

1 Wednesday, 10 July 2024

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome back to our
4 evidential hearings in Chapter 7 of Phase 8, a chapter
5 in which we are looking into the provision of
6 residential care for children at Cardross, Bellfield,
7 and Calder House.

8 The plan today, as I understand it, is we have three
9 witnesses in person, and is the first witness ready to
10 be introduced, Mr Sheldon?

11 MR SHELTON: The first witness is ready, my Lady. She is
12 someone who wishes to remain anonymous and her chosen
13 pseudonym is 'Lucy'.

14 LADY SMITH: Thank you.

15 'Lucy' (affirmed)

16 LADY SMITH: 'Lucy', do sit down and make yourself
17 comfortable.

18 'Lucy', thank you for engaging with us as you have
19 done, both by providing your written evidence already in
20 your signed statement -- which has been really helpful
21 to have in advance; it is already part of the evidence
22 before the Inquiry -- but, further to that, agreeing to
23 come here today and talk a little bit more about how you
24 can help us understand the provision of residential care
25 for children --

1 A. Okay.

2 LADY SMITH: -- in the particular places that you were at.

3 A few practicalities. The red folder has your

4 signed statement in it, so it will be available if you

5 want to refer to it --

6 A. Thank you.

7 LADY SMITH: -- and I think Mr Sheldon will check something

8 with you in a moment about it.

9 We will also bring parts of your statement up on the

10 screen, if that's okay for you --

11 A. Yes.

12 LADY SMITH: -- some people don't like seeing it, but we

13 will do that - the font's bigger than the statement in

14 the folder, which is quite nice.

15 Otherwise, 'Lucy', I do know that coming into public

16 and talking about personal matters such as we are going

17 to discuss with you is not at all easy, and it can

18 trigger emotions that take you by surprise, even if you

19 think you are prepared for it.

20 So don't hesitate to let me know if there is

21 anything I can do to help --

22 A. Okay.

23 LADY SMITH: -- a break, a pause, whatever. If it works for

24 you, it will work for me. Otherwise, if there is

25 anything you don't understand, if we are not making

1 sense, that's our fault, not yours; we are asking
2 questions badly. So just tell us, don't hesitate to
3 speak up.

4 A. Okay, thank you.

5 LADY SMITH: If you are ready, I will hand over to
6 Mr Sheldon, is that all right?

7 A. Okay, yes.

8 LADY SMITH: Mr Sheldon.

9 Questions by Mr Sheldon

10 MR SHELTON: Thank you, my Lady.

11 Good morning, 'Lucy'. As Lady Smith has said, you
12 have your statement in front of you. I wonder if you
13 could just open that for me, first of all at the first
14 page -- and this is just for our records, you don't need
15 to worry about it -- the reference of the statement is
16 WIT-1-000001153. 'Lucy', if you could turn to the last
17 page of your statement, please. That's page 31. You
18 say at paragraph 150:

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

23 Is that still the case, 'Lucy'?

24 A. Yes.

25 Q. Is that your signature on the statement?

1 A. Yes.

2 Q. Thank you. We can turn back to the front of the
3 statement, the start of the statement, and, as
4 Lady Smith also says, we can look at parts of this, and
5 perhaps digress into different topics as we go through
6 it.

7 'Lucy', first of all, I don't need your date of
8 birth, but I think you were born in 1983, is that right?

9 A. Yes.

10 Q. Your family was based in Glasgow, and I think, without
11 going into details, your very young life was extremely
12 difficult?

13 A. Yes.

14 Q. You were taken into care, really at a very young age,
15 because of abuse in the household. Would that have been
16 when you were about 2?

17 A. Yes.

18 Q. So you were in care, you tell us, for about a year. And
19 then were you sent back home for a period?

20 A. Yes.

21 Q. You tell us, and this is all part of your early life,
22 that really throughout your primary school years things
23 continued to be difficult at home?

24 A. Yes.

25 Q. And ultimately, because of an incident, you were taken

1 into care again, is that right?

2 A. Yes.

3 Q. How old would you be at that time, 'Lucy'?

4 A. 12.

5 Q. About 12?

6 A. Yes.

7 Q. And this was another children's home, a different

8 children's home?

9 A. Yes.

10 Q. In Glasgow, is that right?

11 A. Yes.

12 Q. After a period there, I think you tell us that there was

13 a children's panel, and that that resulted in you being

14 placed at Cardross Assessment Centre?

15 A. Yep.

16 Q. When would that have been? How long were you at the

17 children's home before you went to Cardross?

18 A. I don't remember. I think maybe about six months, maybe

19 about eight months.

20 Q. All right. Would it have been, then, about 1996, or so,

21 when you went to Cardross, does that sound about right?

22 A. Yes, yes, 12/13, yep.

23 Q. Okay. You tell us that your mum had essentially agreed

24 to your being put into an assessment centre, and you

25 tell us that in her mind that said you were the problem?

1 A. Yes.

2 Q. Is that how it felt?

3 A. I was made to be the problem. I think I was

4 a section 15, so I could return back to my mum's care at

5 some point, but we had meetings every few weeks to

6 decide my behaviour was okay to go back, but I was made

7 to feel like it was my fault, even though I was a victim

8 of abuse.

9 Q. Even though in theory this was a voluntary order?

10 A. Yes.

11 Q. In practice it just didn't come to an end?

12 A. No, I was there for about nine months maybe in Cardross,

13 I'm sure.

14 Q. Yes, I think you tell us that you thought you were only

15 going to be there for a few weeks but it turned into

16 a much longer period?

17 A. Yes, I think my mum was told that as well; it was only

18 a few weeks of assessment. I think she was also told

19 there would be psychologists and stuff there, for me to

20 access help.

21 Q. Right. What do you understand about the children's

22 panel hearing? Did you understand what was being said

23 and what was being decided?

24 A. The children's panel was really difficult, and I think

25 there is loads of changes to the system now, but back in

1 the day, it was, um, pretty -- pretty awful. And
2 I remember being told, and I tried to run away and stuff
3 as well from the children's panel.

4 Q. Just generally, what do you feel the standard of
5 communication was like with you?

6 A. I think back: it wisnae child-centred practice, it was
7 very much you were told and your view wisnae taken into
8 account, so it was very much, 'This is your issue, you
9 have got something wrong and this is where you'll go to
10 be fixed'.

11 Q. This would have been a time when you were 12 or 13?

12 A. Aye.

13 Q. So you would certainly have had a view about --

14 A. Yes.

15 Q. -- what would be an appropriate placement?

16 A. Mm-hm.

17 Q. But you tell us that you just didn't really get a chance
18 to put that across?

19 A. I wouldn't have had a view at that point, probably I was
20 a wee bit too young, but you just would -- it was very,
21 'child's there, adults here', and you were told ... you
22 weren't part of the decision-making process, you were
23 just told what was to happen.

24 Q. Okay. Did you understand what assessment was, or what
25 the purpose of any assessment might be?

1 A. I do remember having -- there was a big -- and my mum
2 came -- but there was a big round, oval table that we
3 went to and there was psychologists and social workers
4 and everybody, and I am pretty sure we met every three
5 weeks and I was told that I was still unable to be... to
6 go home, because of my issues.

7 Q. Okay. Did you know anything about Cardross before you
8 went there?

9 A. No.

10 Q. Had you heard of it?

11 A. No.

12 Q. When you went there, did you go straight from the
13 Hearing, or did you have a chance to go home first?

14 A. No, I was put in the back of a car, I think the police
15 were called as well. I was put in the back of a car, and
16 my social worker, and we went to Cardross.

17 Q. Why were the police called?

18 A. Probably because I refused, didnae want to go.

19 Q. So --

20 A. And I think I remember a few times the police being
21 called to children's panels, just to escort you to where
22 you had to go.

23 LADY SMITH: Had you heard of Cardross?

24 A. No, no.

25 LADY SMITH: Had you any idea what sort of place you were

1 being sent to?

2 A. No.

3 LADY SMITH: Just a name?

4 A. Yes.

5 LADY SMITH: Did you know where it was?

6 A. No, it was miles away. I was thinking about that last

7 night, also. I think -- I was from Glasgow, and

8 Helensburgh was forever away. It seemed so far away when

9 I was younger.

10 LADY SMITH: It would feel like another world.

11 A. Aye, it was another world.

12 MR SHELTON: 'Lucy', you start to tell us more about

13 Cardross at paragraph 19, on page 4 of your statement.

14 Over the page, at the top there, you say, I think very

15 graphically, that Cardross was 'a hell-hole'. Was that

16 your first impression of the place or did that view take

17 a while to develop, as it were.

18 A. I think it is hard to reflect as well, because obviously

19 I have a professional opinion now, but I remember

20 turning up, I remember going, and it was absolutely --

21 it looked quite nice from the outside, it was quite

22 a nice garden and stuff -- but I remember going in and

23 my shoes being taken away, and I remember being told

24 I wasn't allowed to leave. It was honestly... Cardross

25 was barbaric, it was absolutely shocking and still

1 I have issues with the way I have been treated, just
2 because I think I have a professional idea about the way
3 kids... and I am just not actually sure how that was
4 ever allowed to happen in the first place.

5 Q. So really you arrive at the place and the first thing
6 that happens is --

7 A. Take your shoes.

8 Q. -- that you have to take your shoes off?

9 A. Mm-hm.

10 Q. Was it made clear to you why that was the case?

11 A. So you couldn't run away, they told you that.

12 Q. They told you that?

13 A. Yes.

14 Q. Okay.

15 LADY SMITH: So it wasn't just you had to take them off,
16 they took them away from you?

17 A. No, they took your shoes and your jacket and stuff, so
18 you couldn't run away either. It was done on purpose,
19 and you got slippers.

20 MR SHELTON: Right. And you tell us at paragraph 21 that
21 you couldn't move freely between the units?

22 A. No.

23 Q. Can you just give us an idea, please, of how this was
24 all set up. Were the outer doors locked? How did the
25 security of the place work, if you like?

1 A. There was different units that -- and there was a kind
2 of, there was a school attached -- but you couldn't move
3 freely, and the doors -- there was no furniture in the
4 rooms, everything was attached, so the bars, the windows
5 had bars on them, the furniture was built into the walls
6 so you couldn't throw anything, and I am pretty sure,
7 although I don't remember, I am sure the doors were
8 locked from the outside. But you couldn't move.

9 And also, on reflection as well, I was in a unit
10 with 13... I think I was the only girl with boys at
11 that age, as well, which just wasn't appropriate either
12 at that age and stage.

13 Q. So you were in a unit?

14 A. A unit with just boys, just me.

15 Q. Where you were the only girl?

16 A. Yes.

17 Q. All right. I think you say that you thought you were
18 perhaps one of the youngest children in the place?

19 A. Yes, there were people much older, and I remember being
20 aware of the level of trauma, I suppose, looking back,
21 about the kids that were already there as well. It was
22 really, really awful.

23 Q. We will talk a bit more about that in a moment or two.

24 You mentioned the school. That was a separate
25 building, is that right?

1 A. No, it was inside the building.

2 Q. Oh, I beg your pardon, all right.

3 A. Yes, inside the building.

4 Q. Was this all in a relatively new building or was there
5 an older part to the establishment as well?

6 A. I think it was a new building but, again, I remember the
7 school not being as bad. I felt as if the school
8 actually wasn't as bad as the actual residential, but
9 maybe that was just my way of getting away from the
10 actual units.

11 Q. All right, so in what way was it not so bad? What was
12 slightly better about it?

13 A. I felt as if there were -- I remember there was teachers
14 that were quite nice and stuff and actually, I loved
15 school, it was a resilience for me, a protective factor
16 for me, but I remember having to wait in line to go down
17 to school, to be taken down. I think every unit went
18 down separately, so you were picked up and then you were
19 taken to the school.

20 Q. So you were escorted to the school?

21 A. Yes, pretty much.

22 Q. Right. I will ask you a bit more about the school in
23 a moment or two, but just still thinking about the units
24 that you were in --

25 A. Yes.

1 Q. How many staff would there be in a unit?

2 A. I think maybe two or three staff in a unit.

3 Q. All right. Was it always the same staff? Presumably

4 there would be a shift system, but was it always the

5 same group of staff that were there, or was it rotated?

6 A. I think so and I think I had a key worker as well, but

7 I don't remember. I don't remember their name or

8 anything either.

9 Q. The key worker, would that be someone who was, as it

10 were, based in Cardross --

11 A. Yes.

12 Q. -- or did they come in from outside?

13 A. They would have just been a member of staff that worked

14 there, that would have been allocated.

15 Q. Okay. And you tell us that there were 12 other

16 children; you were the only girl. Looking back on it

17 from your professional point of view now, what would you

18 say about the staffing ratio?

19 A. I think it is harder, because I was only 12, and again,

20 because I was so traumatised, I didnae really observe

21 that. But it was very strict in the sense where you

22 couldnae move freely, so there had to be more staff than

23 there would be, say, in another kind of school where it

24 would be more laid back. And also, when you went back

25 from school, you had to change into your jammies as

1 well, so you also couldn't run away. So you would be
2 made to sit in a dressing -- I mean I was made to sit in
3 a living room with other ... just boys in my jammies,
4 and I remember being really uncomfortable with that, as
5 well, even at that age, just thinking I wisnae
6 comfortable.

7 Q. This would be just when you got back from school?

8 A. Yes, when you got back from school you changed into your
9 jammies as well, just so you couldnae go anywhere. It
10 was basically done on purpose.

11 LADY SMITH: What time of day would that be?

12 A. I think 3 o'clock, but, again, my memory -- I don't have
13 very good memories of Cardross. I remember how bad it
14 was, but for things like logistics and stuff, I am not
15 great.

16 Q. Okay. Well, certainly at paragraph 24, you very fairly
17 say that your memory is a bit sketchy, because you were
18 young and traumatised?

19 A. Mm-hm.

20 Q. Is that really how you felt?

21 A. I remember, I think for me I just remember how bad it
22 was. I think with other places, I have, when I reflect,
23 I have good and bad memories, but Cardross was really
24 bad, so I just remember how bad it was. I remember
25 writing a poem for the Prince's Trust, and I think that

1 was one good memory, but it was a pretty scary,
2 terrible, terrible place to be in.

3 LADY SMITH: And you would be 12?

4 A. 12/13.

5 LADY SMITH: Yes.

6 MR SHELTON: You do tell us, and this is still paragraph 24,
7 that you remember three-weekly meetings.

8 A. Yes.

9 Q. So, every three weeks, you would have a meeting with
10 psychologists. You tell us that they were multi-agency
11 meetings --

12 A. Yes.

13 Q. -- so do you recall which agencies these were?

14 A. Social worker was definitely there, psychologist for the
15 school was there, my mum was there. I remember --
16 I remember being at these meetings and begging to go
17 home, and I remember thinking, and also... I was also
18 misled, so it would be like the next meeting, so
19 I remember just waiting until the next three-weekly
20 meeting where I would try and get home, and I would beg.
21 And when my mum came, I would try and tell my mum how
22 bad it was and how much she needed to try to get me out,
23 but my mum didn't believe me, how bad it was.

24 Q. Did you understand the purpose or the point of these
25 meetings?

1 A. No. Looking back, I just felt as if it was, 'you are
2 not fixed yet', you are not quite -- I remember being,
3 it was maybe parental ... out of parental control, but
4 it was a very... it was very blame orientated on the
5 child, whereas we wouldn't do that now, we would change
6 the full -- but it was very much 'you are still broke,
7 you cannae go back home yet'.
8 Q. Did you understand, for example, whether anything was
9 being asked of you? Were you given a particular goal,
10 or told if you do this then you will get home, anything
11 like that?
12 A. No. I don't think -- I don't remember that. I think it
13 was just I went, me and my mum, we went in the guise of
14 being there for three weeks, and that's what I was told,
15 I would be there for three weeks, and it just wasn't -
16 it was more like nine months.
17 Q. Okay, so the date that you would get out just kept being
18 put --
19 A. Mm-hm.
20 Q. -- further and further back, is that right?
21 A. And I think... I remember just being further traumatised
22 about that, and I just wanted out. It became a thing
23 where I just fixated on just, I just needed to get away
24 from there.
25 Q. Moving on to paragraph 26 of your statement, and I guess

1 still thinking about the trauma that you were feeling,
2 and perhaps your relative lack of memory about Cardross
3 and routine and so on, you say in paragraph 26:

4 'I don't remember anything else about the routine,
5 and that's probably because we were dealt with like
6 prisoners.'

7 Is that how it felt?

8 A. Yes, yes.

9 Q. Perhaps you can just tell us about how it felt in that
10 way?

11 A. From the moment I went to Cardross, I was scared. And
12 even, I remember having dinner, there was no cutlery,
13 you had plastic cutlery, there was paper plates, and
14 I remember there would be violent issues with other kids
15 that were in Cardross at the time as well, and things
16 would kick off. But the shoes being taken away, your
17 clothes being taken away, your identity being taken
18 away, the furniture in the room being attached to the
19 wall, it was -- and actually I remember talking to other
20 kids through the window, through the bars on the window.
21 I just -- it is just not right.

22 But there was just a real, the only way I can -- the
23 only comparable would be that when I worked, when
24 I worked for [REDACTED], when I worked, when I was asked to
25 go to the secure ... it is very much like secure care.

1 However, I cannae work in secure, because of Cardross.
2 But it is very -- even the units, the paintwork, it was
3 very, very minimal, it was very like a young offenders
4 or a prison, I can only imagine what a prison would be
5 like.

6 Q. Okay. Jumping ahead a little bit in your statement,
7 'Lucy', but at page 7 you certainly say again that it
8 was 'just like a jail', it was 'run in a military
9 fashion'?

10 A. Yes.

11 Q. At page 8, paragraph 40, you say you don't remember any
12 formal discipline, but you remember being, feeling,
13 scared all the time?

14 A. Mm-hm.

15 Q. '... and I think using that fear against us was their
16 way of keeping us in line.'

17 Can I just ask you, how did the staff instil that
18 fear in you, how did the fear come about for you?

19 A. I would be quite interested to know what physical
20 restraints they used, because we did get restrained and
21 it would usually be like a 'hook and transport', where
22 they would just come and pick you up. But I would be
23 interested to see what they were allowed to use for
24 restraints and stuff, as well, but I would watch older
25 kids being dragged away, people fighting... there was

1 just a real -- and also being scared of the other kids
2 as well, because I was so young and these people seemed
3 bigger than me, older than me, and had been in other
4 places. So, erm, it was very scary.

5 Q. Okay.

6 LADY SMITH: And when you say 'these kids', am I right in
7 thinking that, given the unit you were placed in, many
8 of them were boys?

9 A. All the boys, all the people... all the kids in my unit
10 were boys, and the only time I would mix with other
11 people would be in... at lunchtime or in the school.

12 LADY SMITH: Boys well into their teenage years?

13 A. Just teenagers, teenage boys, and even in retrospect,
14 thinking about that as well, it was a very difficult
15 time. Because I was quite an overweight child as well,
16 and being 12 or 13 in your jammies with no shoes, and
17 having to be made to sit with boys at that age as well,
18 it was pretty bad.

19 MR SHELTON: You mentioned restraints just a moment ago as
20 well --

21 A. Yes.

22 Q. -- and we will come back to look at that in more detail,
23 'Lucy'. I just want to take a couple of other points
24 about the routine and the setup at Cardross, before we
25 do that.

1 A. Yes.

2 Q. Going back to page 7 in your statement, you talk about
3 the leisure activities. You don't remember there being
4 any leisure activities other than a TV?

5 A. Mm-hm.

6 Q. Were there any books?

7 A. I remember there being books in the classroom, and
8 I remember listening to music, but other than that
9 I don't remember any kind of wellbeing activities.
10 There could have been other activities that I might not
11 have been engaged in, but I don't remember any of that.

