickly,  
20       depending on the situation. If something happened and  
21       the kid was in danger they would need to get into safety  
22       as quick as possible. We would get emergency  
23       placements. The notice we would get could be a day or  
24       less. We were allowed to say no if they wanted to place  
25       a child with us, it wasn't compulsory. It was up to us



1 to make the decision. We weren't told to take them, we  
2 were asked to. I think there was a specific criteria to  
3 match a child to. I think Liz Coleridge dealt with  
4 that. They would have meetings to say if a particular  
5 child was suitable for us or if the child wasn't  
6 suitable for us.

7 The children we fostered didn't come round to the  
8 house to meet us for a visit before they were placed  
9 with us. I don't remember meeting or chatting with any  
10 of their previous carers and we went on the information  
11 that Liz told us. The children we fostered were brought  
12 to the house and that was it. I don't remember any  
13 issues with a child settling in with us when they first  
14 arrived. It would have to be arranged for their arrival  
15 and they wouldn't just be dumped on us. I would be  
16 working when a child was brought to our house.

17 I'm not sure if we would get to see any of the  
18 child's records before they came to us or if we went on  
19 what Liz told us. My wife would have dealt with those  
20 things. I didn't do any paperwork. Liz would come and  
21 have a chat with us before a child came to us and she'd  
22 fill us in as much as she could. Liz always came to see  
23 us first and they weren't just dropped at your door.  
24 The child would have a certain amount of stuff with  
25 them. If they needed stuff later on, the social work

1        would have provided us with the funds to get them.

2                With our first placement, Liz didn't want the laddie  
3        to come to us because she didn't think we were  
4        experienced enough for him. They had a meeting and they  
5        all voted and we got him anyway. We had him a year. We  
6        weren't at the meeting. It was a meeting between the  
7        powers that be and the social work Liz was at. The  
8        children probably had their own social worker but  
9        I don't know to be sure. It was Liz who told us she  
10       wasn't in favour of the placement.

11               The boy used to go to a special school in a taxi.  
12       I'm not sure what age he would be, but probably  
13       a teenager. I can't think what information we had about  
14       him before he was placed with us. We just got him and  
15       we did our best for a year. I think generally we were  
16       told why a child was being placed with us and if there  
17       were problems in the family. I think they told us  
18       certain things but they didn't tell us everything, but  
19       that's just my judgement. I think they would tell us if  
20       the child had been in care before. In an emergency  
21       situation we would be told why it was an emergency.

22               I think Liz would come to see us if I remember  
23       rightly. She was good and would keep us informed.  
24       I think we got enough information about a child. You  
25       get told certain things and used common sense to try to

1 be as normal as possible like a normal family and treat  
2 them like their own kids. With the boy I never gave it  
3 a thought how long we would have him but we knew when it  
4 was coming time for him to go as things were not working  
5 out right. It would have suited him better to go to  
6 another couple. I think the decision that it wasn't  
7 working out would be made between us and Liz, the social  
8 worker. Then she went back to the people she worked for  
9 to say that we had come to a decision.

10 We had a choice to say things were not working out  
11 as we weren't forced to keep a bairn if things weren't  
12 working. Liz dealt with that. We didn't need to ask  
13 for any additional help or support with the boy, but if  
14 we did need anything Liz would sort it out. I don't  
15 remember why things weren't working out with him, other  
16 than we had just come to the end of our shift with him  
17 and it was time for him to move on and he'd be better  
18 off with another couple.

19 In relation to the girl I am being asked about in  
20 this statement, 'India', she wasn't with us at the start  
21 of our fostering career. I can't remember when it was  
22 she came to stay with us, but we had a few kids before  
23 her. To me she wasn't with us for long at all because  
24 I can't remember anything about her or what she looked  
25 like. I can only remember taking her to school one day.

1 The rest of the children I can remember. I don't  
2 remember what year she came to us.

3 'India' has said in her statement at paragraph 59  
4 that her records were passed to East Lothian social work  
5 before she came to us. She referred to information  
6 relating to her diagnosis and being a troubled kid. She  
7 goes on to mention she was depressed. I don't know if  
8 this information was given to us by social work before  
9 she came to us. Maybe my wife got it."

10 From paragraph 39 to 53, 'Alan' discusses aspects of  
11 the day-to-day routine in the household. His wife dealt  
12 with this as he was at work. She prepared all of the  
13 meals. He recalls no issues with bed-wetting. The  
14 children were able to access the bathroom and had  
15 privacy. He speaks about going on caravan holidays with  
16 the foster children. 'Alan' can't remember helping  
17 foster children with their homework or going to parents'  
18 evenings.

19 Moving to page 11 and paragraph 53:

20 "I read in her statement that 'India' went to Dunbar  
21 Grammar School. That's one of the few things  
22 I remembered about her was taking her to school that one  
23 day when her taxi didn't show up. Maybe I was off work  
24 that day or I was on night shift. I thought she was  
25 going into school and she went through the gate and in.

1       Seemingly she was going out of another gate or waiting  
2       until I was away. I wasn't aware of that at the time.  
3       I read in her statement that she was being bullied at  
4       school, I can't remember her saying anything about being  
5       bullied at the school at the time. Maybe she said  
6       something to my wife.

7           I didn't know 'India' was skipping school and  
8       I don't remember she was being bullied. I thought she  
9       was going into school and it was later on when the  
10      powers that be let us know she wasn't at school that's  
11      how we found out. The school would let the social work  
12      know and Liz Coleridge would tell my wife. Then my wife  
13      would let me know.

14           I don't know if the foster children got a health  
15      check before they were placed with us or after they were  
16      placed with us. I don't remember them getting a health  
17      check at all. My wife dealt with that. I don't  
18      remember any child having a particular health issue that  
19      meant that we had to take them to hospital."

20           Moving over the page to paragraph 58:

21           "If a child did need disciplining it involved being  
22      grounded. They had to be back in the house by a certain  
23      time, but they would be out or they would come back home  
24      with the police. The police would come to the door with  
25      a kid and that's why they got grounded, because of

1 things like that. We were worried about their safety.  
2 They didn't realise if they were out late at night what  
3 could happen. Or if they came in late or if they'd been  
4 in a pub and they shouldn't have been in a pub. I was  
5 always glad to hear their feet coming in the lobby and  
6 I knew they were fine. I found out lots of things like  
7 that and that's how the grounding came in.

8 Sometimes we would stop them using the computer for  
9 a wee while. The computer was in the living room. We  
10 didn't want it to be in the bedroom as we wouldn't know  
11 if they got online. We had a shot on it too when the  
12 kids were off it. It was my wife who was in charge of  
13 deciding if a child should be disciplined. It's  
14 impossible to say how often a child would be grounded,  
15 as it depended on how often they did some mischief. How  
16 long they were grounded for depended on what they'd done  
17 and how serious it was.

18 We would sometimes lock the front door so they  
19 couldn't get out and we had the key. We were making  
20 sure they were grounded and they weren't going to sneak  
21 out. It's only natural the kids would have reacted to  
22 that. They might have had a strop when we did things  
23 like that, but that's part of life.

24 Children were never physically punished. Not by us  
25 anyway.

1           If a child was punished by being grounded we weren't  
2           required to keep a record of it.

3           I don't think they were grounded for running away.  
4           If they ran away for a while we'd sit and have a chat  
5           with them and let them know they were in danger. That's  
6           what we were worried about, something happening to them  
7           when they were away longer than necessary. If they were  
8           away for a night they shouldn't have been away, we would  
9           contact the police. We were anxious about them. We  
10          would phone the social work first and if they couldn't  
11          find the child they would contact the police. If the  
12          child did stay out for a day or two longer than they  
13          should have, it was usually the police who brought them  
14          back."

15          In the next section of this statement and later on  
16          there are quotes from 'India's' statement. I'm going to  
17          summarise those quotes.

18   LADY SMITH: Thank you.

19   MS INNES: At paragraph 84 of 'India's' statement she talks  
20          about running away and being away for over three or four  
21          days. 'Alan' says:

22          "I don't remember that incident. I read about it in  
23          the statement but I don't recall it. I don't recall her  
24          disappearing for a few days and having to call the  
25          police."

1           She goes on in her statement to say:

2           "... that she turned up at our house with the police  
3           on Christmas Day and myself and my wife gave 'India' her  
4           Christmas presents. I don't remember that at all.

5           'India' goes on to say that she went back to her  
6           boyfriend's house in a blizzard. I don't remember that  
7           happening or having to speak to her.

8           I got on well with all of the foster children, they  
9           used to call me by my first name. After she left us one  
10          of the foster kids said that we were like her real mum  
11          and dad. We used to go and see her after she'd left us  
12          and take her out for lunch. Then she had a baby of her  
13          own. I had a good relationship with them all.

14          The children got affection and emotional support  
15          from us. One girl, the day she came to us, her mum  
16          phoned. The phone was in the lobby and the girl went to  
17          answer the phone and came back through to us in tears.  
18          Her mum had just told her that she was going to Majorca  
19          that day for a holiday and her daughter had just gone  
20          into care. I said to her it's all right, hen. I didn't  
21          think she should have phoned the lassie to tell her  
22          that. The girl needed some reassurance. With things  
23          like that I'd try to do my best for them.

24          With my own children, I think my daughter's nose was  
25          out of joint a bit and so was my son's. They got some



1 of their stuff stolen. That annoyed them. My son had  
2 his good top stolen by a by who we were fostering. He  
3 ran out the door and my son chased him and he climbed  
4 a tree and my son was shouting at him to give him his  
5 top back. The boy had to throw the top to him. My  
6 daughter wasn't happy all the time as she didn't have  
7 her own space, but she didn't resent them in any way and  
8 got on well with them. There weren't any bad feelings  
9 or animosity between my own kids and the children we had  
10 in care. There were some challenging times and there  
11 were some really good times too. It was definitely  
12 rewarding.

13 My own children didn't play a role in the care of  
14 the foster kids.

15 The foster children weren't treated any differently  
16 from my own children. They were treated the same. If  
17 any of them did anything wrong they got grounded, and my  
18 own as well.

19 Most of the foster children had contact with their  
20 own parents or family members, sometimes parents would  
21 come to the house to see their children. They were  
22 welcome. That would probably be pre-arranged and they  
23 wouldn't just show up. The foster children's family  
24 could phone the phone to speak to their kids when they  
25 wanted to. The kids were allowed to phone their parents

1       if they wanted to. A lot of the foster kids would go  
2       out at the weekend to their parents or a sister or  
3       brother's house. We wouldn't necessarily take them and  
4       some of them were old enough to make their own way  
5       there.

6       The kids' social workers would come to the house to  
7       do their job and see the kids themselves. That's the  
8       only time I would see these social workers. I would be  
9       in the same room when they came to see the kids, but if  
10      they wanted privacy and wanted to talk somewhere else  
11      they could. That wasn't a barrier. Sometimes their  
12      social workers would take them out to talk to them.  
13      Sometimes those social workers would speak to me and ask  
14      how the kids were getting on. I think they would also  
15      let me know how things were going on in the foster  
16      child's family. I'm not sure if they said how long the  
17      kids would be with us for.

18      We had two wee boys who were brothers and they were  
19      the only siblings placed together with us.

20      I can't say how often the children's social workers  
21      came to visit us. Our social worker, Liz Coleridge,  
22      came to visit us but I can't remember how often she  
23      came. She was in quite often. To me she was good at  
24      her job and experienced. I could just tell she was good  
25      from the way I got on with her. I'm not sure if Liz

1 would speak with the kids or if that was left to their  
2 own social worker. I don't think there were any  
3 unannounced social work visits. There weren't any  
4 inspections of the property.

5 The whole time we were fostering we had meetings in  
6 Haddington with other carers to discuss our situations.  
7 I am not sure if it was every month or every two months.  
8 They were helpful. I learned different things about  
9 other family situations and they learned from our  
10 experiences. I don't recall the social workers  
11 interrupting us to give us advice on how to deal with  
12 a situation. We were learning from each other in those  
13 meetings and we learned more as we went along from our  
14 own experiences.

15 I can't remember going to any children's panel in  
16 relation to a child we fostered. When a child was  
17 removed from the placement with us we could give our  
18 opinion on what should happen to them, but we didn't  
19 have a say in what happened to them after they left us.

20 After they left us we often kept up to date with the  
21 kid themselves. Like with the girl who was with us the  
22 longest, we kept up to date with her and met her and her  
23 bairn and went to see her in her own house. I used to  
24 run into another foster girl at the place she worked.  
25 If one of my friends would ask me who she was I would

1 pretend she was my niece as I didn't want them to know  
2 her business. Two or three of the lasses we fostered  
3 came to my wife's funeral.

4 I don't think the children's views were always taken  
5 into account by social workers. The kids could express  
6 their feelings quite well themselves if they weren't  
7 happy with what the social worker did. Sometimes they  
8 felt they weren't being listened to. During a meeting  
9 in our house I could hear it. Maybe one of the parents  
10 would be there with the kid's social worker, our social  
11 worker, Liz Coleridge and us would sit in the living  
12 room. The kid would speak up and say if they weren't  
13 happy about something and make their feelings plain.  
14 I thought that was the right way and the right thing to  
15 do.

16 They weren't always being listened to. There was  
17 one girl who ran out of the house a couple of times  
18 because she felt she wasn't getting listened to. It's  
19 a difficult situation for a kid to be in, staying in  
20 a house with strangers, it must be difficult for them.  
21 I think it was the role of their own social worker to be  
22 listening more to them in those sorts of meetings.  
23 That's the feeling I got when the girl ran out upset.  
24 I think it was something to do with her own family or  
25 her dad. She used to fall out with her dad a lot. Her

1       mum and dad had split up and that's why she was in care.  
2       I couldn't swear to that. She ended up with her own wee  
3       flat too.

4               We had a meeting in the house every so often to  
5       discuss things and the kids to say their piece. If  
6       a parent wanted to come along or both of them, they  
7       could come along. Everyone would sit together and give  
8       their point of view.

9               We weren't required to keep any written notes or  
10       records.

11              When it came time for a child to leave us we were  
12       given notice. I couldn't give a timescale of the notice  
13       we were given. It's all decided before they leave.  
14       When you come to the end of the time with a child  
15       a procedure gets put in place. When it came to them  
16       leaving I would have a chat with them and when it came  
17       to packing up their clothes my wife would do that."

18              Moving to paragraph 84:

19              "With some children we felt we'd gone as far as we  
20       could and sometimes things were not plain sailing.  
21       Another couple might suit them better. The decision on  
22       that would be a combination of our views and what the  
23       social worker thought. It wouldn't just be us. I don't  
24       know what other foster parents the child would be  
25       matched with as that was left to the social worker.

1           Some of them with be going into their own place and  
2           getting their own job. Their own social worker would be  
3           helping them with that. I don't know what choice they  
4           had with where they went to live. They came out of  
5           foster care altogether. I think that would be around  
6           the age of 16. I can't remember the exact age they were  
7           when they were with us.

8           The decision for the child to move on I think is  
9           made between foster parents and the social worker, maybe  
10          two social workers. I'm not sure. Also, I'm not sure  
11          about the child's view being taken into consideration  
12          when it came to them moving from care.

13          I don't know if any of the children in our care had  
14          external emotional support like counselling. I can't  
15          remember any of them getting counselling. When it came  
16          to leaving the care system I don't know what support  
17          they got with going into further education or training.  
18          I think they got some financial support to get started.  
19          They didn't have the option of staying on with us when  
20          they were leaving care. Normally when they left us  
21          another kid would take their place. We maintained  
22          contact with some of them when they left care.

23          I don't think there is anything that could have been  
24          changed about my experience. Maybe they could have  
25          helped with more, but we learned a lot as we went on.

1       That's the way it was for me. If a child like 'India'  
2       had a diagnosis that would probably have helped us if  
3       we'd been told about it. With her I can't remember  
4       anything about her, but it probably would have been  
5       a help to us. In general we would have benefitted if  
6       we'd been told the foster children had any educational  
7       or emotional needs.

8       If me or my wife had issues with our role as foster  
9       carers we could have spoken to Liz Coleridge about it.

10       I have not been convicted of any criminal offence.

11       I was not aware of any behaviour that I would  
12       consider as abuse of foster children whilst in foster  
13       care with us.

14       If a child had something to report they had access  
15       to their own social worker. They had the ability to  
16       contact them from the telephone in our house. There was  
17       no barrier to them speaking to their own social worker.  
18       They also had pocket money they could use to contact  
19       social work.

20       No report was made to the police apart from a kid  
21       who had run away from the house. I've never had to take  
22       part in a police interview.

23       I've not been subject to any complaint dealt with by  
24       police or social work.

25       The only thing I can remember about 'India' came

1 from something the Inquiry had said to me that made me  
2 think back. I remember taking her down to Dunbar  
3 Grammar because her taxi couldn't pick her up for some  
4 reason and she normally went to school by taxi. What  
5 I found out later, and we all found out, was that I was  
6 letting her off at the gate and going away and she was  
7 coming back out of the school again. She was saying she  
8 was getting bullied at school, that's the only thing  
9 I can remember. I can't really remember her staying  
10 with me. I can't remember what she looked like. She  
11 was at the high school so maybe she was 13 or 14. I'm  
12 not sure.

13 'India' said in her statement that Angela McKay was  
14 her social worker at the time and was hideous.  
15 I vaguely remember Angela McKay, she was quite  
16 flamboyant with colourful clothes that she wore.  
17 I didn't have a lot of interaction with her. Maybe my  
18 wife did, but I didn't. I don't know if I came across  
19 Angela McKay when 'India' was placed with us as I can't  
20 remember 'India's' time with us or if I came across her  
21 with the other foster kids. A lot of the social workers  
22 would have a do now and again in a hotel and the carers  
23 and social workers would all be there to meet up and  
24 talk about things. I may have met her at a couple of  
25 them and that would be it.



1           With regard to her relationship with her foster  
2           parents, 'India' has said in her statement at  
3           paragraph 81 that my wife and I were very short fused,  
4           especially my wife. My wife had a wee bit of a short  
5           fuse, but it was for their own good I think. Now and  
6           again you would shout at a bairn and then a wee while  
7           later you would regret it because maybe they got scared  
8           when you shouted at them. 'India' stated that we were  
9           both short fused. I could have shouted at them a couple  
10          of times. Later on after it I would think I shouldn't  
11          have shouted because the bairn would have got a bit  
12          feared. I wouldn't say I was short fused, the opposite  
13          actually. I might have shouted at them if they'd stayed  
14          out all night or a couple of nights. I would be annoyed  
15          at that and tried to let them know they'd been in  
16          danger. That's probably what I've done. I can't  
17          remember but it would be that kind of thing if  
18          I shouted. I wouldn't swear at them, no way.

19          'India' goes on to say in her statement at  
20          paragraph 81 that she doesn't think we knew about her  
21          diagnosis. I can't remember anything about her.  
22          I certainly can't think that if she had a certain  
23          diagnosis or if I knew about it. I don't think so. She  
24          goes on to say that there were some sweets that went  
25          missing and she says that she remembers my wife accusing

1 her but it was actually the girl who she shared a room  
2 with. I can't remember her sharing a room with anybody.  
3 The only thing I know about the sweets is what I've read  
4 in the statement. I can only think that if there was  
5 a fallout over sweets I wasn't there and I was at my  
6 work. I can't recall it at all. I think there would be  
7 sweets in the kitchen. It was around Christmas time and  
8 we used to buy the big tins of sweets.

9 'India' goes on in her statement at paragraph 82 to  
10 say that she had a friend in foster care in Dunbar upon  
11 whom 'India' was said to have a bad influence. I don't  
12 remember any of that at all. I don't remember the other  
13 girl who was staying with us in the house at the same  
14 time as 'India'.

15 'India' goes on to talk about leaving foster care in  
16 her statement at paragraph 87. I don't remember  
17 anything about the reasons for her leaving us. It makes  
18 me think that she wasn't with us for long because the  
19 other girls and boys we had I can remember some things  
20 that happened with them but 'India' is a blank.

21 I don't remember anything about 'India's' demeanour  
22 or her personality when she was with us.

23 I think that they should listen more to what they're  
24 saying. Give them a voice. A lot of adults get  
25 together and maybe there's a couple of kids. I remember

1 one of our foster girls ran out of the room saying,  
2 'They're not listening to me'. I feel they're not  
3 getting listened to all of the time. It could be better  
4 that way. If something could be done about that and  
5 have a better procedure to give them a voice.

6 Matching certain children to specific foster parents  
7 is a hard one. I am not sure what can be done to make  
8 it better. When a kid comes to your house and you don't  
9 know each other, the only way you're going to get to  
10 know each other is to wait a while and you'll find out.  
11 You learn something all the time. You will be told  
12 certain things about them but you have to find out for  
13 yourself. It's a learning process. You've got to  
14 listen to people more.

15 I'm proud of what we did as foster parents and we  
16 did a pretty good job. We did our best and I'm quite  
17 happy with what we did to help kids in any way we could.  
18 It started out as a job for us but it was more than  
19 a job and we got enjoyment out of it.

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

24 'Alan' signed his statement on 13 May 2022.

25 LADY SMITH: Thank you very much.

1           I think we'll take the morning break now. We should  
2           have an oral witness ready for after the break; is that  
3           correct?

4   MS INNES: Yes, my Lady. Ms Rattray will be dealing with  
5           that witness.

6   (11.30 am)

7                               (A short break)

8   (11.46 am)

9   LADY SMITH: Ms Rattray.

10   MS RATTRAY: Thank you, my Lady. The next witness is  
11           Ian Henderson. Ian Henderson was a social worker with  
12           North Ayrshire Council, Glasgow City Council and South  
13           Lanarkshire Council from 1995 to 2015. He approached  
14           the Inquiry to give evidence about some relevant matters  
15           and in particular an applicant who has the pseudonym  
16           'Claire'.

17           'Claire' gave oral evidence last week on Day 328,  
18           28 September 2022. 'Claire's' foster carer,  
19           Margaret Mennie, now known as Elspeth Cromar, was  
20           convicted in respect of the physical abuse of 'Claire'  
21           and her two younger brothers, and Margaret Mennie's  
22           statement has also been read in.

23   LADY SMITH: Yes. Thank you.

24                               Ian Henderson (affirmed)

25   LADY SMITH: The first question I hope is easy. Would you

1       like me to call you Mr Henderson or Ian?

2   A.   Just Ian.

3   LADY SMITH:   Thanks, Ian.

4       Practicality, your statement is in the red folder,

5       you'll be taken to that in a couple of minutes. We'll

6       also bring it up on the screen and go to the different

7       parts of it we'd like to discuss with you, so you might

8       find that helpful as well. You don't have to use either

9       of them, but they're there if you're useful to you.

10   A.   Mm-hmm.

11   LADY SMITH:   Otherwise, Ian, if at any time you have any

12       queries or difficulties, please let me know.

