

Thursday, 14 December 2023

1

2 (10.00 am)

3 LADY SMITH: Good morning.

4 Welcome to the third day of evidence this week.

5 This is the last day in which we will have in-person

6 evidence in the Scottish Prison Service section of

7 Phase 8.

8 I think we have a witness ready, is that right?

9 MS FORBES: We do, my Lady, although I should say --

10 LADY SMITH: Sorry, of people who are talking about

11 experiences directly in Scottish Prison Service

12 establishments. Tomorrow's evidence will be two people

13 who have been before to talk about other matters to do

14 with the provision of these services.

15 MS FORBES: My Lady, good morning.

16 We do have a witness who is anonymous and his

17 pseudonym is 'Peter'. I think, given the nature of the

18 evidence that may be put to him, it may be appropriate

19 to give him a warning.

20 LADY SMITH: Yes. Thank you very much.

21 'Peter' (affirmed)

22 LADY SMITH: 'Peter', thank you for coming along this

23 morning to assist us in our work here by coming to give

24 oral evidence in relation to the statement that you've

25 already provided to us. Thank you also for that, it's

1 really helpful to have had that in advance.

2 In the course of your evidence you will be able to
3 see your statement, if you find that helpful, and it's
4 in the red folder in front of you. It will also come up
5 on screen and so you can look at it if you want.

6 Otherwise, if you have any questions at any time,
7 please ask. Any concerns, do tell me. What I want
8 overall is to do anything I can to make the whole
9 process of giving evidence as comfortable for you as is
10 possible. I know it's not an easy thing to do and
11 I'm sure you've come along here with anxieties about
12 doing it beforehand, but we'll do what we can to
13 alleviate those anxieties, if possible. So don't
14 hesitate to tell us what we need to do to make things
15 easier.

16 If you need a break, that's absolutely fine. I do
17 break at about 11.30 am in any event, but if you need
18 a break before then, just tell me and if that's a break
19 just sitting still and having a breather where you are
20 that's fine or if you want to leave the room for a short
21 while, that's also fine.

22 It's your call. If it works for you, it works for
23 me. Is that all right?

24 A. Yeah.

25 LADY SMITH: If you're ready, I'll hand to Ms Forbes in

1 a moment but what I want to just tell you first, and you
2 may already have been told this, is that in the course
3 of the questions you are asked this morning, you may be
4 asked something the answer to which could incriminate
5 you. So far as answering any such question is
6 concerned, it's your choice. You don't have to answer
7 it. If you do choose to answer it, you must of course
8 do so fully. But you need feel under no pressure to
9 answer it if you would prefer not to. Do you understand
10 that?

11 A. Yes.

12 LADY SMITH: If you have any doubts at any time just ask me
13 whether this is that sort of question or ask Ms Forbes
14 and we'll tell you whether or not, but I hope it's easy
15 to identify and it's all clear as we go along.

16 Ms Forbes.

17 MS FORBES: Thank you, my Lady.

18 Questions from Ms Forbes

19 MS FORBES: Good morning, 'Peter'. You have your statement
20 in front of you in the red folder and for our purposes
21 we give that a reference number. The reference number
22 just for the transcript, I'm going to read it out, is
23 WIT-1-000001361.

24 If I could ask you to just open up the folder for me
25 and have a look at your statement. If you could go to

1 the last page, which should be page 34, I think. In
2 that last page there is a paragraph at paragraph 228
3 that says:

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

8 It is dated 8 December 2023, is that right?

9 A. Yes.

10 Q. That is the position, yes?

11 We can go back to the beginning again, if you want.
12 It's there for you at any time, if you need to refer to
13 it.

14 'Peter', you tell us that you were born in
15 [REDACTED] 1971, is that right?

16 A. Yeah.

17 Q. You're currently a serving prison officer and you are
18 based at Polmont; is that correct?

19 A. That's correct, yes.

20 Q. I'm going to ask you some questions about your
21 background and how you came to be in the Prison Service
22 first of all, if that's okay.

23 I think you tell us in your statement that you
24 initially went to Falkirk High and left school with some
25 qualifications, some O Grades, is that right?

1 A. Yeah.

2 Q. Then you first of all worked at a paint warehouse and
3 then went on to do some building trade jobs?

4 A. Yeah.

5 Q. You left the building trade in 1999, is that right?

6 A. That's right, yeah.

7 Q. I think you say that that is when then you applied to
8 the Prison Service, but it wasn't the first time you'd
9 applied. You tell us you applied when you were 17, so
10 quite young --

11 A. Yeah.

12 Q. -- initially, but you were told at this time that you
13 were too young --

14 A. Yeah.

15 Q. -- and that you should re-apply when you were a bit
16 older, is that right?

17 A. That's correct.

18 Q. What was it that interested you in a job with the Prison
19 Service?

20 A. I think it was the security, that you're always going to
21 have a job. Working in the building trade, didn't have
22 a pension, didn't have holiday pay, all those benefits
23 that went with it, plus the fact it's a career, it
24 wasn't just a job.

25 Q. You say as well, at paragraph 4 of your statement, that

1 where you were from, there were quite a few men who were
2 in the Prison Service, so it was something you sort of
3 had some personal knowledge of as well through that?

4 A. Yeah.

5 Q. You tell us that that interview process then was a bit
6 drawn out and there was a medical, an interview and some
7 psychometric tests, is that right?

8 A. Yeah, that's right.

9 Q. The final interview then was in front of a panel of
10 three governors?

11 A. Yes.

12 Q. You say that you think some references were obtained as
13 well and perhaps some background checks, some sort of
14 fitness checks as well?

15 A. Yeah.

16 Q. Like what we have now, the PVG?

17 A. Yeah.

18 Q. You were successful obviously at that time, is that
19 right?

20 A. Yes.

21 Q. Would you have been 28 years old by then?

22 A. Yeah.

23 Q. That's 1999.

24 You then go on to tell us about the training that
25 you went through and you tell us about that from

1 paragraph 7 onwards. I'm just going to go through some
2 of that with you.

3 Initially it was eight-week residential training?

4 A. Yes.

5 Q. That was at the Prison College, is that at Polmont as
6 well?

7 A. Yeah.

8 Q. Is that building in the same sort of estate but separate
9 building --

10 A. It's in the same grounds, but a different building from
11 the prison.

12 Q. You tell us that after that eight-week residential
13 training you then spent three months in the prison at
14 Polmont --

15 A. Yeah.

16 Q. -- training, is that right?

17 A. After my eight weeks I got deployed to Polmont, that was
18 my place of work.

19 Q. I think at paragraph 7 you say you did the eight-week
20 residential training and then you did three months at
21 Polmont and then went back for a further two-week
22 training but was that maybe refresher training or
23 something?

24 A. Yeah.

25 Q. That three months you are talking about, that's you

1 starting your role really as a prison officer?

2 A. Yeah.

3 Q. You tell us a bit more about the training that you went
4 through. You tell us that there was control and
5 restraint training?

6 A. Yeah.

7 Q. Prison rules as well?

8 A. Yeah.

9 Q. In relation to control and restraint, you tell us about
10 it being Level 1 and Level 3 training?

11 A. Yeah.

12 Q. The way you've described it in your statement is you say
13 that Level 1 was for local use at the establishment and
14 Level 3 was sort of national training?

15 A. Yes.

16 Q. If I ask you about Level 1. When you say that was for
17 "local use at the establishment", what do you mean by
18 that?

19 A. That was the training that we got taught to deal with
20 situations that could happen within the prison
21 environment, how to deal with two fighters, splitting
22 them up, stuff like that.

23 Where Level 3, National Level 3, is if you're going
24 to deal with an incident maybe at another establishment
25 that's had indiscipline again, so they need extra staff,

1 they need teams put in there, so it's a different style
2 of training.

3 Q. Is Level 1 control and restraint training more about
4 physical restraint on one-to-one basis?

5 A. It's not one to one, but it's more on the -- how to deal
6 with a situation with use of force but the least amount
7 of force as necessary.

8 Q. The Level 3 training was more to do with -- you say when
9 control had been lost of a prison for example and it was
10 a much bigger scale?

11 A. Bigger scale, yeah.

12 Q. That initial training was done during that eight-week
13 residential training?

14 A. Yeah.

15 Q. Is there a Level 2? You talk about Levels 1 and 3 but
16 I'm wondering --

17 A. There is a Level 2, it's just a step up from Level 1 for
18 a local incident as well.

19 Q. Is that sort of more advanced version of Level 1?

20 A. It's -- it's a version of Level 3 but only to deal with
21 local incidents.

22 Q. Is that something that you did at the time initially
23 or --

24 A. I done the three of them at the time, yes.

25 Q. You did the three of them at the same time?

1 A. Aye.

2 Q. I think you have mentioned this in your evidence just
3 now, but you say that you were taught to try and deal
4 with things at the lowest level?

5 A. Yeah, always.

6 Q. Before anything escalated?

7 A. Yeah.

8 Q. When you say the lowest level, is that for example
9 talking to the prisoner, trying to talk them down, that
10 kind of thing?

11 A. Yes.

12 Q. Before any hands on would be taken?

13 A. Yeah.

14 Q. At that time, when we're talking about control and
15 restraint, are we talking about what we have heard -- we
16 have heard evidence about locks being put on and that
17 was a physical restraint that would be put on for
18 example one hand and the other hand. Is that what you
19 are talking about here?

20 A. Yes, that's done with three members of staff, plus
21 a supervisor overseeing it.

22 Q. There would be three members of staff, one for each limb
23 of the arms and then one that controls the head, is that
24 right?

25 A. Yeah.

1 Q. There would also be another officer who would be
2 supervising?

3 A. A first-line manager supervising it.

4 Q. When something like that happens and control and
5 restraint training has to be used, it's not really
6 foreseen at the time, is that right? It could come
7 spontaneously?

8 A. Oh, yeah.

9 Q. Just thinking then about you are saying there would be
10 a supervising officer, they might not be there at the
11 time something started, is that right?

12 A. That could be the case, yeah.

13 Q. Then how would they then become aware and become
14 involved to supervise?

15 A. Usually when the incident happens there is an alarm
16 button pushed so staff will attend, whenever that alarm
17 goes off a first-line manager should attend as well.

18 Q. At the start of an incident there might only be one or
19 two officers, but once that alarm's pressed then more
20 officers become involved and then the supervisor becomes
21 involved as well?

22 A. Yeah.

23 Q. Just going back then to the training that you received,
24 I think you say as well that you don't recall any
25 training to help you identify any bullying or coercion,

1 it was very much based on instinct and gut feeling?

2 A. Yeah, that's correct.

3 Q. You touch on this later in your statement, but is that
4 something that has changed since you first started?

5 A. Yeah. The training's improved vastly from when
6 I started.

7 Q. In relation to bullying in particular, I think you tell
8 us later that there's different programmes now, is that
9 right?

10 A. Yeah, that's right.

11 Q. We'll come to that later.

12 You also say from paragraph 14, you talk about some
13 training on suicide prevention and that was called
14 Act2Care back then and it's now Talk to Me?

15 A. That's correct.

16 Q. We have heard some evidence in the Inquiry about how
17 that has evolved over time. You do explain at
18 paragraph 15 the process that you go through if someone
19 is suspected to be suicidal and we can read that.
20 I'm not going to take you through that. We have heard
21 quite a lot of evidence about that already.

22 One of the points you make is that later as
23 a manager you were of the view that if you had any
24 doubts about a prisoner you would put them on some kind
25 of observations and you could always take them off, but

1 it was better to be safe than sorry?

2 A. Yeah, that's correct.

3 Q. Then you also talk about the process that if someone had
4 tried to commit suicide, there was a safe cell that they
5 could be put in and we have heard about the safe cell
6 and how it was set up and you have told us about that in
7 paragraph 16.

8 Just going back to your progress after you completed
9 your training, I think you tell us you joined as
10 an operations officer, is that the sort of starting
11 grade?

12 A. No, it's -- well, you can only start -- when I started
13 you could only start as an operations officer. You had
14 to get promoted to residential, so that was the only way
15 you could go through it.

16 Q. We have heard a little bit about this as well, that
17 there were the two types of officers at that level.
18 There was the operations officer and there was
19 a residential officer. I think you explain about that,
20 that operations officer was more to do with escort
21 duties and visits, things like that. It wasn't really
22 prisoner facing?

23 A. Minimal prison contact.

24 Q. But the residential officer would be more like living in
25 the hall with them on the shift?

1 A. Yes.

2 Q. Spending time during the day with them, getting them up,
3 getting them to and from the work parties and things
4 like that?

5 A. Yeah.

6 Q. I think we have heard evidence about that. At that
7 time, was it a promotion then from operations officer to
8 residential officer?

9 A. Yeah, yes.

10 Q. You tell us that you were an operations officer then for
11 about 12 years and that was in Polmont?

12 A. Polmont, yeah.

13 Q. Then you were promoted to residential officer and you
14 moved to Low Moss for a year-and-a-half?

15 A. Yeah.

16 Q. Was that on the promotion you moved to Low Moss?

17 A. Yes.

18 Q. Then you are back to Polmont and you were a residential
19 officer there for eight years after that?

20 A. Yeah.

21 Q. You tell us you had different roles whilst you were
22 a residential officer.

23 The first one you tell us about is you were
24 a programmes officer and you talk about that from
25 paragraph 20. You say that that initially involved

1 taking prisoners in small groups to address their
2 offending?

3 A. Yeah.

4 Q. There would be various conversations with them about
5 what led up to their offence and what got them there?

6 A. Yeah.

7 Q. You were trained for that through an internal programme
8 with the Prison Service?

9 A. Yeah.

10 Q. You tell us that there were three courses that could be
11 undertaken by prisoners at that time.

12 There was courses on youth justice for young people?

13 A. Yeah.

14 Q. Ultimate Self for females?

15 A. Yeah.

16 Q. And the STOP programme for sex offenders?

17 A. Yes.

18 Q. You say that some of that training was at the College,
19 Barlinnie or Polmont?

20 A. Yeah.

21 Q. The Polmont College, is that right?

22 A. Yeah.

23 Q. Then Barlinnie in the prison or was that a training
24 facility at Barlinnie?

25 A. Training facility within Barlinnie Prison.

1 Q. You say also at Polmont within the prison itself?

2 A. Yeah.

3 Q. That was taught by psychologists and other prison staff?

4 A. Yeah.

5 Q. When you say that, do you mean it was taught to you?

6 A. Yeah.

7 Q. Was that taught to you by psychologists and other prison

8 staff with a view to you then taking the groups of

9 prisoners and delivering that to them?

10 A. Yeah.

11 Q. You say that there wasn't a particular qualification for

12 that, but that is what happened.

13 I think you describe it as really good training?

14 A. Yeah.

15 Q. You say that you got to see some of the traumatic

16 upbringings that prisoners had had and how they ended up

17 where they were?

18 A. Yeah.

19 Q. One of the comment you make at paragraph 20 is you say

20 that these courses didn't necessarily change the way

21 that you viewed prisoners at that time. It wasn't until

22 you then delivered some training on learning

23 difficulties and disabilities that something clicked for

24 you?

25 A. Yeah.

1 Q. You say it was a bullet in the brain?

2 A. Yeah.

3 Q. What was that?

4 A. Going back to their upbringing and how traumatic they've

5 been and that some people going through the care system

6 would never get identified as having learning

7 difficulties, they would end up with us without even

8 being diagnosed with anything, so that could maybe --

9 a big change of thinking in the way they're acting.

10 Q. It gives you a better understanding of why they might be

11 the way they were or have got to where they were?

12 A. Yeah.

13 Q. You say that you were chosen to do that course, the

14 learning difficulties and disabilities, by the governor?

15 A. Yeah.

16 Q. You tell us that it was a professor from Wales who

17 delivered it to you, then you went on to deliver it to

18 the staff at the college?

19 A. That's correct.

20 Q. I think from your statement you say that initially it

21 maybe wasn't your first choice in what you wanted to be

22 involved in training wise, but you really got into it?

23 A. Yeah.

24 Q. That you enjoyed it a lot?

25 A. Yeah.

1 Q. You tell us that it helped you understand why some
2 prisoners were acting the way they were and that maybe
3 there was something undiagnosed?

4 A. Yeah.

5 Q. When you started in 1999 I suppose things like ADHD and
6 autism spectrum weren't really at the forefront when it
7 came to things at school and being diagnosed and things
8 like that?

9 A. No.

10 Q. You also tell us you won an award from delivering that
11 training; is that right?

12 A. That's correct, yeah.

13 Q. That was because you saw that there was some small
14 issues, small things that could be changed within the
15 prison that might make a big difference to some
16 prisoners, like digital clocks because they maybe
17 couldn't tell the time?

18 A. Yeah.

19 Q. The other thing you mention was putting pictures on
20 timetables instead of having the words there?

21 A. Yeah.

22 Q. Like dumbbells for the gym and things like that?

23 A. Yeah.

24 Q. These small changes that people perhaps might not think
25 are important, were something that you thought made

1 a difference?