12 Q. Okay. Were there any games? Were there any board
13 games?

14 A. No.

15 Q. Pool table, anything like that?

16 A. There wisnae any sense of that in the school
17 whatsoever --

18 Q. Okay.

19 A. -- it was just very, very regimented.

20 Q. What about exercise and fresh air, were you allowed out
21 of the place?

22 A. You were allowed out, but only in slippers --

23 Q. Sorry --

24 A. -- so you couldn't run away either.

25 Q. -- only?

1 A. Only in slippers, sorry, so you couldn't run away. There
2 was gardens and there was a long driveway, that you
3 could ... and I did try and run away, I did try and
4 escape a few times and I didnae make it.

5 Q. Okay.

6 You say that you have no recollection of celebrating
7 Christmas or your birthday. Do you remember anyone
8 celebrating a birthday, or a birthday being celebrated
9 when you were there?

10 A. No, no.

11 Q. You say that the only thing you had, other than your
12 clothes, was 'a notebook which I used as a diary'.

13 A. Mm-hm.

14 Q. I think you told us a moment ago that you wrote your
15 first poem in the diary; is that right?

16 A. Yes, that's the one good thing I remember from Cardross:
17 the guy from the Prince's Trust coming in and me writing
18 a poem, but other than that I don't have any other good
19 memories. But I still have the diary.

20 Q. Do you still write poetry?

21 A. Yes, and they are so much better than they were when
22 I was 12... I hope. I hope!

23 Q. All right. You do say, in that paragraph also, that you
24 always kept your diary hidden because nothing that you
25 had was private?

1 A. No, they would look -- I am pretty sure they looked at
2 stuff as well.

3 Q. Would members of staff come into your room?

4 A. Yes.

5 Q. And you felt that they were looking at your things, is
6 that --

7 A. There was also, I am pretty sure at the start as well,
8 you had to list the things you had clothes-wise and
9 stuff as well, so you didn't have a lot of belongings
10 either, again like a prison, but you wouldn't have a lot
11 of things and you didn't have privacy either.

12 Q. Okay. But you did have some of your own clothes; is
13 that right?

14 A. Yes.

15 Q. Okay. They weren't clothes supplied by Cardross?

16 A. No.

17 Q. Okay.

18 A. I don't think so.

19 Q. You have told us a bit about the reviews that happened
20 every three weeks. And, I should have asked you when we
21 were talking about that, when that happened did you have
22 any opportunity to speak to anyone from outside
23 Cardross, just by yourself? Was there an independent
24 social worker or psychologist that you could speak to
25 one to one?

1 A. I remember trying to tell people how bad it was, but
2 I don't think people believed me. I remember, because
3 I wisnae aware of how bad it was obviously, but
4 I remember trying to tell people, and I just think, and
5 begging to get home, and I didnae.

6 Q. Was that in the full meeting, as it were?

7 A. Aye in the meeting there.

8 Q. All right.

9 A. Yes.

10 Q. You didn't have a chance, did you, to speak to anyone
11 one to one?

12 A. There would have been my social worker, but even at
13 that, I don't think she believed how bad it was either.

14 Q. Okay. Was this someone from outside Cardross?

15 A. Yes.

16 Q. Okay. We have talked a bit about discipline and, moving
17 on then to page 9, and first of all running away, you
18 told us a moment ago that you did run away a few
19 times --

20 A. Mm-hm.

21 Q. -- or tried to?

22 A. Mm-hm.

23 Q. But you say the staff would come after you, put you in
24 a restraining hold and back in the car, and you would be
25 locked in your room?

1 A. Mm-hm.

2 Q. What were the restraining holds like? Just thinking
3 about the running away.

4 A. I always -- sorry.

5 Q. Sorry, go on.

6 A. I always seemed to get caught at the train station, so
7 I always remember nearly getting, nearly getting free
8 and nearly getting away, and then I would be caught and
9 then took back in a car to Cardross.

10 Q. Okay. So should we understand that you were just
11 manhandled, as it were, into the car?

12 A. Yes, it was -- it would be a -- the way I would know it
13 now, it would be a 'hook and transport', so you would be
14 hooked under the arm and just moved by two -- usually
15 two guys, or ...

16 Q. Again, if you are hooked, should we understand that you
17 are effectively lifted off the ground?

18 A. Yes, you're moved, physically moved, and they will get
19 you either side and usually you will be, they will walk
20 the other way with you, to knock you off balance.

21 Q. And, I should have asked you before, but what was the
22 gender balance among the staff? Was it mostly men? Were
23 there some women?

24 A. There was women, but I remember it just being guys, men,
25 because I remember being restrained by guys.

1 Q. Okay. And I should also have asked you a bit more about
2 the school and the schooling that you had. What was
3 your experience of that at Cardross?

4 A. I think, as I said, I remember the school not being as
5 bad, and not being as scary. It was a wee bit more
6 relaxed. I think the teachers that came in would have
7 just come into work and would have left again.

8 Q. I think you mentioned in the statement that the teachers
9 were quite nice?

10 A. Yes.

11 Q. Again, looking back, if you can, what did you feel the
12 standard of the education was that you got?

13 A. Er, at Cardross I would have said -- I remember not
14 thinking anything about it, I would have enjoyed it, but
15 in other schools as well, and still an issue with my own
16 experiences is the standard of schooling is just not
17 good enough and that's why there is such a massive
18 attainment gap. It is just not on.

19 Q. Sure, and you certainly say a lot more about that later
20 in your statement --

21 A. Yes.

22 Q. -- and we will come to that.

23 I just want to go on, then, to ask you about
24 a particular incident of restraint that you talk about.

25 A. Yes.

1 Q. You mention a particular member of staff, GUF .

2 A. Yes.

3 Q. It is a very -- sort of specific memory, I suppose. How

4 is it that you come to remember that name in particular?

5 A. Because they assaulted me, and I remember actually just

6 being... walking down the corridor, I wisnae involved in

7 a restraint, there wisnae another issue happening, it

8 was very much I was walking and he told the other guys

9 to grab me, and they hooked and transported me, took me

10 into my room, and the guy reminded the other members of

11 staff not to hurt me, not to hurt my face.

12 Q. Okay.

13 A. And I was prone as well, so they put me face down as

14 well.

15 Q. Okay. Let's just, as it were, walk through that. You

16 say, first of all, you were 'probably being cheeky?'

17 A. Yes.

18 Q. But do we understand that you weren't being in any way

19 violent or threatening --

20 A. No.

21 Q. -- towards other members of staff?

22 A. No, absolutely not.

23 Q. All right. Was it a common occurrence to be restrained

24 if you were cheeky to staff?

25 A. I think ... I don't remember -- well, the only incident

1 I remember that was really, really bad was that
2 incident, and I remember being so overwhelmed at the
3 point, I remember not doing anything. I would probably,
4 in retrospect I would have blamed myself for a lot of
5 stuff, like, 'I would have been cheeky', or, 'I would
6 have been fighting', or, 'something would have been
7 happening', but actually there wasn't anything
8 happening. I remember just walking down the corridor as
9 well and then I tried to think, was there something
10 happening beforehand, was I cheeky to the guy before?
11 Was there an issue before? But there isn't any excuse,
12 is there, for a grown man and a member of staff to
13 actually hurt a child.

14 Q. Just thinking about that, the issue of restraints
15 generally, first of all.

16 A. Yes.

17 Q. You tell us in paragraph 45 that you did see many kids
18 being dragged by staff?

19 A. Mm-hm.

20 Q. Was restraint then a fairly common occurrence?

21 A. Yes.

22 Q. What sorts of things would lead to a restraint, what
23 sort of behaviour?

24 A. Fights and stuff. And some of the times you would see
25 kids and they would be quite scary and they would try

1 and attack other kids, so you would argue that maybe
2 they could see ... but I think when you are in care and
3 when you are really young and you witness other kids
4 being restrained, it is very traumatic to see somebody
5 being held and somebody being so distressed because they
6 are being held. It is awful.

7 Q. What were these restraints, the ones that you witnessed,
8 what were they like? How were they carried out?

9 A. Again, it is hard to tell because I was so young, but
10 again I remember the idea of it just being hook and
11 transport. Or people just being physically moved,
12 physically picked up and moved. I remember seeing that
13 a lot and I remember that at lunchtime as well, people
14 just being physically moved from lunch, just like...
15 I remember one girl, a girl called [REDACTED], who was, she
16 was about 15 or 16, but she was restrained a lot.

17 Q. Were children ever put on the ground?

18 A. Yes.

19 Q. Can you tell us a bit more about that, please?

20 A. I was -- that's -- when I was restrained, or assaulted,
21 or whatever -- I remember being face down as well,
22 being put on the ground --

23 Q. All right.

24 A. -- with a guy either side, and the other guy just being
25 at the side.

1 Q. Okay, so three men?

2 A. Three men, two guys restrained me: he asked them to.

3 Q. Okay, and what happened then?

4 A. He just said 'grab her, get her' and they moved me, they

5 physically picked me up, moved me to my room, and took

6 me in my room and then I was put face down and then they

7 hit me.

8 Q. Hit you how?

9 A. Kicked me and punched me.

10 Q. How many times did he do that?

11 A. I don't -- again, my memories are a bit -- long enough

12 to be scared and long enough to remember.

13 Q. So he kicked you and punched you?

14 A. Yes.

15 Q. What parts of the body did he do that to?

16 A. My full body, other than my face, and I was screaming...

17 I remember screaming and asking them to let me up and

18 they wouldnae let me up.

19 Q. Okay. What is your best recollection of how long this

20 went on for?

21 A. Probably say about six minutes, maybe. Again, my memory

22 is totally not great, but long enough to be scared and

23 long enough to know what was happening.

24 Q. All right. When the restraint was over, what happened,

25 did they just leave you alone?

1 A. I remember one of the guys -- I remember thinking that
2 one of the guys that held me didn't want to, and the
3 guy, GUF, was a manager and I remember thinking that
4 the other guys didn't really want to, but they just left
5 and I just lay there. I remember just lying there and
6 thinking ... I think if it had been during a fight or
7 something, or something had happened, an incident, it
8 wouldnae have seemed so bad, but because I was literally
9 just walking down the corridor and 'Get her', and again
10 I try and put things back and think, was I cheeky
11 before, or, you know, whatever else, but there isnae any
12 excuse.

13 Q. Mm-hm. Did anyone talk to you during the incident?

14 A. No.

15 Q. Did anyone come and speak to you after the incident --

16 A. No.

17 Q. -- about what had happened?

18 A. No, I remember screaming and trying to get up, but
19 I couldnae move. They were holding my arms down.

20 Q. Okay. Did you see or hear of that sort of thing
21 happening with other children?

22 A. Yes.

23 Q. Yes?

24 A. No, I don't know -- kids being manhandled and kids being
25 restrained and stuff as well.

1 Q. Did any children speak to you about their experience of
2 being restrained?

3 A. No. I don't remember, but just... I remember watching,
4 and thinking it was scary.

5 Q. Okay.

6 You tell us, at paragraph 47, that you hated
7 Cardross, that you felt it was a prison, that you were
8 in prison because of something that you were supposed to
9 have done wrong, when in truth you had done nothing
10 wrong?

11 A. Yes.

12 Q. You told us already, I think, that you were held in
13 Cardross for, well, a number of months?

14 A. Yes.

15 Q. I suppose, again, looking back at this in hindsight, how
16 do you think that Cardross could have made it a better
17 experience for you and other children there?

18 A. With my own experience, and working in the sector,
19 I honestly have no idea how they could have been allowed
20 to open as an assessment centre, whatever that actually
21 meant. It was a secure facility. I didnae meet the
22 criteria either: I was literally a kid that had never
23 been in trouble, never dogged school, never -- my mum
24 was an abuser, so I don't even know how I would have met
25 the criteria to be put in a place like that either.

1 And, again, in retrospect there are other kids,
2 obviously, that are much higher tariff that might need
3 to be in secure care for their own safety or the safety
4 of other people, but I wouldnae have met that criteria,
5 definitely.

6 Q. Given the way that children were treated there --

7 A. Yes.

8 Q. -- even with what you describe as high-tariff
9 children --

10 A. Yes.

11 Q. -- would their treatment, in your view, have been
12 acceptable?

13 A. No, I don't think it is acceptable to take -- I mean
14 I am 41 -- I don't think it is acceptable to take kids'
15 shoes off them, I don't think it is acceptable to not
16 give them cutlery, to lock them in their rooms, to put
17 bars on the window, I don't know how any of that would
18 have been beneficial in the long run for somebody to
19 be -- even if... to get better or, if I did have
20 behavioural issues, I am not sure how in any shape or
21 form that would have helped. It actually just made me
22 angrier, and more, I fought for justice because I knew
23 that that was wrong, even then.

24 LADY SMITH: 'Lucy', what would have helped?

25 A. Child-centred trauma-informed care, like -- I was a kid

1 that, looking back as well, I was a really good kid.
2 I had a really abusive family and, I know now as well,
3 that trauma-informed care, people, staff members,
4 trained to understand why kids might be acting in
5 a certain way, and, actually, how well I have been
6 trained in the places that I have worked, I think that
7 makes it harder for me retrospectively to look back and
8 think what did these people ... actually, it is members
9 of staff, how they could conduct themselves like that as
10 well is just shocking.

11 LADY SMITH: Yes. When you say staff members trained to
12 understand why children might be acting in a certain
13 way, I can fully understand that, but am I right in
14 thinking that's only the first step; you have then got
15 to help staff not just understand --

16 A. Yes.

17 LADY SMITH: -- but control their own frustrations --

18 A. Yes.

19 LADY SMITH: -- and channel their desire to calm everything
20 down into particular ways of handling it that will help
21 the child and help themselves?

22 A. Yes. And I think that we are now trained better to know
23 that fear and coercive behaviour -- to coerce behaviour
24 -- isnae the way forward. It is creating a therapeutic
25 environment, that kids feel safe, that they can thrive

1 in, and actually I think the way that I was treated has
2 given me a passion to know that what I believe that kids
3 in care should... the way that they should be treated.
4 And I think we have moved a massive way for
5 trauma-informed practice and understanding, and even
6 being trained to understand yourself and not be counter
7 aggressive. Like I can imagine, and I have been in this
8 situation, where I've worked with some really difficult,
9 high-tariff kids that have done really bad things, and
10 I have also had to restrain kids as well, on my own,
11 which has been hard for me, as well, obviously, coming
12 from being restrained and stuff, and I remember having
13 to restrain kids and think, 'Oh, I will never do that',
14 and then having kids smashing their own face off
15 a floor, or putting themselves in danger, or trying to
16 kill themselves and I would need to restrain them. So
17 I understand the need for physical restraint and
18 I understand the need to keep kids safe, but what I do
19 know is that that was not a safe environment and a lot
20 of the therapy that I had to then get was to overcome
21 the issues that happened in Cardross and how I was made
22 to feel.

23 And actually through my own ... I cannae work in
24 a secure environment, I have issues with the door being
25 locked still, as well, because I was locked in, and

1 I couldnae get out, and I think that's been a massive
2 theme in my life, is the ability to get away from
3 a situation if I couldnae get away.

4 LADY SMITH: 'Lucy', if you take a child who, as you
5 describe, one day was being mouthy and cheeky --

6 A. Yes.

7 LADY SMITH: -- to a member of staff, in this environment,
8 what would be the right options for a member of staff to
9 handle that?

10 A. Um, to be a regulated adult, to not react counter
11 aggressively, to be trained in trauma-informed care
12 where I would understand that a kid's behaviours are
13 because of seeking a need that they have not been met
14 yet, and I think that I have worked with some amazing
15 people that are highly trained and know about
16 psychology, trauma and the brain and stuff to
17 understand, and actually knowing that these kids have
18 come from such dysregulated environments that sometimes
19 they just need to cause chaos to feel safe.

20 But, again, that's through my personal experience
21 and just being well trained.

22 LADY SMITH: I wondered about what you just said regarding
23 understanding the child's background --

24 A. Yes.

25 LADY SMITH: -- does it help if members of staff know some

1 of the particular details of individual children's
2 backgrounds?

3 A. Absolutely. When I worked with kids with harmful
4 sexualised behaviour, it sometimes became -- it would
5 sometimes become difficult to not see by their behaviour
6 and actually, if I struggled with a kid personally,
7 I would just read their chronology. I would literally
8 go to the unit, read their case file and be like, right,
9 okay, why are you so angry? Why are you aggressive?
10 Why do you have sexual harmful behaviours? Because
11 I don't think I have ever worked with a kid that I have
12 literally not understood why they are the way they are,
13 and that for me is another reason why I think being 12
14 and in a place like Cardross, I think if people were
15 trained better, if there was a more therapeutic
16 environment, that people would have understood, and
17 maybe there wouldn't have been a need for such force,
18 there would have been better practice.

19 LADY SMITH: Tell me if I have this right, picking up from
20 something you have just said, you need good, accurate
21 record keeping in relation to each individual child --

22 A. Yes.

23 LADY SMITH: -- and wherever the child is at any particular
24 time, their records need to be readily accessible to
25 people who are working with them?

1 A. Absolutely, but also I think just be more understanding
2 of the psychology, like functional behaviour... what is
3 a kid actually trying to say with their behaviour, and
4 I think when untrained people, or people ...
5 organisations... they maybe only see the behaviour, or
6 they respond to that, and actually they are not
7 responding to the bigger picture, the needs of the
8 child, and I think with consistent care, love, and
9 a therapeutic environment, these kids really do make
10 a massive difference. It's not through fear, and I feel
11 that that was a very archaic way of practice, was that
12 if the kids are scared they won't act out, they won't do
13 things and we know that disnae work, it disnae work.
14 LADY SMITH: 'Lucy', thank you.
15 Mr Sheldon.
16 MR SHELDON: Thank you, my Lady.
17 'Lucy', I want to follow up on what you have just
18 been saying --
19 A. Yes.
20 Q. -- because you went on, I think, to have a rather better
21 experience at the Good Shepherd Centre --
22 A. Yes.
23 Q. -- and we will look at that just in a moment.
24 I just want to go back for a minute to look, if
25 I can, at paragraph 49. You told us that Cardross

1 wasn't a place, really, where you thrived, or kids could
2 thrive, because of the atmosphere and the regime of the
3 place?

4 A. Yes.

5 Q. It is clear from, I think, paragraph 49 that you weren't
6 thriving, because you tell us that you started to
7 self-harm?

8 A. Yes.

9 Q. Is it all right if I ask you a little bit about that,
10 'Lucy' --

11 A. Yes.

12 Q. -- and really why you feel you started doing that and
13 what, if anything, was done about it by staff at the
14 unit?

15 A. I think, again reflecting, I was made to be -- it was
16 very apparent to anybody involved in my family that my
17 mum was a... had severe depression and she also beat me
18 and my sister up and there was other issues. But
19 everything was put at my -- even being 12 or 13, I was
20 blamed... for everything, I was blamed for basically,
21 and whether it was meant, it was done on purpose, or
22 just bad practice, or whatever, but I remember feeling
23 that I was broke, if only I was different, if only I had
24 done this, if only I had done that, then maybe
25 I wouldn't have been where I had been, and that isnae

1 right.

2 Q. Were staff aware of what you were doing to self-harm?

3 A. Yes.

4 Q. Did they speak to you about it?

5 A. No. I remember not eating, as well, in Cardross.

6 I remember trying every single thing to get out.

7 I really did: I tried not eating, self-harming, I tried

8 loads of different stuff and it just wouldn't happen.

9 Q. So, even although staff were aware that you were hurting

10 yourself, they weren't asking you what you were feeling,

11 why you were doing it?

12 A. No.

13 Q. Anything like that?

14 A. No.

15 Q. All right. Was there anyone in Cardross who you felt

16 you could have confided in, or who would have been able

17 to speak to you about it?

18 A. I don't remember ever having any relationship with

19 anybody in Cardross. I don't remember anybody sitting

20 and asking me, or talking to me, really. I don't and,

21 actually, maybe that's why the Good Shepherd was so good

22 when I went there, because it was a completely different

23 environment.