13   A.   Yeah.

14   LADY SMITH:   Help me to do anything I can do to enable you

15       to give your evidence as clearly and carefully as you

16       can.

17   A.   Mm.

18   LADY SMITH:   If you want a break at any time because it just

19       feels as though it's getting too much for you, let me

20       know that as well because we can do breaks if necessary.

21   A.   Mm.

22   LADY SMITH:   Otherwise, if you're ready, I'll hand over to

23       Ms Rattray and she'll take it from there. Is that all

24       right?

25   A.   Yes, thanks, my Lady.

1 LADY SMITH: Ms Rattray.

2 Questions from Ms Rattray

3 MS RATTRAY: Good morning, Ian.

4 A. Morning.

5 Q. As you've been told and as you're aware you gave  
6 a statement to the Inquiry and we've given that  
7 a reference which I'll read out for our records. It's  
8 WIT.001.001.8651. That will appear on the screen in  
9 front of you. To start I'd like you to look at the hard  
10 copy in the red folder and if you could turn to the back  
11 page of your statement, please, which is page 54, do we  
12 see that you say at paragraph 227:

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

15 I believe the facts stated in this witness statement are  
16 true."

17 A. Yeah.

18 Q. And you've signed your statement?

19 A. Yes.

20 Q. Thank you, you can put that to one side now.

21 By way of background to start, you tell us that you  
22 were born in 1969?

23 A. Yeah.

24 Q. You approached the Inquiry to give a statement about  
25 your experiences as a social worker, why did you decide

1 to make that contact?

2 A. Because, I think the Inquiry knows this, 'Claire' had  
3 contacted me in relation to abuse that she'd suffered in  
4 foster care when I was her social worker, so it was  
5 really in support of 'Claire' that I came forward to the  
6 Inquiry.

7 Q. Was that something you decided yourself or had something  
8 happened to trigger that?

9 A. Well, 'Claire' had contacted me through Facebook and had  
10 said she wanted to meet with me to discuss some of her  
11 experiences and felt I was the best person to talk to  
12 given I was her social worker fairly consistently  
13 through that period. So I agreed to meet with her and  
14 it was at that point following that conversation that,  
15 given the nature of what she was telling me, that I said  
16 that she should go to the Child Abuse Inquiry and also  
17 to the police.

18 And I think, to be fair, I think 'Claire' had  
19 already started that process, so I then went and gave  
20 a statement to the police and also I contacted the Child  
21 Abuse Inquiry to give my own statement.

22 Q. Thank you. I think we know since then that you gave  
23 evidence at the trial of Margaret Mennie, who's now  
24 known as Elspeth Cromar?

25 A. Yeah, that's right.

1 Q. We've already heard that she was convicted --

2 A. Yes.

3 Q. -- in respect of the physical abuse of 'Claire' and her

4 two younger brothers?

5 A. Yes.

6 Q. Just looking at your qualifications, if we may, which

7 you talk about from paragraph 3, you say you have a --

8 is it a diploma in social work?

9 A. Yes.

10 Q. Which you gained from the University of Paisley from

11 1991 and you qualified as a social worker in 1995?

12 A. Yeah, that's right.

13 Q. I think we gather from your statement in terms of your

14 work experience, some of which you refer to at the early

15 part of the statement, some elsewhere, but as

16 an overview, you were a social worker in the Children

17 and Families team with North Ayrshire Council for about

18 18 months from 1995 to 1997?

19 A. Yeah.

20 Q. You were based in Kilwinning there?

21 A. Yeah.

22 Q. Then you were a social worker with Glasgow City Council,

23 from 1997 to 2006?

24 A. Yeah.

25 Q. You were in the Children and Families team based in



1       Royston until 2002?

2   A.   Mm-hmm.

3   Q.   Then you moved to the criminal justice team in

4       Possilpark from 2002 to 2003?

5   A.   Yeah.

6   Q.   There you were working with offenders from the age of 16

7       upwards?

8   A.   Mm.

9   Q.   From 2003 to 2004 you then moved to a role working with

10      young adults who were leaving care?

11  A.   Yes, that's right.

12  Q.   From 2004 to 2006 you were in the Children and Families

13      team based in Drumchapel?

14  A.   Yeah, that's right.

15  Q.   Then you moved from 2006 to 2008 you worked for

16      an organisation called Includem?

17  A.   Yeah.

18  Q.   What did that involve?

19  A.   A lot of that again was working with young people, it

20      was generally kind of teenagers and young adults who

21      would maybe need to have extra support so there was

22      quite intensive care packages around them and we would

23      offer support at weekends, evenings. So it was

24      generally young people that were involved with the

25      social work department, a lot of young people that had

1        maybe been in care or been looked after.

2    Q.   After that experience, you moved to become a social  
3        worker with a Local Authority again, on this occasion  
4        South Lanarkshire Council?

5    A.   I moved to be a team leader with South Lanarkshire.

6    Q.   Yes, so at that time you were team leader with the  
7        Children and Families team based in Rutherglen?

8    A.   Yeah.

9    Q.   Then for a period in East Kilbride and that was from  
10       2008 to 2015?

11   A.   Yeah, that's right.

12   Q.   In 2015 you moved to work for the Care Inspectorate?

13   A.   Yeah.

14   Q.   And you're an inspector there?

15   A.   Yes, that's right.

16   Q.   That's your current role?

17   A.   No, I left there in 2019.

18   Q.   2019.   Are you working now?

19   A.   Yeah, after I left the Care Inspectorate I worked as  
20       an independent social worker for a few months and then  
21       since May 2020 I've been working as a team leader in  
22       Clackmannanshire Council.

23   Q.   Thank you.

24        Whilst at the Care Inspectorate, you tell us that  
25       you were part of a specialist team on housing support,

1 children's houses and adoption and fostering?

2 A. Yeah.

3 Q. Your current position, is that in children and families

4 as well?

5 A. Yeah, it's children and families.

6 Q. I'm going to look at some matters that you raise in

7 relation to your general social work experiences before

8 we move on to the very specific circumstances of

9 'Claire' and her brothers.

10 Firstly, as a newly qualified social worker with

11 North Ayrshire Council, from paragraph 4 in your

12 statement you tell us about that. What did your role

13 entail as a newly qualified social worker?

14 A. It was generally working, I had a lot of young people

15 that were maybe looked after, one or two maybe in foster

16 care, some in residential houses. Some young people who

17 were looked after at home and were on home supervision

18 orders. Generally initially I wouldn't have any child

19 protection cases because I wasn't -- I was newly

20 qualified, so I didn't have the experience for that. So

21 it was maybe cases just slightly below child protection

22 level that I would be working initially.

23 Q. I think you tell us at paragraph 6 that you had

24 a supervisor --

25 A. Mm-hmm.

1 Q. -- but you say your supervisor was quite inexperienced  
2 but you learnt a lot from more experienced social  
3 workers?  
4 A. Yeah --  
5 Q. If I could ask you about that. Your supervisor, was  
6 that someone who was more senior than social workers  
7 generally?  
8 A. Yeah. I mean the supervisor had -- I think she was  
9 quite new in post. I think this was maybe her first  
10 management position. So while she did have experience  
11 as a social worker, I didn't find that -- I thought  
12 supervision was a bit inconsistent and as a newly  
13 qualified worker I think I would have appreciated  
14 a higher level of supervision and support and knowledge.  
15 So I think sometimes when I was raising things I didn't  
16 really get an awful lot back, if you like, in terms of  
17 expertise or experience, and sometimes that meant that  
18 I was then having to go to -- there was a couple of  
19 social workers who maybe at that point had 10 or 15  
20 years' of experience within the team and I would often  
21 go to them to ask for advice.  
22 Q. Where you have a sort of management structure and  
23 presumably a decision-making structure to go with it  
24 where perhaps those further up in the hierarchy, the  
25 managerial line, may have actually less face-to-face

1       experience with service users --

2   A.  Mm-hmm.

3   Q.  -- compared to some other social workers --

4   A.  Yeah.

5   Q.  -- who were working below them in terms of that

6       hierarchy.

7   A.  Yeah.

8   Q.  Did that give rise to any problems at all?

9   A.  I think in terms of maybe decision making, sometimes it

10       would mean that sometimes decisions were maybe not the

11       ones that maybe should have been taken.  I think

12       certainly North Ayrshire, what my experience was that

13       because I think the threshold was lower there -- was

14       higher -- sorry, was lower in terms of what you would

15       actually work with, so we maybe weren't dealing with the

16       same level of complexity as a newly qualified worker,

17       maybe I didn't have those same level of complex cases so

18       it maybe wasn't so much of an issue.  But certainly

19       later in my career when I had experience with other

20       supervisors, then it really became apparent and I think

21       that was maybe a frustration later on when I had

22       developed a greater level of experience, knew what

23       child-centred and good practice looked like and

24       sometimes those above me weren't on the same page in

25       respect of that when we'd be making decisions that

1 I didn't feel were maybe in the best interests of  
2 children.

3 Q. I think in general in Ayrshire I think you say that you  
4 found the workload you were given was manageable --

5 A. Yeah.

6 Q. -- and you felt that you were supported in your  
7 position?

8 A. Yeah, but I would say mostly that was down to the  
9 colleagues I had around about me rather than maybe the  
10 management, which I felt could have been better.

11 Q. From paragraph 11 in your statement, Ian, you tell us  
12 about visits and there was visits to children --

13 A. Mm-hmm.

14 Q. -- and there was an expectation that you would visit  
15 once a fortnight.

16 A. Mm-hmm.

17 Q. You tell us that sometimes you visited more often than  
18 that?

19 A. Uh-huh.

20 Q. You make the point that it was really important to  
21 develop that relationship with the child --

22 A. Mm-hmm.

23 Q. -- because that allowed you to undertake checks and  
24 balances.

25 A. Mm-hmm.

1 Q. In terms of all the processes in place to protect  
2 a child, for example a child from abuse, how important  
3 is forming a sort of close relationship, professional  
4 relationship with the child?

5 A. I mean it's -- in my view it's absolutely vital. If you  
6 don't have that -- I see social workers -- and I know  
7 there's been a big emphasis recently on children's  
8 rights and Who Cares? and things like that. I view we  
9 should all be children's rights workers, we should all  
10 be looking at what the best interests of children is and  
11 if you've not got that relationship that's external to  
12 maybe who's actually providing that care it becomes very  
13 difficult to then -- for them to actually have somebody  
14 outwith that environment that they can then talk to so  
15 if they have any worries or any concerns then they have  
16 somebody that they can actually talk to.

17 So I would say, when I say I was visiting more  
18 often, it would tend to be the children that  
19 I prioritised were the ones that were looked after, that  
20 were in foster care, that were in residential care,  
21 because those were the ones that actually really needed  
22 that external support and somebody that they could  
23 actually talk to. So -- and I think that's probably  
24 something that we still need to do today, but I think  
25 because sometimes it's difficult because of staffing

1       issues.

2   LADY SMITH: Ian, you're talking about it being vital to

3       form a close relationship with the children --

4   A. Uh-huh.

5   LADY SMITH: -- who are on your books, if I can use that

6       expression.

7   A. Yeah, uh-huh.

8   LADY SMITH: Am I to take it by "close relationship" you

9       mean that's actually something that's quite hard to

10      achieve given you've got to remain professional --

11   A. Uh-huh.

12   LADY SMITH: -- you can't just become a child's best friend.

13   A. Yeah.

14   LADY SMITH: Is that right?

15   A. Absolutely. I mean it's more about giving them that

16      outlet so that if they did have any worries or concerns

17      they've got somebody to talk to, but it is about keeping

18      that professional boundary and there's an argument about

19      at what point -- you know, to do that you need to maybe

20      also sometimes share information about yourself so that

21      then you're not just some anonymous person that they've

22      not got a relationship with. So you would maybe do

23      a wee bit of that, but it is about giving them that

24      knowledge that you're actually there for them but it is

25      absolutely about keeping it professional and maintaining



1           that professional boundaries.

2   LADY SMITH: That sounds as though you're talking about

3           building up their trust --

4   A. Yeah.

5   LADY SMITH: -- am I right?

6   A. Yeah.

7   LADY SMITH: Which will always involve proving that you can

8           be relied on, am I right about that?

9   A. Yes, absolutely. I think one of the things that I've

10          become really aware of is that sometimes children will

11          test out adults around about them. So they'll give

12          information which is maybe minimised, watered down, to

13          see how you respond to that, and if you pass that test,

14          if you respond appropriately to that, they will then

15          share more. So often what I find is that some children

16          will share some information but not the whole story and

17          I think in relation to why I came forward to the Inquiry

18          in terms of 'Claire's' story, I think that's -- that's

19          evident in terms of how she shared information and at

20          different points.

21   LADY SMITH: Thank you.

22   MS RATTRAY: In terms of social work visits and that

23          relationship with the child in the context of foster

24          care, would you agree that that's especially important

25          in a foster care situation, particularly where

1 effectively that's the only inspection of the placement  
2 which takes place?

3 A. Yeah, absolutely. Because I think -- and probably in  
4 terms of having experience in the Care Inspectorate,  
5 residential services are inspected, you know, usually  
6 once a year, so that then gives the inspector the chance  
7 to see that whole environment and -- you know, and  
8 obviously social workers are round about that, there's  
9 a lot more people about, there's high levels of staffing  
10 usually. You would hope that if something was going  
11 wrong there would be -- you know, if the culture was  
12 positive, people would raise any issues.

13 In a fostering environment it's much more -- there  
14 is fewer eyes on it. Even with the Care Inspectorate,  
15 the number of fostering families that we would maybe  
16 inspect, we would maybe sample three or four fostering  
17 families out of -- some services are over 100. So how  
18 we -- so there's not that rigour in terms of external  
19 scrutiny. So absolutely for foster care, sometimes the  
20 social worker is the best person to actually be  
21 involved, because even other services involved with  
22 children, schools, health, aren't going into the home.  
23 So, you know, it's absolutely vital that -- and probably  
24 I visited children in foster placements probably even --  
25 sometimes even more often than children in residential.

1 Q. I think you also make the point at paragraph 13 that you  
2 made -- you took the point of taking the children out of  
3 the home to speak to them, sometimes going for something  
4 to eat, because it was often difficult to have  
5 a conversation with children in the places where they  
6 were placed.

7 A. Uh-huh.

8 Q. I think you tell us something about the environment of  
9 a children's home.

10 A. Mm-hmm.

11 Q. But did that apply the same to foster care?

12 A. Yeah, because sometimes you might have other children  
13 placed there that weren't maybe related to the child  
14 that you were working with, so you would need to protect  
15 confidentiality. You would also need to give them that  
16 space away from the home so that if there was anything  
17 that they wanted to raise, they feel -- they're not in  
18 an environment where maybe any issues are occurring.

19 Q. You say at paragraph 18 that with hindsight as  
20 an inspector, as you were when you signed your  
21 statement, you actually had some quite significant  
22 concerns about your experiences in North Ayrshire which  
23 weren't apparent at the time?

24 A. Uh-huh.

25 Q. Did any of these concerns relate to foster care?

1 A. They related mainly to residential care in a way that  
2 quite a significant child protection matter was not  
3 dealt with in my view.

4 Q. Okay.

5 A. But that -- I mean you're talking about that happened --  
6 that was maybe 20 years later, you know, so it wasn't  
7 related -- and obviously a lot of people had changed, so  
8 it wasn't really related to -- it wasn't something I was  
9 aware of when I worked there.

10 Q. Moving now to your role as a social worker with Glasgow  
11 City Council, which you tell us about from paragraphs 20  
12 onwards, you were with the Children and Families team in  
13 Royston and you joined in 1997. About what time in  
14 1997, what stage in the year was it?

15 A. It was January I moved, it was just after Christmas,  
16 just after new year.

17 Q. Right, okay. You say there that you had a bigger  
18 caseload --

19 A. Mm-hmm.

20 Q. -- and half of your caseload involved children who were  
21 in care --

22 A. Mm-hmm.

23 Q. -- as opposed to children who were in the community.  
24 And because of that you often had to prioritise to  
25 manage that caseload?

1 A. Mm-hmm.

2 Q. You say that at paragraph 21 and later at paragraph 35  
3 you said that that also meant having to prioritise  
4 visits to children?

5 A. Mm-hmm, yeah.

6 Q. In the context of, for example, foster care, would that  
7 mean that if a living situation appeared fine on the  
8 surface, then perhaps visits to that kind of home would  
9 be less frequent?

10 A. I didn't practice like that. I know there might -- some  
11 of my colleagues maybe -- certainly not -- I would say  
12 not in the Royston team, I think there was a good  
13 culture in the Royston team, but certainly I wouldn't  
14 assume that because on the surface a situation was  
15 looking good that they would -- that it would be -- the  
16 visits should be reduced.

17 Having said that, what I would say is part of  
18 that -- a lot of that's down to assessment. So if  
19 you -- even if you've not got any obvious signs of  
20 concerns, if your assessment is -- and you can pick up  
21 on things like body language. You know, when you visit,  
22 how is the child sitting? Is there -- does there look  
23 to be any fear or is there any concerns?

24 I remember one visit that I did to a foster family  
25 where it was a looked-after review that we were doing,

1       that was actually my first day at Royston and I was  
2       visiting with my senior, and the children weren't there  
3       and they were called in from their bedrooms and the  
4       carers asked them what the first thing that happens in  
5       the morning and these carers also ran a B&B, and one of  
6       the girls said, "You tell us to stay in our rooms until  
7       we've served breakfast".

8           And immediately that gave me -- so what I took from  
9       that was that the carers were trying to give us  
10      an impression of what was going on, but then the girl  
11      didn't stick to the script and it gave us a different  
12      view about what was happening.

13           But even in terms of your social work assessment,  
14      then I could pick up in terms of the body language, the  
15      kids were sitting quite still, quite regimented. That  
16      didn't give me a good feeling. So in those situations,  
17      you may be visiting that placement -- and I did -- more  
18      regularly. Whereas if you get a feeling -- in some  
19      foster carers where we worked where it's much more  
20      relaxed, where it's much more -- where you can see that  
21      there's a good relationship, you might be less concerned  
22      about that and you might -- and maybe the visits might  
23      not be quite as frequent.

24   Q.   Thank you.

25           You've mentioned this before and you touched on it

1       and in relation to the volume of work and availability  
2       of staff in Glasgow where you were working, that meant  
3       that the threshold for intervention was a lot higher in  
4       Glasgow compared to your experience in North Ayrshire  
5       and so there wouldn't be involvement with a family --  
6       and I'm assuming you mean a family in the community --  
7       unless there was a statutory reason.

8   A.   Yeah.

9   Q.   Can I take it from that, and tell me if I'm wrong, that  
10       that would mean that there wouldn't be intervention in  
11       the family, in the community, unless and until a crisis  
12       point had been reached?

13   A.   Often that would be the case and I think it's probably  
14       not just down to staffing levels, because I think  
15       staffing levels in North Ayrshire were reasonable at the  
16       time. In Glasgow they were also -- with quite a good  
17       team and, you know, and ... so it wasn't so much the  
18       staff, but I think there's other factors that play in  
19       terms of social deprivation, poverty, things like that  
20       which were certainly more prevalent in Glasgow and  
21       certainly Royston was an area in terms of Sighthill and  
22       some of the flats there, there were massive levels of  
23       poverty, there was massive levels of substance use, so  
24       it meant that the staffing levels probably weren't there  
25       in terms of being able to deal with some of those issues

1       and it probably also meant that there was probably  
2       a higher level of children that were -- and I didn't do  
3       any analysis of this, but I would imagine that certainly  
4       anecdotally my experience in Glasgow was it was a higher  
5       level of children that had to be accommodated in either  
6       residential or foster care than there was in North  
7       Ayrshire.

8   Q.   That sort of general approach of a sort of higher  
9       threshold before social work intervened, did that spill  
10      over at all or affect in terms of intervening in  
11      a placement where a child was in care?

12  A.   I think there was maybe an approach of, well, the  
13      child's been removed from the immediate source of risk  
14      so therefore they'll be safe. So there was maybe that  
15      view perhaps within the council, that maybe you didn't  
16      prioritise that.

17           I was very fortunate that I had a -- when I started  
18      in Royston I had a really good team leader who didn't  
19      take that approach and was very much about you need to  
20      build that relationship with children, so supported us  
21      to do -- to do that and to practice in that way and to  
22      maybe -- so sometimes you were making quite hard  
23      decisions, so probably the children that I had that were  
24      in foster care or residential care I had much better  
25      relationships, because I had that time to spend with



1       them. There were probably other children that maybe  
2       didn't get the same level of service because maybe we  
3       felt the risks weren't quite there or that their  
4       situation wasn't as serious, but you were having --  
5       probably all the time having to make hard choices about  
6       what piece of work you would do and there were some  
7       cases that, I'll be honest with you, you kept your  
8       fingers crossed and hoped they would be okay, because  
9       you had to prioritise other things.

10       But certainly in the team, the culture we had, was  
11       that foster care, children in foster care, children that  
12       were looked after, were prioritised.

13    Q. For example, if a child was in a placement, such as  
14       a foster care placement, and it was thought that that  
15       was an unsatisfactory placement but it hadn't broken  
16       down, would there be a level of tolerance of some issues  
17       in these circumstances in terms of the threshold for  
18       going in and saying this placement ought not to be  
19       brought to an end?

20    A. I would say so and I think there should be processes, if  
21       there's issues raised it should then go to I think  
22       Glasgow it was called, the family finding team, who  
23       should then look at -- every foster carer should get  
24       a regular review. That could be brought forward if  
25       there was any concerns raised.

1           In my experience that system maybe didn't work as  
2       well -- at the time didn't work as well. I still think  
3       there's issues across the board in foster care about  
4       whether those systems work well, but there should be  
5       that review, but I think sometimes what has then  
6       happened, what we're then forced into a decision about  
7       is if we -- if that placement breaks down, what next?  
8       And that's a realistic and a challenging thing for all  
9       social workers to deal with, because if that placement  
10      was to break down, where would we get another -- an  
11      alternative placement?

12           I think we've got better over the years in terms of  
13      looking at family solutions and things like that, but  
14      back then that wasn't really looked at as closely, so  
15      often that would be a big factor in if the placement  
16      breaks down -- it might not be great, but it might be  
17      the best we've got.

18   Q.   At paragraph 27 of your statement I think you make some  
19       observations on perhaps the qualities which are  
20       important for seniors.

21   A.   Mm-hmm.

22   Q.   Senior social workers. I think you talk about the  
23       importance of being supportive, intuitive and willing to  
24       listen?