2 A. Yeah.

3 Q. You tell us also that you did some what was called
4 inclusion, which was trying to work with prisoners who
5 didn't want to come out of their cells?

6 A. Yes.

7 Q. You tell us you did that for about a year?

8 A. Yeah, that's correct.

9 Q. There was no training for that, but it was just you
10 using your experience and your own interpersonal skills?

11 A. Yeah.

12 Q. Was that something that you enjoyed?

13 A. Yes, yeah. I found it quite rewarding, getting people
14 to come out for maybe, from being a recluse and coming
15 out and back into the main population.

16 Q. When you were doing that role, did you form
17 an impression of some of the reasons as to why they
18 didn't want to be out in mainstream?

19 A. Yeah, yeah.

20 Q. What were they?

21 A. Some of them were just scared. Some were just the way
22 they were on the outside and they weren't mixing
23 outside, so it's just giving them that confidence to
24 come through and be able to mix with people and come
25 out.

1 Q. What did that involve? Did that involve you spending
2 time chatting with them and building up a relationship?
3 A. There was a lot of one-to-one work in inclusion and then
4 just bringing down to the wee pieces, small pieces for
5 them. Maybe get them into a work party for maybe a day
6 a week, an hour and being in the work party with them to
7 support them.
8 LADY SMITH: Was there a system put in place for identifying
9 who fell into that category of people that obviously
10 were trying to avoid coming out of their cells?
11 A. Yes, there was.
12 LADY SMITH: How did you do it?
13 A. There was a referral system. That you could refer
14 people within the residential areas that were -- showed
15 that they weren't coming out or mixing, so they would
16 get referred to the inclusion department, so we got them
17 from there.
18 LADY SMITH: Thank you.
19 MS FORBES: Would that referral come from residential
20 officers --
21 A. Yes.
22 Q. -- primarily?
23 A. Yes.
24 Q. It would come to you and you would then get involved in
25 trying to build a relationship, kind of piecemeal/take

1 it step by step to reintegrate them back out?

2 A. Yes.

3 Q. Was it successful in your view?

4 A. Yeah, a lot of times, yes.

5 Q. You tell us then that you acted up then as a first-line

6 manager, so how does that work? Are there first-line

7 managers that are operational and residential or does it

8 cover both roles?

9 A. Yeah.

10 Q. That was for four-and-a-half years you did that?

11 A. Yeah.

12 Q. Still at Polmont at that time?

13 A. Yeah.

14 Q. You tell us that that was involved in being in charge of

15 a group of officers and that was a mix from what you're

16 saying, of residential and operations?

17 A. Yeah.

18 Q. As first-line manager then, at that time, you wouldn't

19 be working as closely as you had been with prisoners?

20 A. No, I would be managing the staff rather than managing

21 the prisoners.

22 Q. You tell us at paragraph 27 that you were front-of-house

23 manager in charge of visits, security, control room,

24 front desk and family contact?

25 A. That's correct.

1 Q. This was just a temporary promotion to fill a vacancy
2 and you tell us you kept trying to get the job
3 permanently, but it took a couple of times but you did
4 manage to get it?

5 A. Seven times.

6 Q. Perseverance paid off then.

7 When you then obtained that promoted role, did you
8 move immediately to what you have described as a prison
9 liaison representative?

10 A. No, that was further down the line. That was just me
11 this year.

12 Q. You received the permanent position then as the
13 first-line manager and that's what you were, you were
14 still doing a similar role to what you had been doing
15 before?

16 A. Yeah.

17 Q. Was that still front-of-house manager?

18 A. Yeah.

19 Q. Then you continued in that then until -- you tell us you
20 moved on to the prison liaison representative role in
21 May 2023?

22 A. Yeah.

23 Q. Relatively recent?

24 A. Yeah.

25 Q. That's a federation representative, is that right?

1 A. Yeah.

2 Q. Are you voted in by members?

3 A. Yes.

4 Q. Do they have members voted in for different positions
5 within the Prison Service?

6 A. Yeah.

7 Q. Is that a first-line manager prison --

8 A. No, it could be anybody. It doesn't have to be a
9 first-line manager.

10 Q. Is that just for Polmont or is that for the Prison
11 Service as a whole?

12 A. Just for Polmont.

13 Q. How many people are there in that role?

14 A. Two full-time PLRs and a total of seven on the
15 committee, but the other five on the committee are
16 serving prison officers, residential and operations.

17 Q. You tell us that that role involves a number of
18 different things, but it's really to do with prison
19 officers, whether they're going through a grievance or
20 whether you need to be with them in management meetings
21 or talking about regime changes and things like that?

22 A. Yeah.

23 Q. That's your role currently and it continues?

24 A. Yeah.

25 Q. You tell us later in your statement that you are hoping

1 to continue in that role and when the time comes be
2 re-elected by members; is that right?

3 A. Yeah.

4 Q. That's the position at the moment?

5 A. Yeah.

6 Q. How many years do you have left if you were to stay
7 until retirement in the Prison Service?

8 A. Well, that depends on the Government, but myself
9 I'm going at 60, so I've got seven years left.

10 Q. Seven years' time.

11 That's your intention, isn't it, to stay in the
12 Prison Service?

13 A. Yeah.

14 Q. I'm now, 'Peter', going to ask you some questions about
15 Polmont because you tell us generally about Polmont from
16 paragraph 29.

17 You say that Polmont now is for people between 16 to
18 25?

19 A. Mm hmm.

20 Q. Before though, when you started, was it only 16 to 21?

21 A. Yeah.

22 Q. Although you say there might have been people younger
23 than that there sometimes?

24 A. I think there's been a couple in my time that's been
25 younger than that.

1 Q. You say that most come through the court system
2 obviously, but there was a time when there were young
3 people straight from secure establishments?
4 A. Yeah.
5 Q. You mention St Mary's Kenmure?
6 A. Yeah.
7 Q. Within Polmont you say that the sentences vary. You
8 could have people on life sentences and if that's the
9 case then Polmont would normally keep them until they
10 were 25?
11 A. Twenty-one, unless -- they would stay on if they were in
12 the middle of doing a programme. We would keep them on
13 for that period of time.
14 Q. Twenty-one is the norm then?
15 A. Yes.
16 Q. Before being moved to an adult facility?
17 A. Yeah.
18 Q. If they were unruly they might go to an adult prison
19 before then, is that before 21 or is this between 21 and
20 25?
21 A. Twenty-one. Usually 21 if they were causing problems we
22 would try to get them to an adult establishment when
23 they're 21.
24 Q. You say when you started, back in 1999, the prisoners
25 were all mixed together. There wasn't a specific

1 under-18s hall?

2 A. No.

3 Q. You think that changed about 2001?

4 A. Aye, I couldn't really recall when it exactly was, but
5 it was when Polmont built Blair House. That was opened
6 as an under-18s hall.

7 Q. You say that opened in about 2003, something like that?

8 A. Again, it was a guesstimate.

9 Q. You tell us that at the time you were giving this
10 statement, quite recent, there was about 325 prisoners
11 in Polmont just now, which is a big significant decrease
12 in numbers since when you joined, when you say there was
13 about 780.

14 You say that there are a lot of reasons for that,
15 probably down to alternatives to custody and the like.

16 You tell us that when they opened the under-18s hall
17 initially you describe it, paragraph 36, as probably the
18 most violent place?

19 A. Yeah.

20 Q. Can you tell us why that was?

21 A. Don't know. Just young boys, just -- as I say they
22 reacted, and I think, and putting them all together, and
23 again, different factions, different places, Aberdeen,
24 Glasgow, something to prove.

25 Q. You say that when they were all mixed together the older

1 ones would sometimes take the younger ones under their
2 wings, but when it was just under 18s it was all the
3 younger ones together and they had something to prove?
4 A. Yeah.
5 Q. You comment there was always an alarm going off in that
6 hall?
7 A. Yeah.
8 Q. You then tell us that Blair House, that you have
9 mentioned, was the first hall at Polmont that had
10 showers in the rooms?
11 A. Yeah.
12 Q. You say then that because of that it was one of the
13 cleanest halls. I wanted to ask you what you mean by
14 that, because you say in the next sentence that when the
15 young people went to the showers previously they would
16 drop sachets from the showers. When you say they drop
17 sachets, what are you referring to there?
18 A. Soap, shampoo, just leave everything lying for somebody
19 else to clean up.
20 Q. You weren't meaning drugs when you were talking about
21 that?
22 A. No.
23 Q. I just wondered whether you meant cleanest in relation
24 to hygiene or in relation to drugs?
25 A. Hygiene.

1 Q. Just talking about then your time in Polmont in the
2 period that we're interested in for the Inquiry, which
3 is between 1999 and 2014.

4 You set out the different wings that there were
5 initially and that was just the north, south, east and
6 west wings, is that right?

7 You tell us that the wings were not fit for purpose,
8 that is paragraph 40, back then, in your view, is that
9 right?

10 A. Yeah.

11 Q. There was no glass in the windows, yes? Because
12 prisoners had smashed the glass?

13 A. Yeah.

14 Q. There was still slopping out?

15 A. Yeah.

16 Q. No toilet facilities inside the cells or inside the
17 rooms?

18 A. There were porta potties.

19 Q. You say prisoners would throw stuff out the window. Do
20 you mean number twos?

21 A. Exactly, yeah .

22 Q. We have heard a practice of things getting wrapped up in
23 paper and thrown out of the window.

24 There was no electricity in the cells back then?

25 A. No.

1 Q. No glass in the windows and no electricity, did that
2 mean it was probably quite a cold place?

3 A. Could be, yeah.

4 Q. Especially in a Scottish winter, yes?

5 You say that the light switches were on the outside
6 and controlled by officers?

7 A. Yes.

8 Q. They determined when the light went off and when people
9 went to sleep in that regard, lights out for example?

10 A. Yeah.

11 Q. You tell us lights out back then, as far as you can
12 remember, was 10.30 pm?

13 A. Yeah.

14 Q. You say that people were bored, there was nothing in the
15 cells and there were fires and they would smash the
16 cells up sometimes?

17 A. Yeah, that's correct.

18 Q. You tell us about the layout in the present day in
19 Polmont and we can see that there. Back when you first
20 started there wouldn't have been females; is that right?

21 A. That's right.

22 Q. Now Blair House holds all the females?

23 A. Yeah.

24 Q. You go on to tell us about the routine, again between
25 1999 and 2014. We have heard quite a lot of evidence

1 about that. But I think in particular you say that this
2 check in the morning that would be done at 6.30 am to
3 check the prisoners were all well was quite a daunting
4 one?

5 A. Yeah.

6 Q. Was that the worry because somebody may have tried to
7 harm themselves during the night?

8 A. Yeah.

9 Q. I'm not going through what you have told us about the
10 routine. It's very useful and we can read it for
11 ourselves and we have heard a lot of evidence about it
12 already, but I think in summary you tell us that if
13 a prisoner wasn't on a work party they would be let out
14 for a shower, meals, and two hours' recreation and apart
15 from that really they would be back in their cell?

16 A. Their exercise, exercise as well.

17 Q. Did you say that was an hour?

18 A. Yeah.

19 Q. That was the sort of daily life?

20 A. Yeah.

21 Q. You tell us a little bit about dining set-up back in
22 1999 to 2014. You say that at paragraph 58 all the
23 halls had a dining area, dining rooms that were attached
24 to them and that there would be about 60 or 70 prisons
25 back then all eating at once in what was called social

1 dining?

2 A. Yeah.

3 Q. You say the violence back then was quite bad between
4 prisoners?

5 A. Yeah.

6 Q. You have mentioned that a prisoner might get a kettle on
7 the head or something?

8 A. I've seen that in the past, yeah.

9 Q. You have seen that.

10 The violence in the dining halls, was that something
11 that could occur on a daily basis?

12 A. Not necessarily. You could go weeks, you could go
13 months and not have it, but then you could go weeks with
14 every other day.

15 Q. The situation now is that as far as concerns the young
16 people, there's no social dining?

17 A. No, only if they are top-end prisoners at Polmont.

18 Q. You say females and the top-end prisoners.

19 Top-end prisoners, those are prisoners who have
20 worked their way through their sentence up to being
21 trusted and on the view of maybe going to an open prison
22 or something like that?

23 A. Yeah.

24 Q. With a view to being released?

25 A. Yeah.

1 Q. These are prisoners who over time have proved their
2 trustworthiness?

3 A. Yeah.

4 Q. When it comes to young people, the situation in Polmont
5 is that they take their food back to their cells?

6 A. Yeah.

7 Q. Are they served in the cell or do they go and get it?

8 A. Go and get it and take it back.

9 Q. It's a kind of solitary dining situation.

10 You tell us about the shower and hygiene situation
11 back in 1999 to 2014. There was communal showers with
12 no partition and there would be about six or eight
13 people showering at once?

14 A. Yeah.

15 Q. Not a lot of privacy for an individual prisoner.

16 You say that they were supervised but they could be
17 quite violent places too?

18 A. Yeah.

19 Q. You tell us about one incident that you remember in your
20 statement. Can you describe what happened?

21 A. Can you tell me what part of the statement that is?

22 Q. Paragraph 63, page 11. This is one where you say you
23 were supervising the shower area and there was
24 a slashing?

25 A. Yeah, yeah. There was an assault on a prisoner who got

1 slashed with a makeshift blade and the first you can
2 see -- obviously because of the water on the floor, you
3 could see it was full of blood, so ...

4 Q. You noticed the colour of the water changing and saw the
5 blood and that's when you realised something had
6 happened.

7 You tell us that that was a blade hidden in
8 a toothbrush on that occasion?

9 A. Yeah.

10 Q. The person responsible for that was, you tell us, locked
11 up, would that be in segregation?

12 A. Not necessarily at that time, but locked behind his door
13 until they investigated the situation.

14 Q. Until he could see the governor and it was also reported
15 to the police?

16 A. Yeah.

17 Q. The situation now in Polmont you tell us is that all the
18 cells have a toilet and a shower, which is shared with
19 generally two inmates?

20 A. No. Blair House has showers in cells. Only Blair
21 House. The halls have got separate shower cubicles now,
22 five or six.

23 Q. In Blair House, those cells, because it's a newer area,
24 is that right?

25 A. Yeah.

1 Q. So it has showers within the cells and toilets?

2 A. Yeah.

3 Q. But on the other halls it's a case of there is still --

4 not in the cells, they're somewhere else in the hall but

5 they're cubicles?

6 A. Yeah.

7 Q. It's no longer communal showering together?

8 A. No.

9 LADY SMITH: Yet that incident you talked about, where

10 somebody was slashed with a blade, was in a communal

11 shower?

12 A. Yeah, it was one of the old buildings that's no longer

13 there. It's knocked down now.

14 LADY SMITH: Where you might have thought that with

15 everything being so visible that would act as

16 a disincentive to somebody who wanted to attack another

17 person?

18 A. Could be.

19 LADY SMITH: I've heard separately that a drawback, if that

20 is the right way to put it, of the cubicles, is that

21 because inevitably you have to have a gap above and

22 below the door to the cubicle, if a prisoner who is

23 ill-intended towards another one can get in, then

24 they've got more freedom to attack the person who is

25 showering, because they could get in by going under the

1 bottom of the door or over the top?

2 A. When they are in the shower there is usually staff in
3 the area supervising.

4 LADY SMITH: So they should see that if it happens?

5 A. Yes.

6 LADY SMITH: Thank you.

7 MS FORBES: Even back then, with the communal showers being
8 supervised, it was still possible for somebody to launch
9 an attack, which is what happened that day?

10 A. Yeah.

11 Q. It seems from what you're telling us about that
12 incident, that it was apparent who had carried out the
13 attack?

14 A. Yeah.

15 Q. Didn't seem to be trying to -- they got away with it
16 from the point of view of carrying out the attack, but
17 then it was immediately obvious who had carried it out?

18 A. Yeah.

19 Q. You go on to tell us about some education and the
20 differences and about work parties and we have heard
21 quite a lot of evidence about that.

22 Then you tell us about recreation time and how
23 that's changed between when you first started and now.
24 It's fair to say that there's a lot of differences in
25 what facilities prisoners have now compared to what they

1 had when you started, is that right?

2 A. Yeah.

3 Q. Now there's TVs in the rooms; is that correct?

4 A. Yeah.

5 Q. I think at paragraph 74 you tell us televisions were put
6 into the cells but there was maybe a question mark there
7 about when that was. It doesn't particularly matter,
8 but do you know roughly?

9 A. I'm going to say 2002/2003ish.

10 Q. You comment that that took away some of the boredom --

11 A. Totally.

12 Q. -- and was a distraction and that then reduced the
13 workload from prison officers, because people weren't
14 causing disruption as much as they were before?

15 A. Yeah.

16 Q. You then talk about healthcare and you say that the
17 biggest change for you in relation to healthcare is the
18 fact that you now have mental health nurses?