24 Q. Perhaps, then, we can just turn to look at that, 'Lucy',

25 because you do say it was different and that it was

1 a much better experience, I think.

2 A. Yes.

3 Q. We will look at some of the details of that, but just in

4 general terms, can you sum up why it was such

5 a different and better experience for you?

6 A. I think from the very moment... when I talk about when

7 you got to Cardross it felt like a prison, when you got

8 to the Good Shepherd, although it was quite scary and

9 I had heard stuff about the Good Shepherd before I went,

10 as soon as you walked in there was a wee woman that kind

11 of was in the officey bit and she would ask you for

12 a cup of tea, and then there was a very family vibe

13 where people were just nice, there wisnae -- you werenae

14 locked in, you could leave, and actually everything

15 about the practice that they did, it was ... everything

16 was based about: 'How do you feel? How are you?' --

17 You know, there was just... it was just the

18 culture, the staff, the people, there was a -- they

19 cared, people cared.

20 Q. Mm-hm.

21 A. You could feel it.

22 Q. Yeah, you say at paragraph 53 that the staff were very

23 loving, very nurturing and, importantly, very

24 consistent?

25 A. Yes.

1 Q. What's the significance of consistency in a context like
2 this, 'Lucy'?

3 A. I think when you are a kid with trauma, you push
4 boundaries and you want to be abandoned, because that's
5 what's already happened, and you are maybe -- you can
6 not be the nicest. I remember calling the staff names
7 and just not being the nicest of kids and they never...
8 they never retaliated back, they always, they were just
9 good people. They were, and although I am not religious
10 as such, there was a real... there was just a family
11 atmosphere. I remember at Christmas time, they dressed
12 somebody up as Santa, they would get real reindeer in,
13 they would bring presents in. I think my first birthday
14 cake was in the Good Shepherd as well. There was just
15 a feeling of they were trying to help you. There was
16 just a totally different atmosphere.

17 Q. Right. You do say, in paragraph 54, that the place was
18 very regimented but also child friendly?

19 A. Yes.

20 Q. Can you just talk us through that combination, please,
21 because you say, I think, Cardross was pretty strict and
22 regimented and locked up, and yet at the Good Shepherd
23 this was a better way of --

24 A. Yes.

25 Q. -- running a regime?

1 A. There seemed to be... there was rules for a reason. It
2 was more about being child friendly. There was
3 consequences for behaviour, but it wisnae just seeming
4 to do things because they could or there was a sense of
5 control. There was just, it was just a different --
6 I went to Lourdes with the Good Shepherd and even,

7 Secondary Institutions - to be published later
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1 Q. In the Good Shepherd?

2 A. No, it was -- not in the sense it was bad or they done
3 anything bad to you, but there was just a very low
4 expectation of schooling, so you would go to a class and
5 you would play a game of Switch, a card game ... very
6 informal, very chilled, but for me it was a waste of my
7 time. There was no point in me getting up out of my bed
8 because actually the school... I wasnae learning
9 anything.

10 LADY SMITH: Was that a school that took place within the
11 Good Shepherd?

12 A. Yes, it was a school in the Good Shepherd.

13 MR SHELTON: I think you tell us later in your statement
14 that that did improve as time went on; is that right?

15 A. I think I basically -- I told them I wouldnae go, and
16 I think somebody realised that I was bored and I needed
17 challenged, and they done that.

18 Q. How did things go from there educationally, because
19 clearly you have reached -- you have had great
20 attainments in education and in your career now --

21 A. Yes.

22 Q. -- how was that turned around for you?

23 A. I remember I had a teacher, Mrs MacDougall, she was
24 an English teacher, and as I write poetry and stuff
25 and... she seen something. She stayed back, she would

1 cut through the crap, really, that I would, I suppose
2 the kind of low-level behaviour, and she would spend
3 time with me, working with stuff, and then I started to
4 get really good at English, and started to think oh,
5 this could be my -- and I remember them getting me a PC
6 for the unit to do schoolwork on. And I was really good
7 at science, and I think they seen the challenge to
8 challenge me, so I then started to attain, to do really
9 well in school, and I think they knew and I went to
10 college when I was just 15 and the Good Shepherd helped
11 me to get into college to study psychology.

12 Q. Yes, you mentioned that you applied to go to Langside
13 and one of the staff at the school helped you very much
14 to do that?

15 A. Yes. They believed in me. And I think that's the thing
16 when you are in care or you have a really bad childhood,
17 there is nobody telling you how good you are, or seeing
18 something in you, and actually in the Good Shepherd they
19 seen me as a person, it wisnae like -- it didn't feel,
20 although it was a school and it wasn't perfect,
21 obviously, but there was a very therapeutic
22 family-driven... where you were celebrated, birthdays
23 were celebrated, you were celebrated, they found
24 strengths, it was a very strength-based culture. And
25 that... I think I have taken a lot of my practice from

1 the Good Shepherd, and I haven't realised that, but when
2 I have been thinking about things, and the things, the
3 way teachers would be with me and going the extra mile,
4 that's something I have always tried to embed where
5 I have worked.

6 LADY SMITH: 'Lucy', sorry, can I just take you back to
7 paragraph 65?

8 A. Yes.

9 LADY SMITH: You refer to a woman who used to be your
10 headteacher.

11 A. Yes.

12 LADY SMITH: Was she head of the school within the Good
13 Shepherd **Secondary Institutions - to be published la?**

14 A. So, sorry, Mrs Margaret Sloan was the Head of Education,
15 and there was another woman, amazing woman,
16 Margaret McAuley, who I am still friends with now, and
17 she was Deputy Head of Education, in the Good Shepherd,
18 and they got me into college. I was knocked back for
19 college because I was too young, and they fought for me
20 to get in and then the college let me in.

21 LADY SMITH: **Secondary Institutions - to be published later**

22 **Secondary Institutions - to b**

23 A. **[REDACTED]**

24 LADY SMITH: Going back at night and weekends to Good
25 Shepherd?

1 A. Secondary Institutions - to be published later
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5 LADY SMITH: Oh, I see, so that place, Bankhead, followed
6 Cardross, did it?
7 A. I think that came after Cardross, but even,
8 interestingly enough, I feel my memory's very fuzzy
9 about that, because I think I was so traumatised, to be
10 honest.
11 LADY SMITH: Yes, but that would seem to fit from the
12 chronology --
13 A. Yes, the chronology.
14 LADY SMITH: -- that you have been able to give us.
15 A. Yes.
16 LADY SMITH: Thank you.
17 MR SHELDON: Just on the schooling at Good Shepherd, did you
18 feel that staff were nurturing in that way to all the
19 children having education at Good Shepherd, or was it
20 just you?
21 A. No, I think they were nurturing. I think I just loved to
22 be at school and stuff, but I think we had -- they had
23 a hairdressing salon and make up artist, and drama, and
24 singing, and I remember the girls, it was just a
25 really -- and it might have been also because it was

1 just a girls' school as well, it might have been
2 a different... it might have been more relaxed and stuff
3 -- but anything that the kids done, anything they were
4 good at, anything they could make them good at, they
5 made it work. That's what I witnessed, anyway, in the
6 time I was there.

7 Q. I think I know the answer to this, but did you feel
8 safer at the Good Shepherd --

9 A. Absolutely.

10 Q. -- than at Cardross?

11 A. Absolutely, and I think that was the first ... and maybe
12 that's why I started to really get into school, is
13 because -- I had been I think it was maybe 14 or 15, but
14 I remember, I'd not had the awareness at that point, but
15 I was obviously safe enough and settled enough to engage
16 in schoolwork, and actually to not be so dysregulated to
17 engage in schoolwork.

18 Q. Again -- it may just be a combination of things,
19 'Lucy' -- but how did they foster that sense of safety
20 in the establishment?

21 A. Even -- the things like even restraints and stuff as
22 well, that was never done -- it did happen, I did
23 witness restraints in the Good Shepherd, but again, you
24 werenae made to behave through fear, you were almost
25 made to behave because you should, and you should have

1 a sense of self-respect and, actually, I learned loads
2 of stuff from just teachers, and again the teachers I am
3 still friends with, and the people that I still have
4 really good relationships with, because they made me
5 feel safe and they also -- they looked for things to
6 tease out, to make me feel good about myself, and it
7 worked.

8 Q. You mentioned restraints. Again, thinking about the
9 comparison with Cardross, what were the restraints like?

10 A. Um, I remember, when I watched restraints in the Good
11 Shepherd, there would be other girls that would go and
12 get other staff to help. So it was very much:
13 'Somebody's in crisis, you need to come and help', and
14 the kids would run and go and get other members of
15 staff... and there was also, women would restrain as
16 well -- it didnae ... I remember, my memories about
17 restraints in the Good Shepherd were that the staff
18 didn't really look like they wanted to either. It was
19 very much a response to the environment, instead of
20 Cardross it was very much that is the way they ran the
21 environment. It was in response to the kids' behaviour.

22 Q. So women, female members of staff at Good Shepherd --

23 A. Yes.

24 Q. -- would take part in restraints as well?

25 A. Absolutely, yes.

1 Q. Do you feel that made a difference to the way restraints
2 were conducted?

3 A. I just think -- I felt as if the staff didnae want to
4 restrain people. It was a very last resort. And that's
5 the way it should be.

6 Q. Last resort in what sort of situations?

7 A. Just when kids were physical maybe, or attacked
8 teachers, or kids were fighting with each other.

9 Q. Okay. You tell us, at paragraph 55, that there was
10 a hairdressing salon, I think you mentioned that?

11 A. Yes.

12 Q. And you could do hair and make up before going out for
13 the evening, just like normal girls would?

14 A. Mm-hm.

15 Q. So was there really some degree of freedom at Good
16 Shepherd?

17 A. Yes, but you earned the freedom.

18 Q. Okay. How?

19 A. You had to behave in a certain way. For instance, in
20 Bishopton, it was quite a lovely wee village and you
21 couldnae just go, if you werenae behaving and doing as
22 you were asked, you werenae allowed to just go out. But
23 the Good Shepherd was about, maybe, two miles away from
24 Bishopton as well, but it was just such -- and maybe
25 again from my experience in Cardross, but it was just

1 such a nice environment, in such a nice place and
2 location compared to what I had experienced already.

3 Q. Mm-hm. One paragraph in your statement that I have to
4 ask you about: you have talked about birthdays being
5 celebrated, about you, the young people, being
6 celebrated.

7 A. Yes.

8 Q. Paragraph 71, you say that, at Christmas, the home
9 brought a reindeer in?

10 A. Yes.

11 Q. Was that a real reindeer?

12 A. Real reindeers, and the back of the open school, all the
13 units would be attached, and I remember all the kids --
14 and the kids and the staff, and the staff making a big
15 deal about it, and all the kids would be at the window.
16 And I remember remembering and thinking wow, this is not
17 the way ... again, I don't remember... I wasnae aware of
18 the things that I am aware of now, but I remember just
19 feeling, and looking about, and thinking this is
20 different, this is good, this is all right.

21 Q. So there was a real effort to make Christmas --

22 A. Absolutely, special.

23 Q. -- special?

24 A. Yes.

25 Q. I want to ask you about something, a rather more

1 difficult topic.

2 A. Yes.

3 Q. You tell us, at paragraph 72, that you didn't run away

4 as such, but you would sometimes stay an extra night

5 away. So should we take it from that that this was, as

6 it were, an unauthorised extra night?

7 A. Yes, I would just stay out. I would go on leave and

8 stuff, and just not go back.

9 Q. All right. In those situations did staff make an effort

10 to contact you? Was it possible for them to contact

11 you?

12 A. Yes, they would phone or you would have to phone and

13 kind of check in.

14 Q. Okay.

15 A. And there would always be a sense of, if you did stay

16 out, they would make sure you were... do you need fed?

17 You are not in trouble, we just need to make sure you

18 are safe, and there was a real, again, it's just

19 a really good culture, a really good environment.

20 Q. Did other young people stay out for extra nights, or

21 indeed did other young people run away?

22 A. Aye, definitely.

23 Q. Okay. In your time there, and you may not remember, but

24 what were the security arrangements like at night, for

25 example?

1 A. It was an open school.

2 Q. Right.

3 A. It was very -- it was open. In the unit I was in,
4 St Claire's, there was a fire exit, there was a door
5 that you could run out of, and actually I did try and
6 run away from the Good Shepherd as well. There would be,
7 probably, about two miles you would have to... and then,
8 it was dark, pitch black, so you couldnae -- there
9 wisnae any way to navigate to get out, if that makes
10 sense.

11 Q. Yes.

12 A. But it was an open facility, and again that might have
13 been why I felt so safe there, because it shouldnae have
14 been not open, if that makes sense.

15 Q. Because you do tell us later in your statement, it is
16 page 19, paragraph 92, that when you were a student,
17 I think you went back to the Good Shepherd?

18 A. Yes.

19 Q. Was that a job? Was that work experience?

20 A. I think when I went to college, I went back to kind of
21 be a classroom support worker and do a wee bit of work
22 experience at the Good Shepherd, and I was there the
23 last day, the open school was shut down when the
24 girls... obviously the incident on the bridge...
25 I remember being there on the last day of school.

1 Q. Yes. You talk a bit about that at paragraphs 92 and 93,
2 and so you were there at the incident, when the two
3 girls took their own lives?

4 A. Mm-hm.

5 Q. And they had run away, I think, from the Good
6 Shepherd --

7 A. Yes.

8 Q. -- and took their own lives.

9 Can you just tell us, first of all, about the effect
10 that that had on the school, about, you know, young
11 people and staff?

12 A. Oh, I suppose the perspective... I remember being in the
13 staffroom with the teachers, and they were all crying
14 and stuff, and I remember thinking that they were...
15 they blamed themselves, and I think, from my memory,
16 I am pretty sure one of the girls was in the unit I was
17 in, in St Claire's, where there was a fire exit and you
18 could just go down the stairs and out the fire exit, but
19 I also feel that the Good Shepherd -- however, again,
20 I don't have enough experience or I don't have enough
21 knowledge of the incident as well, but I felt as if
22 people were held accountable that shouldn't have been
23 held accountable. I feel that it was a collection of
24 mistakes and errors, ie the children's panel and stuff.
25 I think the wee girl was saying she was suicidal and she

1 was still let... to be in an open school, so again
2 that's --

3 Q. Yes, you say that your feeling was that staff there were
4 used as scapegoats?

5 A. Yes.

6 Q. Is that what you thought at the time?

7 A. Yes, I remember thinking... I just felt so bad for the
8 people -- the teachers and the people that were there,
9 that literally knew the girls, and knew... and they were
10 devastated by what had happened, as well, and then
11 I felt as if, rightly so, to find out what had happened,
12 but I felt as if there was lots of pressure to blame
13 somebody, to make somebody at fault for a collection of
14 mistakes that were made.

15 Q. I think one of the difficulties that the Fatal Accident
16 Inquiry looked at was that there was a shortage of
17 staff --

18 A. Yes.

19 Q. -- at the time. Do you remember that being an issue,
20 either when you were a young person there, or working
21 there as a student?

22 A. Yes, I remember, because if -- there was high-tariff
23 kids in the Good Shepherd, obviously. There were kids
24 that were suicidal, or a harm to themselves, and if
25 they, the kids -- as far as I remember there was 12 or

1 13 kids in the unit I was in, I would say. I was pretty
2 low-tariff in retrospect, but if a kid that kicked off
3 was high-tariff, the staff would need to deal with that
4 and you kind of knew that you could take the piss a wee
5 bit, excuse my French, but you would know that
6 something's kicking off and you could go and do
7 something else.

8 And that would be... I remember being next, there
9 was a girl in the room next to me, who ended up, she did
10 kill herself, but she was very high-tariff, she'd had
11 a really, really terrible life and went on to take her
12 own life, but she [REDACTED]
13 quite a lot and the staff would have to go and cut them
14 off. So if they were dealing with her, you would maybe
15 have time by yourself, because the staff would be busy
16 dealing with the kids that needed help.

17 Q. Just to be clear, 'Lucy', what do you mean by a child
18 who is 'high-tariff'?

19 A. I mean by a kid that would be a severe danger to
20 themselves or other people. I remember at the Good
21 Shepherd there was loads -- there was a few girls that,
22 their MO was to try and kill themselves, and they did
23 kill themselves, but I remember being nextdoor to a --
24 and there was another girl I remember as well, but they
25 were maybe, they took drugs or they buzzed gas in their

1 room, or they would [REDACTED], or try and run away,
2 and if the staff were dealing -- as far as I remember as
3 well there would maybe be a night, two night-shift
4 workers on, and if things kicked off that meant the
5 staff had to deal with them, and you were left, maybe,
6 and that's still a feature of practice now. I would say
7 that's still an issue.

8 Q. Just thinking again, back to your different experiences
9 at the Good Shepherd as a young person, as a student,
10 looking back, were there issues, practices, that you
11 felt in hindsight might have been more of an issue? We
12 know you had a good experience, but were there things
13 that perhaps weren't so great for young people?

14 A. I think that, from experience with working with kids
15 with trauma, night time is the time where kids, the
16 abuse, the issues, the trauma, will be re-triggered at
17 that time of night, but when I look back on the time in
18 the Good Shepherd, the night shift, they would come to
19 your room, they would make you hot chocolate, they would
20 sit with you, they would read you stories. If they knew
21 that you were struggling to regulate and to get to
22 sleep, they would spend time.

23 So actually in retrospect, the practice that
24 I witnessed is a lot of the practice that I have
25 embedded in my career, because I think that there was

1 a woman, and I put her in the statement as well, Marti,
2 but she just had a knack for knowing if -- and you
3 didn't even need to say anything, she would just spend
4 time and she would just know, and they would spend extra
5 time, and sometimes they would move staff from other
6 units to come and buffer the units that needed extra
7 support.

8 Q. So night time, really, is the high-risk time --

9 A. Absolutely.

10 Q. -- when staff need to be on the alert, I suppose?

11 A. Yes, and still with my experience of working in [REDACTED]
12 and stuff as well, that's when the kids with really high
13 levels of trauma and stuff, they have been sexually
14 abused or whatever, that's the time of -- or
15 self-harming behaviours -- that's when I assume most of
16 the incidents happen, at that time of night.

17 Q. At page 16 of your statement, 'Lucy', you do tell us
18 about life after care, and about your achievements, your
19 educational achievements.

20 A. Yes.

21 Q. You end up getting an honours degree in psychology, and
22 you go on to work, I think, is it as a teacher that you
23 now work?

24 A. I was a psychology and philosophy teacher, but I started
25 in [REDACTED] as a classroom support worker and I worked

1 with kids with sexual harmful behaviour and I kind of
2 worked my way up through that, and experienced that, and
3 then I went back to uni to do my postgrad in teaching.

4 Q. You do say, at paragraph 81, at [REDACTED], 'I was basically
5 thrown in at the deep end ...'

6 A. Yes.

7 Q. Did you feel you were ready for what you were being
8 asked to do in that role?

9 A. I think that, for me, being thrown in at the deep end as
10 well is... I had to resolve my trauma of being in ...
11 and actually when I worked in the Good Shepherd, there
12 was times when I would move through the corridors and
13 I could smell smells and it would trigger my trauma, and
14 I had to work through my issues of care, I suppose. And
15 actually when... in hindsight, [REDACTED] was a great place,
16 they trained the staff really well, I was highly
17 trained, and it is only when I have went and worked in
18 other organisations that I understand that that's not
19 the case in other places as well, that they aren't as
20 highly trained.

21 Q. Well, I was just going to ask you about -- you have
22 worked in a number of establishments now?

23 A. Yes.

24 Q. And you mentioned training, perhaps, is an issue.

25 A. Yes.

1 Q. Are there any other issues in relation to safeguarding,
2 childcare, child protection practice, that have caused
3 you concern?