25   A.   Yeah.

1 Q. I think you had some experience of that with a senior  
2 you worked with at the time?

3 A. Yeah. She was my senior for maybe about four years and  
4 was very -- you know, she had the -- she was very  
5 knowledgeable, she had a law degree, she had really  
6 good -- but she was also really child-centred and had  
7 a really good understanding of children's needs and  
8 probably was -- in terms of a role model was also doing  
9 a lot of the visits. Sometimes that drove me to  
10 distraction, because sometimes she would do visits  
11 without my knowledge and then bits of work could be done  
12 that I didn't know about. But it did come from a good  
13 place and I think that was probably what -- you know,  
14 I'm a team leader, I've tried to mirror some of those  
15 things in terms of levels of support to staff, because  
16 I think that was -- that's what I believe a good  
17 manager, you know, does.

18 Q. You go on at paragraph 29 to make some comments perhaps  
19 about the importance of leadership and leadership style.

20 A. Mm-hmm.

21 Q. Because you say at one point at Glasgow the dynamic of  
22 the team changed and it stopped being a learning  
23 culture.

24 A. Yeah.

25 Q. What changed to make that happen?

1 A. The main change was there was a change of managers. My  
2 previous senior sadly went off sick and then a new  
3 manager came in who had a very different style, who  
4 wasn't as willing to listen, was very direct, was  
5 very -- was quite abrupt in her manner and it meant that  
6 I didn't feel that I had the relationship -- and  
7 I talked earlier about the relationship that social  
8 workers have with the children and young people. It's  
9 very similar as a social worker, you want to be -- you  
10 want as a manager somebody that you can talk to, who you  
11 can share concerns, who you feel that you can have that  
12 open dialogue with and I didn't really feel that I had  
13 that with the new manager and I don't think my view --  
14 certainly from speaking to colleagues, I think that --  
15 that wasn't something unique to myself. I think  
16 everyone felt that.

17 And what happened then, what was a really good  
18 close-knit team started to just fragment and people  
19 started to leave and move on to other jobs, which  
20 I think was obviously an issue in terms of stability for  
21 the children we were working with.

22 Q. I think you say in your statement here that you're to  
23 some extent contrasting what you describe as  
24 an old-school approach --

25 A. Mm-hmm.

1 Q. Old school, someone who was very involved with the  
2 children --

3 A. Uh-huh.

4 Q. -- to a top-down approach where management became quite  
5 directive and dictatorial.

6 A. Yeah.

7 Q. You've mentioned a change in one person to another, but  
8 was that a more general change?

9 A. I wouldn't necessarily say -- not in my experience at  
10 that time. I think -- I think possibly if I can -- on  
11 reflection, given what I know now, maybe the new  
12 manager's style of management was more in keeping with  
13 what the wider culture within the council was and I'd  
14 been probably closeted a wee bit from having a good  
15 manager that kept me away from some of those -- I mean  
16 the example in terms of -- I mean of -- I don't know if  
17 you're going to go into it later on, but in terms of  
18 'Claire's' situation there was a letter I sent when she  
19 was placed and I did that without speaking to my manager  
20 at the time about it and I know from discussions that  
21 she had with me that she was told by senior management  
22 that she needed to control me.

23 So I think probably the new management style was  
24 more in keeping with the wider culture within the  
25 management team at Glasgow City Council then.

1 Q. Yes, that is something that we will look at later on.

2 A. Mm-hmm.

3 Q. In terms of protecting children from abuse in care, that  
4 change to the wider culture of management within the  
5 council, was that a change for the better or not?

6 A. No. Well, in terms of the way it was then managed, it  
7 absolutely wasn't, because I think what it then meant --  
8 and there's an example of this in my statement -- when  
9 I'm sharing genuine practice issues about how we manage  
10 a situation, which I thought I was doing in confidence  
11 and trust, that can then get -- because there's another  
12 agenda there, that can then get misconstrued and  
13 deliberately misconstrued to make it look like  
14 something, you know, more sinister.

15 And I think that -- if you've got that relationship  
16 with your manager where you can't -- don't feel that you  
17 can really talk to them about how you're feeling about  
18 a case or your relationship with young people or  
19 anything like that, that's really dangerous because then  
20 you don't have that sounding board and what then  
21 happened was that I would speak to my colleagues who  
22 were still there, the ones that I'd been working with  
23 for a number of years and got support from them, but you  
24 didn't feel that you had that opportunity to actually  
25 talk to your manager about that and that's really,

1       really dangerous, you know.

2   Q.   I'm going to move now to 'Claire' and her situation.

3   A.   Right.

4   Q.   Just by way of a reminder for us, we know that 'Claire'

5       and her two younger brothers were in a foster placement

6       firstly with Margaret Mennie (MM) from 1989 to 1990

7       in Dunblane and then ultimately the children moved to

8       Edinburgh with Margaret Mennie (MM) in 1990, but Margaret Mennie (MM)

9       we think in 1992 and 'Claire' and her

10      two brothers remained in the care of MM and then

11      they subsequently moved to in East Lothian.

12      The children left the placement, we know, on

13      1997 and moved to Milton Children's Home in

14      Bishopbriggs and 'Claire's' brothers returned to the

15      foster placement on 1997 but 'Claire' did

16      not.

17   LADY SMITH: When you refer to , that was West

18      Lothian, not East Lothian.

19   MS RATTRAY: Sorry, I realised I had become confused because

20      I realised when I have looked at some records more

21      recently it calls it East Lothian --

22   LADY SMITH: When I last checked, was in West

23      Lothian.

24   MS RATTRAY: It is indeed.

25      You tell us from paragraph 49 of your statement on

1       page 11 about your first involvement with this case.

2   A.   Mm-hmm.

3   Q.   You were still quite a junior social worker at this

4       stage.

5   A.   Mm-hmm.

6   Q.   When was it in 1997 that you first became involved with

7       'Claire's' family; do you recall?

8   A.   From recollection it was just round about the time that

9       they moved to the children's house in Bishopbriggs, so

10      that would be -- I meanwhile I know you said September,

11      so it was round about that time. I can't remember

12      exactly whether I was aware -- I had met them before

13      they moved or whether it was after that, but it was

14      round about that time.

15   LADY SMITH: You would, Ian, have been about 28 at that

16      time, that stage of your career?

17   A.   Yeah, 28.

18   LADY SMITH: Thank you.

19   MS RATTRAY: You were allocated the family but were you

20      working on your own with the family or were you working

21      with other members of the team?

22   A.   It was mainly we didn't really have the resources to --

23      in some case -- in rare cases you might have another

24      member of staff involved, but we didn't really have the

25      resources, but I think my team leader at the time,



1       because -- my senior social worker at the time, because  
2       she was aware that I wasn't maybe the most experienced  
3       worker, I think she was quite -- and she'd been  
4       involved -- my understanding was I think there'd been  
5       a gap where there hadn't been a social worker, so my  
6       team leader had been involved in doing a lot of the work  
7       with the family so knew them really well and I think had  
8       quite a good relationship with them. So I think she  
9       stayed very actively involved while I was doing a lot of  
10      the more day-to-day stuff.

11   Q. I think you tell us in paragraphs 50 to 51 that you were  
12      given the records to read --

13   A. Mm-hmm.

14   Q. -- but they weren't that good in terms of providing  
15      information.

16   A. Yes.

17   Q. But your senior had a really good knowledge and filled  
18      you in --

19   A. Uh-huh.

20   Q. -- is that right?

21   A. Yeah, that's right. I mean Charlotte spent -- sorry, my  
22      previous manager spent a lot of time speaking to me  
23      about the background and about the -- and about her  
24      perception of what was going on.

25   Q. When she did so, did she tell you about any concerns she

1       might have had about the placement --

2   A.   Yes.

3   Q.   -- with Margaret Mennie?

4   A.   Yeah.

5   Q.   What was she telling you at that time?

6   A.   She told me that 'Claire' had raised significant issues

7       about Margaret being -- having an alcohol problem and

8       that this was impacting on the care. I think 'Claire'

9       at this point would have been maybe about 13, so she'd

10       actually effectively whistle-blown what was going on in

11       the placement and this was why the decision had been

12       made to remove all three children while further

13       assessment was undertaken, and that's when they were

14       placed in Bishopbriggs.

15   Q.   When 'Claire' raised these concerns or any concerns

16       about Margaret Mennie, was there any reference to her

17       raising these before she left the placement?

18   A.   I think that was -- I think that was the instigating

19       factor in them -- as my understanding, I wasn't involved

20       at that point, but my understanding was that was a major

21       factor in the decision to -- to remove the children was

22       that 'Claire' had raised these concerns.

23   Q.   I think you say that the concerns raised were about the

24       drink problem and something that you characterise as

25       neglect rather than physical abuse at that time?

1 A. Yeah. I wasn't made -- I wasn't aware at that time of  
2 any physical abuse. That was only later on when  
3 'Claire' contacted me.

4 Q. Were you aware or was there anything on the file about  
5 there being any previous concerns or complaints raised  
6 about Margaret Mennie?

7 A. I honestly couldn't -- it's difficult to recall from so  
8 long ago about what was actually in the file. Not that  
9 I can recall seeing. It was most -- most of the  
10 information I got was through the conversations with my  
11 manager at the time.

12 Q. Perhaps this is opportunity to look at a record,  
13 GLA-000001908. Turning to page 6 of this record.  
14 Between pages 6 and 8 it's very, very faint and it's not  
15 the best copy, but what we appear to have here, having  
16 looked at it more closely, is apparently a letter from  
17 someone dated 16 September 1996.

18 A. Right.

19 Q. From someone called [REDACTED], who's in Edinburgh.  
20 So it may well be this is a complaint when the  
21 family were still in Edinburgh.

22 A. Mm-hmm.

23 Q. What, as far as I can decipher from the faint  
24 handwriting on page 6 here is that it's a concern being  
25 raised by someone about Margaret Mennie, who is a foster

1 mother to three children, and that she's in need of help  
2 as regards her drinking habits and that she's in this  
3 public house -- because the person is writing from  
4 a public house in East Craigs in Edinburgh, where he or  
5 she says they work, and that the children are asking  
6 other people for money and that sometimes other people  
7 have to carry her, Margaret Mennie, home and she passes  
8 out and falls all over the place.

9 A. Mm-hmm.

10 Q. If we move to page 7, which is a continuation of this  
11 letter, I think we can make out a reference to  
12 apparently she has the nickname Gin Margaret and that  
13 the kids only know chip butties or pub meals. That she  
14 was fighting in the pubs, her language was terrible,  
15 that she had a partner who also had a drink problem, and  
16 there's a reference beyond that everyone knows she's  
17 a foster mother but not a very good one.

18 A. Mm.

19 Q. I think over the page to the final page of the letter on  
20 page 8, it generally concludes about someone who's  
21 concerned about the kids and hoping that the social work  
22 will look into the matter and we see that it's a letter  
23 that's been sent to the Edinburgh social work department  
24 and is stamped as being date received on  
25 19 September 1996.

1 A. Mm-hmm.

2 Q. If we move to page 5 of this document, I think we'll see  
3 that this is a letter of 19 September 1996 where they're  
4 writing to [REDACTED], we don't know if male or female or  
5 whatever, acknowledging receipt of the letter of  
6 16 September in which you express concern about children  
7 fostered and that the relevant Childcare and Families  
8 practice team has been informed.

9 If we turn to page 4 of this document, I think we  
10 see here and I think this is a letter from your senior  
11 you've been talking about, Charlotte Currie --

12 A. Mm-hmm.

13 Q. -- of 23 September 1996 from City of Glasgow Council,  
14 writing to this person thanking for the letter and  
15 saying that she would:

16 "... very much like to discuss further the  
17 information you have given ... and if you could contact  
18 me ... so that we might speak further ..."

19 A. Mm-hmm.

20 Q. I can't see anything further in the records about this  
21 matter. Can you recall anything about it at all?  
22 I appreciate it's happened before you joined, but you  
23 might have had some sort of background or --

24 A. Not specifically. I don't recall ever seeing that  
25 letter. So -- and certainly I do recall looking at the

1 files. I don't recall seeing that or discussing that  
2 with her, it was Charlotte the conversation I had with  
3 Charlotte were in general, so she was aware that there  
4 was an issue in terms of Margaret potentially misusing  
5 alcohol, but I don't -- but we never spoke about this  
6 specific concern being raised.

7 Q. I think when we're looking at the circumstances in which  
8 'Claire' left the placement, if we turn now to  
9 GLA-000001909, and looking at page 2 of this record.

10 This appears to be a record from 18 September 1997  
11 case notes, progress notes, where Margaret Mennie is  
12 calling social work, a call to Pat MacEachan, is that  
13 a name you remember?

14 A. Yeah, she was another manager within Royston.

15 Q. And it sistered on a situation between herself and  
16 'Claire' and missing money found in a crisp packet under  
17 'Claire's' bed and the situation seems fraught and  
18 Margaret's asking for something to be done immediately.

19 Then there's a further contact on  
20 19 September 1997 --

21 LADY SMITH: Can we scroll down slightly? Thank you.

22 MS RATTRAY: Sorry. And the relationship between  
23 Margaret Mennie and 'Claire' was fast deteriorating to  
24 the point of no return. 'Claire' now appearing to be  
25 totally outwith control, calling Margaret "Old Maggie

1       the drunk" and shouting loudly in the pub and causing  
2       Margaret some humiliation.

3             This is in a context where the children are living  
4       over a pub --

5   A.   Mm-hmm.

6   Q.   -- and Margaret Mennie is running the pub; is that  
7       right?

8   A.   Yeah.

9   Q.   And that's in [REDACTED].

10            Then we see that Margaret stated that 'Claire' is  
11       asking to be removed and stating that she will report  
12       Margaret to the social worker. She appears to have made  
13       some allegation that Margaret hit her and Margaret did  
14       admit to the fact that she had skelped her across the  
15       leg more in self-defence than as a matter of punishment.

16            Do you remember anything be raised at that stage  
17       about 'Claire' being hit?

18   A.   Not specifically. I suppose the reason I was looking at  
19       that is I don't know how somebody can say they skelped  
20       somebody across the leg in self-defence, but ...

21   Q.   If we see at the next paragraph there's now a reference  
22       to I think 'Claire's' birth mother, who's now in contact  
23       with 'Claire':

24            "... phoned the department several times and in my  
25       absence left a note stating that 'Claire' had phoned

1       alleging that Margaret Mennie had battered her."

2           If we move to the final paragraph, 'Claire' phones

3       the department and asks to speak to Pat urgently:

4           "She was very cheeky, very truculent and demanding

5       to be removed from Margaret Mennie's immediately. She

6       would not take no for an answer and was threatening that

7       'something would happen to her if social work did not

8       take action'."

9   A.   Mm.

10   Q.   I think if we now move to page 6 of this document and

11       I don't know if you remember this at all, but it's

12       a case note of 25 September 1997?

13   A.   Mm-hmm.

14   Q.   It seems to be the writer, presumably Pat MacEachan, I'm

15       guessing?

16   A.   It might have been Charlotte, I'm not sure.

17   Q.   Or it could have been someone else, but whoever's gone

18       there suggests that you were with them?

19   A.   I mean, yeah, I'll -- I can't remember it but --

20   Q.   Don't worry.

21   A.   Aye.

22   Q.   Don't worry about not remembering. We see that,

23       "Collected the children to take them to Milton".

24   A.   Mm-hmm.

25   Q.   "... when we arrived they had very long straight faces



1 and Margaret advised that 'Claire' had stayed out  
2 overnight. She had not reported her to the police."

3 If we move two paragraphs down to the middle of the  
4 page, I think there's some reference to what happened  
5 during the journey to Milton and about halfway down that  
6 paragraph:

7 "On the way down she explained that she had spent  
8 the night with her friend in [REDACTED] but from her  
9 appearance I would say that she had slept rough."

10 You see that.

11 I'm now turning to page 3. We have an entry  
12 starting on 29 September 1997. I think this is a visit  
13 to Margaret Mennie after the children have left and  
14 generally Margaret Mennie saying that she was crying and  
15 saying that 'Claire' was difficult to control.

16 If we move to the second half of the page, towards  
17 the middle and the foot of the page, we do see that she  
18 said that she's the one who needs the break and  
19 Margaret Mennie's [REDACTED] said:

20 "... also that she felt that she had been under  
21 considerable pressure from your own department,  
22 Phil Quinlan ..."

23 Who was Phil Quinlan?

24 A. I think he worked in the Family Placement Team or the  
25 Fostering and Family Finding Team.

1 Q. There's reference to him in particular who's caused  
2 investigations to be made relating to the issues raised  
3 by her link worker. These were in relation to the  
4 family's sudden move to [REDACTED], the fact she's now  
5 managing a pub and not only living in it, the fact  
6 there's some concern that other persons, in particular  
7 a former boyfriend had been living in the pub and also  
8 at [REDACTED], that a medical which had been requested  
9 some time ago had not yet been processed, that there  
10 were issues relating to former allegations of alcohol  
11 abuse and issues relating to the high rate of foster  
12 payment and her present working situation?

13 A. Mm.

14 Q. I think there's elsewhere in the records that she was on  
15 a particularly high enhanced allowance looking after  
16 three children with needs.

17 A. Mm-hmm.

18 Q. But she was also managing a pub and perhaps not using  
19 the time that was expected that she would use?

20 A. Mm-hmm.

21 Q. "Much to my surprise the [REDACTED] was stating that  
22 her mother felt not only that she needed a rest from  
23 'Claire' but a rest from the boys as well."

24 A. Mm-hmm.

25 Q. If we turn over to page 4 and move to the foot of the

1 page, I think we see that there's a reference to the  
2 social worker taking 'Claire' to speak, 'Claire' was:  
3 "... quite sheepish, but was also very aggressively  
4 spoken towards Margaret Mennie whom she referred to  
5 constantly as 'Old Maggie'. She just wanted to leave.  
6 Very reluctant to give the full circumstances of what  
7 had happened."

8 At the bottom paragraph:

9 "She made several allegations against Margaret and  
10 her long-term drinking, explaining to me as though  
11 Margaret was a binge drinker. She also mentioned  
12 Margaret's previous boyfriend but didn't say too much  
13 about him."

14 I think that's where we are in terms of records of  
15 the kinds of allegations which were made at the time.

16 We do know, and I think you know, that over the  
17 passage of time further allegations were made by  
18 'Claire' --

19 A. Mm-hmm.

20 Q. -- but you've said in your evidence already about the  
21 pace at which children will speak about what's  
22 happening --

23 A. Mm-hmm.

24 Q. -- they will give one bit of information out first and  
25 test the ground and I suppose it may be very many years

1       before they say anything further.

2   A.   Yeah, sometimes it can be -- and I'm sure this Inquiry's

3       found that out, it can be a very long time before people

4       will talk about really what happened to them.

5       But certainly those records, I don't know if --

6       I don't know who -- do you know who it was that wrote

7       those records or does it say?

8   Q.   It's not clear, I'm afraid.

9   A.   Aye, yeah. I don't -- I mean certainly those

10       allegations, those concerns were things I was familiar

11       with at the time, so they were things that were shared

12       with -- from my manager to me. It doesn't look like my

13       style of writing so I don't think it was myself that

14       wrote any of those records, but certainly I was aware

15       of, you know, the general gist of those concerns.

16   Q.   Turning to paragraph 59 of your statement, I think you

17       say that you don't know whether there was a formal

18       investigation undertaken --

19   A.   Mm-hmm.

20   Q.   -- and all they did was move the children.

21   A.   Uh-huh.

22   Q.   That Margaret Mennie basically called 'Claire' a liar?

23   A.   Mm-hmm.

24   Q.   You go on to say that you would expect a fairly robust

25       investigation --

1 A. (Witness nods)

2 Q. -- in relation to complaints of this nature, but your  
3 understanding at the time was that the allegations  
4 weren't properly investigated. Is that your  
5 recollection?

6 A. I wasn't aware of any investigation and certainly the  
7 speed with which the children -- the two boys then  
8 returned to the care of Margaret greatly concerned me  
9 and I do recall that there was a meeting held, which  
10 I wasn't even invited to despite being the children's  
11 social worker, where that decision was made. And  
12 I raised my concerns with Charlotte about that because  
13 I felt that what happened effectively, just before  
14 Christmas, FBU [REDACTED] was left on her own while the two boys  
15 were returned and -- sorry, I gave the wrong name there.  
16 So 'Claire' -- when -- so 'Claire's' experience then and  
17 it goes back to the issue about trust and understanding  
18 about if how concerns are dealt with will then impact on  
19 trust and how much else will be shared. So 'Claire's'  
20 experience of sharing those concerns and effectively  
21 whistle-blowing about what was going on within this  
22 placement was to be separated from her siblings and to  
23 be left on her own and subsequently then moved to  
24 an inappropriate placement.

25 So the view -- my concerns about that time, and

1 I did raise this with Charlotte, was it was almost there  
2 was no -- she was effectively being punished for raising  
3 these concerns and we should be encouraging children and  
4 young people to speak up about how they're feeling, not  
5 try and silence them and this was -- this was really  
6 quite concerning.

7 I think the other thing that I had a concern about  
8 that situation was that JDY had -- sorry, the middle  
9 brother had a different -- had a different personality.  
10 He was much quieter, was much less vocal in terms of  
11 raising any issues, and the youngest brother was a lot  
12 younger, he was only, I think, maybe 10 at the time, so  
13 my concern was that if there was concerns going on, who  
14 was going to raise that now that 'Claire' was outwith  
15 the placement?

16 So I raised all those concerns at the time but  
17 unfortunately I wasn't involved in that decision and  
18 I think that was deliberate on their part because they  
19 knew my views about it.

20 Q. If we can turn to another record, because I'd like to  
21 reflect what you're saying in the records and it's at  
22 GLA-000002161. This is a report which you completed,  
23 a report for a Children's Hearing in relation to  
24 'Claire' of 29 January 1998.

25 Turning to page 4 of this report and we see firstly

1 at the top of the page there's reference again in  
2 relation to "allegations made that MM is  
3 drinking and leaving the children unattended.  
4 Investigations in the past yielded no confirmation but  
5 more recently 'Claire' has openly called her foster mum  
6 and alcoholic and has given a description of her  
7 drinking habits sufficient to suggest she is perhaps  
8 a binge drinker.

9 " 'Claire' was a very unhappy looking girl who sought  
10 information and nurtured a wish to meet her mother."  
11 I think her birth mother.

12 If we go to the foot of this page, I think we see  
13 something of the impact on 'Claire' that says:  
14 " 'Claire' puts on a hard front, appears truculent  
15 and aggressive, but underneath she appears a frightened,  
16 insecure little girl. Since coming to Milton Children's  
17 Home it has been noticed she has the habit to curl up in  
18 a foetal position, suck her right thumb and place the  
19 remaining fingers over her forehead. With her left hand  
20 she will knot her hair and eventually pull it out.  
21 While doing this she tends to rock and sway a little.  
22 In spite of the lack of contact recently with MM  
23 she is denying that there is little prospect of  
24 an imminent return home to her foster parent."  
25 I think we see a bit of the impact on 'Claire'

1       there.