19 A. Yes.

20 Q. There was nothing like that before?

21 A. No. When I started there were nurses but they were not
22 specialised in mental health.

23 Q. The nurses when you started, were they prison officers
24 who were trained as nurses or were they nurses
25 professionally and then came to work as prison officers?

1 A. That was before my time, when they had prison officer
2 nurses. They were actually nurses when I started.

3 Q. By the time you came in they were actually nurses as
4 a profession?

5 A. Yeah.

6 Q. You say that now you have seven or eight mental health
7 nurses and there is a realisation that young people have
8 so much more things to deal with like trauma?

9 A. Yeah.

10 Q. There is also a personal officer. You mention that at
11 paragraph 79. Every officer has a personal officer, is
12 that right?

13 A. Prisoner?

14 Q. Yes, every prisoner has a personal officer?

15 A. Yeah.

16 Q. Was that something that was there when you started or
17 not?

18 A. Yeah.

19 Q. It was there?

20 A. Yeah.

21 Q. That's somebody who could refer a young inmate to
22 a mental health nurse for example?

23 A. Yeah.

24 Q. You then tell us a little bit about religion and pocket
25 money and we can read that.

1 Just going on to talk about visits. You say that
2 the situation back when you started, that there were --
3 if you go to paragraph 86, in relation to family visits,
4 there were basic, standard and advanced --
5 A. Enhanced.
6 Q. That should be "enhanced" not "advanced"?
7 A. Yeah.
8 Q. Basic, standard and enhanced categories of prisoners.
9 I just want to ask you a little bit about that.
10 The enhanced prisoner would get three visits
11 a month?
12 A. Yeah.
13 Q. The standard would get two visits and the basic would
14 get one visit. What did a prison start out as? Which
15 of those three categories did they start at?
16 A. Standard.
17 Q. They start with the two visits?
18 A. Yeah.
19 Q. Then how did they then get to enhanced?
20 A. Good behaviour.
21 Q. That was the incentive?
22 A. Yeah.
23 Q. Good behaviour meant you could get an extra visit?
24 A. Yeah.
25 Q. You tell us a little bit after this, but basic --

1 residential officers had the power to put someone on
2 a strike, is that right?

3 A. Yeah.

4 Q. Would that mean that somebody was moved then from
5 standard to basic or would that just prevent them from
6 getting their usual visits?

7 A. It could do, but usually one strike wouldn't put
8 somebody down or up.

9 Q. To go down to basic then was to do with behaviour?

10 A. Yeah.

11 Q. It might not be one incident, it may be more?

12 A. Yeah.

13 Q. If someone misbehaved you tell us at paragraph 87 that
14 both residential officers and operations officers could
15 issue strikes in relation to visits if they believed
16 a prisoner had misbehaved?

17 A. It's not just relation to visits, it was just
18 a behaviour thing.

19 Q. You might be a basic/standard/enhanced prisoner in
20 relation to other things too?

21 A. Yeah.

22 Q. Would that affect other things in the prison?

23 A. Yeah, it could do.

24 Q. What type of things would that affect?

25 A. It could affect their recreation time, stuff like that.

1 Q. You might not get as much recreation time if you were
2 a basic prisoner?

3 A. Yeah.

4 Q. But an enhanced prisoner might get more than the
5 standard?

6 A. Yeah.

7 Q. You tell us about reintegration later in your statement.
8 You say at paragraph 93 that there is far more
9 programmes for work nowadays to tackle offending and
10 there's programmes on youth justice for young people to
11 address all types of offending behaviour and you list
12 the topics there that covers drugs, alcohol, stealing
13 cars, domestic abuse, that type of thing?

14 A. Yes.

15 Q. That is different from when you first started?

16 A. Yeah. I think it's evolved from when I first started,
17 yeah.

18 Q. There is a lot more things available?

19 A. Yeah.

20 Q. You say that there's -- we have talked about that
21 Ultimate Self programme for females.
22 There is also parent officers you mention at
23 paragraph 95, what is a "parent officer"?

24 A. Someone who helps people in their care if they've got
25 young families on the outside, who has maybe not had

1 a chance to be a parent, so they teach them parenting
2 skills.

3 Q. Would that be someone who is a residential officer who
4 has been trained to deliver --

5 A. It's that level, yeah.

6 Q. You say that there's a life skills work shed as well?

7 A. Yeah.

8 Q. That teaches basic things that they might not know about
9 daily life?

10 A. Yeah.

11 Q. How to use cookers, washing machines, irons even?

12 A. Yeah.

13 Q. That's not something that was there when you initially
14 started, is it?

15 A. No.

16 Q. At paragraph 100 you tell us that four years ago or
17 thereabouts they brought out a role called
18 "Throughcare"?

19 A. Yeah.

20 Q. You describe that as fantastic?

21 A. That is my opinion on it, yes.

22 Q. What do you like about that?

23 A. The fact that when people are getting out they were
24 still there to support them out in the care, helping
25 them maybe attend appointments, helping them with

1 housing issues, so it was like the personal officer
2 going outside with them and still helping them when
3 they're released.

4 Q. That is the transition then from being in prison to
5 going back out and then providing them with support --

6 A. Yeah.

7 Q. -- outside when they're at liberty?

8 A. Yeah.

9 Q. To go with them and help them do things that they might
10 not know how to do or be able to do themselves?

11 A. Yeah.

12 Q. Is that something that continues?

13 A. No.

14 Q. No. Okay.

15 You tell us that that role has gone?

16 A. I don't know if it's gone or if it's just suspended at
17 the moment, due to funding I think.

18 Q. How long did that operate for, do you know?

19 A. Two to three years maybe.

20 Q. You go on to tell us later about the culture within
21 Polmont and I'm going to ask you some things about that.

22 That is from paragraph 109. You comment there was
23 a lot of bullying among the inmates back in the day when
24 you started?

25 A. Yeah.

1 Q. Things like cigarettes being taken from inmates by other
2 inmates?

3 A. Yeah. There were loads, because it was the main young
4 offenders institution you used to get them from all
5 different areas, you had the different factions sticking
6 together, you had your Glasgow, your Aberdeens, Dundee,
7 Edinburgh, so they stuck together and it was a kind of
8 gang culture back then.

9 Q. Is this sort of gang culture -- is that the same
10 situation today or has it changed?

11 A. It's changed. It's not as bad as it used to be. Again,
12 there's not as many as there used to be.

13 Q. You say that there was a bullying programme you could
14 put a prisoner on, so what was that?

15 A. If you had the evidence somebody was bullying somebody
16 you could put them on the anti-bullying strategy
17 programme, because they address their behaviour for
18 bullying.

19 Q. Would that mean that the prisoner who was alleged to
20 have been bullying would have to attend some sort of
21 classes or something like that?

22 A. Yeah.

23 Q. You tell us that as a residential officer you did find
24 yourself putting a prisoner on a bullying programme, but
25 that wasn't early on in your time, that was after you

1 became a residential officer?

2 A. Yeah.

3 Q. You think that was probably after 2014?

4 A. Yeah.

5 Q. Just thinking about that situation, even though it was
6 probably after 2014, what was the circumstances of that
7 then? How did you become aware of the situation that
8 there was a prisoner who was being bullied?

9 A. Because I was doing my job as a prison officer and
10 I noticed it.

11 Q. You noticed it?

12 A. Yes. Somebody was getting their stuff taken off them.

13 Q. It's your observations?

14 A. Yeah.

15 Q. Nobody came to tell you that that was happening?

16 A. No.

17 Q. We have heard about the kind of prison norm that is you
18 don't grass in prisons. Is that something that you have
19 experience of?

20 A. Yeah, yeah.

21 Q. Prisoners don't grass on each other, even if one of
22 them's being bullied?

23 A. No.

24 Q. Because you witnessed it yourself you were able to then
25 take action?

1 A. Yeah.

2 Q. Are you able to remember the age of the people involved?

3 A. It was actually at Low Moss the one I'm referring to, so

4 adults.

5 Q. Adult prisoners, so it wasn't in Polmont that this

6 happened?

7 A. No.

8 Q. Is this bullying programme something that continues

9 today?

10 A. Yeah.

11 Q. Is it used a lot?

12 A. I couldn't say "yes" or "no" to that, I don't know.

13 Q. Just from your experience, is it something that --

14 A. It's been a while since I've done residential, so ...

15 Q. You have been in that first-line manager position --

16 A. Yeah.

17 Q. -- and then doing your current role.

18 You tell us then that you think the violence in the

19 prison was worse back then, when you first started, this

20 is paragraph 113?

21 A. Yeah.

22 Q. You tell us why you think it's got better in that

23 paragraph. You talk about fact that prison officers are

24 getting better as doing their jobs, might be down to

25 better training?

1 A. Yeah.

2 Q. You mention again this training and learning
3 difficulties and disabilities and that that has probably
4 helped?

5 A. Yes.

6 Q. And the training in mental health?

7 A. Yeah.

8 Q. Is that training to understand some of the issues that
9 prisoners might have?

10 A. Yeah.

11 Q. You say:

12 "These courses give us more tools in our bag to
13 recognise that behaviour may be down to something
14 undiagnosed."

15 A. Yeah.

16 Q. Is that how you feel about that, that you have more
17 tools in your bag?

18 A. Yeah, strongly feel about that, yeah.

19 Q. That you can refer a prisoner for appropriate support if
20 necessary.

21 When you say that, what types of things are you
22 thinking about, appropriate support, what kind of
23 things?

24 A. Anything from a mental health nurse to Open Secret,
25 where they can go and talk to somebody confidential. It

1 could be a peer mentor, anything just to support them
2 through that. If you can recognise their needs, their
3 risks and needs.

4 Q. Open Secret, what is that?

5 A. It's a confidential, where somebody can go and speak to
6 somebody about an issue they've got that they do not
7 want anybody else to hear about.

8 Q. That could be about anything at all --

9 A. Yeah.

10 Q. -- that they're having an issue with?

11 A. Yeah.

12 Q. You then go on to tell us about discipline and
13 punishment and segregation, that type of thing. You say
14 that a prisoner is sent to segregation usually if there
15 has been an act of violence or they've been unruly.
16 That's the position since you started; is that right?

17 A. Yeah.

18 Q. It continues today that that is the position, that if
19 there has been an act of violence or they've become
20 unruly that they're sent to segregation?

21 A. They can be.

22 Q. When we talk about segregation, is that segregation by
23 being put in their cell or is that segregation by being
24 put in a particular unit or cell that's not their own?

25 A. It can be both. They could get segregation in their own

1 cell or they could go to the segregation and
2 reintegration unit.

3 Q. We have heard about the segregation unit. You tell us
4 a little about that as well. This is at paragraph 116.
5 That back then you had a segregation unit. Do you still
6 have a segregation unit?

7 A. Yeah.

8 Q. It's a similar situation today, is that right?

9 A. Yeah.

10 Q. You say that it was situated between the Ally Cally, we
11 have heard about that, that is the Allocation Wing?

12 A. Yeah.

13 Q. And North Wing, right in the middle of the prison?

14 A. Yeah.

15 Q. You say that there were eight cells back then and it
16 would depend very much on the offence or the act of
17 violence about how long someone would be in there. It
18 was the unit manager of the wing. Would that be the
19 first-line manager?

20 A. No. The Unit Manager is above First-line Manager.

21 Q. Is that a level above?

22 A. Yeah.

23 Q. They would have to apply for an extension to keep
24 a prisoner in there. How long after they'd been in
25 there would they have to apply for that?

1 A. It's usually three days and then they get an extension.

2 Q. It had to go to the Scottish Ministers for approval?

3 A. Yeah.

4 Q. The governor would make the initial call to put someone
5 in the segregation unit?

6 A. Yeah.

7 Q. If an incident occurred, before anybody's taken to the
8 segregation unit the governor would have to give the
9 okay for that or could officers take them there?

10 A. Officers could take them there and then apply for the
11 rule.

12 Q. They could then apply to the governor?

13 A. Yeah.

14 Q. Just to manage the situation at first, and deal with the
15 incident, officers could take a prisoner to the
16 segregation unit and then they could apply under the
17 rule to the governor --

18 A. Yeah.

19 Q. -- for the person to stay there and the governor would
20 decide how long initially that would happen for?

21 A. Unit manager.

22 Q. Sorry, the unit manager.

23 You tell us then that the unit manager would see the
24 prisoner twice a day whilst in the segregation unit and
25 you tell us about what a prisoner was entitled to whilst

1 they were there. We have heard quite a bit of evidence
2 about the routine that would happen in the segregation
3 unit. Essentially it was a cell with a bed, you are
4 saying, a toilet and a sink?

5 A. Yeah.

6 Q. Basic provisions, no TV. Back in 1999 there wouldn't
7 have been a TV in the cell anyway, but nowadays are you
8 saying that there is no TV in there?

9 A. Because it's a reintegration centre if they start to
10 behave when they are doing the rule they get TVs and
11 that back in the cells there as well.

12 Q. Depending on behaviour, privileges would be returned to
13 the prisoner?

14 A. Yeah.

15 Q. Initially the privileges are removed?

16 A. Yeah.

17 Q. We have heard as well about this -- there could be cells
18 that had a concrete plinth as a bed and a mattress would
19 be put in, is that right?

20 A. Aye, there is a full mattress in the cells.

21 Q. That was before your time?

22 A. Yeah.

23 Q. When you started, what would be the situation in those
24 segregations cells. Would there be a mattress in there
25 permanently?

1 A. There would be a mattress in every cell, yeah.

2 Q. Even in the segregation unit?

3 A. Yeah.

4 Q. Apart from that, was there any other furniture?

5 A. In the original cells: toilet, sink, mattress, bed.

6 That's it.

7 Q. We have heard, it might be this was before your time,

8 about cardboard furniture and things like that, that

9 couldn't be damaged or if it was damaged it wouldn't

10 matter?

11 A. I think back in 1999 there was furniture that was like

12 that, yeah.

13 Q. You tell us at paragraph 125 that there was no limit for

14 the time someone could be in segregation. It could be

15 for a few months?

16 A. Could be, yeah.

17 Q. Would that though have to be on the say so of the

18 Scottish Ministers?

19 A. Yes.

20 Q. You say that in your experience there have been people

21 who have been there for significant periods of time?

22 A. Yeah.

23 Q. You say you recall someone being there for about a year?

24 A. Yeah.

25 Q. Is that the longest that you remember?

1 A. I couldn't say "yes" or "no", but for me, yeah.

2 Q. From your recollection and your experience?

3 A. Yes.

4 Q. Whilst you are in that unit, you would still get some
5 visits if you behaved?

6 A. Yeah.

7 Q. It wouldn't be the case that you would lose your visits?

8 A. No.

9 Q. But I think you say that if they didn't behave they only
10 got the one visit a month?

11 A. That was at the start. That was when I started. When
12 it was enhanced, standard and basic.

13 Q. Has this categorisation of prisoners, basic, standard
14 and enhanced, been removed?

15 A. Yeah.

16 Q. Do you know when roughly that disappeared?

17 A. No.

18 Q. How long has it been away for, do you know roughly?

19 A. No, a while.

20 Q. A while. More than a few years?

21 A. Yeah.

22 Q. You then go on to tell us about restraint and you tell
23 us that -- we have talked about the fact that you got
24 restraint training when you initially started and it was
25 taught by prison officers at the college, who were

1 instructors?

2 A. Yeah.

3 Q. Retraining was done once a year at the prison?

4 A. Yeah.

5 Q. A refresher?

6 At paragraph 129 you say that over the years

7 restraint has changed?

8 A. Yeah.

9 Q. You comment that you think it was always a case of

10 trying to instruct the best thing. Is that the best

11 thinking at the time?

12 A. Where is that referred to?

13 Q. Paragraph 129, you say:

14 "Over the years the training has changed. I think

15 it was always a case of trying to instruct the best

16 thing."

17 A. Yeah, for us to be better at what we do.

18 Q. The best thinking at the time of how restraint should be

19 carried out?

20 A. Yeah.

21 Q. You say that the purpose of restraint has always been to

22 keep yourself and the prisoners as safe as possible and

23 use as less force as necessary to achieve that?

24 A. Yeah.

25 Q. That is your view about it?

1 A. That's my view, yeah.

2 Q. You say that one of the prison rules is as much force as
3 necessary but no overforce?

4 A. No more force than necessary.

5 Q. No more force than necessary, that is how you would
6 describe it?

7 A. Yeah.

8 Q. You talk about the restraint tactic at paragraph 130.
9 You say that that was very much dependent on the
10 situation you are faced with and there was a risk
11 assessment?

12 A. Yeah.

13 Q. I take it that would have to be a sort of on-your-feet
14 dynamic risk assessment?

15 A. Yeah.

16 Q. You say there was normally a minimum of three people to
17 carry out a restraint?

18 A. Yeah.

19 Q. Number one was in charge of the head, to ensure the
20 safety of the head, and numbers two and three would be
21 in charge of an arm each?