4 A. Too many, there's too many. And actually, worryingly,
5 I am, again, 41; issues happened when I was a child, and
6 I really feel that practice should have evolved and
7 people should have learned from mistakes, but they
8 haven't. And that's not to say that -- there will be
9 loads of -- there is loads of positive changes and
10 stuff, but there is some real issues that is happening
11 still within the sector now. That's just not all right.

12 Q. At page 20 of your statement, you talk a bit about
13 reporting of abuse --

14 A. Yes.

15 Q. -- and that you contacted the police about the
16 individual that assaulted you at Cardross?

17 A. Yes.

18 Q. Then, at page 21, you start to talk about lessons to be
19 learned, and there is a lot of helpful material, 'Lucy',
20 that we have read and will study. But I just want to
21 look, perhaps, at some of the headings.

22 A. Okay.

23 Q. If I miss anything out then please do say. I will give
24 you the chance at the end to add anything else that you
25 feel may be useful to us.

1 I think some of the particularly important headings
2 are, first of all, training, and in particular I think
3 you say that there should be intensive training before
4 staff take up a post?

5 A. Yes.

6 Q. What can you tell us about that and the necessity for
7 that?

8 A. I think that staff should have basic trauma-informed
9 care and child protection, and also if there is any safe
10 holding or physical restraints. I know from working in
11 organisations that staff would be hired and they would
12 literally be on the floor before any of this had been
13 done. And also to check if there is maybe -- we are
14 human beings after all, as well, and I think that there
15 is the counter aggression in untrained staff as well.
16 You can see it, if you can see the difference. I think
17 they are just basic -- I would argue that there is basic
18 things that should be a prerequisite for an organisation
19 to run or open in the first place, that these things
20 should be done, so there will be less -- likely... of
21 mistakes.

22 Q. So is it your view, if I have understood correctly, that
23 you feel that training on the job, learning on the job,
24 well... there are drawbacks to that?

25 A. Mm-hm. No, I would say that staff, if you are going to

1 work with kids in any capacity, you should be trained
2 before you go on the floor. I think having staff
3 that -- some of the times I have witnessed staff not
4 being trained in physical intervention and they have
5 been working with kids. I think child protection
6 training is a must. And, actually, when I reported the
7 -- when I was about 26/27 -- is because I remember going
8 to enhanced child protection training and thinking,
9 'God, that guy might actually still work there now'.

10 But from my own experience in the last few years as
11 well, and being Deputy Head of [REDACTED], I was pretty
12 shocked at some of the training, or lack of training, in
13 trauma-informed care, that the practice was just not
14 good enough, and we should have learned from the
15 mistakes of the past, but we don't seem to have learned
16 from that.

17 Q. You mentioned in particular, issues of child protection,
18 training in child protection and, I think, safeguarding?

19 A. Yes.

20 Q. Are those particular issues that you feel need to be
21 addressed in current practice?

22 A. Yes, I think... I was Head of Safeguarding in my last
23 school, and actually, especially from a teaching
24 perspective, sometimes we hire teachers from mainstream
25 school that have absolutely no idea. It's really

1 a dangerous practice in the form of potential counter
2 aggression, not understanding trauma, not understanding
3 trauma and effects, but actually just child protection.
4 I mean changing the attainment gap in kids' outcomes for
5 kids in care, obviously, but actually the safety is
6 paramount and actually there is no excuse for badly
7 trained staff in 2024. There is no excuse for that.

8 Q. So, even though there may be policies and practices in
9 place, your view is that sometimes staff don't know
10 about them or haven't been trained in them, is that
11 right?

12 A. Yes, and also I think that, again from my experience,
13 I would argue that the different local authorities,
14 different terminology in safeguarding, has to be
15 actually -- Scotland have to uniform, we are a wee
16 country. I think there is very -- I would have -- kids
17 from different local authorities, I would have
18 a different chain of reactions. For instance, if there
19 was an issue with a kid in one local authority, if there
20 was a child protection issue, we would report it to the
21 social worker on the Ed -- but there would be different
22 protocols in other local authorities, and actually
23 I just think that everything needs to be uniform,
24 because there would be loads of disparity about,
25 'I don't know if I should report that', and actually it

1 should be pretty obvious that things are a child
2 protection... but actually there is -- I feel there is
3 quite a lot of faffing, and actually, I would argue as
4 well, that if you work in a school and you are -- you
5 are meant to protect kids, if you witness something and
6 you don't report it, I would argue that that should be
7 illegal.

8 Q. Well, you mentioned protocols and different protocols
9 being in place in different local authorities --

10 A. Yes.

11 Q. -- are these protocols about specific reporting or are
12 there other issues where there are differences?

13 A. Yes, or where the bar is for child protection. I would
14 report child protection issues to social work and I'd be
15 told it wasnae a child protection, it would be
16 a welfare. So for me, again just my opinion, but
17 I would feel that depending on staffing, the money, time
18 of year for local authorities, would depend on your
19 response, and obviously trained people, but I just feel
20 for a place, Scotland, it is very small, there should
21 just be clear legislation and guidance about what is
22 child protection, and I know we have come so far as
23 well, but I feel there is just so much work still to be
24 done. There are still kids that are vulnerable.

25 Q. Can you give us any examples of situations where you

1 felt that there should be a duty, if you like, to report
2 but where that is sometimes not done or where there is
3 sometimes no requirement to do it?

4 A. The requirement part is just -- but I just feel as
5 a teacher -- obviously as a teacher in Scotland, you
6 have GTC regulations, but I feel that if you are
7 a teacher that works with vulnerable kids, there should
8 be an extra level of enhanced child protection, and also
9 training. I think that what's still happening is there
10 is staff allowed to work with kids, that haven't got
11 degrees, who I would not -- nobody in a mainstream
12 school would be allowed to ... a teacher would not be
13 allowed to go into a mainstream, or a non-teacher, and
14 just be like, 'Oh I will just teach that subject to
15 these kids because they are kids in care', and actually
16 I feel that's why the attainment gap is so profound, is
17 because there is staff that are allowed to teach kids
18 that shouldnae be allowed to teach kids. There is a real
19 lack of knowledge and there is still not enough
20 trauma-informed practice either.

21 Q. Certainly the attainment gap in education is one of the
22 other headings, I think, that comes out from your
23 statement very clearly. I just wanted to focus for
24 a minute on that issue of reporting --

25 A. Yes.

1 Q. -- and perhaps any situations where you have -- I think
2 you told us there were some situations where you were
3 told that this isn't a child protection issue, it is
4 a child welfare issue?

5 A. Mm-hm.

6 Q. What kind of examples can you think of where that sort
7 of thing has happened?

8 A. I worked with kids that were on the spectrum and, for
9 instance, if a kid had soiled himself or there was
10 issues within their placement, I would see that as
11 a child protection issue and I would phone up and report
12 as being the Head of Safeguarding, and be told that
13 isnae, and I would also be told by social work basically
14 to -- I would feel pressure to back off, and I wouldnae
15 back off, but that is only because of my experience of
16 being in care and being that kid that is not being
17 protected, and I feel that that's a driver for me to
18 really enhance practice, but also make sure that people
19 that work with kids, especially vulnerable kids, are
20 held accountable for the mistakes, or their practice, in
21 any walk of life or in any job, but if you are working
22 with vulnerable kids and you have a real duty of care to
23 protect them and keep them safe. If you are not doing
24 that, I think there should be questions asked.

25 Q. All right. You mentioned that there might be an issue

1 with the placement. What sort of issue with the
2 placement might there be that, in your view, would
3 amount to a child protection issue?

4 A. I think -- the way I trained the team that I worked with
5 as well -- is I think sharing good practice, or any
6 issues to do with a child that you might think a child
7 is in potential danger, or even just they are not
8 thriving, I would argue that that's enough to contact
9 placements, or raise an issue, a safeguarding issue, or
10 a wellbeing issue as well. But I feel that there is
11 politics involved. And there always will be politics
12 involved in who people's friends are and stuff, but
13 again I feel if you are -- if there was consequences as
14 a worker working with vulnerable kids or vulnerable
15 people and you witnessed something that you didn't
16 report, I would argue that that should be illegal,
17 because I just think that people turn a blind eye. And
18 also, I wonder if it is because it is kids in care as
19 well that they think, 'Och, it is all right, they have
20 been through worse', or, 'It is all right, they will not
21 tell'. And actually that still happens now.

22 Q. Moving on to another of the, perhaps, headings that
23 arise from your statement, 'Lucy', you do mention, and
24 you say quite a lot about schooling, education,
25 attainment, and you say schooling is still a major

1 problem in the sector, but the low attainment
2 expectations are just not acceptable. Can you tell us
3 more about that, please?

4 A. It is my big -- the biggest thing about being in care,
5 working in the field, and just working with other
6 teachers, is that there is a real unconscious bias
7 of: it is okay, it is just kids in care. It was also
8 a thing at [REDACTED] as well and I don't think... it is not
9 a personal thing with teachers in education, they don't
10 mean it, but I feel that there is a, there is a real
11 dumbing down of expectations for kids in care and even
12 still, like, maybe, five, six, when I introduced
13 psychology at [REDACTED], it was, 'Oh, these kids won't do
14 psychology, these kids cannae study philosophy', and
15 I am like, 'Wow, you shouldn't even be allowed to use
16 that', the pejorative language about kids or these kids
17 won't do well, there is a real issue again when we are
18 hiring teachers and I have worked also in organisations
19 where people will just, 'I am just teaching computing',
20 and I would say well, what qualifications have you got,
21 have you done your teaching? And they don't have any
22 qualifications, and that's still a thing, there is still
23 people working with kids that aren't qualified.

24 And, again, you wouldnae have somebody in Gryffe, or
25 a really prominent school in Glasgow or Scotland, just

1 turning up to teach, because it is not all right, and,
2 actually, kids in care deserve if not more focus on
3 education, but it is not all right just to have a random
4 just turning up, and they call it an 'instructor' as
5 well, and that shouldnae be allowed either.

6 Q. If I can just ask you about that: is it the case, then,
7 that sometimes unqualified people are used or employed
8 to teach young people in care, and are you saying... is
9 that because there's an attitude that that's good enough
10 for young people who are in care?

11 A. Yes, there is almost an unconscious or subconscious
12 expectation that these kids won't do well, and that's
13 part of the problem. That is transferred to the kids and
14 the kids then believe that they won't do well either,
15 and, actually, I think that the biggest thing that we
16 need to improve for kids will be the throughcare and
17 aftercare, but I know through my own experience that
18 education was a protective factor for me, and it gave me
19 resilience and confidence and actually helped me to
20 navigate society, and be part of society, and I feel
21 that that's where the kids are marginalised. And also
22 there is kids with maybe dyslexia, unrecognised, who are
23 demonised by education, or -- I have still worked last
24 year, the year before, I have worked with teachers who
25 have used really pejorative language, and basically

1 blaming the kid for having literacy issues, when
2 actually it is not the kid's fault either.

3 So there is a real -- I think there needs to be
4 a full overhaul of the system.

5 Q. If I can just move on then, again, please, you mentioned
6 there throughcare and aftercare, and that's, you say,
7 another major issue. Can I just ask you first of all,
8 so we are all on the same page, as it were, what do you
9 mean by 'throughcare' and 'aftercare'?

10 A. I was so lucky when I left the Good Shepherd at 16 and
11 I had an identified throughcare worker. I went to a flat
12 and I was supported with money, but I was also supported
13 with somebody coming to visit me, and actually I would
14 argue that the space between 16 and 18 is where kids,
15 and especially kids in care, are really vulnerable
16 because you have a real sense of you think you know
17 everything at that age, when actually you don't, but
18 also how vulnerable you are in society, like, kids being
19 -- the funding being pulled still happens now, where
20 funding's pulled and a kid's moved to a Blue Triangle or
21 another place that they shouldnae be going in, and
22 actually --

23 Q. Sorry to cut across, 'Lucy', but you mention the Blue
24 Triangle in your statement, what is the Blue Triangle?

25 A. It is a hostel, homeless accommodation. So kids who have

1 low self esteem, low confidence, low resilience, who
2 don't have social skills nor the ability to look after
3 themselves, will go in with people who have maybe been
4 through the system, and who are maybe taking drugs and
5 prostitution... and actually loads of kids that I was in
6 the Good Shepherd with are either dead or drug users.
7 And actually they are the kids that went in, and I was
8 very, very lucky and I am very aware of that, and it is
9 a shame, because I think that for local authorities it
10 is about funding, but actually what happens if the
11 funding is pulled at 16, these kids are left and they
12 are in adult services for the rest of their life because
13 they don't have the skill-set to manage.

14 And I would argue that that's part of -- there
15 should be a focus on that, and education, and actually
16 I know that kids are meant to stay in places until they
17 are 18, but it doesn't happen, and a lot of kids I have
18 worked with as well don't even know that, if they are in
19 education on their 16th birthday, they are allowed to
20 get help until they are 25.

21 Q. You tell us, it is paragraph 122, you say that there
22 seems to be a big gap between adult services and child
23 services, and especially for the kids that are most
24 vulnerable?

25 A. Yes.

1 Q. Can you just tell us more about that, please?

2 A. I just think that if you have not got a family and
3 a support network and you have... you don't know how to
4 build relationships or keep yourself safe... I have
5 actually worked with a kid in the last year who was
6 a kid who had been in multiple placements and she was
7 very high-tariff, her behaviours were quite difficult,
8 and the same things happened where her placement was
9 terminated before she was 16. She was then moved to
10 a place further away. She doesnae have relationships
11 that she had under their supportive network. So I know,
12 through my experience and through ... that the chances
13 of that kid making it are really, really slim. The
14 world, the variables are already stacked against her and
15 it shouldnae be the case, that wee girl should have
16 access to everything, but she has not and I know that
17 she is very vulnerable. She isnae functioning at the
18 age she is, her age. So actually -- and I am pretty
19 sure that social work will be involved with this wee kid
20 for the rest of her life, because she is so vulnerable.
21 And actually if we just spent more money, more
22 resources, and helped her until she was 18 or 20,
23 I think that wee girl could make it. But she won't, she
24 is too young.

25 Q. All right. It is a point you make at paragraph 130 of

1 your statement, that perhaps covers both of those
2 points. You are talking about local authorities pulling
3 the funding, which you say is shortsighted, but you also
4 mention that the Good Shepherd had an independent place,
5 an independent living place, and this was for women or
6 girls who were pregnant?

7 A. Mm-hm.

8 Q. Was it also for people leaving the Good Shepherd?

9 A. So when I was in... I think it is Glasgow City Council,
10 I had... they done throughcare and aftercare and I was
11 allocated a person, I think when I was about 15, and
12 that person worked with me to kind of transition, so the
13 package was in place --

14 Q. Sorry to cut across again, but this is what you refer to
15 in your statement I think as a 'transition plan'?

16 A. Yes, so I went to a flat and I stayed in a flat in
17 Glasgow, but the person, the throughcare worker, they
18 came out and they helped me with shopping, and bills,
19 and all of the skills I didnae have because I didnae
20 have a family, and they helped me navigate the really
21 scary part, because actually the whole -- in my whole
22 life in care, all I wanted to be was 16 to leave, and
23 then when I became 16, I remember even the first night
24 in my flat, I was like oh, what have I to do now? I had
25 no idea how to be, who to be, who to hang about with and

1 actually that's the most vulnerable... If I didn't have
2 that support and there was other people there that gave
3 me... met my needs but not through a pro social way,
4 that would have been my way of taking drugs or getting
5 into maladaptive behaviours that would have meant that
6 I didnae make it.

7 Q. Again, I think, you say that practice about transition,
8 transition plans and aftercare --

9 A. Yes.

10 Q. -- varies again between local authorities?

11 A. Yes.

12 Q. So there is no consistency in the way that's done?

13 A. No.

14 Q. But your view, and I don't want to put words in your
15 mouth, is that finance needs to be available as
16 an investment, essentially?

17 A. Absolutely.

18 Q. To allow aftercare to be properly done?

19 A. Yes. I think, when there is pressure on the local
20 authority to cut funding and stuff, it might seem like
21 the easiest thing to cut, but actually these kids that
22 will be pulled from 'Children and Families' will also go
23 into 'Adult Services', and I am probably assuming they
24 will for the rest of their life. But actually, if we
25 spend that really crucial -- these kids don't have

1 a supportive network, they don't -- I know from my own
2 experience, I didnae know how to be or how to live or
3 how to navigate the world, and I felt as if I was quite
4 bright and able, and I know there are kids that just
5 won't survive... and I am aware that, when they pull
6 funding and stuff, I really believe that they already
7 know this.

8 But, again, there is pressure on different social
9 work departments to keep costs down.

10 Q. At paragraph 145, and this may be a related point but
11 I just want to get your explanation of this, you say,
12 first line:

13 'Make it the law that kids don't get to leave before
14 they turn 18.'

15 Do you mean kids in care? Do you think they should
16 be kept -- they should have to stay in care until they
17 are 18?

18 A. I also think that kids in care wouldnae want that, but
19 I suppose for me it is changing the narrative, so people
20 around about them aren't talking about when they are 16,
21 or social work arenae talking -- because I have also
22 worked with kids that are 14 that social work's already
23 talking about when they are ending their placement, and
24 the kids cannot manage that, because they have maybe
25 just got to a point they feel safe and secure and all of

1 a sudden they are being talked about finances and
2 actually things that kids shouldn't even be involved in.
3 I don't think a kid should need to be told that this
4 placement is too expensive, or this is X amount of money
5 and we need you to go to a ... and even the kid that
6 I used as an example before, I am pretty sure that her
7 placement was probably, say, about £12,000 a week and
8 then the plan was to move her to a cheaper placement,
9 which obviously means that they don't have the resources
10 to manage her behaviour either. The wee kid is also
11 vulnerable, as well, so there's just... I see loads of
12 that happening still.

13 Q. Again, I don't want to put words in your mouth, but if
14 I have understood you correctly, what you are really
15 saying is that there needs to be a more holistic view of
16 this period; perhaps 15, the age of 15 --

17 A. Yes.

18 Q. -- to 18, to manage the transition into adult life?

19 A. Yes, I know there is obviously moves towards that.
20 I know that 'The Promise', and keeping kids until they
21 are 25... but also, again, just my observation, is
22 I feel a lot, loads of kids, don't actually... they are
23 not aware that they can stay on, and I also feel that
24 social work do that because they don't want kids to know
25 that, because it costs them more money.

1 Q. 'Lucy', I have almost reached the end of my questions
2 but, at page 30 of your statement, you talk a bit about
3 hopes for the Inquiry, and perhaps you can just tell us
4 in your own words what your hopes might be, going
5 forward?

6 A. I think I was really nervous to come here and give
7 evidence, but I kept thinking that I would love to be
8 part of the change for kids in the future. I think even
9 this being a thing, and you guys doing this is a major
10 deal, but if I have hopes for kids in care and
11 marginalised kids, I would hope that we help the
12 attainment gap and we help kids, we protect kids. Just
13 as I have said: better child protection, better
14 education provision, and actually better-trained staff.

15 Q. Well, thank you. One final question from me. You do say
16 in paragraph 147:

17 'Some things have changed but such changes have to
18 be maintained, and we have to learn from the mistakes
19 that we have made in the past.'

20 This is admittedly quite a big last question,
21 perhaps, but any help that you can give is appreciated.
22 How do you think we can go about embedding changes that
23 are made in practice and policy? How do you make sure
24 that there is no backsliding, as it were?

25 A. I think that what tends to happen is that the things

1 are, like for instance The Promise or things, are kind
2 of a deal for a few years, or a deal until it is a tick
3 box, and then it is... we move away from it. But at the
4 end of the day, kids in care are all our
5 responsibilities; they are the vulnerable, marginalised
6 kids in society.