2    A.   Mm-hmm.

3    Q.   If we could now look at GLA-000001908, page 2.  I don't  
4       know if this is a letter you would ever have seen, Ian,  
5       but this is the letter that was sent to Margaret Mennie  
6       on 18 December 1997 when she was told that -- it's  
7       written by someone called Hugh Clark, the district  
8       manager, saying:

9       "I am writing to confirm that I have accepted the  
10      fostering panel's recommendation of 5 December 1997 that  
11      you continue as a long-term foster carer for 'Claire's'  
12      family children.  I note that on 15 December 1997, the  
13      brothers will be returned to your care.  'Claire' will  
14      remain in Milton Children's Unit."

15      It goes on to say:

16      "I regard it as very serious when a long-term  
17      fostering placement disrupts.  Professional staff are of  
18      the opinion that if you had an honest working  
19      relationship with the department, the difficulties  
20      resulting in you being no longer able to cope with the  
21      three children might have been prevented.  In  
22      particular, it is unacceptable to the department that  
23      you did not advise us that you had lost your licence  
24      through a drink and driving offence.  That without  
25      consultation with staff, you moved from Corstorphine in



1       Edinburgh to manage an inn, a pub. One of the reasons  
2       the department was paying you 100 per cent enhancement  
3       on the fostering allowance was so that you would be able  
4       to put all your energies into caring for all four  
5       children."

6       So this is the background, but appears that there  
7       was more evidence there of a drink problem, in fact it  
8       comes to light that she'd lost her driving licence  
9       through a drink driving offence. But it appears to have  
10      been the decision that the children would be returned.

11      If I may take you to further records --

12   A. Mm-hmm.

13   Q. These are at GLA-000001907. I think if we turn to  
14      page 2, we see that this is reference to a social work  
15      department planning meeting of 15 April 1998 and I think  
16      it's actually from this page I've got confused where  
17      they describe [REDACTED] as East Lothian rather than  
18      West Lothian.

19   LADY SMITH: Yes.

20   MS RATTRAY: If we turn to page 3 of this record and towards  
21      the second half of the page, towards the foot, we see  
22      that there is a list of indicators of 'Claire' being  
23      vulnerable. There's reference at 2 to the long-term  
24      foster placement breakdown and also at 6 to "possible  
25      physical chastisement within the foster placement".

1           If we turn to page 9 I think here we have, which you  
2           have been alluding to and refer to in your statement,  
3           this is a report by a consultant adolescent  
4           psychiatrist, Dr van Beinum, in relation to 'Claire' of  
5           12 May 1998.

6           We see at the foot of the page the reference to:

7           "'Claire' has had an extremely abusive and neglected  
8           childhood to date. At no time has she been provided  
9           with consistent and loving parenting, instead being used  
10          by the various adults looking after her in a variety of  
11          ways."

12          If we turn to page 10 we see that there is  
13          reference -- this is the information clearly being  
14          provided to the psychiatrist by the social work  
15          department:

16          "In her most recent placement with the MM [REDACTED]  
17          MM [REDACTED] she has been blamed for the breakdown in the  
18          marriage."

19          There's reference to MM [REDACTED] suffering from  
20          serious alcohol problems and continuing to scapegoat  
21          'Claire', and he notes with interest that MM [REDACTED] was  
22          at one point being paid close to £2,000 per month for  
23          her various fostering activities, leading to the  
24          suspicion that looking after highly disturbed children  
25          was more of a business than a vocation and that

1 MM kept social workers at arm's length, despite  
2 really quite worrying aspects of 'Claire's' behaviour  
3 while she was still being looked after by MM ie  
4 'Claire' running away from home and the local social  
5 workers not being informed.

6 I think this report is the basis for your  
7 recommendation that when it came to a further placement  
8 for 'Claire', that either a specialist foster placement  
9 or something equivalent should be found?

10 A. Mm.

11 Q. But instead we know that senior managers had a meeting  
12 that you refer to, to which you weren't invited, and  
13 decided she should be sent to the Kerelaw?

14 A. Just to clarify, I think there was two meetings. There  
15 was one meeting which was convened to look at the future  
16 fostering placement of whether the boys should return,  
17 so that happened before Christmas 1997. There was then  
18 further meetings -- a further meeting that happened in  
19 1998 which was to look at 'Claire's' placement and where  
20 she should go, because the children's house she was in  
21 was closing down.

22 Q. This is the point if we turn to page 1 of this record  
23 now, I think you have referenced in the past that you  
24 have decided to send a letter, you know, to higher up  
25 the management chain expressing your view that you don't

1       agree with them.

2     A.   Mm-hmm.

3     Q.   I think this is the letter you refer to.  It's a letter  
4       of 19 September 1998.  We see it's from you,  
5       Ian Henderson, to a Mary Hanely, senior officer, care  
6       planning section of the Children and Families team, and  
7       the subject:

8       " 'Claire' -- decision of screening group."

9       On 11 September 1998.

10    A.   Mm-hmm.

11    Q.   You say:

12       "Further to the meeting of the screening group on  
13       the above date which approved a placement at Kerelaw  
14       Residential School and your subsequent memorandum I wish  
15       to raise the following points for clarification.

16       "Given 'Claire's' troubled background and history of  
17       neglect and emotional abuse between both her natural  
18       family and foster family, why the screening group felt  
19       that Kerelaw would provide the best and most therapeutic  
20       response to her present difficulties."

21       2, there's reference to the location of Kerelaw and  
22       the issue of contact with her brothers.

23       3, you say:

24       "It is the writer's view that a return to  
25       community-based carers would be the best option in the

1 long-term for 'Claire' ... her situation should be  
2 treated as a priority, and as such discussions should  
3 take place at senior management level regarding the  
4 referral and the availability of placements."

5 Is this one of the situations where perhaps, you  
6 know, your senior was then told she should control her  
7 worker?

8 A. Yeah. That was -- it was exactly that was the --  
9 because I remember it very clearly, because probably as  
10 a new social worker I probably didn't -- I probably  
11 should have gone through Charlotte, but I decided just  
12 to send that off because I was so concerned about what  
13 was happening and that's when she was -- she told me  
14 that she'd been had a word that she needed to control me  
15 better.

16 And I can't recall whether I got a response to the  
17 point, because I think it was a legitimate point. If  
18 the screening group felt Kerelaw was the best placement  
19 for 'Claire', why did they feel that and what did they  
20 think the resources in Kerelaw would actually you know  
21 be able to provide her with the support and I can't  
22 recall if I got a response, but I do recall that  
23 conversation with Charlotte where she said, "I've been  
24 told I need to control you".

25 Q. It does appear to be that there's a certain amount of

1 information or perspective being taken at this time that  
2 there were real problems with the placement, or had  
3 been.  
4 A. Mm-hmm.  
5 Q. And yet 'Claire's' two brothers were still there.  
6 A. Yeah.  
7 Q. You tell us I think in paragraphs 95 and 97 of your  
8 statement that ultimately Margaret Mennie moved to  
9 Edinburgh.  
10 A. (Witness nods)  
11 Q. I think the youngest brother's placement had broken  
12 down.  
13 A. Mm-hmm, yeah.  
14 Q. That you were carrying out spot checks?  
15 A. (Witness nods)  
16 Q. And there were ongoing concerns about her alcohol use.  
17 A. Mm-hmm.  
18 Q. But the view was taken there wasn't enough evidence of  
19 that.  
20 A. Mm-hmm.  
21 Q. Is that generally what happened?  
22 A. Yeah. I mean I was doing -- it tended to be -- we had  
23 soft information that a Wednesday tended to be --  
24 because I think there seemed to be something that  
25 happened in the pub on Wednesday, so often I would maybe

1 go around and do a visit on a Wednesday to see -- almost  
2 to try and catch her at it, if you like, because I was  
3 trying to get that evidence because I was really  
4 concerned about the placement.

5 Often what would happen was when I visited Margaret  
6 often wasn't there and [REDACTED] was there. My  
7 suspicion from looking back, and even at the time, was  
8 that [REDACTED] was potentially protecting her and  
9 Margaret was maybe under the influence somewhere or --  
10 you know, and -- but it was very difficult getting -- it  
11 was almost like a cat and mouse game and it was very  
12 difficult getting evidence which would support our view,  
13 and I think because 'Claire' had left the placement, our  
14 eyes and ears in that placement were no longer there so  
15 we had -- so the younger brother was more vocal about  
16 what -- about some of the concerns, but not -- but not  
17 in the same clear way in terms of being able to actually  
18 give examples of incidents that had happened.

19 I could tell there was one time I visited and he was  
20 sitting on the doorstep, looked really unhappy, wouldn't  
21 really tell me what that was about, but I went in, spoke  
22 to Margaret and she was saying it was something to do  
23 with his misbehaviour and she'd had to ground him or do  
24 something like that and put it down as some -- as  
25 a normal kind of parenting, you know, response, but

1 I knew there was something else but he wasn't in  
2 a place -- so eventually he just -- he said he didn't  
3 want to go back and I think it -- I think she was going  
4 to a wedding one weekend. He went for respite and then  
5 said he wanted to stay in the respite placement and he  
6 did.

7 Q. What I'd like to look at, the final records to look at  
8 here at GLA-000001909. Essentially, turning firstly to  
9 page 8 these are, we know, your progress notes and  
10 I think this is your handwriting this time; is that  
11 right?

12 A. Yeah, uh-huh.

13 Q. Covering the period January to July 1998. We see that  
14 at the top:

15 "Throughout this period, 'Claire' still very angry  
16 at Margaret Mennie because of Margaret's rejection of  
17 her and made a number of allegations mainly around  
18 Margaret's drinking habits."

19 Halfway down we see:

20 "However, there were a couple of times that 'Claire'  
21 phoned Margaret from Milton and said she sounded drunk  
22 and 'Claire' put Margaret on speaker phone to the staff  
23 so the staff could hear and they confirmed she sounded  
24 drunk."

25 A. Mm-hmm.



1 Q. I think if we move to page 9, at the top paragraph we  
2 see an entry of 30 June 1998 and it's a joint visit with  
3 you, so someone else has made this note, to see 'Claire'  
4 and that she continued to allege that "Margaret is  
5 a drunkard and she wants her brother removed from there"  
6 and there's a reference to needing to further  
7 investigate the drinking.

8 Then if we move to page 11, we're now in a period  
9 from August to December 1998 and there's a list of  
10 concerns here and at (4) also reference to:

11 "Stress Margaret is under, there are concerns that  
12 alcohol abuse may still be an issue."

13 At (7):

14 "There are also concerns about the amount of money  
15 MM receives as a foster parent and the apparent  
16 lack of tangible evidence that this money is being spent  
17 on the boys."

18 And:

19 "All of the issues give the writer cause for  
20 concern."

21 Then if we go to page 12 and in the middle of the  
22 page there's an entry of 15 December 1998 and there's  
23 reference to Maggie Allison, a key worker at Kerelaw  
24 school, "Then spoke to Margaret on the phone and  
25 Maggie Allison stated over the phone MM sounded

1 drunk".

2 If we move now to page 19 I think these are

3 handwritten notes. Is this your handwriting again, Ian?

4 A. Yeah.

5 Q. If we move to the foot of the page, the very bottom of

6 the page, there we go, the last three lines:

7 "In April 1999, there were combined reports ..."

8 A. "Continued" I think that says. Sorry, it's my

9 handwriting.

10 LADY SMITH: "Continued reports".

11 MS RATTRAY: Sorry, my apologies:

12 "... continued reports both from Kerelaw school and

13 respite carers that when the boys' sister 'Claire' was

14 phoning [REDACTED] on several occasions Margaret sounded

15 drunk."

16 So there are quite a few sources of evidence of her

17 being drunk.

18 A. Mm-hmm.

19 Q. You tell us in your statement that you were raising

20 these concerns repeatedly with your seniors.

21 A. Mm-hmm.

22 Q. Your seniors were raising it with -- is it Margaret Sim?

23 A. Yeah.

24 Q. Who was in the family finding team.

25 A. Yeah.

1 Q. But the view was being taken there wasn't enough  
2 evidence?

3 A. Mm-hmm.

4 Q. Did they tell you what evidence would be enough evidence  
5 that there was a problem?

6 A. No. No. I mean I think what -- I think it actually got  
7 more difficult when the youngest sibling left the  
8 placement, because then we had the middle sibling was in  
9 the placement and he was very loyal to Margaret, so any  
10 source of information then -- at this point they were in  
11 Edinburgh, any source of information we got was shut  
12 down and I didn't have -- I had a closer relationship  
13 with the two other children than I did with -- he was --  
14 he viewed me, I think, because I worked for social work,  
15 with suspicion. I think that -- my view in retrospect  
16 and reflection is that that came from Margaret, that  
17 she'd encouraged him to view me with suspicion, and  
18 I didn't have that relationship with him, so he was  
19 basically -- I mean a few weeks before he passed away he  
20 told me that he wanted to change his name to MM from  
21 his birth name.

22 So we didn't really get -- but certainly in terms of  
23 management, they didn't tell me what the -- I think the  
24 concerns were what we spoke about earlier in terms of if  
25 we change placement, what then? And what would be the

1 alternative? Especially when the middle child was in  
2 the placement and was saying to us very clearly, "I want  
3 to stay here and I'm part of this family". But --  
4 Q. Now --  
5 A. -- they way I would (unclear) about that is sometimes  
6 what I know from my time in social work is: yes, we need  
7 to listen to children, but sometimes children don't tell  
8 us what is actually going on or what they're actually  
9 feeling and sometimes we as the adults need to make  
10 decisions about what's in their best interests, you  
11 know, because that -- because we need to put that --  
12 what they're telling us into the context of what their  
13 experience is and where they're actually -- what their  
14 environment is.  
15 Q. Ian, the last thing I want to ask you about is actually  
16 turning to paragraph 122 of your statement. It's in  
17 relation to the death of 'Claire's' brother that  
18 'Claire's' told us about.  
19 Her brother died whilst living with Margaret Mennie  
20 and by this time he was on his own, his youngest brother  
21 having left the placement too.  
22 You tell us the understanding now is that this boy  
23 committed suicide --  
24 A. (Witness nods)  
25 Q. -- he took his own life. But at the time,

1       notwithstanding an awareness of a pathology report that  
2       said it couldn't have been in error, you know, that it  
3       was deliberate, it was being characterised in  
4       a different way by the council.

5   A.   Mm-hmm.

6   Q.   Why was that?

7   A.   I remember going to -- he died on the Sunday. On the  
8       Tuesday after his death, I went to a meeting which was  
9       a lot of senior managers within Glasgow City Council.  
10      Everyone that was important in Glasgow City Council was  
11      there. And I remember meeting Margaret Sim and the  
12      first thing she said to me was, which really shocked me,  
13      was, "He was a stupid, stupid boy", and I looked --  
14      I didn't know what she meant and she then said, "We've  
15      spoken to Margaret, he was playing with this [REDACTED]  
16      and he said the night before 'what would happen if I [REDACTED]  
17      [REDACTED]?' and Margaret told him 'don't be  
18      silly, don't' -- you know, and then apparently she was  
19      out of the house and then he, they claimed, did this  
20      through misadventure."

21           And I was just looking at her or thinking he's just  
22      died and your first comment is he's a stupid, stupid boy  
23      because -- and then I went into this meeting and it was  
24      something that I've never experienced before and  
25      hopefully I'll never experience again, because it was

1 a narrative had been created very clearly before I'd  
2 gone into this meeting where this was what we were  
3 saying, was this was an accidental death. It was put to  
4 me that this would be better for 'Claire' and her  
5 younger sibling, because then they would be able to come  
6 to terms with it better.

7 That was later on that that was put to me because  
8 I was raising concerns saying this looks -- certainly  
9 when the pathologist report came out and said it was  
10 very clearly suicide. This was what was put to me later  
11 on. I didn't believe a word of it and I felt that  
12 within the context of that placement, within the context  
13 of the concerns about alcohol misuse, within the context  
14 of Margaret having regular boyfriends that she didn't  
15 tell us about and we therefore couldn't do police checks  
16 and didn't know who they were, I felt that there was  
17 a lot more that needed to be investigated into this.

18 Why I didn't -- in retrospect -- I've thought about  
19 this a lot. Maybe I should have pushed more for that to  
20 be fully investigated for a fatal accident enquiry. The  
21 situation at the time, though, was that 'Claire' was in  
22 a new relationship, was very vulnerable, then fell  
23 pregnant very shortly after that. Her younger brother  
24 was really struggling with the death of his older  
25 sibling and at the time I thought -- and they weren't

1       pushing for -- they were -- there was a lot of anger  
2       towards Margaret, they absolutely blamed her for his  
3       death because they knew what the environment was like,  
4       but they weren't pushing for a fatal accident enquiry or  
5       anything like that. So I made the decision, whether  
6       I was right or wrong, to not push for that, but if they  
7       had asked me for that, I would have pushed -- I would  
8       have pushed for that. But at the time I think their  
9       vulnerabilities meant that they weren't really able to  
10      get the answers at that time that they needed, but then  
11      obviously what we know is that 'Claire' came forward  
12      a number of years later, because at that point she  
13      wanted the answers and she's now hopefully got some of  
14      the answers, if not -- even though not all of them about  
15      his death.

16    Q. You say you didn't push for it, but presumably those who  
17      were more senior from you certainly weren't pushing for  
18      it either?

19    A. No.

20    Q. For there to be, for example, a full formal enquiry into  
21      the death of this young person in care?

22    A. Absolutely not. And I've got -- I've also got  
23      absolutely no doubt -- and this wasn't at all a factor  
24      in the decision not to push for it, but if I had pushed  
25      for it, I would no longer be working in social work.

1       They would have found a way to get rid of me. I have  
2       absolutely no doubt about that and that comes down to  
3       the control issue, because what it's about, it's about  
4       managing reputations and their reputation and they do  
5       not want a fatal accident enquiry which would have press  
6       coverage and things like that where their deficiencies  
7       would be laid bare.

8               So that was the culture and sadly I think in some  
9       cases it's still -- we've still not moved on and that  
10      still is the culture where whistle-blowing, raising  
11      concerns is not seen as something that people should be  
12      supportive of.

13   LADY SMITH: Ian, how much police involvement was there at  
14      the time of the boy's death?

15   A. In terms of any investigation, there was no -- as far as  
16      I'm aware, there was no investigation.

17               There is a bit of an uncertainty, because I remember  
18      registering his death and subsequent as part of the  
19      criminal trial that then came out, information came to  
20      light that it was actually a police officer that had  
21      registered his death, which really raised concerns  
22      because I actually went with the boy's dad, even though  
23      we had parental rights, just so there was not any issue  
24      in terms of the parental right issue and the legalities  
25      of it. So I remember doing it and then the police



1       seemed to register -- and there was some suggestion  
2       later on as part of the criminal trial that Margaret may  
3       have contacted the police and that's why the police  
4       registered the death.

5   LADY SMITH:   Yes.

6   A.   But as far as I'm aware there was no investigation by  
7       the police into his death and what the circumstances  
8       around it.

9   LADY SMITH:   Am I to take it that you certainly weren't  
10       asked for a statement?

11  A.   No, not at the time.

12  LADY SMITH:   You're not aware of anybody else in the social  
13       work department that you worked in being asked for  
14       a statement?

15  A.   No, no.

16  LADY SMITH:   Or Margaret Mennie?

17  A.   I think Margaret was spoken to by the Family Placement  
18       Team, but certainly not by the police -- not to my  
19       knowledge, I don't believe the police were involved in  
20       it.

21  LADY SMITH:   Thank you.

22       Ms Rattray.

23  MS RATTRAY:   Thank you, Ian, that concludes my questions for  
24       you and I am not aware of there being any applications  
25       for questions, my Lady.

1 LADY SMITH: Are there any outstanding applications for  
2 questions of Ian?  
3 Ian, that completes all our questions.  
4 A. Okay, thank you.  
5 LADY SMITH: It just remains for me to thank you so much for  
6 engaging with us as you have done. Your detailed  
7 written statement is all evidence before me, I have read  
8 it and I'm really grateful for everything you've  
9 explained to me in it and the help that you've sought to  
10 give us in understanding how things were when you were  
11 working as a social worker over that -- well, it's more  
12 than 20 years, I think, that you're talking about now.  
13 A. Mm.  
14 LADY SMITH: Thank you for helping us as you have done this  
15 morning with your answers to our questions here. That's  
16 certainly enhanced the learning I already had from your  
17 statement by quite a bit.  
18 You're probably exhausted now, so it's time to go.  
19 I'm able to let you do that and I hope the rest of your  
20 day is more restful than this part of it's been.  
21 A. Okay, thank you.  
22 (The witness withdrew).  
23 LADY SMITH: We'll take the lunch break now, Ms Rattray, and  
24 we'll start again at about 2 o'clock where we have  
25 another oral witness, I think?

1 MS RATTRAY: Yes, we do.

2 LADY SMITH: Thank you.

3 (1.12 pm)

4 (The luncheon adjournment)

5 (2.00 pm)

6 LADY SMITH: Ms Innes.

7 MS INNES: My Lady, the next witness is anonymous and has

8 the pseudonym 'Rosa'.

9 LADY SMITH: Thank you.

10 MS INNES: I don't have any preamble for this witness.

11 LADY SMITH: No. Thank you very much.

12 'Rosa' (affirmed)

13 LADY SMITH: The first thing I'd ask you 'Rosa' is to make

14 sure you are in a good position for the microphone, we

15 do need to listen to you through the sound system,

16 please.

17 You've obviously spotted that the red folder has

18 your statement in it and you'll be taken to that in

19 a moment, but we're also going to bring it up on the

20 screen so you'll see it coming up in front of you there

21 if you find that useful too.

22 Other than those practicalities, 'Rosa', I know

23 we're going to take you back to talk about details of

24 part of your life, some of which you probably don't want

25 to think about too much. I can see that from your

1 statement. But a lot of it is going to be very helpful  
2 to me in the learning that I'm developing here at the  
3 Inquiry and I'm grateful to you for providing it.  
4 A. (Witness nods)  
5 LADY SMITH: If at any time you want a break, that's no  
6 problem, just let me know. Or if there's anything else  
7 I can do to help you give your evidence as clearly and  
8 carefully as you can, all right?  
9 A. Yeah.  
10 LADY SMITH: If you're ready I'll hand over to Ms Innes and  
11 she'll take it from there. Okay?  
12 A. (Witness nods)  
13 MS INNES: Thank you, my Lady.  
14 Questions from Ms Innes  
15 MS INNES: 'Rosa', we understand that you were born in 1962.  
16 Is that right?  
17 A. That's correct.  
18 Q. I'm going to refer first of all to your statement. We  
19 give it the reference WIT-1-000000933. If we can look,  
20 please, at the last page of the statement, paragraph 89,  
21 it says there:  
22 "I have no objection to my witness statement being  
23 published as part of the evidence to the Inquiry.  
24 I believe the facts stated in this witness statement are  
25 true."