22 A. Yeah.

23 Q. There would always be a supervisor present. We talked
24 about that, that when the alarm is pressed other people
25 would become involved?

1 A. Yeah.

2 Q. You say that nowadays officers carry personal alarms?

3 A. Yeah.

4 Q. You don't have to rely on an alarm on the wall or
5 anything like that any more?

6 A. No.

7 Q. Officers have carried batons, you say, throughout the
8 whole time --

9 A. Yeah.

10 Q. -- that you've been a prison officer?

11 A. Yeah.

12 Q. Just on that subject of batons, in your experience, is
13 that something that has to be used very often or not?

14 A. No, no, very, very little, if at all. It's kind of
15 a last resort, life-threatening situation.

16 Q. Life-threatening situation, last resort?

17 A. Yeah.

18 Q. You talk about cuffs being used on and off, the way you
19 describe it throughout your service. Sometimes they've
20 been used, sometimes they've not been used?

21 A. Yeah.

22 Q. When you would use a hold on a prisoner, are you talking
23 about a physical hold with your hands or is that using
24 the cuffs?

25 A. When we are escorting prisoners to court they would all

1 be cuffed. They brought in a thing called quick cuffs
2 at one point during the control and restraint training.
3 They were in for a short period of time and they were
4 removed and there is a new system in place now, where
5 they use soft cuffs.

6 LADY SMITH: When you say "escorting", are you talking about
7 accompanying the prisoner to anything outside the prison
8 premises?

9 A. Yeah.

10 LADY SMITH: Whether it's a medical appointment or something
11 else?

12 A. Yeah. That is still the case.

13 LADY SMITH: Thank you.

14 MS FORBES: 'Peter', I probably put that to you incorrectly.

15 What you are saying in paragraph 132 is cuffs have
16 been used in and out throughout your service, there were
17 none when you first started. You would use a hold on
18 a prisoner --

19 A. Yeah.

20 Q. -- when you first started?

21 A. Yeah.

22 Q. That would be a physical hold?

23 A. You didn't have the quick cuffs. The quick cuffs
24 weren't in the start. They were brought in further down
25 my service and then removed again.

1 LADY SMITH: As you say at the end of that paragraph, that
2 soft cuffs are what are used now and I understand
3 they're quite a different creature from their
4 predecessors, which meant a hard metal edge was against
5 the prisoner's wrists.

6 A. Yes.

7 MS FORBES: Later you mention these are Velcro restraints?

8 A. Yeah.

9 Q. You commented there that you think they're excellent?

10 A. Yeah.

11 Q. We heard some evidence in the Inquiry about a pilot
12 scheme that's under way in Polmont -- I don't know if
13 you are aware of that -- in relation to restraint, where
14 they're trying to carry out restraint in the most
15 pain-free way. Is that involving the Velcro restraints
16 or is that something else as well?

17 A. That is involving the Velcro restraints.

18 Q. That is the pilot scheme, the Velcro restraints?

19 A. Yeah.

20 Q. You think they're working well?

21 A. Yeah.

22 Q. We have heard a lot of evidence about locks. I take it
23 that is control and restraint holds that are put on
24 prisoners in carrying out control and restraint.

25 In relation to the Velcro restraints then, what

1 happens with those? Are they applied to the wrists?

2 A. Yeah, they're applied to the wrists. It's different --

3 you would need to see a demonstration how they're

4 applied. It's pain free, there's less injuries to

5 prisoners and less injuries to staff so definitely the

6 way forward.

7 Q. Is it usually two hands out in front of the prisoner

8 and --

9 A. No, it's not.

10 Q. Something different than that?

11 A. Yeah.

12 Q. You think a demonstration is something that would be

13 more beneficial. Are there different ways that they can

14 be applied?

15 A. Yeah, depending on the situation you're faced with.

16 Q. That's a big improvement, from your perspective?

17 A. In my opinion, yeah.

18 Q. You tell us that if you did restrain someone you would

19 have to complete a paper report which would go to the

20 first-line manager of the hall and then the governor, it

21 would go in the prisoner's file?

22 A. Yeah.

23 Q. If there were three involved, which as you have said is

24 the minimum normally, all three would have to do

25 a report?

1 A. Yeah.

2 Q. We then move, 'Peter', on to part of your statement
3 where you are talking about any concerns that you might
4 have had whilst you have been at Polmont. You say
5 you've never had any concerns about the way in which
6 Polmont's been run, is that right?

7 A. Yeah.

8 Q. You say for sure looking back it was more violent?

9 A. Yeah.

10 Q. When you are talking about violence, do you mean
11 prisoner-on-prisoner violence?

12 A. Yeah.

13 Q. You say that your view was that was down to the number
14 of prisoners you had and the different factions you had
15 and that made it more challenging?

16 A. Yeah.

17 Q. There were more instances of violence back then?

18 A. Yeah.

19 Q. You then move on to talk about any reporting of
20 complaints or concerns and you say that in relation to
21 a prison officer, this is paragraph 138, that if you had
22 a concern about a colleague, there wasn't what we call
23 "whistle-blowing" now, you would have spoken to the
24 individual yourself?

25 A. Yeah.

1 Q. When you say a "concern about a colleague", would that
2 be a concern in relation to the way they were dealing
3 with a prisoner?
4 A. It could be a concern on anything.
5 Q. You say that might depend on the relationship that you
6 had with that individual though and whether you knew
7 them or not?
8 A. Yeah.
9 Q. If you did speak to them, if that wasn't good enough,
10 you would have reported it to your line manager at the
11 time?
12 A. Yeah.
13 Q. You say you never had an occasion to speak to anyone
14 back then about anything you weren't happy with?
15 A. That's correct.
16 Q. You comment that you weren't aware of any policy as such
17 as to what you would do. Is that back then?
18 A. Yeah, back then, yes.
19 Q. Is there a policy now?
20 A. Whistle-blowing thing, you could go down the whistle-
21 blowing line if you wanted to do that, if you wanted to
22 be anonymous.
23 Q. Apart from whistle-blowing, from your experience, now,
24 as you have come through the Prison Service, if you had
25 a concern about an officer what is it that you would do

1 now if you were faced with an issue?

2 A. I'm in a different position now.

3 Q. You are not prisoner facing?

4 A. I'm not a prison officer as such, I'm a line manager.

5 Q. That is not something you are able to comment on just

6 now?

7 A. No.

8 LADY SMITH: What if a prison officer asked you for advice

9 as to what he or she should do regarding a concern, for

10 example, about the way a colleague was treating

11 prisoners?

12 A. I would take that and I would deal with that person if

13 I was the first-line manager of the hall.

14 LADY SMITH: You could do that if he would tell you who it

15 was, but if he asked you for advice in principle, what

16 would you say?

17 A. I would tell them to make sure they're doing the right

18 things. That's what I would do.

19 LADY SMITH: Thank you.

20 MS FORBES: You tell us that if a prisoner had a complaint

21 or concern that there was a complaint -- a Prisoner

22 Complaint Form, so if they had an issue with an officer

23 they could fill that in and these were forms that were

24 available in the halls on the wall, is that right.

25 A. Yeah.

1 Q. Or they could ask the first-line manager. They could
2 either hand the form to a supervisor or post it through
3 a letterbox in the hall?

4 A. Yeah.

5 Q. You say staff would then give it to the manager
6 allegedly. I don't know why that is there. Was there
7 something you wanted to say about that? Did you have
8 a concern that sometimes it wouldn't be given to the
9 manager?

10 A. No.

11 LADY SMITH: What if a prisoner has literacy problems?

12 A. His personal officer could help him fill that out.

13 LADY SMITH: Are there any notices that point out to him
14 that he can look to his personal officer or she can look
15 to a personal officer for assistance in completing these
16 forms?

17 A. They know that when they go through what they call
18 induction when they come in, they get the roles of their
19 personal officer there, so they know what they can get
20 help with.

21 LADY SMITH: And that helping with reading and writing is
22 one of the things they can look to the person for?

23 A. Yeah.

24 LADY SMITH: Thank you.

25 MS FORBES: Hopefully when someone's been through that

1 induction when they arrive at the prison, that is
2 something that they now about then going forward.

3 A. Yeah.

4 Q. You then go on to tell us at paragraph 142 that as
5 a manager -- I know that you're now in a different
6 role -- fairly recently you've had to have difficult
7 conversations with staff.

8 I don't know if you're in a position to give us
9 an example of what you mean by that. Is that in
10 relation to how they're dealing with prisoners or is it
11 in relation to something else?

12 A. Could be loads of situations, yes.

13 Q. Have you had to have difficult conversations with staff
14 about how they're dealing with prisoners?

15 A. Yeah.

16 Q. Was that in relation to things like control and
17 restraint or something else?

18 A. That could be something else. It's just in general.
19 It's just part of your duties, you're going to have
20 difficult conversations with staff and prisoners.

21 Q. Were any of those conversations to do with whether
22 they're being excessive in the way that they were
23 dealing with a prisoner?

24 A. No.

25 Q. You say that you do feel that as a manager you've had

1 the right training and you've had the right tools to
2 deal with such circumstances?

3 A. Yeah.

4 Q. You go on to tell us you've been involved in some
5 disciplinary procedures in the past. Is that in your
6 role as a first-line manager?

7 A. Yeah.

8 Q. You would sit down with another manager and a member of
9 staff and have a discussion about the officer's
10 behaviours and how they're bordering on the excessive?

11 A. Yeah.

12 Q. When you say that, how they bordering on the excessive,
13 what do you mean by that?

14 A. That's a kind of umbrella term. That could be their
15 attendance, so it's just whatever we're dealing with at
16 the time.

17 Q. Are you meaning at all there in any way excessive in
18 relation to control and restraint or how they're dealing
19 with a prisoner?

20 A. No.

21 LADY SMITH: When you are addressing such problems and you
22 cite for example it possibly not being violence towards
23 a prisoner but the way an officer is speaking towards
24 a prisoner or something else that involves the prisoner,
25 what is your priority?

1 A. The priority is to make sure the staff are carrying out
2 their duties correctly.

3 LADY SMITH: Those duties being?

4 A. Making sure that the people in their care are getting
5 all their entitlements and all their needs seen to.

6 LADY SMITH: Thank you.

7 MS FORBES: Is it something that's in the forefront of your
8 mind that prison officers have a duty of care towards
9 the prisoners that they're looking after?

10 A. Yeah.

11 Q. You then go on to tell us, 'Peter', about child
12 protection arrangements in that there wasn't anything
13 like child protection training as far as you're aware.
14 Young people weren't really seen as children and that's
15 probably why not. There is child protection training
16 now, is that right?

17 A. Yeah.

18 Q. There's a recognition then perhaps among the younger
19 generation of staff that you are really dealing with
20 children, some of these people are under 18?

21 A. Yeah, I think so, yeah.

22 Q. You comment that you can't say there's the same
23 understanding by the older generation of staff?

24 A. I can't really put what they are thinking, it is only
25 what I think.

1 Q. That is your sort of opinion about that?

2 A. Yeah.

3 Q. Maybe as a newer generation is coming through of prison
4 officers, this understanding about the category of
5 people that you are dealing with at Polmont is more
6 understood, but you comment in there that the older
7 generation may not be on board the same way as the
8 younger generation are?

9 A. I think the training is getting better right across the
10 board. We're better equipped to deal with that.

11 Q. You tell us about external monitoring and also about
12 record keeping and we can read that for ourselves.

13 Then there is a part of your statement where you
14 talk about investigations into abuse and personal
15 involvement. You tell us from paragraph 166 that there
16 have been incidents in the past where allegations have
17 been made by prisoners against you and you tell us about
18 three times, is that right?

19 A. That's correct.

20 Q. All three times the police were involved?

21 A. Yeah.

22 Q. They were marked "no case to answer" as far as you're
23 aware?

24 A. That's correct.

25 Q. The three were prisoners making allegations of assault

1 during a violent removal.

2 Just to be clear what that is, when you say "violent
3 removal", what do you mean?

4 A. They've maybe smashed their room up and we've had to go
5 in and remove them and they've threatened staff with
6 weapons ... so we have to go and defuse that situation
7 to make sure everybody is safe.

8 Q. You have to remove them from perhaps their cell or
9 wherever they are causing a disturbance to somewhere
10 else?

11 A. Yes, relocate them, yes.

12 Q. Is that usually to the segregation unit or something
13 like that?

14 A. Could be.

15 Q. You tell us you've never been suspended or anything like
16 that?

17 A. No.

18 Q. None of these allegations ended up in court, but you
19 have been interviewed by the police twice and you say
20 that once that happened at the start of your career.

21 We might come to that in a little while. You were
22 interviewed in the prison?

23 A. Yeah.

24 Q. This was -- again, we'll come to that shortly -- one
25 when you were assaulted at the very start of your

1 career, about 1999, is that right? The other two were
2 around the middle, from start to now?

3 A. Yeah.

4 Q. If we look at paragraph 170 you say that one of the ones
5 in the middle was a removal and you were on the head and
6 the young person's wrist got broken during it. There
7 would have been you on the head and one person on one
8 arm and one person on the other arm, is that right?

9 A. That's correct.

10 Q. The prisoner's wrist was broken, but at the time nothing
11 happened but when he was out of prison there was a claim
12 made?

13 A. Yeah.

14 Q. But at the time you say that there was no complaint
15 about that, but you would have had to complete that
16 report that we talked about?

17 A. Yeah.

18 Q. Each person would have had to do that?

19 A. Yeah.

20 Q. You make a comment at paragraph 172 that nowadays you
21 think that if it was a broken wrist there maybe would be
22 more of a look into it?

23 A. Yeah.

24 Q. There isn't a procedure as such if there's a broken
25 bone?

1 A. An accident at work form would be the only thing you
2 would --

3 Q. Do you think that now it would be looked more into
4 because it was something that happened during a control
5 and restraint procedure?

6 A. I think we're getting better at what we do and the
7 interventions of the soft cuffs takes that away.

8 Q. You say then that the other incident was a violent
9 removal in the segregation unit and you can't remember
10 much about that, but there were some allegations made?

11 A. Yeah.

12 Q. Again, you say that you attended Falkirk Police Station
13 on both occasions but was never charged?

14 A. Yes.

15 Q. When you attended Falkirk Police Station, was that to be
16 interviewed?

17 A. Yeah, interviewed, yes.

18 Q. Two occasions you were interviewed by the police?

19 A. Yeah.

20 Q. You tell us you're not aware of anyone who has been
21 convicted of abuse from Polmont?

22 A. No.

23 Q. Prison officers.

24 It goes on in your statement and you are asked about
25 seven different members of prison staff.

1 I'm not going to through all of them. The upshot of
2 it all is the ones that you know of, the people that you
3 remember, you have not seen anything that you considered
4 abusive in relation to them and prisoners?

5 A. No.

6 Q. You have never had any concerns about their conduct
7 towards prisoners?

8 A. No.

9 Q. At paragraph 180 you are asked about a specific officer.
10 I'm not going to say his name, but you've been told his
11 name. We have a pseudonym for him and it's 'Alan'. You
12 tell us that you know him well?

13 A. Mm hmm.

14 Q. He was one of your first-line managers when you started,
15 is that right?

16 A. Yeah.

17 Q. You worked with him on and off for about eight years,
18 yeah?

19 A. Yeah.

20 Q. You think he was a First-line Manager until he retired?

21 A. Yeah.

22 Q. Then you tell us what your views are about him. What
23 are your views about that officer?

24 A. He was a good first-line manager. He had your back.
25 Very supportive. He also had a bit of humour as well

1 going through the service and the stuff I had with him.

2 Nothing bad to say about him.

3 Q. You say there was nothing that you saw as abusive
4 towards prisoners in relation to him?

5 A. Nothing at all, no.

6 Q. I'm going on, 'Peter', to ask you about a part of your
7 statement that you are asked about a specific
8 allegation. This is at paragraph 199.

9 Her Ladyship gave you the warning at the beginning
10 of your evidence. I just want to remind you about that,
11 if anything I say to you is something that the answer to
12 which might incriminate yourself then you don't have to
13 answer, just so you're aware of that.

14 The name of the prisoner I think was made known to
15 you when you were giving your statement, but we won't
16 say his name just now. He's given a pseudonym and his
17 pseudonym for our purposes is 'William'.

18 He has given a statement to the Inquiry and I think
19 this is something that has already been put to you, this
20 part of his statement so you're aware of it, but just to
21 go through it.

22 At paragraph 87 of his statement he said in relation
23 to his time at Polmont:

24 "The abuse wasn't as bad at Polmont but the prison
25 officers did batter you. There was a prison officer

1 called [he says your name], I was charged with
2 assaulting him. When you were going to court or coming
3 back in there was a little desk where they would take
4 your name. You had to put your civvy clothes on if you
5 were going out and take them back off when you return.
6 One day when I was going to court he was pushing me
7 about and searching me so I punched him in the face.
8 I was charged with assault. Him and a few others put me
9 to the floor and battered me. This was before I even
10 went to court. They then put my arms and legs in ties,
11 carried me to the van and put me on the floor of it face
12 down. I was like that from Polmont to Glasgow Sheriff
13 Court. You could see I'd been assaulted but the judge
14 isn't looking at that."