7 And actually, what I would say as well, is when
8 I was in care, I was embarrassed and mortified to be in
9 care, and actually that's a thing... that there is loads
10 of changes to do with that, but I just feel that it
11 needs to stay at the forefront of people's
12 decision-making. I don't think that, in an ideal
13 world -- obviously money is important, but I think that
14 outcomes for kids, ie being safe, not killing
15 themselves, not going on to do ... I think it is like
16 89 per cent of kids in care don't leave with any
17 qualifications. I think it is 85 per cent of kids in
18 care go on to Young Offenders. And actually they are
19 predisposed, and almost... the platform is set for these
20 kids to go on and do that, and I just think we need to
21 change the narrative, and actually even the fact that
22 I was blamed for being abused, and I was blamed for the
23 stuff as well, for things that happened to me as
24 a child, it is not all right.

25 And I think this is a massive deal for changing

1 practice and the culture and stuff as well, so I think
2 we are moving towards a better society, but again, there
3 is lots of work to be done.

4 MR SHELTON: Thank you very much.

5 I have nothing further, my Lady.

6 LADY SMITH: 'Lucy', thank you for the contribution you have
7 made to that work of making things better in the future.
8 We are really grateful to you for sharing not just your
9 own experiences, but the learning and the thoughts you
10 have had about where we should go next. They are not
11 lost on me.

12 A. Thank you.

13 LADY SMITH: You are free go now --

14 A. Thank you.

15 LADY SMITH: -- and I hope the rest of today is more
16 relaxing than the first few hours.

17 A. Thanks a lot.

18 (The witness withdrew)

19 LADY SMITH: Thank you.

20 The first name of the day: you will have heard the
21 name GUF mentioned. He is not to be
22 identified outside of this room because his identity, as
23 a person mentioned at this Inquiry in our evidence, is
24 protected by my General Restriction Order.

25 We will have the morning break now and sit again in

1 about 15 minutes.

2 MR SHELDON: Thank you, my Lady.

3 (11.35 am)

4 (A short break)

5 (11.50 am)

6 LADY SMITH: Ms Forbes.

7 MS FORBES: My Lady, good morning.

8 The next witness is an applicant who is anonymous

9 and is known as 'Daniel'.

10 LADY SMITH: Thank you.

11 'Daniel' (affirmed)

12 LADY SMITH: Do sit down and make yourself comfortable,

13 'Daniel'.

14 A. Thank you.

15 LADY SMITH: 'Daniel', thank you for engaging with the

16 Inquiry as you have done, both by providing your written

17 statement, which is already evidence to the Inquiry and

18 it has been really helpful to have had that available

19 before today, but also thank you for having come here

20 today to allow us to ask you some more questions based

21 on what is already in your written statement. I am very

22 grateful to you for facing up to doing that, because

23 I know it is not easy to come into a public forum and

24 talk about yourself, your own life and, particularly,

25 things that take you back decades in your own life, some

1 of which may be upsetting to talk about. You may be
2 taken by surprise as to the impact on you of doing so
3 here. I know that, and some people, I know, ask for
4 a pause or they want a break out of the room, or they
5 want it recognised that it is not easy but to just be
6 allowed to carry on. Whatever works for you, it will
7 work for me. So please be assured of that.

8 If at any time you have any questions, don't
9 hesitate to ask, including questions based on us not
10 making sense to you. If we don't explain things
11 properly, that's our fault not yours.

12 Finally, the red folder there has your written
13 statement in and that will be available for you to use
14 if you want to use it. We will also bring your
15 statement, the parts that we are talking about, up on
16 screen in front of you. So you may find that helpful as
17 well. Do you have glasses?

18 A. Yes.

19 LADY SMITH: The font's not bad on the screen. You may or
20 may not need it for the screen, if that's okay to have
21 it on the screen?

22 A. Yes, that's fine.

23 LADY SMITH: You just tell me what works for you, all right?

24 A. That's fine.

25 LADY SMITH: Ms Forbes.

1 Questions by Ms Forbes

2 MS FORBES: Thank you, my Lady.

3 'Daniel', good morning.

4 A. Good morning.

5 Q. Your statement is in that red folder and if I could ask
6 you just to have a look at the very last page of your
7 statement. There's paragraphs on each of the pages that
8 are numbered. On the very last page, you should come to
9 a paragraph 153, and that's where a declaration is made
10 at the end of your statement which says:

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

15 Then you have signed that, and it is dated
16 1 August, 2023. Is that right?

17 A. Yes.

18 Q. Is that still the position, 'Daniel'?

19 A. Yes.

20 Q. Yes. If you can just go back to the beginning of that
21 statement, or put it to one side if you want, it's up to
22 you. I am just going to start by asking you some
23 questions about your background and your life before
24 going into care. I think you tell us, 'Daniel', you
25 were born in 1962, is that right?

1 A. Yes.

2 Q. You were born in Maryhill in Glasgow?

3 A. Yes.

4 Q. Initially you were with your parents and your siblings?

5 A. Mm-hm.

6 Q. You were the youngest of five children; is that right?

7 A. Yes.

8 Q. I think you tell us that your dad worked in the steel

9 factories --

10 A. Yes.

11 Q. -- and your mum initially looked after the children, but

12 she latterly worked in a sewing factory?

13 A. Yes.

14 Q. You go on to tell us, 'Daniel', that when you were very

15 young you spent some time living with your grandparents.

16 You are not sure why that was?

17 A. Yes, I think it was because my mum was working, so it

18 was basically, yes, I was up with my gran in Glasgow.

19 Q. You think by that time, because you were the youngest,

20 your mum had started working again --

21 A. Yes.

22 Q. -- and they were helping out with your care?

23 A. Yes.

24 Q. You tell us you moved from Maryhill to Cumbernauld when

25 you were very young and you went to primary school in

1 Cumbernauld to begin with?

2 A. Yes, I was about one when we moved to Cumbernauld and

3 about four or five when I started primary.

4 Q. Okay.

5 A. Yes.

6 Q. I think you say at some point you ended up going to

7 a school that was called [REDACTED], and that was when

8 you were nine years old?

9 A. Yeah, I was having trouble in school, basically with the

10 work, and the reading, the writing, so they ended up

11 sending me to [REDACTED] School, yeah.

12 Q. I think when you were there you maybe had some help with

13 speech therapy as well; is that right?

14 A. Yes, my speech was pretty bad, so I ended up for

15 a couple of years I went to speech therapy.

16 Q. Okay.

17 A. But, yeah, yeah.

18 Q. I think you say that, you know, you had moved schools

19 a few times as a child, and your impression, looking

20 back, was that you were regarded as a child as being

21 slow at school, and being behind?

22 A. Yes, when I was in school, yes, I was always in --

23 especially in one school I was actually held back

24 a year, I think, in primary.

25 Q. Okay.

1 A. And then they kept trying to find -- saying that I was
2 slow, that they had to get it checked, and I don't know
3 what happened, and then I ended up at [REDACTED] School,
4 yes.

5 Q. You again say that, looking back, you think that you are
6 probably dyslexic, but you never had a formal diagnosis?

7 A. Never, yeah, yeah. They mentioned it, they said it, but
8 they never diagnosed it, as far as I am aware.

9 Q. Okay.

10 LADY SMITH: When they mentioned it, did you know what they
11 were talking about?

12 A. Not really. At that time I didn't even know what
13 dyslexic was. I just knew when I was trying to read,
14 I just couldn't read. I could read bits here and there,
15 and I wasn't as quick as the other kids at doing things
16 like your homework, or your, like, sums and that. So
17 yeah, even when the word 'dyslexic' or whatever might
18 have been mentioned, honestly I didn't know what it was
19 whatsoever.

20 LADY SMITH: Thank you.

21 MS FORBES: 'Daniel', you say something in your statement at
22 paragraph 5:
23 'I hated school, although I loved going to it.'

24 A. Yes, I hated school, basically because I had to
25 struggle, but I liked going because I had friends and

1 yeah, it was good, and when I was at school I liked it.
2 It sounds Irish, I liked going to school but I also
3 disliked going to it, basically because I was struggling
4 so much.
5 Q. Mm-hm.
6 A. You know.
7 Q. So the social aspect you enjoyed?
8 A. Yes.
9 Q. But the work was more difficult, because of the problems
10 you were having?
11 A. Yes, yes.
12 Q. Also, 'Daniel', you say that life at home growing up
13 wasn't good?
14 A. No, no, I think my dad, he couldn't understand why, so
15 yeah, I never really got on with him as much, but yeah,
16 it wasn't good. Yeah, my dad, he would hit us with his
17 belts, yes, slaps. But yeah, you were used to it, and
18 it was just, I got used to it.
19 Q. That's something that you were used to having at home,
20 something you felt was sort of normal at that point?
21 A. Yes, at that point of time when I was young, yes, kids
22 would get a slap, or get a thing, but it just seemed
23 that anything with my dad, not so much with my other
24 brothers and sisters, he never done it to them, mainly
25 me, and I think it was because he couldn't understand

1 why I was having so much trouble, why I was getting into
2 trouble at school. And, yeah, I think it was just
3 a combination of that and, yeah. But he didn't think
4 twice of hitting me or belting me, or whatever. Yeah.
5 Q. It seemed that you were the one singled out of your
6 siblings?
7 A. Yes, yes, definitely, yes.
8 Q. Did you feel that that was connected to the problems you
9 were having at school?
10 A. Oh yes, definitely, yes.
11 Q. I think you say, 'Daniel', the social work then became
12 involved, is that right?
13 A. The social work became involved. I don't know if it was
14 the school or my parents that got them involved. But
15 I think it was the school. Yeah, they got involved --
16 Q. Yes.
17 A. -- and within a couple of weeks -- I think it was
18 a couple of weeks, it might have been longer -- I was
19 put into Cardross --
20 Q. And you say that --
21 A. -- by a children's panel.
22 Q. Oh, apologies, 'Daniel', sorry.
23 A. A children's panel first and then Cardross.
24 Q. I think you tell us you remember the words 'child
25 protection' or 'CP' being used around that time?

1 A. Yes, CPS, or CP, I don't know, it was something like
2 that. I remember the word, like, child protection,
3 something.
4 LADY SMITH: 'C and P'?
5 A. Sorry?
6 LADY SMITH: C and P, was that the shorthand for Care and
7 Protection?
8 A. Yes, that sounds like it, yes. Yes, I remember the
9 words, and I just remember, like, C -- yes.
10 LADY SMITH: Yes.
11 MS FORBES: I think you also tell us, 'Daniel', that you are
12 not sure if it was the school that got the social work
13 involved, but there was trouble at school at that time,
14 is that right, with fighting?
15 A. Yes, yes. You get people, they would say -- you would
16 just get, it is like kids, they would end up fighting,
17 they would call you names, and you would end up in
18 fights with it, yes. So yes, a lot of trouble. Plus
19 the fact I was struggling so much, and I think that with
20 my -- I would get annoyed with my temper at the time,
21 when I was young. So yeah, I got into a bit of trouble
22 when I was in school.
23 Q. You make the point at paragraph 8 that you say that you
24 have had more social workers and been to more children's
25 panels --

1 A. Yes.

2 Q. -- than you have had hot dinners?

3 A. Definitely, yes, I lost count of how many children's

4 panels I was at. Social workers, I had quite a few.

5 I can remember some, but only a few.

6 Q. Yes.

7 A. But, yes, I had, yes, quite a lot of social workers and

8 panels. More panels.

9 Q. I think you give us some of the names that you can

10 remember at paragraph 8 of the social workers --

11 A. Yes.

12 Q. -- but certainly you feel like you dealt with quite

13 a number of them, anyway, over the years?

14 A. Yes.

15 Q. I think you say, then, that you ended up going to the

16 panel, as you have said, and this was when you were

17 about 11 years old, that you ended up going to Cardross,

18 is that right?

19 A. Yes, about 11. 10/11, I think.

20 Q. I think from that point you stayed in care until you

21 were aged about 16 and a half?

22 A. Yes.

23 Q. But there were some short periods where you would be

24 back at home?

25 A. Mm-hm, yes.

1 Q. That was in between the placements?

2 A. Yes.

3 Q. You talk about the panels that you went to, 'Daniel', at
4 paragraph 12.

5 A. Mm-hm.

6 Q. You say that, at the panels, you would be asked how it
7 was at home and how you were feeling. Did you feel like
8 you were able to tell them what was going on at home?

9 A. Sometimes you would try, but a lot of the time you knew,
10 it sounds silly, they weren't really that interested.
11 It was just more a place of: where do we put him now?
12 Or ... that's it, they were more interested in listening
13 to what all of the adults were saying than what actually
14 I was saying.

15 Q. Okay.

16 A. That's what I thought when I was a child, yes.

17 Q. I think you say that your parents were saying to the
18 panel that they didn't want you back at home?

19 A. Yes, because with my sisters and my brother, and that,
20 I think, and with my dad, they didn't want, like, any
21 more -- like I was disturbing the house if I was there
22 as much. I don't think they didn't want me, or my mum,
23 I think for definite, but I just think it was the way it
24 was in that circumstance, with my behaviour too, and the
25 way my dad would react and with the school. It was just

1 a combination that it was better for me to be away.

2 Q. Up until this point you had never been in trouble with

3 the police, or anything like that?

4 A. Never, no.

5 Q. Yeah. So that wasn't part of the reason why you were

6 sent to Cardross?

7 A. No.

8 Q. No?

9 A. No.

10 Q. But I think you do tell us that you had maybe sometimes

11 not been going to school?

12 A. Yes, I skipped school. Yeah, but a lot of kids done it.

13 But yeah, I did skip school, yeah. Sometimes just

14 couldn't be bothered with the hassle of going in.

15 Q. Yes, okay. You go on, 'Daniel', to tell us about

16 Cardross, and you call it Cardross Park Home, I think.

17 A. Yes.

18 Q. It is the heading in your statement. That's the

19 assessment centre; is that right?

20 A. Yes.

21 Q. You tell us about that from paragraph 13. So I am just

22 going to go on now and ask you about what that was like.

23 A. Yes.

24 Q. I think you tell us you had initially been told it would

25 only be for a few days that you were going to be at

1 Cardross?

2 A. Yes.

3 Q. But you say that that went into a few weeks?

4 A. Yes.

5 Q. And that was the children's panel who decided that you

6 were going there?

7 A. Yes.

8 Q. You give us a little bit of a description about the

9 building, and we have heard some evidence about that so

10 I won't go into that in any detail, but essentially it

11 was a big building, with a big driveway and grounds

12 around it, is that right?

13 A. Yes.

14 Q. You say that there were boys and girls there at the

15 time, so it was quite --

16 A. Yes.

17 Q. It was mixed?

18 A. Yes.

19 Q. They were aged about 9 to 13/ 14?

20 A. Yes, I think so.

21 Q. As you have said, you would have been about, maybe, 11

22 or 12, perhaps, when you went there?

23 A. Yes, 11 or 12.

24 Q. You talk about the fact that there was this big

25 staircase and there was a myna bird in a cage?

1 A. Yes.

2 Q. Is that something that sticks in your mind?

3 A. Yes, the myna bird sticks in my mind. It was right at

4 the bottom of the staircase. I remember that.

5 Q. You say it was secure and the doors were locked?

6 A. Yes.

7 Q. That was the doors to the outside, was it?

8 A. The doors to the outside. Sometimes, like, the back

9 door was open, yes, but apart from that, and that was

10 usually just in the morning, because of breakfast, or

11 whatever, yes.

12 Q. At that time, when you were there, there were

13 dormitories with single beds --

14 A. Yes.

15 Q. -- that you slept in? I think you go on to tell us

16 a little bit more about some of the routine there, and

17 I won't go through that in detail, but I think it is

18 difficult for you to remember too much because you

19 weren't there that long, is that right?

20 A. Yes.

21 Q. You do say that you sat at a big, long table for meals?

22 A. Yes, it was a bit -- I remember, it was just a big, long

23 table for breakfast.

24 Q. Okay. And there was no schooling there, you just played

25 games?

1 A. No, I never got any schooling in there whatsoever.

2 Q. Okay. But you comment that there were chores that you

3 had to do, which was to tidy up?

4 A. Yes. Sorry.

5 Q. No, sorry, continue, 'Daniel', sorry.

6 A. Yes, tidying up, cleaning, yes. Every home, it was just

7 the same stuff, cleaning, polishing... it was all the

8 same.

9 Q. You say polishing, that was polishing the floors?

10 A. Yes, we had that in, I am sure it was there or

11 St Andrew's... I know St Andrew's for sure it was, but

12 yes, everywhere.

13 Q. Whilst you were there, you say you don't remember

14 getting out or going to play in the grounds?

15 A. No, when I was in St Andrew's -- sorry, not St Andrew's,

16 Cardross. No, you weren't allowed out, but for some

17 reason I think I got out once, but I am not 100 per cent

18 sure.

19 Q. Okay.

20 A. I don't know if that's when my mum came up, or ...

21 Q. Yes.

22 A. I think I had one, I am sure I had... one definite visit

23 was my mum and one of my sisters, but I don't know if

24 she came up or I am just thinking of it and getting it

25 mixed it up with somewhere else, where I actually got

1 out for a walk, but I honestly can't remember.

2 I would say I am 90 per cent sure I probably didn't

3 get out of that one, but I am not 100 per cent.

4 Q. I think, 'Daniel', you tell us in the next couple of

5 paragraphs about the visits you recall whilst you were

6 there?

7 A. Yes.

8 Q. One was from your mum and sister --

9 A. Yes.

10 Q. -- and I think you got upset at that one?

11 A. Yes.

12 Q. Then you do say there was a memory of another visit,

13 maybe when she took you to the railway station for

14 a walk, but you are not sure?

15 A. Yes, that's the one I am thinking -- and I don't know --

16 I can't remember getting out, but for some reason that

17 comes into my head, and I am thinking well, they

18 wouldn't have let me out with my mum myself, so I am

19 trying to think... so I don't know if that was another

20 home or where it was, but I am not 100 per cent.

21 Q. I think you do say that visit you do remember, with your

22 mum and sister, it took place in the hallway at

23 Cardross?

24 A. It was in the hallway. It was basically, they had like

25 two rooms, and it was sort of like a seat in it, but

1 yes, it was in a hall, at the window.

2 Q. Yes. This was a sort of bench in the hallway?

3 A. Yes.

4 Q. There was no privacy that you recall?

5 A. None whatsoever, none.

6 Q. Nothing like a visitor's room that you knew about when

7 you were there?

8 A. No, no.

9 Q. You do also say that, even though you were only there

10 for a couple of weeks, you managed to run away from

11 Cardross?

12 A. Yes.

13 Q. That was only a few days after you arrived?

14 A. Yes.

15 Q. You say that you saw your chance one morning --

16 A. Yes.

17 Q. -- when there was a door open, and then you managed to

18 get over the golf course and get a train all the way

19 back to Cumbernauld?

20 A. Yes.

21 Q. Where did you go when you went back to Cumbernauld?

22 A. Oh, I went in -- hung around, went to, obviously, the

23 street I was in, seen my friends, and then went home,

24 yeah, and then basically that's when the police... and

25 I got taken back. Yes.

1 Q. Yes, so it is the police that took you back?

2 A. Yes.

3 Q. Was that the same day as you ran away?

4 A. I think it was the next day, I am not too sure. It

5 could have been the same day, I can't remember.

6 Q. You tell us, 'Daniel', that there was a problem that you

7 had when you were in Cardross and I think that was

8 something that continued a bit as well, until you were

9 16, and that was with wetting the bed?

10 A. Yes.

11 Q. You remember being woken up during the night in Cardross

12 to go to the toilet?

13 A. Yes, yes, they used to wake you if you wet the bed, they

14 would wake you up during the night just to make sure, or

15 try, but half the time it didn't work, it was just...

16 they would take you up, wake you up and then take you to

17 the toilet, and then ...

18 Q. Who would do that, would it be a night watchman?

19 A. It would be a night watch person that would have been

20 on --

21 Q. Okay.

22 A. -- they would come round and wake you up.

23 Q. Okay. Then you tell us what would happen if you had wet

24 the sheets in Cardross?