1 I think your signature is on one page and the date  
2 on the next, I think you signed it electronically and  
3 you did so on 7 March 2022. Is that correct?  
4 A. That's correct, yes.  
5 Q. Thank you. If we can go back to the beginning of your  
6 statement, at paragraph 2 you tell us that you have  
7 a BA Honours in Applied Social Services with  
8 a Certificate of Qualification in Social Work?  
9 A. Yes.  
10 Q. Did that certificate run alongside your degree or was it  
11 an additional year, for example, that you did after your  
12 degree?  
13 A. No, it was running concurrently.  
14 Q. Okay. You have that qualification from North London  
15 Polytechnic?  
16 A. Yeah.  
17 Q. You say that it was a four-year course, you did it over  
18 five years, taking a year out in the middle.  
19 Then you tell us about this qualification, this  
20 CQSW, and you say that was what was required for  
21 practice as a social worker at the time?  
22 A. Yes, I believe it was, yes.  
23 Q. Okay. You then go on to tell us about what happened  
24 after -- well, with your training, so at paragraph 3 you  
25 tell us that your training started in September 1985

1       when you started at North London Polytechnic and you  
2       talk about doing placements during your training?

3   A.   Yes, that's correct.

4   Q.   During the degree, some of the work would have involved,  
5       I assume, what might be library-based work or lectures  
6       or going to things like that, and other parts involved  
7       being on placement?

8   A.   That's correct, yes.

9   Q.   Would that be right?   Okay.

10  A.   We had about three days on placement and two days back  
11       at the polytechnic.

12  Q.   Okay.   Then in the middle of this paragraph you talk  
13       about being on placement in Camden and you say that you  
14       worked with "generic social workers in a time before  
15       social workers started to specialise".

16  A.   Yes, that's correct.

17  Q.   What would the caseload of a generic social worker  
18       involve?

19  A.   It would involve all clients.   So I could have  
20       a caseload with some children and families, some child  
21       protection, but also older people, adults with  
22       disabilities, children with disabilities.   It would  
23       cover all of those.

24  Q.   You say that that was in a time before social workers  
25       started to specialise?

1 A. Yes, that's correct.

2 Q. Was your experience that at that time there was a change  
3 from generic practice to a more specialist practice?

4 A. Yes, social work has changed dramatically. I don't know  
5 whether it's changed so much in Scotland as in England,  
6 because obviously this is all about England, but it  
7 changed dramatically in England. I can't say about  
8 Scotland.

9 Q. Okay. You explain if we go on over the page at  
10 paragraph 4 that you qualified in 1991?

11 A. Yes.

12 Q. Then I think you started work as a social worker in  
13 1992; is that right?

14 A. Yes.

15 Q. Initially you worked in London and you tell us about  
16 some of your experiences there.

17 A. (Witness nods)

18 Q. At the bottom of page 2 at paragraph 7 you tell us that  
19 when you were in London, you worked as a Children and  
20 Families social worker for a time?

21 A. Yes, that's correct.

22 Q. You describe it as being challenging --

23 A. Mm-hmm.

24 Q. -- and you say they were very tough years.

25 A. Yes.

1 Q. What was it about being a Children and Families social  
2 worker that was challenging?

3 A. Well, I was in -- I worked in [REDACTED] Social Services,  
4 who you may have heard of, at the time of the death of  
5 [REDACTED], so that was challenging and traumatic  
6 and terrible for anybody who was working for that  
7 council at the time.

8 Q. You tell us that during your time in London you worked  
9 for a time in a full-time union role; is that correct?

10 A. Yes, that's correct.

11 Q. Was that just before you came to Scotland?

12 A. Yes, it was in the five years preceding me travelling up  
13 to Scotland, yes.

14 Q. If we move on, please, to page 4. In the middle of the  
15 page there we see a heading, "Employment with 'council  
16 in the west of Scotland'".

17 A. Mm-hmm.

18 Q. I think prior to that in your statement you tell us that  
19 after your union role, you intended to go back to social  
20 work practice?

21 A. Yes.

22 Q. You decided obviously not to stay in London and move to  
23 Scotland?

24 A. Mm-hmm.

25 Q. Why was it that you decided to pursue your career in



1       social work in Scotland?

2     A. I'd met social workers who practised in Scotland through  
3       the trade union Unison. We'd had -- we'd had -- there  
4       was a number of -- there were a number of things that  
5       had gone wrong within the trade union and -- which had  
6       kind of culminated in a conference of -- for not just  
7       social workers but every -- people who worked in --  
8       in -- yeah, in Social Services departments right across  
9       the UK. And I was -- I just felt that in Scotland --  
10      I'm just going to have to say it how I'm thinking it.  
11      I just felt they'd got their act together better in  
12      Scotland. I felt I couldn't work for [REDACTED] any  
13      longer, because -- I think it's in my statement  
14      somewhere that the issues in [REDACTED] I didn't feel had  
15      been resolved, even though the management were -- I've  
16      put it somewhere -- kidding themselves that they had  
17      been resolved. I just had this feeling that they hadn't  
18      been resolved and I just couldn't work there, I just  
19      didn't want to be around.

20             Sorry.

21             For another tragedy.

22     Q. Okay.

23     A. So there you go.

24     Q. Okay. (Pause)

25             Are you okay to go on?

1 A. I think so. It depends what you're going to ask me.

2 Q. I'm going to ask you next about -- well, the fact that

3 you came to Scotland, paragraph 13.

4 A. Mm-hmm.

5 Q. You tell us that you became a Children and Families

6 social worker in a Local Authority.

7 A. Mm-hmm.

8 Q. You tell us there that you had a week to settle in

9 before you started work?

10 A. Mm-hmm.

11 Q. What was that settling-in week about? Was it induction?

12 Was it training? What was it?

13 A. It wasn't training. It was just -- just settling in as

14 in trying to understand policies and procedures and the

15 legal system that we worked under.

16 Q. Okay.

17 A. And I went and met one of the reporters in the Scottish

18 reporters office, which I found very useful because

19 obviously it's a completely different system to the

20 English system. So, yeah.

21 Q. Okay. Apart from this meeting with the reporter, was

22 the preparation that you were doing, did people speak to

23 you about the system in Scotland or were you given

24 documents to read, policies and procedures, for example?

25 A. From memory, I was given policies to read. Yes.

1 Q. Did you feel that that was sufficient to help you get up  
2 to speed and be ready to start practice?

3 A. No, it didn't -- it wasn't sufficient. I struggled with  
4 writing reports to begin with. Just because it's  
5 completely different from writing a report for the  
6 English system and that may be where -- you know, one of  
7 the issues which brought me into conflict -- just  
8 I struggled with writing the reports and I was sort of  
9 more or less told, "Get on with it, it should be easy".  
10 It might be easy if that's how you're trained and that's  
11 how you've always done that, but it wasn't so easy for  
12 me.

13 Q. Okay.

14 A. But it did get resolved, that issue.

15 Q. Okay.

16 Over the page on page 5 you talk about the structure  
17 of the department and you talk about your senior would  
18 be a person that you would have your supervision  
19 meetings with?

20 A. Yes.

21 Q. At paragraph 17. What is a supervision meeting?

22 A. It's where you meet with your senior to talk about your  
23 case work and any issues, problems, that you might be  
24 having whilst doing the work and it's meant to be  
25 a supportive meeting.

1           So, you know ... and presumably the supervisor finds  
2           out where you're up to with the cases and gives you  
3           advice and guidance and so on. Yeah, that's what it's  
4           about.

5   Q.   How often would these supervision sessions happen?

6   A.   I think it depends on how long you've been there and  
7           what your needs are, what the management decide, you  
8           know, is right for you.

9           From memory -- I don't know if I've put it in here,  
10          but from memory I think it was about every two or three  
11          weeks for me.

12  Q.   Was that at the start?

13  A.   Possibly a bit more often at the start. I can't  
14          remember that well, to be honest.

15  Q.   Okay. How long were these sessions? Were they an hour?  
16          A couple of hours?

17  A.   About one and a half hours to two. Well, maybe -- yeah,  
18          one to one and a half, maybe.

19  Q.   In terms of what the senior was doing, was the senior  
20          just supervising other social workers or did they have  
21          their own caseload as well?

22  A.   I don't know.

23  Q.   Okay. At paragraph 18 you go on to talk about your case  
24          work responsibilities and the duties that you had. You  
25          obviously had case work responsibilities working with

1 children and their families. Then you describe that  
2 there were duty days --  
3 A. Yeah.  
4 Q. -- and you had to do one of these each week.  
5 A. Yes.  
6 Q. What is a duty day?  
7 A. Well, it's anybody who phones the office or comes into  
8 the office, they would first of all connect with  
9 an admin person and then if the admin person feels that  
10 they need to see a social worker, then they would see  
11 you.  
12 Q. Okay. Would that just be children and families' issues?  
13 A. In the Children and Families office, yes.  
14 Q. Would it be a consistent day every week or would it  
15 change?  
16 A. I think it changed depending on what other thing -- if  
17 you'd got a child protection case conference then that  
18 would take priority, or if you'd got something at the  
19 reporter's office that would take priority, but we were  
20 always trying to swap with each other, you know.  
21 Q. You talk about the sort of range of issues that you  
22 would come across and you say that it could involve you  
23 going out of the office in an emergency situation and  
24 conducting an assessment?  
25 A. Yes.

1 Q. So it wasn't as though you took a call and then it was  
2 passed to another social worker --

3 A. Mm-hmm.

4 Q. -- you might have to go and do the work yourself?

5 A. Yes, that's right.

6 Q. Okay.

7 A. And also you would get the reports from the out-of-hours  
8 service and some of those needed actioning because  
9 they'd had a concern but they hadn't been able to visit,  
10 so it needed a visit.

11 Q. In terms of out of hours, what was out of hours?

12 A. If a child protection issue arose at nighttime, when  
13 offices are closed, then it would go -- it would go to  
14 the out-of-hours service, so social workers who work  
15 throughout the night, and that's Glasgow-based.

16 Q. Would that be over the weekend as well?

17 A. I believe so, yes.

18 Q. When you say out of office hours -- maybe it's easier to  
19 ask what were the office hours? Was it 9 to 5?

20 A. Well, it was what we called flexitime. So it was  
21 around -- I think we could start between something like  
22 7 in the morning to quarter to 10, and then you could  
23 leave any time between about 4.30 and 7 or 8 at night.  
24 So as long as you did your hours, I think it was 36  
25 hours, within those times.

1 Q. Outwith those hours, people would phone the out-of-hours  
2 service if they had a need?

3 A. Yes, that's right. Or, you know, they might phone the  
4 council number and it would get diverted to the  
5 out-of-hours service.

6 Q. You describe that as being Glasgow-based, was that in  
7 Glasgow City?

8 A. Yes, I believe so.

9 Q. Okay. Then you talk about your caseload at paragraph 19  
10 and you say that some of the children you were  
11 responsible for in terms of your case work were in  
12 foster care --

13 A. Yes.

14 Q. -- some were at home with their parents but required  
15 social work support --

16 A. Mm-hmm.

17 Q. -- and were other children also in residential care?

18 A. Yes, that's correct.

19 Q. Okay. At the end of this paragraph you say you think  
20 you carried a caseload of 12 cases at any one time?

21 A. Mm-hmm.

22 Q. How did you find that in terms of the volume of cases,  
23 was that manageable or not?

24 A. It was actually easy for me compared to what I was used  
25 to in [REDACTED], and in fact at one point the management

1       felt I was carrying too many child protection cases.  
2       I didn't feel that, but they felt that and they took one  
3       of them off me and gave it to somebody else.  
4   Q.   Okay.  So in terms of numbers, what would your caseload  
5       have been like in [REDACTED]?  
6   A.   I don't recall, I'm sorry.  
7   Q.   That's fine.  In this paragraph you talk about speaking  
8       to children where you would visit them in foster care  
9       placements, you say, and you would also carry out review  
10       meetings.  
11  A.   Mm-hmm.  
12  Q.   And the frequency would be dictated by the legal  
13       requirements and the complexity of the matter.  When you  
14       say the complexity of the matter, does that mean that  
15       sometimes you might have to visit more than the terms of  
16       the law required?  
17  A.   Yes.  Which paragraph was it?  
18  Q.   So in paragraph 19.  
19  A.   Oh right.  
20  Q.   It's right on the page.  In the middle of the paragraph  
21       it says:  
22       "In terms of frequency this would be dictated by the  
23       legal requirements and the complexity of the matter."  
24       In terms of the frequency, if it was a complex  
25       matter, would you go and see the children more often?



1 A. Yes. Yeah, you know, or parents if the -- you know, but  
2 they might have more visits than just -- than just one  
3 a week or ...

4 Q. Okay. You say that you would try to speak to the child  
5 or children alone.

6 A. Mm-hmm.

7 Q. You say:

8 "Sometimes that wouldn't be easy depending on the  
9 attitude of the parents."

10 A. Mm-hmm.

11 Q. Then you go on to talk about your experience in London  
12 and you say the necessity of speaking to a child alone  
13 was more readily recognised than in the Local Authority  
14 that you worked for.

15 A. Mm-hmm.

16 Q. You then go on to speak specifically about foster carers  
17 and you describe them as being more open to a social  
18 worker speaking to the child alone?

19 A. (Witness nods)

20 Q. Is that your experience of foster carers in Scotland?

21 A. Yes. I've written it down and I can't think of what  
22 I was referring to then, but if I've put it down, it  
23 must be, uh-huh.

24 Q. If we move on over the page to page 7, paragraph 23, you  
25 talk about child protection procedures.

1 A. Mm-hmm.

2 Q. You describe the procedure that would have been put in  
3 place. Would there have been any difference in the  
4 procedure adopted depending on whether it was a foster  
5 carer, if the issue arose during the course of a foster  
6 placement as compared to a child being in their own  
7 home? Or was it exactly the same procedure?

8 A. Well, when I -- when I worked for the west of Scotland  
9 council, that didn't cross my path, so I can't really --  
10 I can't say.

11 Q. Okay. So the child protection cases that you were  
12 involved in, were they ones where the children were at  
13 home with their parents?

14 A. Yes, that's correct.

15 Q. Okay. If we go on, please, to paragraph 26 on page 8,  
16 you talk about the way in which the child protection  
17 procedures were responded to and you're comparing your  
18 experience in the Local Authority in Scotland with the  
19 one in London. You say in this paragraph, in the middle  
20 of the paragraph:

21 "In Scotland I'm not sure that procedures were being  
22 adhered to much at all."

23 A. Mm-hmm.

24 Q. What makes you say that?

25 A. Lots of things made me say that.

1 Q. Okay. What sort of things weren't being adhered to?

2 A. Well, I think I've put it in there, there was a dignity  
3 at work procedure but the culture was very undignified.

4 Q. How was that impacting on child protection procedures?

5 A. Is it okay if we use the word "practice" because that  
6 just resonates with me better, "child protection  
7 practice", is that okay?

8 Q. Yes, that's fine.

9 A. So how did that impact on child protection practice?

10 The culture was one where you couldn't have a grown-up  
11 and professional discussion about certain -- about  
12 some -- about some child protection of children and  
13 families issues, because the, quote, jokey banter  
14 culture kind of took precedence over that.

15 Q. Okay.

16 A. And I think other people who had worked there for some  
17 time understood that culture better than me and  
18 understood the -- what the jokes were about and so on  
19 and so forth, but for me I just felt it was extremely  
20 unprofessional and it -- and it annoyed me, basically.

21 Q. How in your view was that affecting children in care and  
22 potentially risks to children who were in care?

23 A. I think it affected children in general, because  
24 certain -- because abuse was being missed, because it  
25 wasn't possible to professionally discuss certain

1 things.

2 Q. Okay. We'll come back to that just in a moment, but at

3 paragraph 27 on this page you talk about record-keeping.

4 A. Mm-hmm.

5 Q. You describe that digital records were kept in something

6 called the CareFirst system.

7 A. Mm-hmm.

8 Q. You say that each client had a record and you would

9 write up each conversation into their record on

10 CareFirst.

11 A. Mm-hmm.

12 Q. I just want to get a sense of how this worked.

13 A. Right.

14 Q. How soon after the conversation with the client would

15 you input the information to the CareFirst system?

16 A. In my case I would do it as soon as possible, when it's

17 fresh in my memory, and I would also have my notebook

18 that I would always take out on visits or in meetings

19 with clients, so I'd have my notes scribbled there. And

20 then as soon as I possibly could, I would put the

21 information onto the CareFirst system.

22 Q. Was record-keeping something that was checked by seniors

23 at supervision meetings, for example?

24 A. Yes, I believe they did, yes.

25 Q. In your view was there a consistent standard of

1 recording?

2 A. Not particularly, no. I'm somebody who tends to record  
3 everything, but some people don't.

4 Q. If a child was in foster care, would you record the  
5 conversation only in the child's file or would you also  
6 have to record it in the foster carer's file? Were  
7 there separate files for foster carers?

8 A. It would be good practice to record it in both.  
9 I think -- from memory, I think there was a way of  
10 cross-referencing on the CareFirst system anyway.

11 Q. Okay.

12 A. But it would be good practice to, you know, make sure  
13 it's recorded in all of those places.

14 Q. Okay. If we just move down to the bottom of this page,  
15 you talk about a case that you were working with, with  
16 a girl who was fostered, and you -- we'll come back to  
17 this child later on, but this was a child who was in  
18 foster care at the time that you were a social worker --

19 A. (Witness nods)

20 Q. -- and you were responsible for this child's case; is  
21 that right?

22 A. Yes, that's correct.

23 Q. Okay. You talk about visiting her regularly.

24 A. Yes.

25 Q. When you saw her, did you see her in the foster carer's

1           home or did you go elsewhere to speak to her?

2   A.   In the foster carer's home, but also we had some kind of

3           nice days out, particularly when we went with -- to meet

4           her brother, so that was a whole day where we -- both

5           her and her brother and myself and the brother's foster

6           carer would have a nice day out together.

7   Q.   Roughly how long did you work with this child for?

8   A.   About a year and a half.

9   Q.   Did you feel that you had a good relationship with her

10          during that time?

11   A.   Yes, yes.

12   Q.   If we move on a little in your statement, you tell us at

13          page 10 about the office culture that you've already

14          referred to and that was in the first office I think

15          that you worked in.

16   A.   Mm-hmm.

17   Q.   I think you've mentioned some of the issues already in

18          your evidence, the way in which conversations took place

19          in the office.

20   A.   Mm-hmm.

21   Q.   You talk about misogyny, sexism, homophobic comments.

22   A.   Mm-hmm.

23   Q.   You give some examples in relation to that.

24                 In that particular team, how do you think that

25          culture impacted on children in care?

1 A. Yeah, not only in children in care. Can I -- I mean  
2 I know this is about foster care, but in my experience  
3 it was about all children and families that I worked  
4 with and so -- because the banter and the jokes were not  
5 nice, sometimes, quite sexualised sometimes, it -- it --  
6 I think it just created a culture where you couldn't  
7 actually talk seriously about certain kinds of abuse.  
8 And even -- there were even sometimes jokes about the  
9 clients, you know, which I again thought was extremely  
10 unprofessional.

11 Q. Okay.

12 A. So that meant you couldn't do a good job, you know.

13 Can I give you an example?

14 Q. Yes, please.

15 A. So I was given a new case from my senior and in this  
16 case the mother -- there was a -- the child was about  
17 12/13 years old, a girl, and there were concerns about  
18 the mother and that they'd arrived from England and my  
19 senior told me that the mother had started -- had got  
20 a new boyfriend and that they knew this boyfriend in the  
21 community. And I said, "Oh, what can you tell me about  
22 the boyfriend?" And she goes, "Och, he's a numpty", and  
23 that's it, that's all she told me, and I just thought,  
24 well, this is child protection and you're worried  
25 about -- I'm worried, you know, about the daughter and

1       the mother has taken up with this boyfriend and all you  
2       can say is, "Och, he's a numpty".

3   Q.  You go on in the next section of your statement to talk  
4       about working relationships, and I think you've already  
5       mentioned supervision and I think you go on to tell us  
6       in your statement, page 12 and paragraph 40, that you  
7       didn't have a good working relationship with your senior  
8       in the first office that you worked in.

9   A.  Uh-huh.

10  Q.  I think that potentially impacted on your supervision  
11       sessions; is that right?

12  A.  Yes, that's right.

13  Q.  Did that mean that you felt that you were unable to  
14       raise issues or concerns with her about the families and  
15       children that you were responsible for?

16  A.  I -- my memory is that I raised my concerns and I would  
17       always raise concerns, but ... the relationship wasn't  
18       good.  For other reasons, perhaps.  Maybe because I was  
19       also an elected trade union rep and we had a bit of  
20       an issue about when I was allowed to go and do my trade  
21       union work.  The senior worked part time and sometimes  
22       that was difficult fitting her part-time hours and my  
23       hours, and also the issue that we have talked about  
24       earlier about me having come down from England.  So,  
25       yeah, we just weren't really on the same wavelength.



1 Q. If we can move on, please, to page 13, paragraph 44, you  
2 tell us there as you've already mentioned that you had  
3 several concerns about the culture in the office.  
4 A. Yeah.  
5 Q. You go on to tell us in that paragraph that you yourself  
6 are a survivor of childhood sexual abuse, which is why  
7 you feel so strongly about these matters.  
8 A. Yes.  
9 Q. You say that you later told a second senior that you had  
10 that you're a survivor --  
11 A. Mm-hmm.  
12 Q. -- and you told her that you found the office culture  
13 not conducive to doing good work.  
14 A. Mm-hmm.  
15 Q. What was her response to that?  
16 A. More or less that I was the problem. In fact she  
17 told -- one of the things I said to her, I didn't like  
18 being called a "girl" by the boss, by -- you know, who  
19 was a big man. I don't like being called a girl. And  
20 she basically said that I should take it as  
21 a compliment. And it was more or less that I was the  
22 problem.  
23 Q. You tell us in the middle of this paragraph that she  
24 told you that you were obsessed with sexual abuse?  
25 A. Mm-hmm, that's correct.

1 Q. Was that her immediate reaction or was that something  
2 that she said to you later on after you told her that  
3 you were a survivor?

4 A. Possibly after I told her I was a survivor. That in  
5 particular -- my -- my reason for saying that was to try  
6 and say to her that I know what I'm talking about, you  
7 know, I've been through a big long struggle of healing,  
8 of my mental health, it's been a big long struggle and  
9 I'm trying to say, look, I know what I'm talking about  
10 and I know if I see sexual abuse, I've got quite a good  
11 intuition about it. But that wasn't a message that she  
12 wanted to hear.

13 Q. Was that kept confidential by her?

14 A. No. In fact it became office gossip, which was very  
15 hurtful to me.

16 Q. That you were a survivor of sexual abuse?

17 A. I don't know the specifics, but it was, you know,  
18 "something wrong with me" kind of thing.

19 Q. If we move on to paragraph 45, you say there that you  
20 think that they didn't see sexual abuse happening, but  
21 you can only speculate.