15 This is from someone who in their statement, the
16 Inquiry has a statement, that says they were in Polmont
17 for about a year between 1998 to 1999.

18 I think initially you say that the name that was put
19 to you of that prisoner is not a name that's familiar to
20 you, is that the position?

21 A. That's right, yeah.

22 Q. You then go on to tell us a little more and this is
23 something we touched on earlier, which was about the
24 three times that you have said that there was
25 an allegation made against you. You say that this is

1 the incident you think where you were assaulted at the
2 start of your career. That would have been about 1999?
3 A. Yeah.
4 Q. In relation to that, you say that you weren't punched,
5 is that right?
6 A. No.
7 Q. From your recollection, what happened in that incident?
8 A. I was headbutted.
9 Q. What was the situation at the time when that took place,
10 what was going on?
11 A. I can't really recall, but I was searching and the boy
12 didn't want to get searched so they put their head in
13 me.
14 Q. Was this at the reception area?
15 A. Yes.
16 Q. At that time were you working as an operations officer?
17 A. Yes.
18 Q. I think you say that there was a time when you were
19 working as an operations officer after you first started
20 at the reception area?
21 A. Yeah.
22 Q. This is a situation you say that you were searching him
23 and he didn't want to be searched and you got
24 headbutted?
25 A. Yeah.

1 Q. If that's the same incident, then those things would
2 line up. It's just the differences here are a punch and
3 a headbutt, so far as we've got -- we'll come to what he
4 says later -- to now there was an incident at the
5 reception area where you were searching someone and they
6 weren't happy about it and then there was a headbutt.

7 You then go on to comment about something he says
8 after that, which is about his arms and legs being put
9 in ties. Can you just tell us about what you say about
10 that?

11 A. Ridiculous.

12 Q. Can you explain a little more?

13 A. We didn't have ties for arms and legs within the Prison
14 Service. As far as I'm saying anything else, that that
15 just wouldn't happen. It wouldn't happen.

16 Q. You say that you didn't have these cable ties or
17 anything like that and you didn't have the authority to
18 tie someone's legs up either?

19 A. No.

20 Q. In relation to control and restraint, that's not
21 something that you have had experience of doing?

22 A. No.

23 Q. You say that there was always a duty to get someone to
24 court and at that time it would have been prison staff
25 that did it?

1 A. Yeah.

2 Q. You explain then what would have been happening with the
3 prisoner. Can you tell us about that? You say you
4 would have been -- perhaps he would have been cuffed?

5 A. Yes, he would be cuffed to an officer.

6 Q. That's because -- we're not talking about using cuffs as
7 restraint. This is cuffs that you would be put into
8 when you are getting escorted?

9 A. Yeah.

10 Q. You say he might have been in a lock before that, are
11 that these --

12 A. If there had been a violent situation before there is
13 a chance you could be have restrained, but if it's the
14 same situation as I'm thinking, I wasn't involved in any
15 of that. Once I got headbutted I was removed from the
16 area.

17 Q. Talking about that then, after the headbutt can you
18 describe what took place from your recollection?

19 A. He was in a holding cell, the door was shut and I went
20 to get medical treatment. The head of operations came
21 down and said he was going to report it to Police
22 Scotland or Central Scotland Police at the time.

23 Q. You are headbutted during the course of this search?

24 A. Mm hmm.

25 Q. Then do you say that you immediately withdraw?

1 A. Mm hmm.

2 Q. Where did you go at that point?

3 A. I went to get checked by medical staff.

4 Q. When you went to get checked where was the prisoner, as
5 far as you were aware?

6 A. Still in the holding cell.

7 Q. He was in the holding cell.

8 LADY SMITH: You refer to the "dog boxes", that was a "dog
9 box" he was in?

10 A. Yeah.

11 MS FORBES: I know it might be difficult because it's
12 an allegation from 1999 we're talking about. From the
13 immediate point you are headbutted, what happens with
14 the prisoner as far as you're aware, what do you recall
15 happening before he gets taken to this holding cell?

16 A. The door gets closed and I remove myself.

17 Q. From the point of view of what was done in any way by
18 officers or yourself to control him at that point?

19 A. I can't comment on that. I wasn't there.

20 LADY SMITH: You weren't involved in getting him out to the
21 prison van. You were away getting medically checked?

22 A. I think so. I don't know. I can't recall, it's
23 23 years ago.

24 MS FORBES: Just to be clear, do you recall any sort of
25 control and restraint procedures being carried out on

1 this prisoner after he headbutted you to take control of
2 him?

3 A. No, not at that exact moment, no.

4 Q. Somehow he was taken by other officers or were you
5 involved in that to this --

6 A. I can't comment on that. I don't know.

7 Q. When he talks about what happened after the assault,
8 obviously he says it's a punch, he's talking about being
9 put to the floor and he says, "Him and a few others put
10 me to the floor and battered me". There is no more
11 description that we're given other than the term is
12 "battered me", so we don't know what he means by that,
13 but from your point of view did anything like that take
14 place?

15 A. No, there would be a first-line manager on reception as
16 well, it just wouldn't be allowed to happen.

17 Q. At reception at that time, there would have been
18 yourself, is that right?

19 There would have been the prisoner, because he was
20 getting ready to go to court?

21 How many other officers would have been there?

22 A. It just depends on how busy it was from the time.

23 Q. From your recollection, do you know if there were two,
24 three, more than that?

25 A. There would be probably at least three and a first-line

1 manager.

2 Q. From your point of view there would have been

3 a first-line manager there when that's taking place?

4 A. Yeah.

5 Q. Is there a particular reason why there's a first-line

6 manager there?

7 A. Yeah, he checks the cuffs before they leave the

8 establishment to make sure they're secure.

9 Q. That is a procedure that has to be gone through and the

10 first-line manager has to be involved in that?

11 A. Yeah.

12 Q. You comment as well that there wouldn't have been any

13 cuffs on ankles either. From your experience, is that

14 something that you saw happening at all when you were

15 there?

16 A. No.

17 Q. You say that you certainly wouldn't have used any more

18 force than was necessary?

19 A. No.

20 Q. Just to be clear, from what you said in your statement

21 and what you are telling us today, you don't recall

22 using any force at all. Is that right?

23 A. No.

24 Q. You don't recall being involved in any control and

25 restraint of him after he assaulted you?

1 A. No.

2 Q. You say that this is an incident where -- you mentioned
3 earlier and we talked about one of those three incidents
4 in your career, that you were spoken to by the police.
5 Just to be clear about what was happening there, were
6 you spoken to by the police in relation to what had
7 happened to you?

8 A. Yeah.

9 Q. In that respect, was there any allegation being made
10 against you at that time?

11 A. No, not that I can recall.

12 Q. This is not you being interviewed by the police in
13 relation to an allegation that has been made that you've
14 carried out --

15 A. No, this was interview by the police because I had been
16 assaulted.

17 Q. Just to be clear, that is different from the other two
18 that you told us about, is that right?

19 A. Yeah.

20 Q. You are the one making the complaint against the
21 prisoner. You are the one that's been assaulted?

22 A. Yes.

23 Q. That is why the police are there and that's why they're
24 speaking to you?

25 A. Yeah.

1 Q. The police at that time spoke to you in Polmont, you
2 didn't have to go to the police station?
3 You say that you --
4 LADY SMITH: Is that right, that interview was at Polmont?
5 A. Yes, it was conducted in the prison.
6 LADY SMITH: Thank you.
7 MS FORBES: Just to be clear then when you say "interview",
8 was that you giving a statement?
9 A. Yes.
10 Q. It wasn't an interview like the other two times that you
11 had to go to Falkirk Police Station?
12 A. No.
13 Q. Those two incidents, they were allegations being made
14 against you, is that right?
15 A. Yeah.
16 Q. So you were the one who was being alleged to have done
17 something that the police needed to speak to you about?
18 A. Yeah.
19 Q. On this occasion, you're being spoken to by police at
20 your place of work, Polmont, is that right?
21 A. Because I was assaulted.
22 Q. You are the complainer in that respect.
23 At that time you are not made aware by anyone of any
24 allegation being made against you?
25 A. No.

1 Q. When you were spoken to then by the Inquiry, is that the
2 first time you knew about an allegation in respect of
3 this matter?

4 A. Yeah.

5 LADY SMITH: Do you know whether the prisoner was charged
6 with having assaulted you?

7 A. I was trying to recall that. My recollection is he got
8 seven days added on to his sentence, but I'm not sure if
9 that's true or untrue. That's my recollection back
10 then.

11 LADY SMITH: Thank you.

12 A. Seven days.

13 MS FORBES: You say later in your statement, when it is put
14 to you, paragraph 215, that the individual, 'William',
15 that we're talking about, said that he was -- he got
16 sentenced to six months in the jail for that. I think
17 you say that that could have happened but you can't
18 really remember that. You didn't have to go to court,
19 so he must have pled guilty in respect of that incident
20 in any event. You didn't have to go and give evidence?

21 A. No.

22 LADY SMITH: We should probably stop for a break. I'm sure
23 you are ready for a break, if we do that now.

24 About 15 minutes or so and then I'll sit again.

25 Thank you.

1 (11.34 am)

2 (A short break)

3 (11.50 am)

4 LADY SMITH: 'Peter', I hope the break was of some help to
5 you.

6 Is it okay if we carry on now?

7 A. Yes.

8 LADY SMITH: If it's any reassurance, I don't think we need
9 you for too much longer. I'll hand back to Ms Forbes if
10 that's all right.

11 Ms Forbes.

12 MS FORBES: My Lady.

13 'Peter', just before we had the break there we went
14 through the incident that we talked about where you were
15 assaulted by the prisoner.

16 I'm going to move on from that, but I just wanted to
17 ask you, you have said in your statement that you have
18 never had any concerns about prison officers and abuse
19 in relation to prisoners during your time in the Prison
20 Service, is that right?

21 (Pause)

22 I was saying that you have said that you didn't have
23 any concerns about any abuse in relation to prison
24 officers on prisoners; is that right?

25 A. That is correct.

1 Q. I want to find out what your position is in relation to
2 this. This Inquiry has heard evidence and has evidence
3 from individuals who were in Polmont and who have made
4 allegations of assault by prison officers and
5 mistreatment.

6 I think we know what your position is, that you
7 haven't had any concerns about that whilst you have been
8 a prison officer in your various roles, is that right?

9 A. That's correct.

10 Q. Is your position though that that kind of thing didn't
11 happen or is your position that things like that could
12 have happened, but you certainly didn't see it and you
13 weren't part of it?

14 A. As far as I'm aware it didn't happen. It's never
15 happened in my time.

16 LADY SMITH: Can I just check again your dates? We know you
17 arrived at Polmont in 1999. When did you leave to do
18 your spell at Low Moss?

19 A. It was about 2008 maybe, something like that.

20 LADY SMITH: Were you at Polmont right the way through until
21 then?

22 A. Yeah, yeah.

23 LADY SMITH: At what stage did you move into a role where
24 you were doing less face-to-face work with prisoners?

25 A. Maybe six years ago.

1 LADY SMITH: Okay, that is 2017.

2 A. Yeah.

3 LADY SMITH: The period of your awareness would be 1999 to
4 2008 or so, a year away from Polmont, and then 2009
5 until about 2017, something like that?

6 A. Yes.

7 LADY SMITH: Do I have that right?

8 A. Yes.

9 LADY SMITH: It just helps when I'm looking at the evidence
10 from other people and bear in mind that they may have
11 been there at a different time, some of them.
12 Ms Forbes.

13 MS FORBES: My Lady.

14 We have your position on that then. As far as
15 you're concerned, things like that didn't happen,
16 prisoners weren't assaulted by prison officers during
17 your time at Polmont?

18 A. No, not that I'm aware of.

19 Q. You didn't hear anything said to you about that?

20 A. No.

21 Q. I want to move on, 'Peter' and ask you about another
22 part of 'William's' statement that was put to you.
23 You are not specifically referred to or anything in
24 this paragraph, but it was a paragraph of his statement
25 that was put to you and I think it was in relation to

1 commenting on the segregation unit.

2 This is at 205 of your statement I'll just read out
3 what that paragraph says from 'William's' statement:

4 "I went back to Polmont after it [he's talking about
5 going to court and then coming back] and straight to the
6 Digger. I was in there all the time. The Digger is
7 a four foot by four foot cell, concrete walls and floor.
8 In Polmont when you are in the Digger you wear a purple
9 jumper and purple track suit bottoms. There's a small
10 window which looks into a compound, but it's never
11 opened so you don't get any fresh air. There was
12 a porta potty in it that you had to slop out every
13 morning. There was no sink or bed. They would give you
14 a thin mattress at about 9 pm but the prison officers
15 would come in at 7 am and take it from you. Your meals
16 were brought to you. It was freezing in the cell.
17 I was there all the time. There were about eight of
18 these cells. I was in there for most of my sentence."

19 In relation to that, I think that paragraph was put
20 to you before and you comment that this reference to the
21 Digger is the segregation unit and that's a common term
22 that's used even now, is that right?

23 A. Yeah.

24 Q. You say that there were eight cells in the segregation
25 unit all those years ago and you say they were the same

1 size as a normal cell, about eight feet by six feet?

2 A. Yeah.

3 Q. In that regard they're bigger than what has been said by
4 'William', is that right?

5 You say that the prisoners in the Digger did wear
6 a different colour of clothing, but you can't remember
7 if it was purple, so he may be correct about that.

8 A. Yeah.

9 Q. Other prisoners wore dark jogging bottoms and you say
10 that one of the halls wore orange tops and the
11 segregation unit was burgundy. Another hall wore green.
12 Was that back then or now?

13 A. Both, I think. They are still different colours for
14 different halls.

15 Q. You comment that females that are there nowadays in
16 Polmont they wear purple and another hall wears grey?

17 LADY SMITH: I suppose some people might call burgundy
18 a purpley colour. There is not much between them. It
19 depends on the colour in question.

20 Thank you.

21 MS FORBES: My Lady.

22 In respect of the compound that 'William's' talking
23 about, you say that's where they got their fresh air and
24 exercise. You say it's correct about the slopping out
25 back then. You say that taking the mattress out

1 probably did happen then, but you're not sure it was as
2 early as that?

3 A. I can't recall when it was.

4 Q. Is that in relation to you don't know if it would be
5 taken out as early as 7 am?

6 A. Yeah.

7 Q. Was there a reason that you were aware of of that
8 mattress being taken out of the cell? What was the
9 purpose of that?

10 A. I'm not sure. If they were unruly through the night
11 they were usually up all night sleeping all day. So
12 that kind of resolved the issue from them sleeping all
13 day and disruptive at night-time.

14 Q. Trying to avoid the situation where they would just be
15 sleeping during the day and cause trouble?

16 A. Yeah.

17 Q. In relation to that, there is no allegation that's been
18 made in respect of you in that paragraph. They are just
19 talking about the segregation unit in general.

20 Did you work in the segregation unit?

21 A. No.

22 Q. During your time in Polmont, that's not been part of
23 your duties?

24 A. No.

25 Q. This information you are giving here is just part of

1 your general knowledge from having seen it?

2 A. Yeah.

3 Q. I'm not going to read out next paragraph that was put to
4 you. This is paragraph 89 of 'William's' statement and
5 it's referred to at paragraph 212 of your statement. In
6 relation to that, he's talking about an incident where
7 he comes out of the segregation unit, goes to get his
8 dinner and he's in general mixing with other prisoners
9 and he ends up assaulting someone and then he says that
10 he is put back down to the Digger and that he was meant
11 to get an hour exercise, but a lot of the time that
12 never happened.

13 You are asked just to comment on that but again this
14 is coming from the point of view that's not something
15 that you did -- you weren't involved in the segregation
16 unit?

17 A. No.

18 Q. You do comment that there was supposed to be some sort
19 of exercise and they would be asked if they wanted it or
20 not, but it was up to them whether they took it but
21 sometimes that would be offered in the morning and they
22 wouldn't want to get out of their bed. Is that the
23 position?

24 A. That's correct, yes.

25 Q. That would be classed as them refusing their exercise.

1 You point out that something that he says about
2 going to another hall with a segregation top was
3 unlikely to happen, because he would stick out. Is that
4 to do with the different colours that people would be
5 wearing?

6 A. Yeah.

7 Q. You say there is a possibility that it did. It's not
8 something that you were aware of?

9 A. No.

10 Q. You don't recall this incident that's being referred to
11 at paragraph 89 of 'William's' statement and you're not
12 mentioned in it, so I suppose there's no particular
13 reason why you would necessarily recall that. Is that
14 the position?