25 A. Oh, yes, the same, they would take you down, either you

1 would take it to the laundry, you would walk through...
2 everybody knew you wet the bed, you were left to carry
3 sheets, yes, smelling, yes, I can't even remember --
4 that's what I said -- I can't even remember getting
5 a shower or anything in there, until later on.

6 Q. Yes, I think you tell us, 'Daniel', that you didn't get
7 a shower after wetting the bed at Cardross?

8 A. No.

9 Q. So most of the time you had the smell of that with you?

10 A. Yes.

11 Q. But in relation to having to take your sheets and go
12 downstairs to the laundry, I think you tell us that the
13 other kids would see you do that and they would know
14 that you had wet the bed?

15 A. Yes, everybody knew anyway, yes.

16 Q. And they would call you names?

17 A. Yes, all the kids who wet the bed would get it.

18 Q. You mention a room at Cardross called 'the cooler'?

19 A. Yes.

20 Q. You describe that at paragraph 28, 'Daniel' --

21 A. It was basically -- it was like a bedroom with no
22 windows, so it was just like a wee cupboard-room.
23 I don't know if it was padded or not, I am sure it was,
24 but yeah, that's all it was... empty. You could get put
25 in there if you were fighting or into any trouble,

1 anything whatsoever, yes, you would get put in there.
2 Yes.
3 Q. I think you say you spent about two hours in there?
4 A. Yes.
5 Q. Was that just one time that you were put in there?
6 A. Yes, and people have spent longer than that. They'd
7 just put you in, lock the door, and that'd be it. Yes.
8 Q. Do you know what you had done on that occasion?
9 A. It was probably fighting.
10 Q. Okay.
11 A. Probably that's what it was. Or got into any trouble.
12 You didn't even have to be fighting, it could be just
13 that you weren't doing what you were told, or anything.
14 Q. You say fighting, was that a problem at Cardross with
15 other boys?
16 A. Yes, kids would fight on and off. But yes, it wasn't
17 a big problem, but yes, if you were arguing.
18 Q. You also say the other discipline that was used there
19 was the belt while you were there?
20 A. Yes.
21 Q. But you didn't get that in your time?
22 A. Didn't get it there, but I heard people had it, yes.
23 Q. Did you see anyone get it or did you just hear about
24 people getting it?
25 A. Heard about it.

1 Q. You then go on, 'Daniel', to tell us about some things
2 that happened at Cardross, and this is in the section
3 headed up 'Abuse at Cardross Park'?
4 A. Mm-hm.
5 Q. That's from paragraph 30. You say that after you ran
6 away, you were taken back to Cardross and you say that
7 you think that was by the social work.
8 A. Social work. I think it was the social work for
9 Cardross, yes.
10 Q. Then, when you got back, what happened?
11 A. You would get back there, yes... I got into trouble
12 for -- sorry.
13 Q. It's okay, take your time and have a drink of water if
14 you need it.
15 A. I got into trouble for running away, and you would get
16 a slap or, yes, you would get a slap in the head, yes,
17 you would get all that. Yes.
18 Q. Okay, so that time that you ran away and were brought
19 back, did you get a slap from --
20 A. Oh, yes, for running away, yes, and they weren't happy
21 that I ran out the door I shouldn't have ran out. But
22 it is, yes... but then it was... I think I was that used
23 to it, it didn't bother me then. Yes.
24 Q. Did you also get the belt as well as getting a slap?
25 A. At Cardross?

1 Q. Yes.

2 A. No.

3 Q. No?

4 A. No.

5 Q. Okay, but you say that this was just like being back at

6 home?

7 A. Yes.

8 Q. But a different house. That's something you say you had

9 been experiencing at home before you came?

10 A. Yes, yes, I would get slapped, and the belt, yes, it

11 didn't matter which side of the belt it was or not, but

12 yes, it was nothing different. I had experienced it for

13 as long as I could remember from when I was young.

14 Q. You say that you got slapped a lot in Cardross, it

15 wasn't that occasion?

16 A. No, you would get slapped on and off. You would see

17 other kids getting slapped or dragged. If they were

18 fighting... they would drag you, they wouldn't think

19 twice about pulling your hair, pulling you apart,

20 dragging you. I have seen kids getting dragged, yes,

21 you would get slapped, and all the homes were just --

22 the majority of them were the same, you know.

23 Q. You say that that was mostly the older staff that would

24 be doing that?

25 A. Yes, yes.

1 Q. Not so much the younger members of staff?

2 A. To be honest, there weren't a lot of younger ones there.

3 I think, because I was young, they all looked old, you

4 know. So yeah, I think maistly it was just all the

5 older staff in there.

6 Q. 'Daniel', you say that in relation to seeing other

7 children being dragged, you say that you saw them being

8 dragged about by the hair?

9 A. Yes, say if they couldn't... if they were fighting or

10 whatever, they would grab your arm... if you wouldn't

11 let go they would just grab your hair, they wouldn't

12 care. They would just drag you any way they could

13 possibly get you apart, or pull you apart, or take you

14 to the cooler room. Yes, I seen it, yes.

15 Q. How often did you see things like that happen, children

16 being slapped and being dragged by the hair?

17 A. I mean there was always a kid getting slapped.

18 Q. All right.

19 A. Once, twice a day, yeah. It wasn't once a week, it was

20 every day somebody was getting hit at a certain point.

21 Q. So it was common?

22 A. It was common, yes.

23 Q. You say that you also saw children being restrained?

24 A. Yes.

25 Q. When would that happen?

1 A. I mean, like, taking them away and putting them into
2 rooms and... Putting them into a room, yeah... It
3 depends how bad -- If it was fighting or whatever they
4 would get put in there, or if they weren't doing what
5 they were told they would get put in there... that's
6 basically restraining them, holding them, yeah, you
7 would get all that.

8 Q. When you say 'get put in there', are you talking about
9 that room, the cooler?

10 A. The cooler, yes.

11 Q. That would be where they would be taken after they were
12 restrained, if they had been involved in an incident?

13 A. Yes.

14 Q. Okay. One of the things you say, 'Daniel', at
15 paragraph 33, is not one of the staff in there showed
16 kindness?

17 A. No, no. Not one. I can't remember... but yes, none.

18 Q. You don't remember any kindness being shown to you when
19 you were in there?

20 A. No, for definite.

21 Q. Okay. After those few weeks, then, I think you tell us,
22 'Daniel', that you went back to the children's panel and
23 they said that you were going to go somewhere else, but
24 you were going to go home for a few weeks, first,
25 I think?

1 A. Yes.

2 Q. Was that so they could find a place for you?

3 A. I was hoping they were going to try to get me back into

4 the school, or, I don't know, but I think it was just

5 they were doing it just to find somewhere else that

6 would take me, and then I ended up at Bellfield

7 Assessment Centre.

8 Q. That period when you went home, did you know that that

9 was only going to be for a short period of time?

10 A. Yes, yes.

11 Q. Okay, you did.

12 A. Yes.

13 Q. Then you say that you went to Bellfield and, again, you

14 were about 12 or so at this time still?

15 A. Yes. I was hoping when they sent me home that I would

16 be back to school, or whatever. I didn't know if they

17 would be sending me away for definite, but I had

18 a feeling they were, yes.

19 Q. Okay.

20 A. Yes.

21 Q. You go on to tell us about Bellfield, and I am just

22 going to move on, 'Daniel', and ask you some questions

23 about your time there.

24 I think you say from paragraph 36 that you don't

25 know how long you were there, but you have the figure

1 11 months in your head?

2 A. Yes, it seemed like, yes, I would say it felt like

3 11 months, but I am sure it was, it was near enough.

4 I was probably one of the longest persons there.

5 Q. Okay.

6 A. You know.

7 Q. You go on to describe it. We have heard some evidence,

8 again, about the make up of that. But it was a similar

9 sort of place --

10 A. Yes.

11 Q. -- to Cardross?

12 A. A lot worse.

13 Q. Yes, you go on to tell us about what went on there.

14 A. Yes.

15 Q. I think you say there was about 15 to 20 boys there, is

16 that right?

17 A. Yes, there were quite a lot of boys.

18 Q. And no girls this time?

19 A. No, none.

20 Q. The person in charge you describe as being an older man,

21 but you don't remember his name?

22 A. Yes, I don't know his name, but he was definitely -- he

23 was older. To me he looked really old, but then he

24 might only have been in his 50s or whatever.

25 Q. Again it was a dormitory?

1 A. Yes.

2 Q. I apologise, I was supposed to do something at the
3 beginning, 'Daniel', which was to read out the reference
4 number for your statement that we use for our
5 transcript, so I am going to stop to do that for
6 a second.

7 It is WIT-1-000001306. That's not something for you
8 to worry about, it is just for our records so that we
9 make sure that that's together.

10 You go on to tell us, 'Daniel', a bit more about
11 Bellfield, and the fact that there were -- you don't
12 remember much about the food, but you say it was okay,
13 is that right?

14 A. Yes, yes.

15 Q. You remember a row of showers there, but not much else?

16 A. Yes.

17 Q. I think you say there was a teacher who came into
18 Bellfield, who did one-to-one teaching, but that was
19 only once a week?

20 A. Yes, aye, it wasn't very often.

21 Q. But there were weeks where you wouldn't see her for
22 about three weeks?

23 A. Yes. To be honest, I think I had only seen her a couple
24 of times, and then she would disappear. I think it used
25 to be some different teachers, it could be a woman or

1 a man, but usually it was a woman. And yes, I think
2 I had only seen her a couple of times and then she
3 disappeared. Never seen her again.

4 Q. It wasn't the case that there was a routine where you
5 would get schooling each day --

6 A. Oh, no, no.

7 Q. -- in the morning and the afternoon, nothing like that?

8 A. No.

9 Q. There was though, a hut that you say you remember --

10 A. Yes.

11 Q. -- in the grounds?

12 A. Mm-hm.

13 Q. Is that right? And in there, there was practical things
14 shown, like how an engine worked?

15 A. Yes, aye, yes. It was, we would go down there -- and
16 that wasn't every day either, that was just now and
17 then. It was only wee, like the size... probably like
18 a garden hut, a bit bigger, and they just showed you
19 stuff and, you know, how a wee steam engine works, and
20 that's the only thing I can remember about that. So it
21 wasn't very often.

22 Q. Yes. 'Daniel' what did you do all day at Bellfield,
23 then?

24 A. Sometimes they were a bit... one bit better, where they
25 had a back bit at the back and sometimes you could go

1 and play football, but it was just like a school, it was
2 fenced in. But not very much, and usually you were just
3 in: you weren't allowed out yourself or anything,
4 whatsoever.

5 Q. Your days consisted, really, of maybe getting out to
6 play some football --

7 A. Yes.

8 Q. -- if you were lucky, but was there also chores that you
9 had to do?

10 A. There were chores, the same as Cardross, cleaning, yeah.

11 Q. Was that a daily thing you would have to do?

12 A. Yes, yes, the cleaning, and that. When I say about
13 Bellfield, you did get out, because if you were there
14 for so long you got, like, weekends.

15 Q. Yes.

16 A. But when you were there, you weren't allowed out, apart
17 from out the back bit.

18 Q. Apart from being out onto the grounds to play football,
19 you weren't allowed out of the grounds on your own?

20 A. No.

21 Q. As you say, 'Daniel', at the beginning you couldn't go
22 home for weekend visits, but after a while that was
23 something that was allowed?

24 A. Yes.

25 Q. I think you also mention a TV room at Bellfield?

1 A. Yes.

2 Q. Was that somewhere you were able to go if you wanted to?

3 A. Yes, it wasn't a TV... it was just like a big room where

4 everybody could go in and watch the TV. I think there

5 were two rooms in there. You could watch the TV, and

6 yes, just like a big room, just about half the size of

7 this, one room, and the other room was just a wee room.

8 I remember that much.

9 Q. Was there a set time for that activity?

10 A. No.

11 Q. No?

12 A. I think you could just wander in.

13 Q. Okay. But certainly there were chores that you would

14 have to do?

15 A. Yes.

16 Q. Would they have to be done first?

17 A. Cleaning toilets, doing this, cleaning toilets, yes,

18 just cleaning. It was just cleaning, yes.

19 Q. Okay. In relation to going home at the weekends,

20 I think you say that you did get to go home and the

21 way... what would happen is that you would go to the

22 train station --

23 A. Yes.

24 Q. -- accompanied, and then you would have to make your own

25 way back to Glasgow?

1 A. Yes, yes.

2 Q. You would leave on a Friday and return on the Sunday?

3 A. Yes.

4 Q. I think your comment, 'Daniel', is it was really
5 difficult returning on the Sunday?

6 A. Very, yes, because, yes, you didn't want to go back, you
7 know, whatsoever, no.

8 Q. Again, did you have to make your own way back or were
9 you collected from somewhere?

10 A. No, no, you had to make your own way back.

11 Q. Yes.

12 A. Aye.

13 Q. This... weekend visits home, that was used as a way of
14 discipline, is that right?

15 A. Yes.

16 Q. If you had done something wrong, that was something that
17 they could stop?

18 A. Oh yes, yes, they would stop it, yeah. If you got into
19 a fight or if you got -- yeah, they could stop it any
20 time they wanted.

21 Q. That was one of the punishments?

22 A. Yes, it was a punishment.

23 Q. Even though you were in Bellfield a lot longer than you
24 were in Cardross, I think you tell us that you didn't
25 have any visits from your parents or the social work

1 whilst you were there?

2 A. None, none.

3 Q. You were just there on your own?

4 A. Yes.

5 Q. The only contact with your family, then, is these visits

6 home at the weekend?

7 A. Yes, yes.

8 Q. You still had the problem that you had at Cardross, with

9 wetting the bed, when you were at Bellfield?

10 A. Yes.

11 Q. Again, the situation you describe is that the staff

12 would wake you up during the night to go to the toilet?

13 A. Mm-hm.

14 Q. But I don't think that helped?

15 A. No. No, it didn't make much difference. I probably wet

16 the bed when I went back anyway. Yes, that would annoy

17 them. Then you would just get taken back down with the

18 sheets. The exact same stuff. Yeah, they weren't happy

19 about that either.

20 Q. I think you say though, at Bellfield, that the staff

21 would make comments?

22 A. Oh yes, they would make comments, they would call you

23 names. Yes, they would make sure you knew, and they

24 would make sure everybody else knew. Bellfield

25 wisnae -- I would say Bellfield was probably one of the

1 worst places I was ever at.

2 Q. When you say it was one of the worst places you were
3 ever in, why do you describe it that way?

4 A. That way, the staff, they wouldn't think twice about
5 hitting you, whatsoever. They would instigate fights.
6 They would tell you to go and jump on somebody's toes,
7 or do this, do that. You would get the belt, yes... you
8 would get the belt there. I had it there once.

9 It was all older folk there, and I remember they
10 used to laugh -- and the only time they actually stopped
11 the fights where -- if somebody was really getting hurt
12 and whatever, and, yeah, and they wouldn't think twice
13 about dragging you along by the hair, the arm, or
14 whatever, yeah. That was the worst place I have ever --
15 one of the worst places.

16 Q. 'Daniel', you have mentioned a few things there. You
17 said in that, though, that they used to laugh. What did
18 they used to laugh at you about?

19 A. Yes, like, even if you wet the bed, or... I think they
20 found it quite funny. I don't know, it is just, they
21 were just, yes, it was... even when you, if you done
22 something wrong, or, you know, like you were struggling
23 to do stuff, even like your reading, your writing, or
24 anything, they would find it funny.

25 Q. Okay.

1 A. You just knew. They would make comments, 'You are
2 thick' or this or that, so you'd get all of that.
3 Q. From what you were describing, 'Daniel', it wasn't
4 a very caring environment or a very encouraging
5 environment?
6 A. Not at all, not at all.
7 Q. You give us a bit more detail, 'Daniel', about what
8 happened when you were at Bellfield -- this is from
9 paragraph 52 -- and you say that you got the belt once
10 when you were there?
11 A. Yes.
12 Q. You think that was for fighting?
13 A. Yes.
14 Q. That was three hits with the belt?
15 A. Three hits, yes. Obviously, kids... I drew back, so
16 they would either hit your leg or hit your stomach, yes.
17 Q. I think you say they were supposed to be aiming for your
18 hand, but --
19 A. Supposed to be, yes. But half the time it either hit
20 halfway up your arm or it would hit your leg if you
21 pulled your hand away, or ... yes.
22 Q. I think you comment that, the time you got the belt, you
23 had marks on your stomach after?
24 A. Yes, I remember that, because I remember it skimming,
25 hitting me, and -- but that's because, basically because

1 I drew my hand away from it. It was a school belt; it
2 was a really heavy belt.

3 Q. Who was it that would give you the belt?

4 A. SNR

5 Q. You say it was a school belt. Is that the tawse?

6 A. Yes, a school belt.

7 Q. Certainly it is something you remember, having marks
8 after it, on your stomach?

9 A. Oh yes, definitely, yes.

10 Q. You then say, 'Daniel', that you saw lots of kids
11 getting the belt. Did you actually witness --

12 A. I didn't actually see them getting it, but you knew they
13 had got it because they would come out and, basically,
14 you would see the marks or... they'd have been hit or
15 you knew they were going for the belt because you were
16 there, so yes, you witnessed they got it, you knew they
17 got it. Kids, yes, they came out marked, the same,
18 arms, legs, yes.

19 Q. Again, what types of things would they be getting the
20 belt for?

21 A. A lot of it was just kid stuff, fighting or arguing, not
22 doing what they were told, yes... so a lot of things
23 like that.

24 Q. I think you say a little bit earlier that you do
25 remember running away once from Bellfield --

1 A. Yes.

2 Q. -- but you don't think you remember what happened --

3 A. I honestly don't.

4 Q. -- when you got back?

5 A. I remember running away. I don't know what happened...

6 If I got taken back right away or if I got caught,

7 I honestly can't remember. But I remember... I'm sure

8 I ran away from it once.

9 Q. The time you got the belt, you don't think it was

10 because of running away?

11 A. Oh no, that was --

12 Q. That was for something else?

13 A. Yes.

14 Q. For fighting?

15 A. Yes. I think it was the time, sorry... I think it was

16 the time when I got... off one of the members of staff

17 to jump on somebody's toes, or go and ... I think it was

18 instigated, that was why... because we ended up in

19 a fight and I ended up getting the belt for it.

20 Q. Was this one of the occasions where you say that staff

21 would instigate fights?

22 A. They would instigate fights all the time.

23 Q. You tell us about that at paragraph 54, this practice at

24 Bellfield of staff instigating fights with kids against

25 kids?

1 A. Yes, they would just mix it and say -- yes, they would
2 say go and whatever, like with me, it was like 'jump on
3 his toes' or whatever... they'd get kids, you know,
4 somebody's said something... to come in and hit me, yes.
5 So you knew what was coming, and I could see them
6 sitting there and just, yeah, finding it funny.

7 Q. Okay.

8 A. Yes, but that happened. Bellfield's the worst place
9 I ever was in, yes. Definitely.

10 Q. You say that the staff, when they would do that, they
11 would then watch the fight develop?

12 A. Yes.

13 Q. They wouldn't get involved unless someone was going to
14 get really hurt?

15 A. Yes, yes.

16 Q. Again, you mention that it was the older staff that
17 seemed to be the ones that would do that?

18 A. The older ones, yes.

19 LADY SMITH: When they set boys against each other like
20 this, would it be boys of the same age or different
21 ages?

22 A. To be honest, I don't think it really mattered. I think
23 it was just a case of -- yes, because a lot of the boys
24 were near enough the same age, but I think they really
25 didn't care... they just indicated it to happen... but

1 the majority of the boys were just about near enough the
2 same height and age.