22 A. Mm-hmm.

23 Q. Can you explain what you mean?

24 A. There were quite a few cases where I thought there was  
25 a possibility of sexual abuse and/or perhaps a parent

1        had been sexually abused so they, you know, could have  
2        done with some work on that. But if I raised that --  
3        what I've just said to you -- it would be along the  
4        lines of, "Oh, you know, don't be daft", that kind of  
5        thing, "Oh, you're making it up", or, "Oh, you're  
6        obsessed", et cetera. That kind of thing.

7    Q. Over the page on page 14 at paragraph 48 you say that  
8        you had a chat with the head officer of Children and  
9        Families?

10   A. Yes.

11   Q. You say that you told her your view that childhood  
12        sexual abuse wasn't being dealt with in the council.

13   A. Yes, that's correct.

14   Q. And what was her response?

15   A. Well, what I've said here. She said, "We do things  
16        a bit differently here", and on reflection I should have  
17        quizzed her a bit more and asked: what do you mean?  
18        That just left me with a bit of confusion in my mind as  
19        to what she meant.

20   Q. If we move on over the page, please, to page 15 and to  
21        paragraph 49, you talk again about the child that we  
22        mentioned earlier who was in a foster placement.

23   A. Mm-hmm.

24   Q. You say that you read in her notes that there was  
25        a concern about sexual abuse when she was a very young

1 child, but then I think you asked your first senior what  
2 she'd said --  
3 A. Yes.  
4 Q. -- and what the child had said exactly.  
5 A. Mm-hmm.  
6 Q. Why did you do that? Why did you raise it with the  
7 first senior?  
8 A. Because her name was in the -- on the report that I read  
9 where the child had -- I would say made a disclosure to  
10 her, on the report this person was a social worker.  
11 She'd since been promoted to senior. And I asked her  
12 because I wanted to get clarity as to what the child had  
13 said so it would give me a better indication of what was  
14 going on for her and how to work with her.  
15 Q. What was her response?  
16 A. Oh, she couldn't -- like it says here, she said,  
17 "I can't remember, I don't know, I can't remember, it  
18 was ages ago".  
19 So, you know, that told me that she didn't care, she  
20 didn't think it was important.  
21 Q. At the end of this paragraph you say that you were:  
22 "Trained to do a process recording ..."  
23 A. Yes.  
24 Q. "... for something serious like a disclosure of sexual  
25 abuse ..."

1 A. Yes.

2 Q. "... so the child's words or the conversation would be  
3 recorded word for word."

4 A. Yes, that's correct.

5 Q. Is that what a "process recording" means?

6 A. Yes. When I worked in London, that's what it meant,  
7 yes.

8 Q. That you would record the child's words word for word?

9 A. Yes, if they're making a disclosure, yes. This was  
10 before the days of technology as we have it today.

11 Q. Okay. We'll come back to that again in a moment.

12 At paragraph 51 at the bottom of this page you talk  
13 again about the child who was in foster care and you  
14 explain that she was known to the Local Authority from  
15 being a baby, that she has profound learning  
16 disabilities and suffers from epilepsy.

17 A. Mm-hmm.

18 Q. You also note that she was in quite a few different  
19 foster placements?

20 A. Yes.

21 Q. She'd had quite a disrupted life.

22 A. Mm-hmm.

23 Q. You say:

24 "The fact that it had been known for a long time  
25 that there had been sexual abuse disclosed and not dealt

1       with gave me a lot of concerns."

2   A.   Mm-hmm.

3   Q.   What sort of concerns did you have?

4   A.   Because if there's sexual abuse and it's not dealt with,

5       then that can lead to learning disabilities and it can

6       lead to mental health problems, it can lead to people

7       that -- you know, children who grow up developing kind

8       of, quote, victim kind of behaviour, being vulnerable to

9       perpetrators because they haven't learnt how not to be

10      a victim of sexual abuse. They've only learnt how to be

11      a victim of sexual abuse. So if it's not dealt with,

12      that pattern just repeats itself.

13   Q.   If we move on to the next page, please, at paragraph 52

14      you talk about meeting this child again after you'd left

15      the Local Authority.

16   A.   Mm-hmm.

17   Q.   I think you say it was less than ten years after you'd

18      left social work?

19   A.   Mm-hmm.

20   Q.   I think you formally left your employment in

21      December 2010?

22   A.   That's correct.

23   Q.   Are you saying it was at some point between 2010 and

24      2020 that you met her again?

25   A.   Yes, that's correct.

1 Q. You describe that she was living in a unit for adults  
2 with learning disabilities and she invited you to come  
3 around and visit her.  
4 A. Mm-hmm.  
5 Q. I think you then did that.  
6 A. Yes, that's correct.  
7 Q. Then in the next paragraph at paragraph 53 you say that  
8 she contacted -- did she contact you or did she speak to  
9 you about what had happened in foster care when you went  
10 round to the unit to meet her?  
11 A. That's right, yes, when I went round to meet her, she  
12 told me, mm-hmm.  
13 Q. You say:  
14 "It transpired that her foster placement had broken  
15 down."  
16 A. Yes.  
17 Q. And she also told you that there had been a sexual  
18 incident?  
19 A. Yes.  
20 Q. You say in your statement that she told you:  
21 "She was in the bathroom in the foster carers' house  
22 and the man, the foster father, was in the room ..."  
23 A. Yes.  
24 Q. "She said, 'I touched his willy and white stuff came  
25 out'."

1 A. Mm-hmm.

2 Q. How did you respond to her saying that?

3 A. I responded calmly because that's how I'm trained,  
4 right. It is quite shocking, you know, a layperson, if  
5 you like, but I'm trained to respond calmly and ...  
6 I can't remember my exact words, but within that  
7 conversation she had asked me to speak to her social  
8 worker and I wanted to speak to her social worker anyway  
9 because of what she'd just told me so -- yeah, that's  
10 how I responded. Calmly.

11 Q. Okay. Then you say she asked you to speak to her social  
12 worker --

13 A. Mm-hmm.

14 Q. -- and did you do that?

15 A. I did, yes.

16 Q. Okay. You then say at paragraph 54 that you were  
17 invited to the case conference --

18 A. Mm-hmm.

19 Q. -- involving her. Had that invitation come from the  
20 Local Authority?

21 A. I think in my initial conversation with the social  
22 worker, from memory, I think she invited me. But then  
23 that invitation was withdrawn, possibly after she spoke  
24 to her manager.

25 Q. Okay.



1 LADY SMITH: So, 'Rosa', by this time you hadn't been  
2 directly involved in social work for a couple of years.  
3 Is that right?  
4 A. That's correct, yes.  
5 LADY SMITH: You met up with this young woman, one way or  
6 another?  
7 A. Yes.  
8 LADY SMITH: She had left foster care by then?  
9 A. Mm-hmm.  
10 LADY SMITH: But she would have been of an age that she'd  
11 have left foster care in any event; is that right?  
12 A. No. I think she was about 12 -- no, sorry --  
13 LADY SMITH: You said she was living in a unit for adults by  
14 then.  
15 A. Sorry, yes, you're right. I'm just thinking about the  
16 numbers. Yes, quite possibly she might have left foster  
17 care by then. She was a teenager, quite likely, yes.  
18 LADY SMITH: How did your conversation get onto the subject  
19 of what had happened in foster care?  
20 A. She just told me. I don't remember the exact words.  
21 LADY SMITH: Did you ask her what had happened with her  
22 foster placement?  
23 A. Well, she was -- one of the themes when I went to visit  
24 her was that she wasn't allowed to see her foster  
25 parents any more. That was what she was -- she wanted

1 to see them again and that was one of the reasons she  
2 wanted me to phone her social worker, because she wanted  
3 me, bearing in mind that I had previously been her  
4 social worker, she wanted me to, quote, sort this out  
5 and go and sort it out so she could go and see her  
6 foster carers again.

7 LADY SMITH: Did she tell you why the foster care placement  
8 had come to an end?

9 A. No, she didn't tell me it came to an end because of --  
10 you know, something, but I sort of worked out in my own  
11 mind that this incident that she spoke about is quite  
12 likely that that's why.

13 LADY SMITH: How did you get on to talking about that?

14 A. I don't remember specifically, but I ... yeah. But she  
15 came out with it quite easily. It wasn't -- you know,  
16 I would say I wasn't coaching her or anything like that.  
17 It was just something she -- she kind of wanted to tell  
18 me.

19 LADY SMITH: Okay, thank you.

20 MS INNES: If we stay at paragraph 54, in the middle of that  
21 paragraph you talk about when you were her social worker  
22 there were several children in the same foster  
23 placement. You say:

24 "I dread to think what may have been happening ..."  
25 Then you say:

1            "... or how much her memories from the past (which  
2            were unprocessed) impinged on her present  
3            consciousness."

4            Can you explain what you mean by that, please?

5    A.    I don't -- because obviously this is not -- this wasn't  
6            my case then and ... (Pause)

7            So if we took her disclosure at face value and said  
8            that everything that she disclosed was real, then  
9            obviously there would be a risk to every child in that  
10           placement. So when I say I dread to think what was  
11           happening, that's -- that's what -- you know, that's  
12           that bit.

13           But -- but bearing in mind also that she's a child  
14           with profound learning disabilities, some of what she  
15           disclosed might be about things from the past, but in  
16           her mind it's happened in the present. So that's why  
17           I say it -- that -- because it was unprocessed, it could  
18           have been processed if it was dealt with when she first  
19           made the disclosure, you know, when she was a young  
20           child. But it wasn't processed, so therefore the  
21           disclosure that she made to me -- and by the way the  
22           social worker on the phone told me that she was  
23           saying -- the social worker was concerned that she was  
24           saying this to lots of different people. The social  
25           worker was, "Oh, she tells everybody". Well, that's

1       because she wants something to be done about it. She  
2       wants it -- you know, dealt with.

3           However, yes, perhaps -- I don't know, but perhaps  
4       one theory is that those words -- that she was mixing up  
5       her present memory with her past memory.

6   Q.   Okay.

7   A.   We don't know. When people are in therapy, those kind  
8       of things get teased out, but at -- you know, on the  
9       evidence that we've got, we don't know.

10  Q.   Okay. Is that something that you had seen in practice  
11       before or is that something -- when you say it's  
12       a theory, that's something that you've learned about?

13  A.   About past and -- it's something I personally have dealt  
14       with. I -- you know, because I'm a survivor myself,  
15       I've been in therapy and I've -- so I know that that's  
16       a process that can happen.

17  Q.   Okay.

18  A.   And also I used to -- I was just thinking about this on  
19       the train. I used to subscribe to a magazine called  
20       Accuracy About Abuse, which was very good on all of this  
21       stuff. I'm not sure if it's still -- if it's still out  
22       there.

23  Q.   What was that magazine about? Was it about analysing  
24       disclosures or something else?

25  A.   It was -- yes, kind of analysing disclosures. It was

1       also about this idea of, quote, false memory syndrome.

2   Q.   Okay.

3   A.   And there was -- you know, pulling that apart.

4   Q.   If we go on over the page to page 17 and paragraph 55,

5       you talk about the placement that she was in. You say

6       that when you were her social worker, you didn't have

7       concerns about the foster placement.

8   A.   That's correct.

9   Q.   So there was no indication at that time that she might

10      be being abused, for example?

11  A.   No, I didn't get that -- that concern.

12  Q.   Okay. At paragraph 56 you say that you didn't find out

13      the outcome of the case conference.

14  A.   Mm-hmm.

15  Q.   Were you ever spoken to about this disclosure by anybody

16      ever again? So, for example, the police or a social

17      worker?

18  A.   No, I wasn't. That would have been nice, but no,

19      I wasn't.

20  Q.   Did you ever have any contact with this girl again?

21  A.   There was a -- so when I first bumped into her on the

22      bus and went to see her, all of that was quite close to

23      where I live so there was -- around that point in time

24      I bumped into her on the bus quite a few times and we

25      would sit together and just chat, blether. But then

1 I think she must have moved somewhere else because  
2 I don't see her anymore.

3 Q. Okay. So you don't know what happened as a result of  
4 this conversation that you had with the social worker?

5 A. No, I don't. It would be nice to know, but I don't.

6 Q. If we can move, please, to page 19, paragraph 62, you  
7 say that you were not aware of any policy in the Local  
8 Authority that you worked with on dealing with  
9 disclosures of sexual abuse?

10 A. That's correct.

11 Q. Is that something that you'd come across before, that  
12 a Local Authority would have a specific policy on  
13 dealing with disclosures?

14 A. Yes, we did training on it in [REDACTED]. Yes.

15 Q. Was there any training on it in the Local Authority that  
16 you worked for?

17 A. Not while I was there. There possibly has been since,  
18 but I don't know specifically.

19 Q. You talk about a little bit of training you say at the  
20 end of your time there.

21 A. Mm-hmm.

22 Q. "It was one training course that lasted two or three  
23 days. Part of the training was about clients making  
24 a disclosure and we had discussions in small groups  
25 about a child making a disclosure."

1 A. Mm-hmm.

2 Q. You say:

3 "I found that my colleagues were very resistant to

4 listening to disclosures."

5 A. Yes, that's correct.

6 Q. What do you mean by that?

7 A. Well, in the small group that I was in in this training

8 I remember first of all they gave us a training scenario

9 about a child that had gone through various issues and

10 then they asked us to discuss in the group what was

11 going on for her, and I thought there might be some

12 sexual abuse but I didn't actually say in my little

13 group because the general thing was everybody

14 thought ... you know, nothing major. Maybe a bit of --

15 maybe a bit of neglect -- I know that sounds bad, but --

16 you know. There were issues but not a major issue.

17 That's what everybody was thinking and -- but then when

18 we -- then when we fed back into the big group and they

19 carried on with this scenario and it turned out that

20 this child in this scenario was being sexually abused

21 and -- and one of the people in my group was very angry

22 at the thought of children disclosing and he -- and he

23 was just nearly shouting going, "You'll never get

24 a disclosure, you'll never get a disclosure, they'll

25 never tell you anything!" That kind of thing.

1           Yeah, I just felt that -- yeah, people were very  
2           resistant to the possibility.

3   Q.   Okay. Was that training specifically for social workers  
4           within the Local Authority that you worked for or was it  
5           wider than that?

6   A.   From memory, I think it was within the Local Authority.

7   Q.   Okay. So the people that you were in the group with,  
8           were they people that also worked for the same Local  
9           Authority?

10  A.   That's correct, yeah.

11  Q.   If we go on over the page, please, to page 20 and  
12           paragraph 66, you talk there about that at the time that  
13           you worked for the Local Authority you say that you  
14           don't think there was a process or whistle-blowing  
15           procedure for social workers in the council to raise  
16           concerns?

17  A.   Yes. I was asked in the previous interview for this  
18           Inquiry whether there was a whistle-blowing procedure  
19           and from memory I don't think there was. If there had  
20           been, I think life would have been a lot easier for me.

21  Q.   You say:

22           "There was a grievance procedure ..."

23  A.   Mm-hmm.

24  Q.   "... but that wouldn't always have been appropriate."  
25           Can you explain why that wouldn't always have been



1       appropriate?

2   A.  I was encouraged to raise a grievance and I did raise  
3       a grievance, but it would have been -- I would have  
4       preferred to have just raised a whistle-blowing and then  
5       it wouldn't have been so personal.  It became very  
6       personal and I was accused of certain emotions that  
7       weren't mine, you know.  I'm just trying to remember.  
8       Oh, I was accused of being malicious, that kind of  
9       thing.  Well, I wasn't being malicious but I wanted  
10      these issues dealt with.  I was accused of being  
11      malicious and vexatious.  But if I'd been able to do it  
12      under a whistle-blowing procedure, maybe it wouldn't  
13      have been so emotional, I suppose, you know.

14  Q.  You talk about that there was a whistle-blowing  
15      procedure in London, so you were familiar with that type  
16      of procedure from your previous work?

17  A.  Yes.

18  Q.  Okay.  You've already mentioned that you raised  
19      a grievance procedure.

20  A.  Mm-hmm.

21  Q.  You tell us I think at the bottom of this page at  
22      paragraph 67 that there was a disciplinary investigation  
23      and you tell us about the details of that.

24  A.  Mm-hmm.

25  Q.  I think at the same time as the disciplinary procedure

1       was going on, you raised a grievance procedure?

2   A.   Mm-hmm.

3   Q.   If we move on to page 23 --

4   A.   I was advised to do that and for me it was the only way

5       to get a bit of breathing space, to actually be able to

6       process everything that had gone on. Because to me it

7       was, you know, a few months of absolute hell and

8       craziness.

9   Q.   You tell us at paragraph 76 on page 23 that some of the

10       grievance was upheld and some not dealt with. You say

11       you weren't satisfied that the investigation really

12       concluded.

13  A.   Mm-hmm.

14  Q.   Then if we can go on, please, to page 24, paragraph 78

15       you tell us that you were suspended from the Local

16       Authority --

17  A.   Mm-hmm.

18  Q.   -- on 30 December 2010. That was at a time that you'd

19       moved from the first office that you worked in to

20       another office.

21  A.   Mm-hmm.

22  Q.   I think if we go on over the page to page 25, the top of

23       that page, you note that you ultimately left your

24       employment with the council in December 2010.

25  A.   Mm-hmm.

1 Q. You also tell us in your statement that you reached  
2 a compromise agreement with the Local Authority.  
3 A. That's correct, yes.  
4 Q. We have the information in relation to the disciplinary  
5 procedure and the grievance procedure in your statement,  
6 so I'm not going to ask you more about that.  
7 Just finally on lessons to be learned, if we can  
8 move to page 26, please, you talk first of at  
9 paragraph 85 about the setting where a child might make  
10 a disclosure.  
11 A. Mm-hmm.  
12 Q. You talk about again your experience in London of  
13 a children's interview suite.  
14 A. Mm-hmm.  
15 Q. Was that something that was joint between the social  
16 work and the police or was it just organised by the  
17 social work department?  
18 A. No, it was organised by the police actually.  
19 Q. Okay.  
20 A. Okay.  
21 Q. You say that if a child is coming to talk about abuse,  
22 then that child should be interviewed by a specially  
23 trained person.  
24 A. Mm-hmm.  
25 Q. Thought should be given to the gender of the interviewer

1       and the number of adults in the room.

2   A.  Yes.

3   Q.  So the whole setting in which the child speaks about the

4       abuse.

5   A.  Mm-hmm.  Yes, correct.

6   Q.  Then at paragraph 86 you talk about what might happen if

7       a child in foster care made a disclosure.  You say

8       there:

9       "... whether they would be immediately removed from

10      the foster setting would depend on the nature of the

11      disclosure.  The guiding principle is that the welfare

12      of the child is paramount."

13  A.  Mm.

14  Q.  So if they made a disclosure of abuse, why would they

15      not be immediately removed from that foster care

16      placement?

17  A.  Yes, I agree with the tenor of what you're saying.

18      I suppose I was just thinking if a child disclosed

19      something along the lines of -- you know -- I don't

20      know, something like, "The foster carer made me go to

21      bed at such-and-such a time and I didn't want to" and

22      maybe described that as bullying or something along

23      those lines, then you might not remove the child

24      immediately.

25  Q.  Okay.  I see.  But in other circumstances where it's

1       abuse that's disclosed, like sexual abuse, for  
2       example --  
3   A.   Mm-hmm.  
4   Q.   -- in those circumstances, should the child be removed  
5       immediately?  
6   A.   Yes, you would, yeah.  
7   MS INNES:  Is that your view?  
8       Thank you very much for your evidence, 'Rosa'.  
9       Obviously, as I've said, we have your statement as well  
10      and that forms part of your evidence to the Inquiry.  
11      I have no more questions.  
12      There's no applications, my Lady.  
13   LADY SMITH:  Are there any outstanding applications for  
14      questions of 'Rosa'?  
15      'Rosa', thank you.  We have no more questions for  
16      you.  We have your statement, as Ms Innes says, that's  
17      evidence before me already, I'm grateful to you for that  
18      and I'm grateful to you for coming to talk to us this  
19      afternoon.  It's been good to hear from you.  Thank you.  
20      I'm now able to let you go.  Have a safe journey  
21      back home.  
22   A.   Thank you.  
23       (The witness withdrew).  
24   LADY SMITH:  I think we'll take a short break just now,  
25      Ms Innes.

1 MS INNES: Yes, my Lady.

2 Ms Rattray will deal with --

3 LADY SMITH: Some read-ins after the break.

4 MS INNES: -- read-ins for the rest of the afternoon.

5 LADY SMITH: Thank you.

6 (3.07 pm)

7 (A short break)

8 (3.18 pm)

9 LADY SMITH: Ms Rattray.

10 MS RATTRAY: Thank you, my Lady.

11 We finish today with a read-in, or possibly read-ins

12 depending on the time.

13 LADY SMITH: Let's see how we go.

14 'Ronald' (read)

15 MS RATTRAY: The first one is for an applicant with the

16 cypher EUU and he has the pseudonym 'Ronald' and

17 'Ronald's' statement is at WIT-1-000000875 and 'Ronald'

18 was in four foster placement in the Western Isles.

19 The first with EUQ-EUV [REDACTED] from

20 [REDACTED] 1995 to [REDACTED] 1998.

21 The second with [REDACTED] from

22 [REDACTED] 2000 to [REDACTED] 2000, and [REDACTED] 2000

23 to [REDACTED] 2000.

24 The third was with someone with the surname [REDACTED]

25 from [REDACTED] 2001 to [REDACTED] 2001.

1           These three placements were respite foster  
2           placements for weekends and school holidays.

3           The fourth placement was with EUT [REDACTED] from  
4           [REDACTED] 2002. Initially this too was a weekend respite  
5           placement, but it became a full-time foster placement on  
6           [REDACTED] 2002 and 'Ronald' lived there until he left care  
7           and indeed beyond into adulthood.

8           On [REDACTED] 2005, the status of the placement changed  
9           from foster care to supported lodgings, but it continued  
10          to be paid and monitored by the Western Isles Authority.

11          The successor authority is the Western Isles  
12          Council.

13   LADY SMITH: Thank you.

14   MS RATTRAY: "My name is 'Ronald'. I was born in 1986. My  
15          contact details are known to the Inquiry."

16          From paragraphs 2 to 6, 'Ronald' speaks of his life  
17          before care. He lived in the Western Isles with his  
18          parents and younger brother. His dad died when he was  
19          8. His mum drank and had mental health problems.  
20          'Ronald' was diagnosed with ADHD. He said the situation  
21          with his mum was really bad and they hated each other.