15 A. Yes.

16 Q. We have dealt with this. He goes on at paragraph 91 to
17 talk about the fact that he got six months for the
18 assault on you and from your recollection I think you
19 said you thought he maybe got seven days or something,
20 but certainly your recollection was there was something?

21 A. Yeah.

22 Q. I'm going to move on then, 'Peter', to the section in
23 your statement that talks about lessons to be learned.

24 At paragraph 218 you tell us that the soft cuffs,
25 these Velcro cuffs, are a real plus in your view. Is

1 that right?

2 A. That's right, yeah.

3 Q. We have heard evidence about these Velcro cuffs and how
4 they are supposed to minimise pain to the prisoner. Is
5 there a situation where if that doesn't work or if it's
6 not successful in controlling the prisoner that there is
7 still a way to escalate that, to a control and restraint
8 procedure that does cause some pain?

9 A. Control and restraint procedure is a technique used, it
10 doesn't have to involve pain. You can have pain and you
11 can still have the technique on without pain.

12 Q. We have heard evidence in the Inquiry from someone from
13 the Scottish Prison Service that whilst this trial at
14 Polmont is with a view to trying to minimise or reduce
15 or get rid of any painful restraints, that there is
16 a procedure whereby it can be escalated if necessary to
17 a restraint which does involve pain to control the
18 prisoner. Are you aware of that?

19 A. Yeah.

20 Q. That is something that could still happen if the
21 situation called for it?

22 A. Yeah.

23 Q. In relation to what you were telling us before about the
24 Velcro cuffs and the demonstration of it, is there
25 a video or anything like that that's available to watch?

1 A. No to my knowledge, but I'm not sure.

2 Q. Is this something then that's taught like as part of
3 a training programme face to face?

4 A. Yeah.

5 Q. It's not something you can just watch a video and see
6 how it happens?

7 A. No.

8 Q. You are reemphasising at this part of your statement
9 that from your point of view these soft cuffs have
10 reduced violence and reduced injuries and this is
11 something that's supposed to be getting rolled out?

12 A. Yeah.

13 Q. You tell us at paragraph 219, I appreciate this might be
14 difficult because you still work within the Scottish
15 Prison Service and that is your career, however you have
16 the view and you tell us that you think there should be
17 some more resources in Polmont and you give us one of
18 your ideas there.

19 Do you want to tell us about that?

20 A. That's just my opinion. If there were more resources
21 and more staff we could have more time to deal with the
22 people that's in our care and more resources would help
23 us develop that.

24 LADY SMITH: You mentioned earlier that the Throughcare
25 officers project went really well and unfortunately it

1 stopped and you deal with that later down here, that
2 that is something you would like to see reinstated if
3 possible. Do I have you right there?

4 A. I think that was definitely working. Within Polmont any
5 of the results within Polmont, especially dealing with
6 the females that were getting released and to get them
7 to appointments and stuff like that, it was definitely
8 working for them and stopping them coming back through
9 the doors again.

10 LADY SMITH: Thank you.

11 MS FORBES: You comment, 'Peter', as well later at
12 paragraph 225 that you think that maybe prison officers
13 going into secondary schools, maybe later on, older
14 children, to give some talks about the Scottish Prison
15 Service and what happens in prisons would be a good
16 thing.

17 A. Yeah.

18 LADY SMITH: What would you talk to the schoolchildren
19 about?

20 A. Just educate them on offending behaviour, consequences
21 of offending behaviour.

22 LADY SMITH: Would you also talk to them about careers in
23 the Scottish Prison Service?

24 A. I would encourage anybody to join it. A great job.

25 LADY SMITH: Thank you.

1 MS FORBES: You do comment that even though you tried to
2 join at 17 and you wanted to join at a young age, but
3 didn't manage to get in until you were 28, that you do
4 think that a minimum age of about 18 would be better.

5 A. Yeah.

6 Q. Is that just because you think that more experience,
7 more life experience, would be beneficial?

8 A. Seventeen is pretty low when you are dealing with people
9 that are older than yourself in there, especially young
10 people. That is just my opinion on it, generally my
11 opinion.

12 Q. You tell us that you love your job and you always have
13 and you are hoping to stay in the Prison Service until
14 you retire?

15 A. Yeah.

16 MS FORBES: 'Peter', that is all the questions I have for
17 you and I just want to thank you very much for answering
18 my questions today and giving all the information you
19 have.

20 LADY SMITH: 'Peter', could I add my thanks.

21 I've already mentioned how helpful your statement's
22 been but it's been even more helpful to hear you talk
23 about having been in the roles you've had since 1999,
24 what you have made of them, what you have seen and
25 talked so openly and frankly about your views where we

1 have asked you for them. It's been really good. Thank
2 you very much for that and I'm now able to let you go.

3 A. Thank you.

4 (The witness withdrew)

5 MS FORBES: My Lady, we now have a read-in from my learned
6 friend, Ms Rattray.

7 LADY SMITH: Thank you.

8 'Jordan' (read)

9 MS RATTRAY: My Lady, this is a statement of an applicant
10 who is anonymous and has the pseudonym 'Jordan' and
11 'Jordan's' statement is at WIT-1-000001295.

12 "My name is 'Jordan'. I was born in 1972. My
13 contact details are known to the Inquiry.

14 It is difficult for me to say when I was at various
15 places during my time in care because I was in so many
16 and moved around so much. Sometimes I was in places for
17 short periods of time. At other times, I was staying at
18 one establishment during the week whilst going to
19 another at weekends. That has complicated things when
20 it comes to my memories surrounding my care history."

21 From paragraph 3, 'Jordan' speaks of his life before
22 care. He lived in West Lothian with his parents and
23 siblings. As a kid he thought his family was fine. His
24 parents didn't have a lot of money but they got by.

25 At paragraph 8, 'Jordan' says:

1 "Looking back I don't know for certain why I was
2 taken into care. I didn't feel that there was anything
3 wrong going on in the house. There wasn't any police
4 involvement with the family. I wasn't dogging school at
5 all. I was attending near enough every day because
6 I was being made to go by my parents. It could have
7 been financial but my siblings weren't taken into care
8 so that doesn't make sense. It's all a bit of a mystery
9 to me."

10 'Jordan' says that he has had his records read to
11 him as an adult and the social worker said that he was
12 in care because his mother couldn't control him.

13 'Jordan' doesn't remember anything like that. He
14 doesn't know what it was he was doing, if that was what
15 was going on.

16 'Jordan' says he was taken to a children's home in
17 West Lothian when he was about eight years old, in
18 either 1981 or 1982. He thinks he was there for a few
19 months and he doesn't have many memories of that time.
20 He thinks he was then moved to another children's home
21 in North Lanarkshire and was there until about 1984.

22 'Jordan' says he was in foster care for a few months
23 when he was aged 12 or 13. He says it was fine there.
24 But he found it difficult to adjust to his sister being
25 at the same school and whilst she went home each day

1 'Jordan' was going somewhere else.

2 He ran away and got on the same bus as his sister.
3 He thinks this is why he was then moved to Ballikinrain,
4 so that he was further away from his parents.

5 He says he was there for about a year. He didn't
6 want to be there, but he says it was all right. He then
7 went back to the children's home in North Lanarkshire,
8 before being moved to Calder House in Blantyre.

9 'Jordan' is unclear of the dates and the order of care
10 homes. He said he could have been at Calder House
11 before Ballikinrain. He remembers being in the second
12 year of school when at Calder House.

13 'Jordan' then speaks about a couple of nights he
14 spent at Larchgrove Remand Home in Glasgow. He then
15 recalls going to another children's home in North
16 Lanarkshire when he was aged 13 or 14. **Secondary Institutions - to**

17 **Secondary Institutions - to be published later**

18
19 He doesn't know why he was then moved back to the
20 North Lanarkshire children's home he'd been in before,

21 **Secondary Institutions - to be published later**

22
23
24
25

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

Secondary Institutions - to be published later

Secondary Institutions - to be pu He says that within a few days he was at a Children's Hearing and the hearing took him off supervision and he was out of care. 'Jordan' remembers feeling very relieved.

I'm moving now to paragraph 145, on page 36:

"After the hearing, my social worker took me back to the children's home to collect my stuff, took me to a market to buy some clothes, a hi-fi and some other stuff, then dropped me off at the office at the bottom of some flats in Cumbernauld. The social worker showed me the facilities in the building, the flat, handed me the key, then left straightaway. That was the last time I had any contact with social workers.

Secondary Institutions - to be published later

There was no throughcare from anyone.

The flat I was placed in I think was a YMCA place."

1 LADY SMITH: I think by this stage he's 17, according to the
2 dates we've got of him being there.

3 MS RATTRAY: Yes, my Lady:

4 "I initially shared the flat with one other person
5 but we were later joined by a boy I'd been in care with.
6 The other person was an older guy who was waiting on his
7 own flat. He was hardly ever around. We shared
8 a kitchen and living room. It was furnished and had
9 everything other than a television and a hi-fi. The
10 flat had three bedrooms and a living room which we all
11 shared. I was young and underprepared but I was glad to
12 be where I was. I was excited to be in my own flat. It
13 felt as if I was getting my own freedom.

14 I attended a couple of placements on YTS schemes for
15 about a year. The first placement was around the block
16 from my flat. I presume that that was set up by my
17 social worker. They gave me £29.50 a week throughout
18 the time I was part of the placements. My first
19 placement involved just going to sit in a building.
20 I would go in, put on some overalls and boots then just
21 sit around doing nothing all day before going back to my
22 flat at night. I did that for a while before finding
23 another placement where I could actually do some work.
24 It was working for a company doing landscaping. They
25 would pick you up in the morning in a van and drop you

1 off. I was based in a massive garden attached to
2 a nursing home. After that placement I got a job
3 working in a greenhouse that farmed tomatoes. By that
4 point, I would have nearly turned 17. I would call that
5 my first proper job. By that time, I was still in the
6 same flat in Cumbernauld. I then met a girl and she got
7 pregnant. I ended up moving in with her. The
8 relationship lasted for about two years.

9 I was in Longriggend for one period of three weeks
10 then another period of a couple of days. The part of
11 Longriggend I was in was for younger people. Everyone
12 I was with was 17 or under. The older inmates were kept
13 elsewhere in the jail. I think they were the ones who
14 did all the work that needed to be done in the prison.
15 The first time I was there I was nearly 17 or just
16 turned 17. That would have been in 1989.

17 I was under remand for assault. I was taken there
18 straight from Hamilton Sheriff Court. After those three
19 weeks I was on probation and did community service
20 emptying condemned houses and taking the contents to the
21 tip. I had to do 180 hours of that. I did my community
22 service twice a week for what felt like months and
23 months. The second time I was in Longriggend was
24 because I got into a fight. I was caught doing that and
25 that meant I breached my probation. I was only there

1 for a couple of nights. That would have been in
2 approximately early 1990. My probation continued after
3 I was released.

4 During both times in Longriggend, I was locked up in
5 my cell for the whole time I was there. That would have
6 been for at least 23 hours a day. The only times I got
7 out was for a wee walk in a small courtyard once a day
8 and for two meals a day. We were given a breakfast pack
9 in our cells in the mornings and had lunchtime and
10 dinner in the dining hall. The dining hall wasn't that
11 big, so I think only a few people could go down at
12 a time. It was straight back to your cell after meals.
13 We had a potty in our cells for when we needed the
14 toilet. We had to empty it in the mornings. I think
15 they gave you a uniform for clothes. There was no
16 television, radio, books or anything. The only thing
17 I could do was to read the one letter I received a week
18 from my girlfriend. It was just boredom.

19 Nothing bad happened during my times at Longriggend.
20 The guards were just guards. Considering I was in
21 a jail, I don't think the guards were that bad. It's
22 hard for me to tell what they were really like because
23 I was hardly out of my cell during the times I was at
24 Longriggend. There wasn't any trouble with the other
25 inmates. You could hear other people shouting and

1 bawling, but that is just what jail is like. I kept my
2 head down."

3 From paragraph 152 'Jordan' speaks of his life after
4 care and the impact that his whole care experiences have
5 had upon him.

6 Moving to paragraph 172, page 44, where 'Jordan'
7 says:

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

12 'Jordan' signed his statement on 20 July 2023.

13 LADY SMITH: Thank you.

14 MS RATTRAY: My Lady, we have further read-ins and Ms Forbes
15 will do those.

16 LADY SMITH: Thank you very much.

17 'Kevin' (read)

18 MS FORBES: My Lady, the next statement is from an applicant
19 who is anonymous and is known as 'Kevin'. The reference
20 for his witness statement is WIT-1-000005548.

21 My Lady, 'Kevin' tells us he was born in 1992. He
22 lived in Dumbarton with his sister and two brothers and
23 he remembers incidents of him being violent at primary
24 school and from there his behaviour just got worse.

25 He thinks he had ADHD, but he wasn't actually

1 diagnosed with that until 21. He thinks that that had
2 an affect on him, but he does concede it was also the
3 people he ran about with and the people who influenced
4 him.

5 These were the reasons, from his point of view, he
6 ended up in the care system. He did things and didn't
7 think about the consequences. He struggles to remember
8 dates and ages of when he was in places in care, but
9 thinks that he was first in about 12 years old and he
10 was in St John's, St Philip's and various homes.

11 He talks about St John's Springboig from
12 paragraph 14 and he thinks he was there between 2005 and
13 2009 on two separate occasions. The first for
14 two years, he thinks, and the second for about two or
15 three months.

16 Whilst there, he talks about humiliations for bed
17 wetting, staff sending residents out to steal for them.
18 They would be taken round in a big van from the unit and
19 be made to go and steal.

20 There were episodes of violence towards him from
21 staff. He was headbutted, strangled a couple of times
22 and on one occasion stabbed by a member of staff with
23 a pencil in the leg.

24 He says that staff would single children out for
25 abuse and get other children to bully them. They also

1 did it to another member of staff as well.

2 There was also, from his point of view, corruption
3 to do with grant money being misappropriated but he says
4 there were some good people there too. He says he
5 probably ran away about 100 times while he was there.
6 And he left for the last time around 2009, after his
7 second stint there.

8 He was in St Philip's for three months altogether,
9 he thinks, perhaps on three separate occasions between
10 2004 and 2009. But he doesn't tell us about any abuse
11 there.

12 He got into trouble for crimes of violence and
13 appeared for a sentence and he was given a custodial
14 sentence and sent to Greenock Prison when he was
15 16 years old. He comments that between the ages of 16
16 and 21 he spent the full time in jail apart from 40
17 days, and those 40 days were made up of being out three
18 separate occasions for short periods of time.

19 If I can go to paragraph 66 in his statement, where
20 he talks about Greenock Prison. He says:

21 "I wasn't in Greenock long. When you are that age
22 you are just a lodger, you are just waiting on a bus to
23 take you to Polmont. A few days in at Greenock Jail and
24 I was intrigued. I had never been to jail before.
25 I would say it was inevitable in terms of the life I had

1 lived up to that point, that that's where I was going.
2 A lot of my pals had ended up in jail too. I didn't
3 like it at first. It took me right out of my normal
4 routine. It was definitely different.

5 It made me angry and I was a bit bitter about being
6 sent to jail as I was already in secure at St Philip's
7 before the jail. They held me in jail when I was
8 already 16 on a panel order. I was trying to argue that
9 they couldn't hold me any longer as I was 16. They told
10 me I was still under social work care. They wanted to
11 treat me like a child in the children's system but I
12 went to court and they gave me a sentence. I didn't
13 understand why I was suddenly being treated like
14 an adult.

15 About two days in, I ended up in a fight with three
16 boys. One of them thought I had been staring at him.
17 I have this habit where I sometimes stare at things and
18 I didn't mean to be staring at him. He asked me what
19 I was staring at and I ended up fighting on the landing
20 with three boys. Staff came in and said I'd snapped.
21 They took me down to an observation cell where they left
22 me for a bit. They then came in as a group, at least
23 four of them. They started saying stuff like I wasn't
24 in a secure unit now. I'm not very good with facial
25 expressions and I kind of smiled when the member of

1 staff said that. I got slapped across the face by one
2 of the staff members. I was then restrained by them.
3 I wasn't injured from that. I remember my wrists were
4 sore for about a week after it.

5 After you got restrained you would see a nurse after
6 it, so any time they inflict pain on you they know how
7 to do it without injuring.

8 After the fight, I was taken to the segregation unit
9 for three days. I was searched and put in a cell. The
10 cell was absolutely disgusting. It was covered in
11 puddles and the walls were wet with condensation. It
12 had sweetie papers and rubbish all over it. They threw
13 my bedding at me and it landed on the floor.

14 They also strip you when you are restrained. The
15 first time that happened I found it quite degrading.
16 I was only a young boy and I didn't expect that kind of
17 behaviour. The first time it happened was after the
18 fight. I was stripped and one of the staff told me that
19 if I moved a muscle and he would stand on my balls.
20 When you're lying stripped on the floor that's not very
21 nice.