3 LADY SMITH: Thanks.

4 MS FORBES: I think, 'Daniel', you say also, just like
5 Cardross, there was physical violence from the staff?

6 A. Oh, yes, you would get slapped, yes.

7 Q. You say that that was things like a slap to the face and
8 pulling you about?

9 A. Yes, pulled, like, if you were... they would pull your
10 arm, push you, slap you on the top of the head, and,
11 yeah.

12 Q. Okay.

13 A. Yes, that happened.

14 Q. In relation to leaving Bellfield, 'Daniel', you say that
15 you think you probably went to a panel?

16 A. Yes.

17 Q. Can you remember going to a panel to decide to leave
18 Bellfield, or not?

19 A. I think every place after I left it, I got to the
20 children's panel.

21 Q. Okay.

22 A. And if I got home, and then before I went sometimes,
23 I would go back to the panel.

24 Q. Mm-hm.

25 A. Yes, so yes, I would have definitely went to the panel

1 as soon as I left.

2 Q. Okay.

3 I think, again, like before, you went home for

4 a short period of time --

5 A. Yes.

6 Q. -- before you were moved?

7 A. Yes.

8 Q. Again, at that time, did you know that was just

9 temporary?

10 A. Yeah, yeah. I think they tried to get me back into

11 school, but they wouldn't take me, because they were

12 having a lot of trouble with other kids... yeah, so they

13 didn't want to put me back into it.

14 Q. Okay.

15 A. So, yeah, so I knew I was going. And I knew they were

16 looking for places, because they said.

17 Q. Mm-hm, okay.

18 You then tell us about being put into a sort of

19 hospital unit --

20 A. Yes.

21 Q. -- for a short period of time?

22 A. Mm-hm.

23 Q. Is that before being placed somewhere again? You tell

24 us about that from paragraph 57 to 64 of your statement.

25 I think that that part of your statement is

1 redacted, or a part of it is redacted, in front of you,
2 but we do have the details of that there. I think you
3 say you were just there for probably less than a week;
4 is that right?

5 A. Yes.

6 Q. You think that was about 1976; you were 13 or 14?

7 A. Yes.

8 Q. Again, you ran away from there --

9 A. Yes.

10 Q. -- in the first couple of days, and you were found
11 hiding in an attic at home?

12 A. Yes.

13 Q. And the police took you back?

14 A. Yes.

15 Q. I think you say that... you tell us about physical
16 assault by a member of staff --

17 A. Yes.

18 Q. -- there as well. There is a part of your statement
19 that is blacked out, but I think you have since told us
20 that that should actually be at a later part, about
21 St Andrew's?

22 A. Mm-hm.

23 Secondary Institutions - to be published later
24
25

1 Secondary Institutions - to be published later

2

3 Q. You had heard that, years later, from somebody who was
4 a member of staff?

5 A. Yes.

6 Q. I think that's in this part of your statement that's
7 blacked out in relation to the hospital --

8 A. Yes.

9 Q. -- but I think you have since said that actually that
10 relates to the time in St Andrew's that we will go on to
11 just now?

12 A. Well, part of it does.

13 Q. Okay.

14 A.

15

16 The part that relates to
17 what I heard from a member of staff is something to do
18 with something in St Andrew's.

19 Q. Okay.

20 A. Yes.

21 Q. When we come to St Andrew's, you can tell us about that
22 in that part if you feel you want to, 'Daniel'.

23 I think you say that you were then, after that
24 period in the hospital, taken for a day -- is that
25 overnight -- to St Mary's, or was it just during the

1 day?

2 A. It was during the day.

3 Q. Okay.

4 A. They took me there and I remember going in and it was

5 the, I think it is called St Mary's closed block, and

6 they took me there for the day. I think it was just to

7 frighten me, so I would stop running away, and basically

8 just say 'this is where you will end up'. And

9 I remember being in there and someone told me to throw a

10 chair, a member of staff, throw a chair at the window.

11 It was unbreakable, they said. I spent the whole day

12 there. I was taken there by a social worker, and they

13 went away and came back and collected me at the end of

14 the day.

15 Q. You think that was to try to scare you?

16 A. Yes.

17 Q. As to what would happen if you continued to run away

18 from places?

19 A. Yes.

20 Q. Yes, but you weren't there overnight, and then you were

21 told you were going to St Andrew's, is that right?

22 A. St Andrew's, yes.

23 Q. And that is St Andrew's Shandon, is that right,

24 'Daniel'?

25 A. Yes.

1 Q. And you tell us about your time there, 'Daniel', from
2 paragraph 66, so I'm just going to move on to ask you
3 about St Andrew's. You say you were about 14 when you
4 went there, and this is the last place you went, is that
5 right?

6 A. Yes.

7 Q. You were there until you were 16 and a half?

8 A. Yes.

9 Q. You were told it was a List D School?

10 A. Yes.

11 Q. But you weren't told how long you would be going for?

12 A. No, not at all. It was just another placement for them
13 to put me somewhere.

14 Q. Okay.

15 A. And St Andrew's basically accepted that I was to go
16 there.

17 Q. Okay. I think you were given the warning that, if it
18 didn't work out there, then it was St Mary's for you?

19 A. Yes, basically as soon as I walked in, yes. One of the
20 members, SNR [REDACTED] said basically, obviously he
21 heard that I ran, and done this and that, and I can't
22 remember his exact words, but basically it was like
23 threatening: 'You will do what we tell you and that's
24 it'.

25 Q. Yes.

1 Again, you say this was, you know, a big building,
2 but you describe it as a big, old, beautiful, castle
3 type building?
4 A. Yes, it is still there, Shandon House, yes.
5 Q. And you describe it a little bit, and having different
6 houses which were not attached to the main building?
7 A. Yes.
8 Q. And you give us the names of two of those.
9 A. Yes.
10 Q. And you say there were also staff houses in the grounds,
11 is that right?
12 A. Yes.
13 Q. And there was also a building for the laundry, and
14 a member of staff had a flat there?
15 A. Yes.
16 Q. Is that right?
17 A. Yes.
18 Q. And in that building, you say there was a cell for
19 children to be put into?
20 A. Yes, there were two rooms, two cells.
21 Q. Okay.
22 A. I am sure it was two cells. I know there were
23 definitely cells, but I think it was two.
24 Q. Okay.
25 A. It was like two rooms, and the doors were off, and it

1 was just like a cell door that was on each of them.

2 Q. Okay.

3 You give us some information about the house that

4 you were put into, which was Douglas House. And you say

5 that a Major Thomson was in charge of it?

6 A. Yes.

7 Q. And you describe him as having a funny moustache?

8 A. Yes.

9 Q. And you say that he was somebody who was really nice?

10 A. Yes, yes.

11 Q. And he was there staying on site, is that right, with

12 his wife and children?

13 A. Yes, his house was attached to Douglas House, so yes.

14 Q. And his wife worked in the kitchen?

15 A. She worked in the kitchen in Douglas House.

16 Q. And again, here, you were sleeping in dormitories

17 initially, is that right?

18 A. Yes.

19 Q. But I think there was provision there for single rooms

20 that people could be moved into if they were there long

21 enough?

22 A. Yeah, they had two single rooms and, if you were there

23 for a long period, you got a single room.

24 Q. Okay. And I think that's something that at a later

25 point you were given, is that right?

1 A. Yes, I think I was probably the longest person there, so
2 yes.
3 Q. But I think you tell us you didn't want to be put
4 into --
5 A. No.
6 Q. -- a single room?
7 A. No.
8 Q. Because you didn't like being on your own?
9 A. No.
10 Q. But even though -- did you tell them that you didn't
11 want to go to the single room?
12 A. Yes I told them, but I was moved anyway, so yes.
13 Q. Was that towards the latter part of you being at
14 St Andrew's?
15 A. Probably into the last year, maybe.
16 Q. Okay.
17 A. Yes.
18 Q. And you tell us that you were given a number?
19 A. Yes.
20 Q. And that was put onto your clothes and your locker?
21 A. Yes.
22 Q. And things like that?
23 A. Yes, it was put onto everything, every bit of clothing,
24 even your shoes, your sand shoes, yes, it was on
25 everything, your locker, it was put on that.

1 Q. Okay.

2 In relation to staffing, 'Daniel', you tell us that

3 there was SNR [REDACTED] who had a nickname, and that was

4 'HLR'?

5 A. Yes.

6 Q. And you didn't know his real name?

7 A. No.

8 LADY SMITH: Have you any idea why he had that nickname?

9 A. I am trying to think. No, I honestly can't think.

10 I think, maybe, he just -- I honestly don't know.

11 LADY SMITH: I didn't ask you this because I know the

12 answer: I don't. I just wondered if you could give me

13 a clue.

14 A. I think it was just kids making up a name for him and

15 they called him HLR.

16 LADY SMITH: Okay. Thank you.

17 MS FORBES: Is that something he was called to his face, or

18 something the kids --

19 A. Oh no, you wouldn't call him it to his face. He

20 probably knew about it, but yeah.

21 MS FORBES: And you said there were two others [REDACTED]

22 [REDACTED] SNR [REDACTED] someone called 'HLL [REDACTED]'?

23 A. Yes, because he had big hands, we called him

24 HLL [REDACTED].

25 Q. And you say there was another member of staff involved

1 in being SNR [REDACTED], but you don't remember his name?

2 A. Yes, I can picture his face, but I don't know his name
3 or anything.

4 Q. Okay. Someone else you remember is a member of staff
5 who had a motor bike, but again you can't remember his
6 name or what his role was?

7 A. No I don't remember his name either, no.

8 Q. But certainly SNR [REDACTED], HLR [REDACTED], had a house on the
9 site, at [REDACTED] of the school?

10 A. Yes.

11 Q. And I think you tell us that the majority of the staff
12 lived on the site, and there was a number of houses for
13 them?

14 A. Yes.

15 Q. Yes. 'Daniel', you told us when you first arrived you
16 were given this warning about your behaviour?

17 A. Yes.

18 Q. And that was by SNR [REDACTED]?

19 A. Yes.

20 Q. But you were already thinking at that point about how
21 you could run away?

22 A. Yes.

23 Q. You give us some information about your routine, and
24 again you say there was polishing?

25 A. Yes.

1 Q. That would be in the morning, before breakfast?

2 A. In the morning you would have to put the polish on the
3 floors and then buff them with... it was like old bits
4 of towels, or like that. You had to try to -- yes, you
5 all had a certain area each, and it all had to be done.

6 Q. So this was all done by hand, it wasn't a machine that
7 you used?

8 A. No, all done by hand.

9 Q. And you say the food was okay and if you didn't eat it,
10 you didn't get punished?

11 A. No, it was fine.

12 Q. In relation to the showering and bathing situation,
13 I think you say that, different from other places, you
14 got a shower every night?

15 A. Mm-hm.

16 Q. Is that right? And you describe the shower cubicles in
17 St Andrew's, and these were ones that had no curtains on
18 them?

19 A. Nothing, no, never anything on them. I just remember
20 you would be, all of the boys would be there, and you
21 would just be in a queue waiting. I think there might
22 have been about five showers and you just waited there
23 for one boy to come out for you to go in, yes.

24 Q. And when you would be waiting for your shower, would you
25 have clothes or a towel?

1 A. You would have a towel, you wouldn't have any clothes
2 on. You would have a towel.

3 Q. I think you tell us that when you got your turn to go
4 into the shower you would have to take your towel off?

5 A. Yes, the towel would be took off, put over the top, and
6 yeah, that was it. Yeah, no privacy whatsoever.

7 Q. So, whilst you were in there, anyone walking past would
8 be able to see you naked?

9 A. Oh yes, yes.

10 Q. And you tell us, as well as the children being at the
11 showers, there would also be staff there?

12 A. Oh yes, the staff would be there, the staff of the unit.

13 Q. And would there be more than one member of staff there?

14 A. A few, it would depend on who was on duty. It could be
15 other staff of other units who might be covering for
16 them on their days off, so yeah, there would be
17 different staff, but the majority of the time it would
18 be staff that worked there.

19 Q. So they would always be supervising your showers?

20 A. Yes.

21 Q. And you say they would be telling you how to wash
22 yourself?

23 A. Yes, they would tell you how to wash yourself, where to
24 wash yourself, how to dry yourself and where to dry
25 yourself properly.

1 Q. And how did you feel about that?

2 A. Yes, for a kid it is uncomfortable, especially if it was
3 an adult there, and you had no privacy whatsoever. So
4 yes, it was an uncomfortable experience. And then they
5 would put, like, stuff on your head, we called it Jungle
6 Juice, but it used to nip, every time you came out of
7 the shower, and I remember that.

8 Q. And I think you tell us that was for nits or something?

9 A. I think so, or to kill anything, but yes, I am surprised
10 I still have hair.

11 LADY SMITH: Did it smell?

12 A. Oh yes, it smelled.

13 LADY SMITH: A strong smell?

14 A. Yes, it was more the stinging of it, yeah. It was
15 horrible... I don't even know what it was, but yes.

16 MS FORBES: And that was the phrase for it, 'Jungle Juice',
17 amongst the children?

18 A. Jungle Juice, aye.

19 Q. And you also tell us, 'Daniel', about an incident where
20 one of the staff members came into the shower area one
21 day?

22 A. Yes.

23 Q. And took his clothes off?

24 A. Yes, took his clothes off. I don't remember if he was
25 changing or going in for a shower, but I remember being

1 there, thinking that's weird. But yes, that happened.
2 He was a younger member. He was probably the youngest
3 member there.
4 Q. Yes. And you say that he was the only single guy --
5 A. Yes.
6 Q. -- there?
7 A. Yes.
8 Q. So the single guy on staff?
9 A. Yes. Well, they had a few, sorry, they had a few single
10 men on the staff, but he was, I would say, the youngest.
11 Q. Right.
12 A. And the other ones had, like, flat -- yes, well, he had
13 a flat up above where the cells were.
14 Q. Okay.
15 You then go on, 'Daniel', to tell us a bit about the
16 schooling when you were at St Andrew's, and you say
17 there was a teacher in a classroom there?
18 A. Yes.
19 Q. And you name the teacher, Mr Boland?
20 A. Boland, yes.
21 Q. And he was really nice?
22 A. Yes, he was really nice, yes.
23 Q. But you tell us you only went to see him every so often,
24 so it was very on and off?
25 A. It was more than -- we had -- we had classes there on

1 and off, sometimes we would go to the class or we would
2 go to the painting bit or we would go to the building.
3 They had different units for doing different things,
4 joinery, and that. So yeah, it was the same. It
5 wasn't, err, you never got an education, it was just
6 a case -- but you got more of an education than what you
7 did in the other ones, yes.

8 Q. Yes. So education, traditional education, if you like,
9 wasn't all the time, but it would be on and off?

10 A. On and off. I could probably count on two hands how
11 much of an education I got within all of them, so it
12 wasn't a lot, no.

13 Q. And you mentioned the painting, joinery, building
14 skills?

15 A. Yes.

16 Q. And joinery was something that you particularly enjoyed?

17 A. Joinery, yes, I liked that, yes.

18 Q. And you name the teachers that took those subjects, and
19 there was also another teacher who taught judo?

20 A. Yes.

21 Q. As well as teaching in the classroom?

22 A. Yes.

23 Q. Right. But you make that point; that out of all of the
24 places you were, you got more education in St Andrew's
25 than anywhere else?

1 A. Yes, yes.

2 Q. Even though it wasn't that much?

3 A. Yes.

4 Q. Yes. We have talked about the chores that you had to do

5 before in other places, but again it was the same in

6 St Andrew's, is that right, you would have to polish the

7 floors, clean the toilets?

8 A. Yes.

9 Q. And you talk about the fact that that would be morning

10 and afternoon?

11 A. Sorry.

12 Q. Sorry, no, it's okay, don't worry.

13 A. Sorry.

14 Q. I think you say 'Daniel' that those chores would be in

15 the morning and afternoon, but the afternoon ones were

16 specifically on a Friday?

17 A. Yes.

18 Q. And that was because the plan was you would, hopefully,

19 be going home for the weekend?

20 A. Yes, yes. You would do it, like, the one morning, and

21 then you would do it again. On the Friday afternoon,

22 basically you would make sure that everything was -- the

23 same areas polished, mopped, the toilet -- whatever area

24 you were on had to be cleaned before you were allowed to

25 go home.

1 Q. Mm-hm.

2 A. You know.

3 Q. So that was the threat that was given; that if it wasn't

4 up to scratch, you wouldn't be going home?

5 A. Oh, definitely, yes.

6 Q. I think you make the point, 'Daniel', that you didn't

7 hear about anyone not getting home?

8 A. Never heard of it at all, but I think the threat was

9 there just in case, if it wasn't done or if it wasn't

10 done properly, yes, you wouldn't get home.

11 Q. Yes. And apart from that, you tell us that there was

12 a time when you worked in the kitchen in the morning;

13 you would be up earlier before the other boys?

14 A. Yes.

15 Q. And was that something that you liked, or enjoyed?

16 A. It was okay, yes, I enjoyed it, and you got more food,

17 or you got a choice, so yeah, it was good.

18 Q. In relation to things to do, I think you say you got to

19 to do more in St Andrew's than in any of the other

20 places?

21 A. Yes.

22 Q. Maybe things like football out in the grounds, and it

23 didn't feel like you were stuck inside as much?

24 A. Yes.

25 Q. Okay. And in relation to trips, and things like that,

1 you say that there were some trips; you were out to
2 Campbeltown or Glercoe?
3 A. Yes.
4 Q. But that was to do litter-picking, was it?
5 A. Litter-picking up the side of the road, yes.
6 Q. You went to Faslane naval base, as well?
7 A. Faslane, they wanted us to do a -- it was definitely in
8 the paper, to carry placards and this and that, just to
9 see how the guards reacted. I remember that. It was
10 quite funny, because all the people were hanging out the
11 windows looking at Faslane. And we used to go into
12 Faslane for sports days or swimming, so yes, I remember
13 that.
14 Q. So you were taken there with placards?
15 A. Placards, yes.
16 Q. And what was on the placards?
17 A. I honestly can't remember, but we had to carry them,
18 I remember that.
19 Q. So do you think that was some sort of protest?
20 A. I think it was to make it look like it was a protest.
21 I know it looked a bit stupid with a lot of kids that
22 were 13/14... but they had bigger kids there, I suppose.
23 But yes, I think it was just to see how the guards would
24 react who were on the gate.
25 Q. Okay.

1 A. I am sure, I am 100 per cent sure, it was in the paper
2 at the time, it was in the paper the next day. [REDACTED]
3 [REDACTED], or whatever. I remember them talking about
4 it.
5 Q. And you mentioned the sports day there.
6 A. Yes.
7 Q. And you talk about the fact that you had a medal for
8 when you came third in the three-legged --
9 A. Oh, the three legged, yes... that was quite funny.
10 Q. Also, I think you say one of the teachers would take you
11 out on a boat to the loch, and --
12 A. Yes.
13 Q. -- you would get to swim back to shore?
14 A. Yes, he would take you halfway out and then tell you to
15 get in and make you swim back. Yes, it was okay, I was
16 a good swimmer.
17 Q. You were a good swimmer so that was fine. Did any of the
18 other boys --
19 A. Yes, I suppose some of them must have struggled, but it
20 wasn't a case of you went out on the boat and you could
21 go back, it was a case of you get out and they would
22 say, 'Right, in', and you had to swim back. I remember
23 that.
24 Q. The only way back was to swim?
25 A. Yes, it was to swim.

1 Q. Again, when you did get home for the weekends, you say
2 that you would get dropped in Glasgow, is that right?
3 A. Dropped in Glasgow at the bus station, just where the
4 bus station is now, yes, you used to get dropped there.
5 Q. Then you would have to get yourselves the rest of the
6 way home?
7 A. Yes, you would have to make your own way home from
8 there, and that's where they would pick you back up.
9 Q. Okay, so be back at the bus station --
10 A. The bus station.
11 Q. -- on the Sunday?
12 A. On the Sunday.
13 Q. Thank you.
14 There was things like pocket money as well,
15 'Daniel', that you tell us about, that you would get for
16 doing certain jobs?
17 A. Yes.
18 Q. With that you could buy sweets and tobacco in the home?
19 A. Yes.
20 Q. But the things you bought would be taken off you to be
21 looked after by the staff?
22 A. Yes. It depends what you got, but the majority of the
23 time if you didn't have a cigarette or tobacco or
24 anything, you could buy, like, they called it singles,
25 or whatever, off them. But sometimes they would take

1 the stuff off you and you would just gets bits here and
2 there.