22          Moving to paragraph 7 on page 2:

23          "Me and my brother got put into foster care when  
24          I was about eight years old. My mother pushed for it.  
25          The situation with my mother was really bad and we hated

1 each other. Social work were involved with us. The  
2 first social worker I had was Sandra Smith. The others  
3 were Chrissy Smith, Maria MacKay, Jack Libby,  
4 Donald MacIver, Emma Stark and Sue Twist. Keith Harper  
5 was in charge of the children and families department.  
6 When he left, Jack Libby took over. Jack Libby had  
7 a lot of involvement with me. I didn't get on with any  
8 of them. There were a lot of meetings in the council  
9 office and I had care plans.

10 There were a lot of Children's Hearings because  
11 I was in trouble with the police. The police were  
12 always at the door. I would be referred to the Sheriff  
13 Court and I would be sent back to the children's panel  
14 from there.

15 My brother and I went to EUQ-EUV, back and  
16 forward from when I was 8 until I was 11 or 12 years  
17 old. It was called respite care. When we weren't at  
18 EUQ-EUV, then we were with our mother. It started  
19 off that I would go for weekends. Then it could be for  
20 weeks if I was suspended from school or during the  
21 holidays. We were there a lot of it was in the middle  
22 of nowhere. Another wee boy was fostered there  
23 sometimes.

24 EUV and EUQ were in their late 40s or early  
25 50s. EUV drove lorries and was away a lot. The



1 EUQ-EUV had two sons, a daughter and an adopted  
2 daughter. We never saw one of the sons and daughters  
3 because they had left home. The adopted daughter was  
4 a teenager. The other son was in his 20s and he was  
5 a lorry driver. He lived in the house but he was away  
6 working most of the time. The adopted daughter was  
7 severely physically disabled. Her attitude and the way  
8 she spoke to me and my brother wasn't nice. She hated  
9 us and didn't want us to be there.

10 My social worker, Sandra Smith, took me and my  
11 brother to EUQ-EUV the first time. After that,  
12 we were taken there by taxi and we always got travel  
13 sick. The first day at EUQ-EUV me and my brother  
14 got sent outside and we were left to do what we wanted.

15 Me and my brother shared a room. If EUQ-EUV  
16 said we were playing up then we'd be put in different  
17 rooms. It was just us being there. We went to bed  
18 about 9 pm. When we got up depended on when the  
19 EUQ-EUV's got up.

20 I've never wet the bed. My brother did when he was  
21 younger but he grew out of that.

22 The food was things me and my brother hadn't come  
23 across before and we didn't know what it was. It was  
24 things like mutton. We didn't like the food and we  
25 didn't eat it. Looking back, there was nothing wrong

1 with it.

2 There was a shower available to us whenever we

3 wanted. The house was immaculate.

4 EUQ-EUV gave me and my brother 50p each every

5 Saturday. A mobile shop came and you could buy sweets

6 there. There were no kids near us to make friends with.

7 We didn't go on holiday with EUQ-EUV.

8 When I was suspended from school I'd be sent to the

9 EUQ-EUV for weeks at a time. It was probably to get

10 me out of the way. EUQ had books and things and

11 tried to teach me at home. That didn't work.

12 Me and my brother were told to go outside and find

13 something to do. We weren't allowed back in our room

14 until bedtime. We would be running riot outside all the

15 time and running over the hills. EUQ would come

16 and find us in the car.

17 Me and my brother were made to help with the sheep.

18 We helped with the sheep dipping and got covered in

19 chemicals. We had to drag the sheep over for shearing.

20 In the summertime, EUQ-EUV made us go and cut the

21 peats for the open fire with them. They made us stay

22 outside all day. We'd be bitten all over by midges and

23 there was nowhere to go to get away from them.

24 EUQ and EUV told us we were not there for

25 a holiday. We made our own beds.

1           My birthday wasn't celebrated. We weren't at the  
2    [REDACTED] at Christmas.  
3           I was at the Children's Hearing quite a bit.  
4           I don't remember anyone asking me anything at the  
5    Hearings. The Hearing was just saying what was going to  
6    happen to me.  
7           My social worker didn't come back to [REDACTED]  
8    to see me but she was in contact with [REDACTED].  
9    [REDACTED] treated me and my brother differently  
10   from their adopted daughter. Our rooms were different,  
11   what we had was different and the things we did were  
12   different. She had access to everything in the house  
13   like the computer, music and videos, but we didn't. If  
14   I wanted to use the computer I wouldn't get to.  
15           I didn't run away because there was nowhere to run  
16   to.  
17    [REDACTED] hit me and my brother quite a lot. She  
18   said we were playing up but we were just being wee boys.  
19    [REDACTED] hit us with her hand, anything she had in her  
20   hand or anything she could reach. She booted me in the  
21   arse a few times. One time she did that when I got  
22   ashes on the rug from the open fire. I was cleaning the  
23   fire out. I can't remember if she injured me. [REDACTED]  
24   shouted at us all the time.  
25           If we wouldn't eat our food at lunchtime or teatime

1       then EUQ made us sit at the table until 10 pm or  
2       11 pm. We weren't allowed to leave the table until we  
3       ate it. Most of the time we didn't eat it. She was  
4       a control freak.

5       EUQ got up late at the weekend and me and my  
6       brother had to stay in our room. We would get bored and  
7       we would be messing about. EUQ would come into  
8       our room and pin us down on the bed when we were getting  
9       changed. We were naked. She shouted and screamed at  
10      us.

11      The adult son living there didn't like me and my  
12      brother. Nobody did. On many occasions we grabbed me  
13      or my brother by the ears and lifted us off the ground.  
14      He picked us up in both hands and pinned us to the  
15      ceiling. He threw stuff at us.

16      One time my brother was laughing at the other foster  
17      boy. EUQ came in and hit my brother over the head  
18      with a heavy rubber toy shark. My brother was crying  
19      for ages, had a lump on his head after. He was about  
20      six years old.

21      I didn't complain about what happened at the  
22      EUQ-EUV. Nobody would listen to me and nobody took  
23      me seriously. I tried to tell Sue Twist and said we  
24      didn't want to live with EUQ-EUV and they weren't  
25      nice to us. I was deemed a pain in the arse. I didn't

1 know how to put across what was happening.

2 When I was 11 or 12 years old EUQ-EUV didn't  
3 want to take me and my brother any more. I don't know  
4 why. My mother was saying we were out of control.  
5 Nobody talked to us about why we were leaving. Nobody  
6 talked to us about anything.

7 Me and my brother stayed with EUS-SPO for two  
8 or three weeks. I was 11 or 12 years old. was  
9 kind to us. and EUS had two daughters and  
10 a son. One was four or five years old and the other was  
11 in her late teens. The son was in his 20s.

12 and EUS took us to the beach and things  
13 like that. They were good with us. They had a dog and  
14 I was always messing around with the dog. I was still  
15 seeing the psychiatrist, Roderick Beasley. He came to  
16 Stornoway. I don't think anyone would have fancied  
17 taking me on a plane or a ferry to get to Inverness.  
18 Either my mum or a social worker would take me to see  
19 him. I saw Rurdhi Martin who assessed me once every  
20 year or two years. He was based in Stornoway.

21 was all right but EUS shouted at me and my  
22 brother all the time. We were out of control.

23 After two or three weeks, and EUS said they  
24 couldn't handle me and my brother. We were mad. I went  
25 to Hillcrest Children's Home and my brother went to stay

1 with our mother."

2 To paragraph 40 on page 8:

3 "I was sent to live with my mother's neighbours,  
4 [REDACTED]. That was meant to be  
5 temporary. [REDACTED] and [REDACTED] lived four or five houses  
6 away from my mother. My brother was friends with their  
7 son and [REDACTED] and [REDACTED] knew us. I was still in my early  
8 teens. Me and my brother stayed with the [REDACTED] for  
9 a couple of months. It doesn't make sense, since they  
10 were so near to our mother. We weren't allowed to go  
11 near our mother's house. There was a point where my  
12 brother was at home with our mother.

13 The [REDACTED] had a daughter the same age as myself  
14 and a son the same age as my brother. They were good to  
15 us. I got on great with [REDACTED] and [REDACTED], especially  
16 [REDACTED]. [REDACTED] messed about with bits of cars and old  
17 machinery. He would give me a part to fix and I was  
18 good at it.

19 We left the [REDACTED] because it was temporary and  
20 because of something to do with our mother. The social  
21 workers and Children's Hearing were listening to what  
22 our mother was saying. Nobody asked what I thought.  
23 What could I say? No matter what I said, what happened  
24 would happen anyway. Social work just wanted me out of  
25 the way. That's the way it's been my whole life.



1 I stayed with EUT from 2001 when I was 13  
2 or 14 years old until 2010 when I was 24 years old.  
3 I called him EUT. At first I was back and forward.  
4 There were a few times I stayed with my mother until  
5 I totally fell out with her. EUT lived alone and  
6 didn't have any children of his own. He was 5 foot tall  
7 and in his 50s. EUT and he  
8 was an alcoholic. He'd been  
9 an alcoholic for most of his life.  
10 as a recovered alcoholic. In  
11 EUT's later days he trained as a counsellor.  
12 EUT worked in a place in Stornoway called  
13 . He was in charge of befriending  
14 schemes for disabled and old vulnerable people. That's  
15 where he got involved with my brother. My brother went  
16 from school for lunch at a hotel near there and met  
17 EUT. EUT gave my brother money and bought him  
18 guitars and other things. Social work sent my brother  
19 to stay at EUT's when he was 15 or 16 years old and  
20 later he just stayed there with me.  
21 Other children were sent by social work to stay at  
22 EUT's. One boy was 14 years old, another boy was 12  
23 or 13 years old, two brothers were around 12 and 9 years  
24 old and another boy was about 13 years old. The second  
25 boy was there when I first arrived. The others all

1 stayed at different times, when I was 16 or 17. One boy  
2 killed himself not that long ago. The second boy would  
3 stay in the flat and sleep on the couch. The other boys  
4 stayed in the house when it wasn't rented out. Two or  
5 three boys would stay at any one time.

6 I was meant to be there for one weekend and stayed  
7 for nine years. Everywhere I went was meant to be  
8 temporary. There was a house which was rented out as  
9 four star self-catering and a big byre that had upstairs  
10 and downstairs. It was 60 foot by 40 foot downstairs  
11 and had a small open-plan flat upstairs that we stayed  
12 in. The flat had only one window. There was no  
13 planning permission for the flat in the byre.

14 The downstairs was divided into three sections.  
15 I used one section as a garage for the cars that EUT  
16 gave me. We killed sheep and skinned and hung deer in  
17 another section. In the third section, four dogs were  
18 kept. Outside the door was the biggest pile of dog shit  
19 I'd ever seen. It was horrible. Every morning EUT  
20 would scoop it up from inside the byre and put it out.  
21 It was stinking in the summertime. You had to walk  
22 through all that to get up to the flat.

23 There were firearms in the house. The gun locker  
24 was in a cavity wall in the flat. I screwed the gun  
25 locker to the wall. When I was 14 or 15, a policeman



1       called Brian Harper from Tarbet came to inspect where  
2       the guns were kept and register them. I showed them  
3       where the keys and the gun locker were. I showed him  
4       the rifles inside and where all the ammunition was kept.  
5       I had access to everything. That happened a couple of  
6       times.

7       Emma Stark was my social worker and she took me to  
8       the byre at EUT 's. We walked past the pile of dog  
9       shit and up to the flat. Emma Stark saw the dog shit  
10      and said nothing. She saw that on other later visits  
11      too. One other boy, the second boy who was there,  
12      I knew him for years from different places. Emma Stark  
13      knew that I was sharing a bedroom with EUT . The other  
14      boy slept in the house.

15      In the flat in the byre, there was one bedroom with  
16      two beds in it. The beds were side by side. Me and  
17      EUT slept in that room. There wasn't a bath or shower  
18      but just a sink with a hot water geezer. I washed in  
19      the sink. There was a worktop with a fridge under it.  
20      There was a toilet and the only walls were wardrobes  
21      around it. There was no privacy. The only privacy  
22      I got was when I sat in one of my cars.

23      There was a couch and an electric fire. There was  
24      no TV. There was a computer in a corner that EUT used  
25      as his office. There was a freezer full of sheep, deer

1 and fish. From when I went to EUT's, whatever you  
2 wanted to eat you made yourself. We grew some  
3 vegetables but I didn't really eat any. I don't know if  
4 EUT was paid for fostering. I never knew where he got  
5 his money from but he always had money.

6 I always had some piece of machinery to repair and  
7 got money from fixing people's cars. I had scrap cars  
8 around the place and sold parts off them. At one time  
9 I had 26 cars. EUT had about 300 sheep on the common  
10 grazings. It was me looking after the sheep from when  
11 I went to EUT's. I killed sheep and deer from the  
12 same time. I always had dogs and training sheep dogs  
13 was a hobby I had.

14 EUT didn't take me away on any trips or holidays.  
15 One time social work made me go to a conference in  
16 Aviemore. We stayed in the Hilton Hotel.

17 When I lived at EUT's I didn't go to school and  
18 there was in home schooling. My brother went to school  
19 but that was about 25 miles away and sometimes EUT  
20 would take him to school.

21 When I was 17 years old, I found Sir E Scott School  
22 in Tarbet in Harris and I went there to learn to read  
23 and write and do basic maths. They taught me how to do  
24 basic maths on my calculator on my phone.

25 I was still taking Ritalin when I first went to

1       EUT 's. After six months I decided to stop taking it.  
2       When I was 14 years old I was taken off Ritalin by  
3       Roderick Beasley. He said I don't have ADHD.  
4       Nothing happened for my birthday or at Christmas.  
5       EUT wasn't bothered.  
6       When I was about 16 years old, EUT got a caravan  
7       for me to stay in and put it beside the house. A new  
8       road was being built above the house and they were  
9       blasting through the rock. One day a big boulder came  
10      through the side of the caravan and there were holes in  
11      the roof. EUT made me stay there for six months.  
12      There was no electricity in the caravan.  
13      Emma Stark visited me regularly at the byre and saw  
14      me once or twice at the caravan. A few times, I was  
15      asleep in my bed and I had to get up. When I was 14  
16      years old, she witnessed EUT giving me tobacco and lit  
17      cigarettes. She was sitting on the couch in the flat.  
18      Emma Stark stopped coming when I was about 16 years old.  
19      I was getting into trouble with the police all the time  
20      that I stayed at EUT 's. It was mostly to do with  
21      driving cars.  
22      Donald MacIver was a social worker. I think he was  
23      in charge of adoptions. He was a regular visitor to  
24      EUT 's from when I first went there. The visits were  
25      social visits. EUT made me go away and they would sit

1 and talk.

2 There were other regular visitors to EUT. EUT's  
3 nephew and a man who lived at EUT's before I did.  
4 Another man also hung around a lot. They have all been  
5 convicted of offences involving child sexual abuse, like  
6 having indecent images. At the time, EUT would send  
7 me away when they visited.

8 At first it was all right staying at EUT's. The  
9 first thing EUT did was give me the key to an old Ford  
10 Fiesta car to mess around with. Then the abuse started  
11 with mental abuse. EUT tried to control everything  
12 I did and threatened to send me back to my mum in  
13 Stornoway, if I didn't do what he wanted.

14 It wasn't what EUT said but what he did. He gave  
15 me a dog that was a cross between a collie and  
16 a labrador. The dog was called shadow and I had it for  
17 a while. One day I was in my bed and the dog was on the  
18 floor between the two beds. EUT came in and shot the  
19 dog in the head with a .22 bsa rifle because the dog had  
20 killed my pet lamb.

21 In the first couple of weeks that I stayed with  
22 EUT we were out in the car. EUT drove to the garage  
23 and bough half a bottle of whisky. He made me drink the  
24 bottle and threatened to send me to my mum's if  
25 I didn't.

1           When I was about 14 years old, I had 12 pet ducks  
2           that I had got from all over the island. One day EUT  
3           cut all the heads off the ducks when I was there. When  
4           we were out in the car, he would stop on the road if he  
5           saw a sheep that had been hit. EUT would get out of  
6           the car and cut the sheep's throat. Blood was  
7           everywhere and he was covered in it. I had never seen  
8           anything like that in my life and it really upset me.  
9           My brother saw him do that too. I was made to skin and  
10          gut sheep at the byre from when I was 14 years old.

11          EUT threatened me with the guns. He had the guns  
12          out all the time and would point a gun at me. I didn't  
13          know if it was loaded or not. This was to make me do  
14          sexual things to him and for him to do sexual things to  
15          me.

16          EUT gave me cars and let me and my brother drive  
17          his car. Then he took them away or threatened to put me  
18          back where I'd come from if I didn't do what he wanted  
19          me to do. EUT raped me in the bedroom in the byre at  
20          night. That happened a few times a week to start with.

21          We had a neighbour and EUT would have to call him  
22          up because I was going off my head. He was massive.  
23          EUT didn't tell him I was going off my head because he  
24          was abusing me. The neighbour would calm me down.  
25          There were holes in the wall that I had made. The holes



1 had to be repaired and social work were aware of that.  
2 When I was 15 or 16, I beat EUT up. That stopped the  
3 sexual abuse but there was more mental abuse. EUT  
4 belittled me in front of other people.

5 I was in the Western Isles Hospital in Stornoway  
6 twice, when I was about 15 or 16 years old. That was  
7 just before I beat EUT up. I was bleeding after EUT  
8 sexually assaulted me. EUT took me to the hospital  
9 and waited outside while the doctor examined me. I told  
10 the doctor I was bleeding but not how it happened. It's  
11 not the kind of thing you want to tell anybody. The  
12 doctor didn't ask me much. Emma Stark probably knew I'd  
13 been at hospital. She would have seen everything that  
14 happened to me up until I was 16 years old. She never  
15 asked me about going to hospital. Emma Stark wasn't  
16 interested in me at all. It was a case of out of sight,  
17 out of mind.

18 I know there were things going on with the other  
19 boys but I didn't know the exact details of what was  
20 happening. I think EUT sexually assaulted my brother.  
21 We talked about it.

22 EUT was involved with .  
23 A few people came to stay at the house to get sober or  
24 recover from drug use. They were in such a state they  
25 couldn't feed themselves. I had to look after them from

1       when I was 14 years old. Some were suicidal, we would  
2       mash up food for them and give them alcohol so they  
3       wouldn't have seizures. Those people have said to me  
4       that EUT would stare at them when he washed them. The  
5       people couldn't move because they were mangled.

6       EUT moved to the house and started putting the  
7       boys he fostered in there. I was about 17 years old.  
8       I had the byre to myself. My brother worked and came  
9       back to stay sometimes. EUT continued to emotionally  
10      abuse me as an adult by killing three dogs that were  
11      mine and turning up where I was working and making  
12      a fool out of me.

13       I went to college through the Construction Industry  
14      Training Board when I was 20 years old. I had no  
15      qualifications and I was determined to get something  
16      against my name. I got different qualifications for all  
17      sorts of things involving construction and heavy plant.  
18      I worked with diggers to pay for college.

19       I got married when I was 23 years old in 2009 and  
20      continued to live at EUT's with my wife. We stayed in  
21      the byre. EUT, my brother and his partner were  
22      staying in the house. EUT was really horrible to my  
23      brother's partner and he wasn't nice to my wife either.  
24      EUT tried to keep me away from my son when he was  
25      born.

1           When I was about 14 years old, I tried to tell  
2       Emma Stark about EUT trying to control everything  
3       I did and threatening to send me back to my mum in  
4       Stornoway. Emma Stark never listened to me and brushed  
5       me away. I never felt I could tell her about the abuse.

6           Our doctor lived in a house nearby. There was  
7       a river between the byre and the doctor's house. When  
8       I was about 16 or 17 years old, our doctor's wife  
9       reported to the police that she heard one of us  
10      screaming in the byre one night. Brian Harper was the  
11      police officer who came from Tarbet. Nothing much  
12      happened. He didn't really ask us or pay attention to  
13      what we were saying. I can't remember what I said,  
14      probably that something happened. I wouldn't have known  
15      how to put it into words. I have severe trouble  
16      communicating with people. He spoke to EUT but  
17      I don't know what he said. It was brushed under the  
18      carpet.

19          The two brothers who stayed there made a complaint  
20      about EUT around the same time. They were aged 10 or  
21      11 years old and 12 years old. One of them complained  
22      about sexual abuse. Brian Harper came and saw them  
23      about that. Emma Stark and Keith Harper came at  
24      different times. They spoke to me and asked me a few  
25      questions but I can't remember much about that. This



1 was a year or so after I had been at the hospital. The  
2 brothers stopped coming to EUT 's for a while. Then  
3 they came back again because there was nowhere else to  
4 put them as a placement.

5 I finally left EUT 's in 2010 when EUT died.  
6 I was 24 years old. Brian Harper came to the byre and  
7 told me to destroy the hard drive on EUT 's computer.  
8 He told neighbours to make sure it was destroyed as  
9 well. I smashed the computer with the digger, got the  
10 hard drive and burnt it. I don't know what was on the  
11 computer. EUT used the computer as an excuse for the  
12 counselling work he was doing but he never had anything  
13 on that computer. He had a laptop."

14 From paragraph 80, 'Ronald' speaks of life after  
15 care and the impact of his care experiences on him.  
16 I'll read parts of what he tells us about impact:

17 "I've struggled with everything. I struggle with  
18 day-to-day living. I find it hard to be around people  
19 and I have a diagnosis of severe social anxiety.  
20 I can't trust and there is a really small amount of  
21 people who I trust. I have struggled with depression  
22 and suicidal thoughts. I have recently been diagnosed  
23 with emotionally unstable personality disorder and  
24 complex post-traumatic stress disorder.

25 I was addicted to heroin. I've been clean for five

1 years.

2 I have flashbacks. They can happen at any time.  
3 I have flashbacks to being raped and interfered with to  
4 the threat to the deaths of my dogs and being threatened  
5 with a rifle. I have flashbacks to being made to kill  
6 sheep and seeing my ducks slaughtered. I disassociate."

7 Now to paragraph 87:

8 "I have been in trouble with the police and I'm in  
9 prison just now. I've really struggled with that.  
10 Everything that has gone on in my past has led me to be  
11 here in prison today. It's all part of it.

12 My care experience had a negative impact on my  
13 education. I would have been able to do something more  
14 than what I have done, if that hadn't happened. I'm  
15 quite clever. I feel I've been cheated out of a lot.

16 My mother has tried hard to repair everything since  
17 I've been in prison. She's really made an effort. I'm  
18 still close to my brother. Me and my brother have  
19 talked about EUT's, but we really don't want to talk  
20 about it.

21 I don't want to live the way I have for so many  
22 years. I have nothing to hide anymore. I'm ready to  
23 fight for the life I want and deserve.

24 In 2012 I tried to report to the police what EUT  
25 had done to me. EUT had died in 2010. The police

1 fobbed me off. I went to Stornoway police station and  
2 spoke to a police officer called Donny. He's from  
3 Scalpay. I told him what happened to me and that  
4 I suspected EUT was a paedo. I had written a diary of  
5 everything that EUT had done to me, the sexual and  
6 mental abuse. I gave the diary to the police and they  
7 photocopied it.