22 Another thing they did during restraint was they put
23 their knuckles in your ribs while your arms were behind
24 your back. It was all psychological abuse. When the
25 staff are all together and say you're being restrained,

1 it seemed to stir them all on. I've been restrained
2 loads of times in homes but in jail, in Greenock, it was
3 definitely different. I hated the restraints. It was
4 the loss of control. It was the things they said
5 though, really nasty things, things to get at you.

6 To me, the staff at Greenock were over the top.
7 Like their reaction to the fight incident. They saw me
8 as the new young offender and thought I was trouble.

9 I have since heard that the segregation cell I was
10 in that time has been closed down as it was not fit for
11 purpose.

12 While I was in segregation at Greenock, I got
13 transferred to Polmont YOI. This was three days into
14 a 14-month sentence."

15 He then says about Polmont at 77:

16 "There is nothing that I wish to tell the Inquiry
17 about what went on in Polmont. It was mostly
18 psychological there."

19 He then talks about his life after Polmont and he
20 says that he went to Saughton and then on to Addiewell,
21 but he was 18 by then and then he was in Low Moss. He
22 was only out for three months in [REDACTED] 2019 and he's
23 back in prison.

24 He talks about impact from paragraph 83 and how the
25 time in care has affected his education and his

1 relationships with his siblings.

2 Lessons to be learned are dealt with from
3 paragraph 94 and that is mainly about St John's and the
4 residential homes he was in.

5 If I could go to paragraph 102 of his statement, he
6 says:

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

11 He signed and it's dated 8 February 2023.

12 LADY SMITH: Thank you.

13 'Sam' (read)

14 MS FORBES: The next statement from an applicant, my Lady,
15 is from someone again who is anonymous. He's known as
16 'Sam' and he is deceased. His witness reference is
17 WIT-1-000000982.

18 My Lady, 'Sam' sadly passed away in [REDACTED] 2023. He
19 was born in 1968. Born and raised in the Bingham area
20 of Edinburgh.

21 He talks about his life before going into care
22 between paragraphs 2 and 15. He lived with his mother,
23 father and three sisters and his parents split up when
24 he was a baby and one of his sisters and he stayed with
25 his dad.

1 His dad moved in with his girlfriend who had her own
2 family. She had a daughter and five sons. He had the
3 same name as one of her sons and it was decided it would
4 be easier for him to be called by his middle name. He
5 wasn't being looked after and he was always hungry. He
6 and his sister were treated less because they were not
7 her children.

8 He was sexually abused by men who would come to the
9 house and he witnessed one of his brothers being raped
10 and tried to intervene.

11 His stepbrother was sexually abusing him and when he
12 was about nine his dad went off with another woman and
13 left them in the care of his girlfriend.

14 He went to primary school from there and to high
15 school and he found school horrible. He was never
16 washed or dressed properly. He would find food in bins.
17 He was missing school a lot. His dad's ex-partner
18 became a community worker and started working alongside
19 some of the social workers who were coming to look after
20 them. But the school noticed when he was in primary 6
21 or 7 a lot of bruising and he was sent to the
22 Children's Panel. He's not sure if that was the reason
23 or if it was a culmination of everything, but he was
24 placed in Foster Care for a week and then he was back at
25 his father's ex-partner's again.

1 He says that his sister was in care by this point.
2 He went to his dad's for a while but his new partner
3 didn't want him there and after about a week he was back
4 again at his dad's ex-partner's and there for about
5 a year that time. Again, he was not being looked after,
6 he was not going to school as often as he should have
7 been. At that time his dad's ex-partner had obtained
8 her diploma in social work and they were living in
9 a community block being run by the social work.

10 He says they didn't have a room in the building and
11 for a couple of weeks they just slept on camp beds in
12 the office, but then there was a room staying with one
13 of her friends and they later got a house and they were
14 staying in Kilmarnock.

15 He ended up back before a panel. His dad's
16 ex-partner had met someone and married him and they told
17 the panel that he was out of control. The panel then
18 sent him to Kibble.

19 He talks about his time in Kibble between paragraphs
20 22 and 36. He says he was about 14 when he went to
21 Kibble and he was to be there for about two weeks.
22 There was bullying there by other boys and assaults. He
23 was also assaulted by a member of staff. The social
24 work saw the bruising on his body from that and he went
25 to a Children's Hearing and social work made the Hearing

1 aware of the injuries. He says the panel apologised to
2 him and said that should never have happened.

3 He went back to stay with his dad's ex-partner
4 again, who was now quite high up in her position, he
5 says, with community care work. He was enrolled at
6 another secondary school but he was still not dressed
7 any better.

8 His stepbrother tried to abuse him on a couple of
9 occasions and his dad's ex-partner was assaulting him,
10 but she would cry afterwards and apologise.

11 He had a complicated relationship, he says, with her
12 because he loved her. He was skipping school and he was
13 expelled and he went back to the panel and they sent him
14 to Kerelaw as a day boy and he was 15 when he went there
15 and he stayed until 16. He talks about Kerelaw between
16 paragraphs 44 and 55.

17 He was back to skipping school. He was assaulted by
18 staff there. He names Matt George, who is someone we
19 have heard about, who he says rubbed up behind him with
20 his groin and did this to him and others. Staff
21 arranged for another boy to assault him. He was made to
22 box with one hand behind his back. It was older boys
23 fighting younger boys and it was all arranged by staff.

24 He ran away and whilst he was away his dad's
25 ex-partner's house was broken in and they suspected him.

1 He was caught by the police and he was marked as unruly.
2 He was sent to the Sheriff Court. This was just before
3 he turned 16 and he was sent to Longriggend for reports
4 to be prepared.

5 It was to be for a period of two weeks. He talks
6 about Longriggend from paragraph 57. If I can go to
7 paragraph 57 of his statement:

8 "En route to Longriggend the transport van stopped
9 at Barlinnie, where I was put into what they called the
10 "dog box" until the staff from Longriggend came to
11 collect me. It is called the "dog box" as they passed
12 the food through the bottom of the door. I was to stay
13 there until the next transport to Longriggend.

14 When I arrived at Longriggend it did not take long
15 for the other prisoners to start bullying me because my
16 accent was different. In Longriggend most of the boys
17 there were once more from the Glasgow area.

18 The normal routine would be that the staff woke you
19 early in the morning and we were into the bathrooms to
20 get a wash. We then went for breakfast and spent most
21 of the day in the classroom. There was some recreation
22 time at night.

23 The food was horrible there. It was very basic jail
24 food with no choices. You just ate what you were given,
25 even if you did not like the food. If you left the food

1 you just went hungry. No one would force feed you and
2 there was always someone who would eat the food you did
3 not want.

4 When I arrived at Longriggend, I was issued with my
5 prison issue uniform and then taken to the cell which
6 I was to share with another prisoner.

7 Any teaching was carried out in the education block
8 within the grounds of Longriggend. We had to go there
9 each day. I don't remember being taught much.

10 I was in the education unit one day when I was
11 visited by the social work and they had [this is
12 reference to his sister] with them. I was taken to what
13 was basically a store room to speak to them."

14 I apologise, my Lady, that was his dad's ex-partner
15 he's referring to:

16 "I was taken to what was basically a store room to
17 speak to them. The social work were still thinking
18 I was the one who broke into her house. She was asking
19 why I did and why did I upset her. She got up and
20 started punching me and had to be dragged off me by the
21 social worker. No one believed that I was not involved.
22 In some way I was happy she did this because I was
23 hoping the social worker would do something about it,
24 but she never did.

25 I did get a visit from the social worker from the

1 Edinburgh area. He told me he had been in touch with my
2 real mother. My mum had been in touch with them and
3 told them I had been getting abused while I was staying
4 with [dad's ex-partner is named]. The social worker was
5 asking if I would tell him about what was happening. I
6 couldn't tell him and nothing seemed to happen. One of
7 the reasons was the wording he used, "hanky-panky".
8 That seemed to belittle the abuse I was receiving and
9 could not have told them anything.

10 I was only there for a short time before I was
11 beaten by the boys there. They already had a hierarchy
12 with the boys and I did not fit in with them. I tried
13 to act as if I was an older boy and tough, but that fell
14 apart when I asked one of the other boys where the tuck
15 shop was. They knew right away that I was much younger
16 than them and not used to the system.

17 I was in my cell one day when two older boys came in
18 and used two wooden towel holders to beat me. I was
19 covered in bruises. The other boy who I shared the cell
20 with returned and he too was given the same beating.
21 Staff must have been aware from the noise in the cell
22 but did nothing about it.

23 There was another activity the staff organised which
24 was called murder ball. A ball was thrown at you and as
25 you caught it the other boys would charge at you and hit

1 you. As you were made to hold the ball you had
2 difficulty in defending yourself. The staff watched but
3 did nothing as you were being hit.

4 There was no one to report to. If the staff were
5 all ignoring the beatings as they happened, what chance
6 was there of listening to my complaints. Again, if I did
7 report anything, I would have been in more trouble with
8 other inmates.

9 After my assessment period, I was back at the
10 Sheriff Court and the social workers made them aware of
11 what happened to me in Longriggend. They were also told
12 that I had recently found out my mum's partner had died
13 but that I had a chance of staying with her. They felt
14 sorry for me and were releasing me from any other
15 imprisonment. The only thing was they told me I had to
16 stay with [he names his dad's ex-partner] before
17 returning to my mum's house and I was made to go back to
18 stay with her until my actual 16th birthday."

19 He says he was back with his dad's ex-partner until
20 his 16th birthday and assaulted by her. She was angry
21 with him, because she saw leaving her as a form of
22 betrayal.

23 He then moved with his mum to a house in Leith that
24 she had bought with her new partner, but he only lasted
25 about six months there. He ended up leaving and moving

1 in with one of his sisters.

2 If I can go it paragraph 73 of his statement. He
3 says:

4 "I went to Longriggend again. But this time it was
5 the main building as I was older. I was sent on remand
6 there. The problem was when I was on the transport bus
7 it was too late at night to get me to Longriggend and
8 they had to leave me at Barlinnie. I had to spend the
9 night there in the adult hall before being transferred
10 in the morning. I was not allowed to mix with the adult
11 and I was locked into a cell by myself.

12 I was involved in a fight and as punishment I was
13 sent to the dogleg set of cells. In there the staff
14 removed the mattresses and you only had the floor to sit
15 on. You could spend up to 24 hours a day and I spent
16 the two weeks there."

17 LADY SMITH: What is he referring to when he refers to the
18 "dogleg set of cells"? I'm scratching my head about
19 that.

20 MS FORBES: I'm not sure, my Lady, if that is ones that were
21 down and round a corner or something.

22 LADY SMITH: That is what a dogleg normally is, you go left
23 and then right again. Thank you.

24 MS FORBES: "I was treated like an animal while I was there.
25 After that remand period, I was there for two weeks and

1 supposed to be back in court. The problem was I never
2 saw any social workers and they had not provided any
3 reports. I was then sent back for another two weeks.

4 I was stripped naked by the staff and sent down to
5 the Digger (punishment cells). The staff used different
6 arm locks on me and had me trussed up like a turkey.
7 I was screaming in pain from the arm locks. I was sent
8 to the governor and given two weeks in that dogleg set
9 of cells again, I felt like an animal."

10 I don't know, my Lady, if that's a separate part for
11 his age.

12 LADY SMITH: He would be just about 16, because he may or
13 may not have had his 16th birthday then.

14 MS FORBES: My understanding is he had become 16 by that
15 point, but he wouldn't have been much older than that,
16 I don't think.

17 LADY SMITH: Thank you.

18 MS FORBES: "When I eventually got to court I was sent to
19 Glenochil for three months' detention."

20 He talks about Glenochil from paragraph 78:

21 "The normal day-to-day routine would be that we were
22 out of the cell in the morning, have a wash and then
23 allowed out for a while. We were back in the cell for
24 the main meal of the day. We were out in the afternoon
25 to the work shed for a lot of marching and indoor PT

1 work.

2 When I went to Glenochil I found it was like an army
3 regime, where we were made to march everywhere when we
4 moved about the different areas. Every day we had to
5 keep the cell shiny and they told us we had to use the
6 bed block method when making the beds in the morning.

7 The Government knew what was going on and they
8 called it short sharp treatment to teach me a lesson."

9 LADY SMITH: He was in the YOI, according to the heading in
10 his statement; is that right?

11 MS FORBES: I think sometimes the headings, my Lady, are not
12 in the control of the applicant and perhaps it was
13 thought that that's where he was, but it seems that it's
14 probably the detention centre.

15 LADY SMITH: His descriptions would fit with the
16 detention centre at that time. We're in 1985 here.

17 MS FORBES: Yes:

18 "We never had any books or toys when we were there.
19 We were issued with a Bible and sent to Bible classes.
20 They would issue you with a paper containing around 100
21 questions on the Bible. By the end of your time with
22 the different Bible classes you were issued
23 a certificate showing you had completed all the
24 questions.

25 Part of PT work each day we were to do was we were

1 made to run a mile every day. Some of the weaker kids
2 were also made by him and other staff to run the
3 gauntlet. The staff lined the other boys up in two
4 lines and the weaker boys, including me, had to run
5 between them. The lined up boys were only supposed to
6 use the back of their hands to hit the boy as he ran,
7 but many resorted to punching us. I had to run the
8 gauntlet on four different occasions.

9 The PT instructor had a cricket bat which he had
10 named 'Hector'. He tended to pick on the weaker boys,
11 including me, and use the flat side of the bat to hit me
12 over the backside. When he hit you it was like
13 a slapping noise and it happened to me twice.

14 I remember I was put on report for talking in line.
15 The punishment the governor handed out was to scrub some
16 of the square tiles on the floors, I was handed a pail
17 of water, a bar of soap and a scrubbing brush. This was
18 hard as some of the staff were standing over me and
19 shouting at me. We had to do this until we were hurting
20 so much they made you cry.

21 He was shouting at me to stop splashing the water on
22 myself as he thought I was trying to make myself look
23 like I was sweating from hard work.

24 Any punishment we had to carry out at Glenochil
25 would mean we were not allowed out for any recreation

1 time.

2 At the end of my time I was released after about
3 two-and-a-half months. I should have been out earlier
4 but they kept adding remission time whenever I was on
5 a punishment."

6 I think again that would fit with the eight
7 weeks, five days and a breakfast.

8 LADY SMITH: Yes.

9 MS FORBES: My Lady, 'Sam' then talks about his life after
10 care from paragraph 88. He says that when he left he
11 was an angry young man and he was with his mum for a few
12 days before moving down with his sister in the Borders.
13 He got in trouble for fighting. He appeared at
14 different courts and he ended up serving a sentence when
15 he was 18 or 19 at Polmont.

16 He was in and out of different prisons for a variety
17 of offences over the next years. He had a few long-term
18 relationships and has had five children. He says he was
19 attacked in 2007 and received injuries from that and had
20 PTSD.

21 He talks about the impact from paragraph 96. He
22 says that he has had limited education due to his time
23 in care and that has affected his ability to gain
24 employment. He felt he was only there to be abused by
25 adults and he ended up on drugs and prior to his death

1 was on a methadone programme.

2 He did report the abuse by his dad's ex-partner and
3 his stepbrother around 2005/2006 and went to court and
4 gave evidence. I'm not sure if it's in relation to what
5 happened to him or he says what happened to his sister,
6 but the stepbrother went to prison for six years.

7 Then if I can go to paragraph 113, he says:

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

12 He signed and it's dated 11 May 2022.

13 LADY SMITH: Thank you.

14 One thing he picks up on at paragraph 110, and he's
15 not the only witness who has offered this to us, where
16 he says if a child is being quiet you need to find out
17 why they're being quiet, because if they won't open up
18 it could be a trust issue.

19 The fact that the child or young person may seem on
20 the surface to be no trouble doesn't mean that they
21 haven't been traumatised and they don't need
22 a particular type of support and help and if they don't
23 receive it they may carry on offending and get into more
24 trouble.

25 MS FORBES: Yes.

1 LADY SMITH: Thank you.

2 MS FORBES: My Lady, there is another one but perhaps it
3 wouldn't fit within the timeframe, so perhaps --

4 LADY SMITH: I think we can pause now and I'll sit again at
5 2 o'clock and we'll return to read-in work then.

6 Thank you very much.

7 (12.45 pm)

8 (The luncheon adjournment)

9 (2.00 pm)

10 LADY SMITH: Good afternoon.

11 We return to reading in some statement evidence.

12 Ms Forbes, where now?

13 MS FORBES: Yes, my Lady.

14 'Jamie' (read)

15 MS FORBES: There is one final statement to be read in and
16 it's from an applicant who is anonymous and his
17 pseudonym is 'Jamie'.

18 LADY SMITH: Thank you.

19 MS FORBES: The reference is WIT-1-000000891.

20 LADY SMITH: Thank you.

21 MS FORBES: My Lady, 'Jamie' tells us he was born in 1993.
22 He talks about his life before going into care between
23 paragraphs 2 and 21.