8 I went to Social Services in 2012 to complain about  
9 what happened to me in care but no one took me  
10 seriously. Jack Libby is now one of the heads of the  
11 social work department in Stornoway. I told Jack Libby  
12 what happened to me in more detail than what I've said  
13 today and on top of what Social Services knew already.

14 Jack Libby took a photocopy of my diary. He  
15 apologised to me and said they couldn't have done any  
16 more. I asked for the apology in writing but he  
17 wouldn't give it to me in writing. Jack Libby just  
18 verbally said it. This was around the same time that  
19 I asked for my records the first time. Social services  
20 gave me a number for a counselling telephone line.  
21 I haven't claimed any compensation for what happened to  
22 me in care. A written apology is all I wanted.

23 The only help I've had is from the psychologist in  
24 HMP Barlinnie. I've told her some of the things that  
25 have happened to me in the past. I'm desperate to

1 change my life around.

2 I asked for my records in 2012 and social work  
3 refused to give them to me. I've requested them many  
4 times since then and they have fobbed me off every time.  
5 Jack Libby said if I got my records then they couldn't  
6 stop other organisations or people getting hold of them.  
7 I want to see what's on my records.

8 Prospective foster carers have to be screened a lot  
9 better than they have been in the past. A lot more  
10 checks should be done on them. Social workers should  
11 really look into the places they send foster children to  
12 and children shouldn't be sent to just any foster place  
13 that comes up. Kids should be listened to a lot more,  
14 instead of listening to the parents, people in schools  
15 and social workers.

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

20 'Ronald' signed his statement on 9 December 2021.

21 LADY SMITH: Thank you.

22 MS RATTRAY: My Lady, we do have records.

23 LADY SMITH: Let's have a look.

24 MS RATTRAY: The first record I'd like to refer to is at

25 WIC-000000022, starting at page 1 at the foot of the

1 page. This is going back to the first foster placement,  
2 which was a respite placement, but extended over several  
3 years, with the EUQ-EUV.

4 What we see at the foot of page 1 of this  
5 document --

6 LADY SMITH: That's the first EUQ-EUV, because there were  
7 two couples called --

8 MS RATTRAY: Yes, it's the first EUQ-EUV, who were respite  
9 carers from about 1995 to 1998.

10 At the bottom of this page we see there is an entry  
11 for Tuesday, 16 July 1996 and there's a reference about  
12 speaking to a Mrs [REDACTED], but that's really just to get  
13 the date for this reference. If we turn over to the  
14 next page on page 2. If we continue down, there's  
15 a reference halfway down of the social worker being told  
16 that EUU had spoken of with regard to  
17 EUQ.

18 "She told me that he had said that EUQ had  
19 slapped him across the face ..."

20 It says fact but I think it should be face.

21 LADY SMITH: Yes.

22 MS INNES: "... whilst he was in the shower and it was  
23 a strong enough slap to send him reeling."

24 The person here, who I think is 'Ronald's' mother,  
25 had asked 'Ronald's' brother about this but he denied

1       having seen anything:

2               "The mother said she felt that 'Ronald' was being  
3       truthful about this and she did not want this to be  
4       brought up with EUQ ."

5               The social worker here discussed the above with  
6       Janis Wright, who I think is another social worker:

7               "EUQ was going away on holiday the following  
8       day and we decided it would be unfair to discuss it with  
9       her in a hurry without resolving the matter."

10              Then the next entry is 26 July 1996 where there is  
11      a visit to 'Ronald' when he's at home and 'Ronald'  
12      didn't seem to want to discuss it and he went out the  
13      window at one point. However it says:

14              "'Ronald' did however allege again that on  
15      an unspecified day, but between the Tuesday I visited  
16      and the Sunday they came home, EUQ hit him. This  
17      he said was because he had fallen in the river. He said  
18      it happened in the shower. None of this information was  
19      volunteered by him and he required much prompting."

20              Over the page to page 3 it continues:

21              "He said he didn't want to go back."

22              Then we see on 6 August 1996 the person speaks with  
23      EUQ about the foregoing and she said:

24              "She had smacked both the boys for an incident of  
25      spitting. She said she couldn't remember when this



1 happened but said it was before I had visited on the  
2 Tuesday. She said there was another incident where  
3 'Ronald' had been grounded for pushing another boy in  
4 the river during play. She said this had been the end  
5 of the matter and had passed without note. She  
6 categorically denied hitting 'Ronald' across the face.  
7 EUQ says she rarely smacks but as an exception and  
8 she doesn't consider it harmful."

9 There's then discussion and seeing the foster carer  
10 again on 9 August 1996 and she discussed the above and  
11 agreed the following:

12 "That EUQ would agree that it was her  
13 intention not to smack the boys again."

14 There's also reference about consulting doctors,  
15 which is another matter.

16 That's the reference we have in relation to the  
17 EUQ-EUV.

18 I'm going to move now to WIC-000000023, what we have  
19 here is an internal memo and this is in relation to the  
20 last foster placement with EUT. It's a memo  
21 of 12 March 2002 and it says:

22 "It has come to my attention and EUT and 'Ronald'  
23 were sharing a bedroom. Whilst I am not questioning  
24 EUT's motives, this is something that is too dangerous  
25 for a number of reasons. Could you please address safe

1       caring with EUT ."

2           Then if we turn to page 2 of this document, this is  
3       a boarding-out report dated 25 March 2002 and it gives  
4       us a bit of a background about EUT and it  
5       says:

6           "He is a 57-year-old single man ..."

7           It also says:

8           "He was approved as a foster carer following  
9       assessment by Western Isles fostering panel on  
10       28 August 2001. He had at this time been caring for  
11       a young boy on a voluntary basis and the assessment  
12       process formalised this arrangement."

13          Turning now to WIC-000000026, and what we're looking  
14       in the first instance are fostering case notes. These  
15       particular records are taken from the foster carer file  
16       for EUT , which was provided by Western Isles  
17       Council, rather than from the children's file.

18          What we see first are some case notes and at page 1,  
19       the first entry to look at if we could scroll down the  
20       page to the bottom part of the page and we're looking at  
21       an entry dated 11 March 2002. It's a reference to:

22          "Feedback from Emma via 'Ronald's' mother was that  
23       all was well except that she showed concern that they  
24       shared a bedroom, although 'Ronald' was not complaining.  
25       I advised Emma that maybe for EUT 's sake this was not



1 a good idea. Emma will visit this morning and discuss."

2 We see further down the page there's a reference to  
3 the memo we've just looked at, "... highlighting the  
4 need to speak to EUT about safe caring in respect of  
5 'Ronald' and in fact any child/young person shared with  
6 him".

7 Then the next entry starts 13 March and it's  
8 a telephone call from EUT and an arrangement to  
9 discuss the safe caring. There is also reference to,  
10 "There are practical difficulties around the  
11 accommodation in the barn", which I think we've heard  
12 about in the statement too.

13 LADY SMITH: Yes.

14 MS RATTRAY: If we turn over to page 2 and we see at the top  
15 it's a continuation about seeing EUT and talking about  
16 safe caring, "... especially around his accommodation of  
17 'Ronald' and to ensure that he safeguards himself  
18 against the potential for allegations".

19 I think there are concerns about the sleeping  
20 arrangements but the focus seems to be on protecting the  
21 foster career and the assumption is that there's nothing  
22 untoward going on.

23 If we turn to page 4 now and the first entry there  
24 of 22 May 2002 and there is reference to discussions  
25 later in the day about the possible placement of a boy

1 with EUT for maybe a six-week assessment placement  
2 and the child has been abandoned by his mother and is  
3 likely to be placed -- sorry, I'm at the wrong page, I'm  
4 looking at earlier page, sorry.

5 Page 4, I'm looking at an entry of  
6 16 September 2002.

7 LADY SMITH: This is about the befriending.

8 MS RATTRAY: Yes, and it's really identifying that EUT's  
9 name came up in respect of a child he's apparently  
10 befriended through the that we've heard about, the  
11 voluntary organisation, and suggestions are made that he  
12 would be able to offer this boy a home.

13 "I am only in favour of this if EUT is residing in  
14 the house and not the barn. He has been difficult to  
15 contact."

16 There's also information about this man in his 50s,  
17 single, with no children and he's befriending boys and  
18 inviting them to his house.

19 If we move to page 5 and I'm looking at the entry of  
20 12 November 2002. This actually relates to the earlier  
21 foster placement we looked at with EUQ.  
22 It looks like EUQ is passing tops to  
23 'Ronald' and:

24 "... he accepted them but seems to have a problem  
25 with memories of EUQ. It appears from his

1 viewpoint that all was not so well during their regular  
2 visits and he has clearly decided that he does not want  
3 to make contact again. 'Ronald' would not elaborate."

4 But we have another reference to the first respite  
5 placement over several years not being one that clearly  
6 'Ronald' was happy with.

7 I would like to move to page 10 and this is now in  
8 early 2006, which is when -- technically it's not  
9 a foster placement but it's a continuation and it's  
10 supported lodgings and 'Ronald' and his brother is  
11 there. The third paragraph down, there's reference to:

12 "EUT bought lots of stuff for the boys. He  
13 mentioned that 'Ronald's' brother already has music  
14 equipment with a value of over £5,000 that he financed.  
15 He is not quibbling about this, but finds it annoying  
16 when he is considered as a maverick and bits of finance  
17 are kept off him, regardless of his work with the boys.  
18 He has no concerns about any money that he has spent on  
19 the boys, seeing it as a good investment in their  
20 future."

21 We see an entry to the foot of the page,  
22 24 January 2006, which also talks about:

23 "EUT does seem particularly close to 'Ronald's'  
24 brother and is clearly trying to give him the best start  
25 possible, although maybe he is spending money that he

1 will not get back, on especially musical equipment, and  
2 not cheap stuff either."

3 If we turn to page 11, towards the foot of the page,  
4 and this is later in May 2006, the last paragraph:

5 "We talked about his experience in fostering. He  
6 does not have a great deal of confidence in social work,  
7 certainly in relation to the two boys. He feels they  
8 were neglected for years before social work became  
9 involved and then did not put in place the resources  
10 needed for their rehabilitation. EUT's fostering  
11 activities has cost him dearly financially. He has  
12 spent £6,000 on musical instruments for 'Ronald's'  
13 brother to support him in his ambition. He says that he  
14 had to take out an £11,000 loan to finance 'Ronald's'  
15 brother and his musical ambition."

16 We have a situation where large amounts of money are  
17 being spent on these young people.

18 LADY SMITH: Yes.

19 MS RATTRAY: If we move now to page 14, this is a document  
20 which is an assessment for the fostering panel and it's  
21 dated 18 April 2005 and it's prepared by Donald MacIver,  
22 who is mentioned in 'Ronald's' statement, social worker  
23 (fostering and adoption), and I think we know from  
24 elsewhere that he's the link worker.

25 If we now move to page 21. This is part of the

1 assessment for the fostering panel and the foster home  
2 review. At page 21, second paragraph, this is referring  
3 to:

4 "Some social workers whose young people were in  
5 placement with EUT did voice concerns about how  
6 frustrating it was to try to work with EUT. They  
7 found it difficult when they felt that their role was  
8 being undermined by EUT's strength of commitment to  
9 the young people that sometimes felt as a negative  
10 reaction towards the social worker, thus putting up  
11 a barrier between the young person and their social  
12 worker. EUT's demands and requests for action or  
13 going it alone, albeit for the right reasons, were  
14 sometimes seen as working against the social  
15 worker/Local Authority, undermining some of the  
16 procedures intended to safeguard the interests of the  
17 child, but that might take longer to enact. It seemed  
18 to show a disregard for the role and responsibility of  
19 the social worker, and effectively place EUT in this  
20 role for the young person. Where foster carers take  
21 this maverick role, it greatly adds to the risk of  
22 allegations being made against foster carers, and then  
23 little opportunity of safeguarding them against  
24 themselves and the allegations."

25 We have here a situation where the foster carer is

1 acting in a way essentially to cut between the role  
2 between the child and the social worker, but once again  
3 from the link worker's perspective this is about  
4 protecting the foster carer.

5 Then the next paragraph, we come on to the  
6 allegations which have been made which are referred to  
7 in 'Ronald's' statement.

8 "The boy who had been on a series of short-break  
9 placements with EUT made an allegation that EUT had  
10 sexually assaulted him. It was claimed that EUT as  
11 a matter of habit came into his bedroom in the early  
12 morning and would either sit on his bed or get into it,  
13 and on one occasion had touched him sexually. This was  
14 not verified by any of the other young people in the  
15 placement.

16 After initially refusing to say anything or make  
17 a statement, the boy's brother made a statement  
18 following the boy's advice, indicating that he felt that  
19 EUT had inappropriately interacted with him, by  
20 encouraging him to sit on his lap, and that this was the  
21 price of cigarettes. There was no suggestion that  
22 anything more happened with him."

23 We see that there's been an investigation:

24 "The allegations being made resulted in a joint  
25 police/social work investigation, with the police



1 interests taking precedent, given the possibility of  
2 a crime having been committed.

3 All the other young people who had stayed with EUT  
4 were interviewed and most had nothing but praise for  
5 EUT and denied anything inappropriate ever taking  
6 place with them."

7 It says:

8 "Although a report of the facts of the case was sent  
9 to the Procurator Fiscal, the police considered that  
10 they did not have adequate evidence to prosecute."

11 If we turn the page:

12 "The report was sent because there appeared to be  
13 apparent corroboration by the brother of some issues of  
14 inappropriate behaviour, ie the sharing of bedrooms when  
15 not necessary, and young people being encouraged to sit  
16 on EUT's lap possibly for reward.

17 'Ronald', who had by now stayed with EUT for three  
18 years, was very angry with the investigation and the  
19 different agencies involved, became uncooperative  
20 towards what he considered a ridiculous allegation, and  
21 was extremely supportive of EUT. He remains fully  
22 supportive.

23 EUU's younger brother is under no order [which  
24 I think probably means a supervision requirement or  
25 something], and against advice during the investigation

1 has continued to visit and stay with EUT and 'Ronald'  
2 on a regular basis, with his mother's consent. The  
3 brother is fully supportive of EUT and doesn't believe  
4 that he has assaulted anyone. The brother showed  
5 a great deal of concern for EUT when the allegation  
6 was made, intent on standing his ground in respect of  
7 his beliefs that EUT has not done anything wrong to  
8 anyone. He is only able to see the good that EUT had  
9 done for himself and his brother and so many other  
10 people."

11 Then if we continue, there's a list of matters of  
12 concern, the first one being:

13 "A foster carer taking a young person to the  
14 mainland without adequate pre-planning and agreement and  
15 had not given adequate details of the trip, specifically  
16 about the young person staying overnight with him in  
17 shared accommodation."

18 That he's been:

19 "Sharing a twin-bedded bedroom with a young person  
20 in his care while on the mainland.

21 Sharing bedrooms in the house with young people  
22 whilst other rooms were empty/available as attested to  
23 by young people in his care.

24 Seemingly unable to accept such practices as being  
25 risky, seeing them as normal when related to his own



1 youth/cultural experience.

2 Leaving himself open to risk of allegations.

3 Behaving as a maverick -- going it alone."

4 There's reference of working with 'Ronald's' brother  
5 without the social work department's agreement, "...  
6 following revelation of allegations, whilst being  
7 advised against this action".

8 There's further reference to not accepting advice on  
9 safe caring, inability to work to departmental  
10 standards, too much risk taking. Seen as having  
11 a difficulty in working as part of the team.

12 If we turn over now to page 23, there's reference to  
13 prior allegations:

14 "There had been two previous anonymous allegations  
15 made about EUT, questioning and doubting his sexual  
16 orientation, using quite explicit language, but giving  
17 no evidence of any impropriety. These allegations were  
18 checked out with EUT at the time and EUT's responses  
19 were accepted and believed."

20 And he basically said people took against him  
21 because of his past and so forth and that there are also  
22 those who are unable to accept that a single man caring  
23 for boys/young men could do so without having ulterior  
24 sexual motives.

25 If we turn over to page 24, we see the

1 recommendation that Donald MacIver, the link worker,  
2 makes. He says there:

3 "I have difficulty in coming to a recommendation.  
4 EUT has many virtues and strengths. On the other  
5 hand, I do not understand the allegations made by the  
6 boy other than possibly as a malicious act and yet the  
7 boy has spoken to EUT in town since the allegation was  
8 made and shown him no such malice.

9 On the basis of my instinct and past experience I am  
10 convinced, although cannot evidence, that EUT has not  
11 harmed anyone. Nevertheless, I am not clear whether it  
12 is an acceptable risk for EUT to continue to act as  
13 an approved foster carer in the way he has done,  
14 sometimes independently of the department. Foster  
15 carers need to work with the department as part of  
16 a team."

17 Then the last paragraph:

18 "I would like the fostering panel to consider  
19 EUT's approval, taking into account the very positive  
20 aspects of his career to date, the risks of further  
21 allegations being made, and the negative aspects as  
22 experienced by social workers and parents."

23 Turning to page 25, this is the point where we have  
24 the then team leader's input, who is Jack Libby, who now  
25 heads up the social work department and we heard

1 evidence from him in phase one.

2 LADY SMITH: Yes.

3 MS RATTRAY: What he said as team leader at that time, this  
4 is 13 April 2005:

5 "I remain open minded as to the most recent child  
6 protection investigation which involved EUT  
7 EUT did leave himself in a very vulnerable  
8 position in his approach to fostering, ie taking a young  
9 person away to Inverness without making it clear they  
10 would be staying overnight in B&B accommodation and also  
11 the general sleeping arrangements at his home.

12 What is beyond doubt is that Mr EUT has  
13 difficulty either accepting or understanding the  
14 guidelines, policies and procedures that modern social  
15 work has to work with. These have been put in place to  
16 protect young people and foster carers alike.

17 Good communication is essential between foster  
18 carers and social workers for increasing the likelihood  
19 of positive outcomes for young people. Once again,  
20 Mr EUT does not seem to realise the importance of  
21 this, and the frustrations it causes for social workers  
22 and on occasions the families of young people when  
23 communication is short of adequate.

24 As pleased as I am at the apparent positive  
25 involvement Mr EUT has had with 'Ronald' and his

1 brother, I do not think I can recommend Mr EUT  
2 continues to foster any more young people."  
3 And that's his position.  
4 If we turn to page 26, this is the start, just  
5 really to register that this is the minutes of the  
6 fostering panel which was then held on 19 April 2005.  
7 This document has various discussions of various  
8 people on the fostering panel, which includes the team  
9 leader, Jack Libby, and it includes other social workers  
10 and the Depute Director of Social Work, who is the  
11 person called Iain within this.  
12 If we cut to the chase and go to page 30 and the  
13 foot of page 30, we will see:  
14 "Iain McKinnon [that's the Depute Director of Social  
15 Work] stated that 'Ronald' and his brother couldn't be  
16 divorced from the situation. Iain stated that EUT has  
17 to demonstrate that he has the capacity to change. Iain  
18 suggested that the placement should be extended for  
19 three months to prove that he can work with the  
20 department."  
21 The next page is actually on page 32 and we see  
22 Jack, and that's Jack Libby:  
23 "... stated that he was uncomfortable with the  
24 risk."  
25 There's various discussions about that and then we

1 see that the formal recommendation was that EUT  
2 continue as a foster carer but only in relation to  
3 'Ronald' and his brother meantime.

4 "Jack asked that it be recorded that this  
5 recommendation was not a unanimous decision."

6 If we turn now to page 38 we see that this is  
7 another foster home review and this time it is to  
8 de-register EUT and it's dated 5 June 2007.  
9 Once again the report writer is Donald MacIver, his link  
10 worker.

11 The reference to a bit of the history here, but if  
12 we turn to page 39, the next page, towards the foot of  
13 the page, we see:

14 "A home visit in May 2007 and a telephone  
15 conversation on 5 June 2007, confirmed to me that EUT  
16 is no longer in the position to foster. I have had  
17 little opportunity to investigate the reasons more  
18 fully. If further information comes to light I shall  
19 prepare a further brief report for the panel date.

20 I recommend that EUT be de-registered as a foster  
21 carer on the basis he is no longer able to consider  
22 fostering. He offers a continued commitment to the two  
23 young people he has cared for and built up  
24 a relationship with, but outside a fostering remit."

25 LADY SMITH: By that time, 'Ronald' would be about 23 years

1           old?

2   MS RATTRAY:   Yes.

3           His brother was two years younger.

4   LADY SMITH:   Yes.

5   MS RATTRAY:   "I further recommend that EUT be commended

6           for the work he has done with two potentially

7           challenging young people in particular."

8           There's no information to say what the nature of

9           what happened here, whether there were allegations,

10          whether it was alcohol use or whether it was simply

11          health reasons, given that he passed away in 2010 we're

12          told.

13   LADY SMITH:   Yes.

14   MS RATTRAY:   That concludes looking at the records, but

15          simply for reference that the foster carer's file and

16          included in the bundle includes all the police

17          statements which were taken in relation to the

18          allegations by the brothers.  These copies of the signed

19          police statements are part of the bundle on pages 55 to

20          57 and 42 to 45.

21   LADY SMITH:   That was when they made the allegations to the

22          police in 2012, was it?  Thereabouts?

23   MS RATTRAY:   This is back in 2005.

24   LADY SMITH:   Oh, the earlier ones.

25   MS RATTRAY:   What happened was in 2005 the two brothers --

1           one brother made an allegation of sexual assault. His  
2           brother suggested he wasn't sexually assaulted but he  
3           was asked to sit on EUT s knee for reward.  
4   LADY SMITH: Yes.  
5   MS RATTRAY: 'Ronald' and his brother at that time supported  
6           EUT and denied anything inappropriate was going on,  
7           but in 2012 'Ronald' came forward and reported abuse.  
8   LADY SMITH: By which time EUT was dead?  
9   MS RATTRAY: By which time he was dead. He had been dead  
10          for two years.  
11          I think, given the time, there won't be space for  
12          further read-ins.  
13   LADY SMITH: Thank you very much indeed.  
14          I'll rise now until tomorrow morning.  
15          We sit at 10 o'clock with our next oral witness; is  
16          that right?  
17   MS RATTRAY: Yes. We are scheduled to have two oral  
18          witnesses tomorrow morning, who will be by videolink.  
19   LADY SMITH: Yes.  
20   MS RATTRAY: Then the day will finish with the remaining  
21          read-in evidence.  
22   LADY SMITH: Thank you very much.  
23          Before I rise, we've of course used the names of  
24          foster carers in the course of the last witness's  
25          evidence, evidential read-in, two families called



1 [REDACTED] and another one, of  
2 course, EUT [REDACTED]. None of them can be identified  
3 outside this room.

4 Thank you.

5 (4.18 pm)

6 (The Inquiry adjourned until 10.00 am on  
7 Friday, 7 October 2022)

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