24 He was born in Aberdeen and lived with his parents
25 and three older siblings. He says he had a good

1 upbringing but life at home was sometimes volatile.

2 His parents used to fight a lot. His dad was
3 an alcoholic and his parents got divorced but his mum
4 kept his dad in the house and kept up appearances.

5 He went to school, but there were issues and he says
6 that ADHD wasn't a thing, but he was diagnosed when he
7 was ten.

8 LADY SMITH: Thank you.

9 MS FORBES: He had a social worker and there was an incident
10 at school where he was accused of hitting a teacher with
11 a chair, and after that his mum took him home from
12 school and he describes her battering him with a belt.

13 He was partially clothed when that took place and he
14 ran out of the house, covered in marks in freezing cold
15 weather, just wearing boxer shorts and his sister's
16 coat.

17 A woman took him in who found him in a stairwell and
18 contacted the social work. He was taken to hospital,
19 his injuries were photographed and after that he was put
20 into care.

21 He was then in foster care, children's homes and
22 secure units. He was aged seven or eight when he was
23 first put into foster care.

24 He talks about foster care between paragraphs 22 and
25 32 and he speaks of sexual abuse from the foster carer's

1 granddaughter, which he eventually told his foster
2 carers about. They then said he wasn't fitting in and
3 they moved him and he was placed with his aunt and
4 uncle.

5 He was still only eight or nine-years old at this
6 time. However, whilst he was there he says he was being
7 abused by his cousin. He ran away. He told his mum
8 about what was happening. The social work found out
9 about what he was saying about abuse, but when he was
10 questioned about it he felt pressurised to say it had
11 been a lie.

12 He went to stay with his dad. His dad let him smoke
13 and drink even despite his young age. His dad was
14 always drunk and there was an incident when he was
15 bringing his dad back drunk from his grandparents' house
16 and he was almost hit by a van. He got the impression
17 that his dad had sort of pushed him in the way of it, so
18 he was very angry about that and went to his dad's house
19 and smashed it up.

20 His dad phoned his mum and his mum told him to phone
21 the police. So the police came and lifted him and he
22 was back at his aunt and uncle's again. Pressure was
23 put on him to go back there, despite the abuse. The
24 abuse started again. He would run away after he took
25 him to school and it reached the point where the school

1 ended up taking his clothes off him and leaving him with
2 just boxer shorts and socks on in a room, but he still
3 kept running away even with that clothing.

4 He was then sent to a children's home and he talks
5 about that from paragraph 60. He says he was about ten
6 years old at that time. Secondary Institutions - to be published later

7 Secondary Institutions - to be published later

8
9
10
11
12 and he went to a semi-secure unit. He talks about that
13 from paragraph 71. He says he was still ten years old.

14 Secondary Institutions - to be published later

15
16
17 He knows that he was only there for a number of
18 months Secondary Institutions - to be published later

19 Secondary Institutions - to be published later

20 He was taken to Rossie Farm and he says he was only
21 ten when he went there. He talks about that from
22 paragraph 141.

23 He was told by staff at Rossie that he was the
24 youngest person they had ever seen there. There was
25 then sexual conduct between him and an older girl, who

1 was 16 or 17. The staff found out and police became
2 involved and he thinks he was there for only six months.

3 He was then in a children's home. He talks about
4 that from paragraph 180. He was 11 years old there. Secondary

5 Secondary Institutions - to be published later

6
7
8
9
10
11

12 Secondary Institutions - to be published later

13 he was then sent to a home in
14 England. He thinks he was about 12. Secondary Institutions - to be published later

15 Secondary Institutions - to be published later

16
17

18 Then, not long after that, he was moved and he went
19 to Oakbank in Aberdeen. That is from paragraph 213 that
20 he talks about that.

21 He says he was 13 years old by this time. He was
22 drinking a lot, and taking drugs. He was hanging about
23 with people from the previous places he had been in and
24 known and he ran away and would meet up with them. He
25 was taken to hospital to get his stomach pumped on
several occasions and whilst at hospital he had to be

1 restrained by staff.

2 He was moved to St Mary's Kenmure and he thinks the
3 first time he was there he was 12 years old and that's
4 from paragraph 218 that he talks about that.

5 He thinks he was there, at St Mary's Kenmure, about
6 four or five times between the ages of 12 and 15. In
7 between that he would be staying at his mum's.

8 He talks about strip searching and restraint there
9 and he left when he was 15 years old.

10 He lived with his mum until he says he got to jail
11 when he was 16 and he was remanded to Craiginches. If
12 I could go to that part of his statement, it's
13 paragraph 232 where he start talking about Craiginches
14 and I'll read from there:

15 "I was remanded to Craiginches when I was 16, there
16 was no separate hall for under 18s, I was in with adult
17 prisoners. It wasn't too bad going there for the first
18 time, because I had met most of the people in there. My
19 mum knew half of them. It wasn't scary or intimidating.

20 The routine at prison was different from being in
21 a secure unit. They would come round with your milk at
22 7 am and put the milk in your cell. At about 8.30 am
23 they would open all the doors on the three landings. It
24 was up to you what you did. You could go and have your
25 breakfast, go for a shower or go and speak to your pals.

1 You had two hours to do whatever you wanted. After
2 that, you were locked up in your cell until lunchtime.
3 You went for your lunch and then back to your cell to be
4 locked up again.

5 If you were under 18, you were held on the bottom
6 flat. You weren't allowed to go up the stairs to the
7 second flat or the top flat, but they didn't make a big
8 deal out of it. The prison officers didn't really care
9 if they saw you going up the stairs to the second or top
10 flat. The only time they would say anything about it
11 was if a manager was there and saw you doing it.

12 We mixed with older prisoners for recreation. The
13 first time I ever tried heroin was in Craiginches.
14 I was given it by a lifer. Most of the drugs
15 I've taken, I've tried for the first time in prison.

16 I didn't get any education in Craiginches. There
17 was education there, but it was mainly for sex
18 offenders. Most of the people in Craiginches long term
19 were sex offenders or other prisoners on protection.

20 I didn't get any visits at Craiginches. They told
21 my mum that I acted too violently to go to the visits
22 area. I hadn't been acting violently at all. They were
23 trying to torture me mentally. It didn't work out too
24 well for them. They tried to stop me seeing my mum so
25 I couldn't report back what they were doing. If they

1 know that you want to expose them for something, they
2 won't let you have contact with anybody at all. They
3 won't let you use the phone for days and if your lawyer
4 comes up they'll tell him that you don't want to see
5 him. That's happened to me lots of times.

6 After I smashed up my cell, I was taken to the
7 Digger and spent three weeks there. I was the only
8 person there, in segregation by myself. I couldn't
9 speak to anybody. I couldn't do anything. I ended up
10 trying to kill myself. I tried to hang myself in the
11 Digger. A member of staff looked through the hatch and
12 opened the door. If he hadn't done that, I'd be dead.
13 I wasn't offered any counselling or support after
14 I tried to kill myself."

15 The smashing up of the cell speaks about this next
16 paragraph at 239:

17 "I went off my head and wrecked my cell. I smashed
18 the sink and smashed the window. I cut my thumb on
19 a window at Craiginches. I've got a scar on my right
20 thumb. It was badly bleeding and it wouldn't stop.
21 I told the staff. They wouldn't get me a nurse or any
22 medical assistance so I ended up smashing the sink.

23 The staff put on riot gear and came into my cell to
24 get me out. They had helmets with visors on. There was
25 a two-and-half/three-inch gap under the door. If you

1 flooded your cell, it would flood to that level. The
2 staff put me face down in that water. It was covering
3 my nose and my mouth. I was panicking. I was screaming
4 that they were going to drown me. They battered me.
5 They said that I wasn't going to drown, but I would have
6 drowned if I hadn't fought as much as I did. It was the
7 first time that any prison officer laid a hand on me in
8 a prison."

9 He then talks about Polmont from 241 and says:

10 "I served my sentence at Polmont. I was still 16
11 when I went there. I had heard stories about it over
12 the years but it was the first time that I'd been there.
13 It was a bit like being in a secure unit. It was the
14 exact same people. I would say that I'd met 70 per cent
15 of the people in Polmont at secure unit.

16 I was an under-18s hall at Polmont. It was supposed
17 to be for boys of 16 and 17, but there was a man of 27
18 there. He shouldn't have been in Polmont at all, but he
19 was in the under-18s hall. The staff didn't treat us
20 with as much respect as the people who were over 18. We
21 were mostly first offenders and it was the first time
22 that we'd ever been in jail. There were people in the
23 other hall who were in for murder. The staff were
24 always going to be more respectful to them. When I was
25 17, I was reclassified and sent to the over-18s hall.

1 There were boys there up to the age of 21.

2 In Polmont, we were locked up all the time. We only
3 got out of our cells for 45 minutes' recreation and
4 an hour's exercise every day. You were only really out
5 of your cell for about two hours.

6 There was a call button and an emergency button.
7 They were next to each other. The call button could be
8 used for anything. For example, you could push it if
9 you wanted to clean your cell. The emergency button was
10 for medical emergencies and things like that. When
11 I was in Polmont I pushed the emergency button by
12 mistake on my first day. I didn't realise which button
13 you were supposed to push. A member of staff came and
14 started shouting at me, 'Dinnae fucking push that buzzer
15 again or you'll be fucking decked'. Within about two
16 months a member of staff had battered me. You have to
17 go through things like that.

18 Staff get used to you. Sometimes you need to be
19 violent towards staff for them to respect you. You have
20 to be like that because it's the only thing they
21 understand. It's stupid that you need to be like that,
22 but you do.

23 When I was 16 or 17 I tried to electrocute myself in
24 Polmont. I have tried to kill myself five or six times
25 in the jail, but they don't bother. You didn't get any

1 help in Polmont. It was the worst jail for that.
2 I spent most of my time in Polmont in the Digger.
3 I normally got put in there for fighting. My mental
4 health got worse at Polmont. I think it was because
5 I spent so much time in the Digger. I started to hear
6 voices when I was in there. I started hearing crazy
7 things. I can remember one time I spent 13-and-a-half
8 months straight in the Digger. It was continuous
9 without any breaks. I was serving a 27-month sentence.

10 They would try and use showers as a punishment in
11 the Digger. They wouldn't let you out for a shower.
12 I've got obsessive compulsive disorder, OCD, and I go
13 for at least one shower a day. The staff knew that.
14 They knew it would annoy me if they didn't let me go for
15 a shower. If they didn't let us out for a shower [he
16 names another inmate] and I used to set off the
17 sprinkler in the cell and take a shower in there. They
18 hated that.

19 I was assaulted by prison staff when I was 17/18.
20 My next door neighbour kept getting up and kicking the
21 door in the middle of the night. I got up and asked who
22 was banging. I heard the door get rattled. I don't
23 know why I did it but stupidly kicked my door back.
24 I remember a member of staff was outside my door when
25 I did it, he thought it had been me banging the door the

1 whole time. I told him that it wasn't me and it was my
2 neighbour. I told him I just banged because he was
3 banging ... at about 3 am I was woken up by a member of
4 staff grabbing my ankles at the bottom of my bed. There
5 were three staff standing there. One of them was trying
6 to rip me out my bed. They were telling me to get up
7 and get dressed. I got up and put my trouser on. I was
8 taken to the silent cell and battered by members of
9 staff. The silent cell was a cell with four brick walls
10 and no windows.

11 Lots of things like that happened when I was in
12 Polmont. I remember a member of staff hit me with
13 a board. It was the population board that said which
14 cell each prisoner was in. I went to grab a toilet
15 roll. I'd asked the member of staff to pass it to me
16 three times but he was ignoring me. I bent down to grab
17 it. Prisoners would lean in and grab it all the time.
18 The member of staff hit me on the head with the board.
19 It was assault. It was on camera but nothing happened
20 about it. Violence is a daily occurrence in the jail.
21 It still continues to this day.

22 The Governor at the time was called Gail Mackie.
23 The day after I had been assaulted in the silent cell
24 she took me into the orderly room. She asked me what
25 was wrong with me because I couldn't work properly. She

1 asked the other staff to leave because she thought that
2 something had happened to me. She knew that I wouldn't
3 have said anything when the other staff were there. She
4 asked me what had happened in the Digger that night.
5 She said she'd make sure that the staff who had
6 assaulted me couldn't come near me.

7 She showed me the CCTV. You could see me walking
8 from my cell and into the silent cell. You could see
9 the staff coming out two seconds later. They didn't do
10 anything there and then, they just locked the door.
11 About five or ten minutes later you could see the staff
12 returning to the silent cell. About 15 minutes later,
13 you could see me coming out of the cell and I cannot
14 walk. Three members of staff were having to help me
15 because my leg was injured. My T-shirt had a big rip
16 down the front and my jumper was ripped. You could
17 clearly see a red mark on my head. You could see it all
18 on the CCTV.

19 Gail said it was clear that something had happened
20 because you could see me walking into the cell and then
21 I couldn't walk when I came out. She asked me what had
22 happened when I was in that cell. I told her that they
23 kicked the shite out of me. She noticed the size ten
24 footprint on my back. She asked me what size my feet
25 were and I told her they were a size nine. She asked me

1 to take my jumper off and put it on the table. I took
2 my trainer off and gave it to her. She put my trainer
3 next to the footprint and you could see it was bigger
4 than mine. The only trainers I had were the ones in my
5 cell with me. It was clear that it wasn't mine. It was
6 the member of staff in the room with me. His footprints
7 were on my back.

8 Gail called the police there and then. She told the
9 police to do their own investigation. I was taken into
10 the orderly room and questioned about what had happened.
11 My jumper got bagged up but I told them that I wanted to
12 keep it. My sister still has a T-shirt that I was
13 wearing in Polmont. It has a size ten footprint on the
14 back of it. It was from staff when I was in the Digger.
15 My mum told me that the Procurator Fiscal in Falkirk was
16 the boyfriend of the daughter of one of the members of
17 staff who assaulted me. The Procurator Fiscal said that
18 there was no case to answer.

19 When I was hit on the head with the board, I didn't
20 make a complaint. The prison officer who did it put me
21 on report, so I told the governor what had happened. He
22 put me on report to make out that I'd done something
23 wrong. I ended up getting into trouble because I'd been
24 hit on the head. I watched the CCTV of that incident
25 with the governor. The governor said that she would

1 have a word with a member of staff who did it. I asked
2 her what would have happened if I'd done that to the
3 member of staff. She said that I probably would have
4 been charged with assault. If you put in a complaint in
5 the jail it doesn't make it past the door. They just
6 rip it up."

7 He talks about his life after being in care from
8 paragraph 256 and he says that he hasn't had a life,
9 since he turned 18 he's been in the jail. In 2016 he
10 was out of prison for nine weeks and that is it. He was
11 recalled to prison and the last time he went to hospital
12 he escaped.

13 He talks about impact from paragraph 257. If I can
14 go to that paragraph, he says:

15 "It's hard for me to say what impact my experiences
16 in care have had on me. I might not have been in the
17 jail, but I don't know that. I can't say that for
18 definite. I might have been destined to be in the jail
19 or maybe I would never have ended up in jail at all.
20 I'll never know because it's happened now. If I hadn't
21 been in secure units and children's homes I don't think
22 I would have been as involved in offending or using
23 drugs and alcohol. I took heroin for the first time in
24 Craiginches and smoked cannabis for the first time in
25 Rossie Farm. I took Subutex for the first time in

1 Polmont. I'm now on a methadone prescription because
2 I became addicted to Subutex."

3 He talks about the effect that his time in care has
4 had on his relationship with his brother.

5 He talks about health issues due to restraints, he
6 says his hands and feet have been affected.

7 He has been in Carstairs before and he says he has
8 mental health issues and there is a diagnosis of
9 paranoid schizophrenia.

10 He says he's on a lot of medication and says that
11 that just gets chucked at him.

12 He talks about the fact that the time in care has
13 affected his education.

14 And he talks about the sexual abuse by his cousin.

15 If I can go to paragraph 272 of his statement, he
16 says:

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

21 'Jamie' has signed it and it's dated
22 20 January 2022.

23 My Lady, that concludes all the read-ins and we have
24 the live witnesses tomorrow from the Scottish Prison
25 Service.

1 LADY SMITH: At 10 o'clock.

2 Are we taking evidence from them as a panel, as they
3 did before?

4 MS FORBES: That is my understanding, my Lady.

5 LADY SMITH: Thank you very much.

6 Thank you to all three of you for all your
7 contributions so far. I'll rise now and look forward to
8 seeing those who are going to engage with tomorrow's
9 evidence at 10 o'clock.

10 (2.23 pm)

11 (The Inquiry adjourned until 10.00 on
12 Friday, 15 December 2023)

13

14

15

16

17

18

19

20

21

22

23

24

25

I N D E X

	PAGE
'Peter' (affirmed)	1
Questions from Ms Forbes	3
'Jordan' (read)	94
'Kevin' (read)	101
'Sam' (read)	107
'Jamie' (read)	121
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