3 Q. You give us a bit more information about some of the
4 staff, and we have that there, so I am not going to go
5 through it in great detail. But you also go on to say
6 that there would be an assembly, with prayers and a hymn
7 sung every morning?

8 A. Yes.

9 Q. And because it was a religious institution, you would
10 also say grace before your meals?

11 A. Yes.

12 Q. In relation to visits, 'Daniel', you say that you only
13 had two visits whilst you were there: it was your sister
14 and your sister-in-law coming up for the sports day?

15 A. Yes.

16 Q. That was one visit?

17 A. That was one.

18 Q. Was that the sports day at Faslane?

19 A. No, that was in the school itself.

20 Q. Then your dad came up once but that was, you think, to
21 get the results of an assessment?

22 A. Yes, I think they had to come up, some assessment there,
23 just taking them through how I had been and what I was
24 doing. That's the only reason he came up. And he didn't
25 stay long. I remember that. It was like I had seen him

1 five minutes, ten minutes, and then that was it.

2 Q. Okay, but the social work never came, that you can

3 remember?

4 A. I never seen a social worker.

5 Q. Other visitors would be, you say, you remember a priest

6 every now and again?

7 A. A priest.

8 Q. And some nuns came one time for a visit?

9 A. The nuns came and they stayed for a wee while. The

10 priest, he came in and out every so often, probably once

11 a week, maybe, and you would have to go and he would

12 tell you, basically, just, yeah... you would go and see

13 him, sit in the room, just talk over everything.

14 Q. Okay. When you were speaking to the priest, was this on

15 your own?

16 A. Oh no, a group of boys.

17 Q. Was that to find out how things were going or was that

18 to do with religious --

19 A. No, just religious, he wasn't asking how you were or

20 anything at all.

21 Q. Again, 'Daniel', you say you still had this problem

22 about wetting the bed in St Andrew's?

23 A. Yes.

24 Q. You make this point, at paragraph 104, that they made

25 sure everyone knew about it.

1 A. Oh yes, everybody knew. It was like the same in every
2 home, everybody knew. Even if they weren't telling
3 them, as soon as you got up and the kids saw you walking
4 with your stuff to take to the laundry, they'd all know.
5 Q. Again, this meant that you were called names?
6 A. Yes.
7 Q. But, different from the other places, you were able to
8 get a shower at St Andrew's every day?
9 A. Yes.
10 Q. So in that way you didn't have the smell being carried
11 around with you the same?
12 A. Yes.
13 Q. You have told us about the two cells at St Andrew's, you
14 mention that at paragraph 105. You say that you saw it
15 but you were never put into it?
16 A. No.
17 Q. You describe it as a room just with bars?
18 A. Yes.
19 Q. Was that bars on the windows?
20 A. No, they probably did have bars on the windows, I don't
21 even know if they had -- they might have, I can't
22 remember, but I know the doorways were just like bars.
23 It was like a cell door.
24 Q. Okay, I understand.
25 A. I am sure there were two, but I am not 100 per cent if

1 it was just one big room or two. Saying that, I think
2 for sure there were two.

3 Q. I think you said earlier, 'Daniel', that the doors had
4 been taken off, so they had been taken off and replaced
5 with these bars then?

6 A. Yes, they were just rooms.

7 Q. You say that these were used if children misbehaved?

8 A. Yes, children, if they misbehaved or anything, they were
9 shoved... put into that, or if they ran away or they
10 were brought back, yes, they were put in there. And
11 they were in there overnight, yes.

12 Q. You were aware, is that from talking to other boys, that
13 you were aware of them having to spend the night?

14 A. Yes, I know people who were in it, who ran away or got
15 into trouble, and then came out and then they were
16 saying they were in the cell for that night, and then
17 back out, up there.

18 Q. You tell us that the belt at that time, again, was also
19 used as discipline?

20 A. Oh yes, yes.

21 Q. But something that would be done to soften the blow,
22 would be to put slippers down backsides?

23 A. You would put your trainers, try to put your trainers
24 down, but they searched you before they done it.

25 Q. You tell us, 'Daniel', that, like other places, you

1 thought about running away here, and you don't know if
2 they recognised at St Andrew's that that was about to
3 happen, but they gave you some home leave?
4 A. Yes.
5 Q. And that meant you didn't actually run away in the end?
6 A. No, no.
7 Q. But there were other boys who ran away?
8 A. Oh yes, yes.
9 Q. You tell us about a boy in particular who ran away from
10 your unit, and you say that he got put into the cell for
11 a couple of days?
12 A. Yes, I have seen people being in there, they would be in
13 there a couple of days. There was one -- I don't know if
14 it is the same gentleman, he came back, and I don't know
15 if he'd broke in to somewhere or he'd done something,
16 but they were in there, yeah there were people in there
17 one or two days depending on their behaviour.
18 Q. So, whilst people would be there sometimes overnight, it
19 could be a couple of days that they would be in a cell,
20 depending on the situation?
21 A. Yes, the majority of time it was just overnight.
22 Q. Okay.
23 A. But it depended, like you say, on the situation how long
24 they were there, and their behaviour.
25 Q. Okay.

1 A. Yes, they'd keep them there.

2 MS FORBES: My Lady, I am about to move on to another part
3 of 'Daniel's' statement. I don't know if this is the
4 right time to stop?

5 LADY SMITH: We will stop for the lunch break. I suppose it
6 is not going to take all that much time after lunch.
7 'Daniel', we don't want to rush the last part of
8 your statement, and I would normally take the lunch
9 break just now until 2 o'clock. Would that work for you
10 all right?

11 A. Yes, that's fine.

12 LADY SMITH: It shouldn't be too long after 2.00 pm.
13 Thank you very much.

14 (1.03 pm)

15 (The luncheon adjournment)

16 (2.00 pm)

17 LADY SMITH: Sorry, I just wanted to find my place.
18 Welcome back, 'Daniel'. Are you ready for us to
19 carry on?

20 A. Yes, yes.

21 LADY SMITH: Thank you.
22 Ms Forbes.

23 MS FORBES: My Lady.
24 Good afternoon, 'Daniel'. Before we had the break,
25 I was just about to move on to a part of your statement

1 about St Andrew's, where you talk about some abuse.

2 A. Yes.

3 Q. I am just going to ask you about that. I think you say

4 that, in relation to staff, the staff would pull and

5 push you at St Andrew's?

6 A. Yes.

7 Q. Is that right?

8 A. Yes.

9 Q. They would throw things at you as well?

10 A. Yes, sometimes you would get stuff if you were in some

11 of the workshops with them and they were shouting at

12 you, or they wanted you to do something and you weren't

13 concentrating, they would throw something across at you,

14 a bit of wood or things like that.

15 Q. Okay. But you make the comment that it certainly wasn't

16 as bad as other places you stayed in?

17 A. No.

18 Q. With that, do you mean Cardross and Bellfield?

19 A. Yes, I mean Cardross and Bellfield, **Secondary Institutions - to be**

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

21 Q. Yes. You go on to tell us about **SNR**, **HLR**,

22 and the fact that he used the belt quite a lot. This is

23 at paragraph 110 of your statement.

24 A. Yes.

25 Q. In particular you got the belt twice that you remember?

1 A. Twice, yes.

2 Q. Once from him --

3 A. Yes.

4 Q. -- and once from HLL?

5 A. Yes.

6 Q. In relation to the time that HLR gave you the belt,

7 I think you say that this was the time that you got

8 three, is that right?

9 A. No, six.

10 Q. Six, okay.

11 A. Aye.

12 Q. I think you say that he had a way of doing it, though?

13 A. Yes, what he would do is it was a school belt, so it was

14 like a thick belt, and he would basically run from one

15 end to the other and hit you with it. You had to bend

16 over, like, a table, and they would put the report or

17 whatever it was on the table, for what you were there

18 for, and then he would just run and hit you with the

19 belt.

20 Q. When you say he is running from one end of the room --

21 A. Yes.

22 Q. -- towards you, I think you comment that he is doing

23 that full power?

24 A. Oh yes.

25 Q. He is putting his full power into the hit?

1 A. Yes.

2 Q. You say that you had marks from that?

3 A. Oh yes, yes, marks.

4 Q. On that occasion, with SNR [REDACTED], I think you tell

5 us that that was maybe in relation to you had been

6 fighting with someone?

7 A. Fighting or carrying on, yes. Usually fighting.

8 Q. The time with HLL [REDACTED], I think you say that

9 that -- was that the time you got the three, sorry?

10 A. Got three, yeah.

11 Q. That occasion, you say there was another pupil --

12 A. Yes.

13 Q. -- in the room as well, at the same time?

14 A. Well, he went in first.

15 Q. Okay.

16 A. And I was waiting in the hallway outside, and you could

17 hear him, he was crying when he got hit, he got three

18 too, and then I went in and the same idea. We were

19 fighting in the class and... it wasn't much of a fight,

20 just hardly anything... so the teacher took us down, and

21 then when I went in I had to... the same idea, bend over

22 the table or hold onto a chair, and he didn't have to

23 run, his hands were so big, he just whacked you there

24 and then.

25 Q. Because you described him being called HLL [REDACTED]

1 because of the size of his hands?

2 A. Because of his size, he was a big man compared to the
3 kids.

4 Q. Yes. I think you said, on that occasion, he checked
5 that you never had anything down the back of your
6 trousers?

7 A. Oh yes, he checked, made sure you hadn't put magazines
8 or books or whatever, or slippers, anything down the
9 back of your trousers. And if they did find it, they
10 just took them out and then just hit you.

11 Q. That was the two occasions that you --

12 A. Yes.

13 Q. -- remember?

14 A. Yes.

15 Q. I think you say that other boys, you heard about them
16 getting 12, but that wasn't something you ever got?

17 A. Yes, I never got it but I heard about it. They got six
18 off HLL or the other person, I can't remember his name,
19 or six off HLR.

20 Q. So one of the two SNR gave them?

21 A. Yes, it was only them that gave the belt.

22 Q. Okay. You say, though, that those boys had pyjamas on
23 when that happened?

24 A. Yes, they were kids who were... or in the night they
25 were fighting, and they took them down in their pyjamas.

1 Again, it didn't matter what you had on, if it was
2 pyjamas, or whatever, they would still do it.

3 Q. You always had clothing on when you got it?

4 A. Yes, as far as I can remember, yes.

5 Q. You do mention the teacher that you talked about
6 earlier, Mr Boland, and you said that he was the one
7 that probably helped you the most in St Andrew's?

8 A. Yes, yes.

9 Q. Did he take time with you?

10 A. Yes, he was just -- he was nice, he was a nice man.
11 Yes, it was him that took me down to get the belt right
12 enough, but he was still nice, know what I mean. That
13 was what they done in that environment, so yeah.

14 Q. You say that you felt you were lucky at the unit you
15 were in, because you heard stories about things that
16 went on in other units?

17 A. Yes, yes.

18 Q. You go on to say that it still didn't sound like it was
19 as bad as some of the things that happened in Bellfield?

20 A. Well, you got hit and slapped. We heard of sexual abuse
21 in one of the units, as kids then, not that we knew it
22 as sexual abuse... we knew that a member of staff was
23 supposed to be touching somebody or touching one of the
24 boys, and it wasn't until years later that a member of
25 staff, who I found out I knew anyway, told us yes,

1 somebody got caught, well, he said they got caught for
2 it. But definitely it was happening and it wasn't my
3 unit, it was the unit across from us --
4 Q. Okay.
5 A. -- but I can't remember who it was. But as far as
6 I have been told, from that member of staff who was
7 there, he basically said somebody got caught for it.
8 Q. This is you finding out later in life --
9 A. Yes.
10 Q. -- that a member of staff had been perhaps caught,
11 prosecuted or something, for sexual abuse --
12 A. Yes.
13 Q. -- at St Andrew's on boys?
14 A. Yes.
15 Q. At the time, did you hear about rumours of sexual abuse?
16 A. Yes, we heard about it. We just heard that somebody --
17 we heard that somebody was getting ... people were
18 getting touched or whatever, in the other units,
19 probably through, like, boys. Obviously it wasn't the
20 staff that was telling us, we just found out by talking.
21 But kids... you don't understand that at that age. It
22 never happened to me in any way, shape or form, that
23 sort of abuse, but yes, we heard it was, and it was
24 confirmed later on by that member of staff, that
25 somebody had been at that time.

1 Q. When you were there as a boy, the rumours that you heard
2 about sexual abuse were about a staff member being
3 involved?
4 A. A staff member.
5 Q. Not about other boys to each other?
6 A. No, no, just a staff member.
7 Q. Okay.
8 You also tell us, 'Daniel', that there was some
9 bullying, or some things that would be done by other
10 boys, depending on if it was your birthday or you were
11 leaving?
12 A. Yes.
13 Q. That was this thing you have referred to as getting
14 'a pounding'?
15 A. Getting a pounding, yes, you would get it on your
16 birthdays, or whatever. What would happen is you had to
17 roll up in a ball, on just seats like the TV room, and
18 they'd have all of the lads in that unit -- and the
19 staff would be there watching -- they would just be
20 kicking into you, jumping on you. They got told not to
21 go near your head.
22 Q. Okay.
23 A. Yes, when you were leaving, you could end up with
24 getting two or three of them, unless you were fast on
25 your feet, basically, but yes... that happened.

1 Q. Would you have bruises after that?

2 A. Oh yes, you would have bruises, definitely.

3 LADY SMITH: How did it feel at the time?

4 A. Sorry?

5 LADY SMITH: How did it feel at the time?

6 A. At the time, terrifying, because it was something you

7 don't want, it doesn't matter if it is your birthday or

8 anything, or even when you are leaving, to have all

9 these other kids, and some of them were big kids,

10 jumping on top of you, and pounding you. When I was

11 there it seemed like it was forever, but it is probably

12 only a couple of minutes, or a minute, and then they

13 would tell them to stop, but at the time, yeah, it is

14 terrifying.

15 MS FORBES: On an occasion when it is supposed to be

16 something good that's happening, a birthday or the fact

17 that you are actually leaving and getting out, this

18 would be the thing that you would have to look forward

19 to before --

20 A. Yes.

21 Q. Or during --

22 A. Yes, and more when you are leaving, because you could

23 end up with a few of them if you don't get out the way

24 quick.

25 Q. You comment, 'Daniel', you say you were lucky because

1 you were in a dorm with boys your own age --

2 A. Yes.

3 Q. -- but that was your luck or not, because you were aware

4 of bullying going on in --

5 A. Yes.

6 Q. -- St Andrew's with older children?

7 A. Yes.

8 Q. Was that towards the younger children?

9 A. Yes.

10 Q. Then you say, in relation to assaults, they would kick

11 or hit them?

12 A. Oh yes, the older boys, they would just bully you, kick

13 you. I was kicked in by one brother, I was kicked into

14 the corner. Yes, you would get it quite a bit on and off

15 with the older children. Not all of them, just some of

16 them.

17 Q. I think you say, in relation to that incident with the

18 brother, that you ended up with a bleeding nose?

19 A. Yes.

20 Q. Was this two brothers, and one of them assaulted you?

21 A. The older one basically assaulted me because I think

22 I was arguing with his younger brother, and he said

23 something and I was cheeky back, and that's when he,

24 yes, but he was quite a lot bigger than me then, you

25 know.

1 Q. There would also be fights in the toilets sometimes?

2 A. Yes, there were fights in the toilets, kids would be

3 fighting, yes.

4 Q. If the staff saw those fights, they would break them up?

5 A. They would break them up, yes.

6 Q. Okay. But from what you have said about the pounding,

7 that was allowed to go on to a certain point?

8 A. Yes, it was the staff that instigated that, yes, they

9 let that happen. They would be in the room while it was

10 happening, yes. It wasn't like they weren't there, they

11 were there.

12 Q. Then it obviously came time for you to leave, 'Daniel',

13 and you tell us that there was no preparation for you

14 leaving care, and that was at about 16 and a half years

15 old?

16 A. Yes.

17 Q. You were only told about a week before that you would be

18 leaving?

19 A. Yes, that would be it.

20 Q. You say you got your pounding the night before you left?

21 A. Yes.

22 Q. Then one of the things you recall is the boys clapping

23 you out?

24 A. Yes.

25 Q. Was that quite a nice thing?

1 A. That was nice, yes, and that was nothing to do with the
2 staff, that was just the boys saying cheerio to you.
3 So, yes, that was nice.
4 Q. As you say, you had been there quite a long time?
5 A. Yes.
6 Q. Probably a lot of the boys that were there would have
7 only been there during the time that you were there,
8 would only have known you to be there?
9 A. Oh, yes, most of them, yes, nearly every boy in there,
10 the actual whole place, was probably there, like, either
11 around about the same as me or just less.
12 Q. Yes.
13 A. I don't think there was anybody as long as what I was.
14 Q. Yes. Then going home from St Andrew's, I think you say
15 that you were just trying to find a job, but it was
16 difficult because of the difficulties you had with
17 spelling and reading?
18 A. Yes.
19 Q. And you tried to get into the army?
20 A. Yes.
21 Q. But that didn't happen, because you needed to pass
22 a test?
23 A. Yes.
24 Q. And you just really had to take whatever job you could?
25 A. Yes.

1 Q. You go on to say that after that period of going back
2 home, you were staying with your dad, is that right?
3 A. Yes, when I went back home I was staying with my mum and
4 dad, yes.
5 Q. Okay. I think you make the point that if you can't read
6 or write, people just class you as being stupid --
7 A. Yes.
8 Q. -- but you can fix things quite easily, and work through
9 problems in your head. It is a different type of
10 intelligence?
11 A. Yes, it is quite funny, yes, I am good with my hands,
12 I can basically do any -- build things, woodwork, quite
13 easily. And the same with, like, computers or whatever.
14 I can go -- I might not be able to work it at the front,
15 but if I can go into the back end I can fix them, or
16 try. So yes, it is just a different way of
17 intelligence, it might not be -- but, yes.
18 Q. You also say, 'Daniel', that you met your wife when you
19 were 22 and she was 19.
20 A. Yes.
21 Q. But you had known her as a child?
22 A. Yes.
23 Q. You have been together, I think, what 37/38 years?
24 A. 38 years.
25 Q. Yes. You talk about the fact that because of the

1 difficulties with education, you have had to take
2 different jobs, like managing campsites, and you are
3 currently working as a handyman?

4 A. Yes.

5 Q. But I think you say that you and your wife have
6 travelled extensively across the world --

7 A. Yes.

8 Q. -- and you feel that you are really lucky that you
9 married the person that you did?

10 A. Yes.

11 Q. Yes. I think you say your life could have been
12 different, and a little bit later in your statement you
13 talk about a boy that you knew who had been in care who
14 things didn't turn out so well for, and he died?

15 A. Yes, it was a man I met, and it was in one of the care
16 places I was, and I actually thought he looked in his
17 late 70s, and he was actually a year younger than me,
18 and it was through drink... he was in homes in
19 Edinburgh, and he was telling us, and, yeah, it was the
20 drink that, yes, that's the way he went. He has passed
21 now. But I thought to myself, 'God, that could have
22 been me'. It just depends what path you take. And,
23 yes, it brought it back to home how lucky I was in
24 certain ways, you know.

25 Q. Yes.

1 I think in relation to impact, 'Daniel', you do say
2 that having been in those homes, it has affected you
3 a lot --
4 A. Yes.
5 Q. -- and things like showing emotions, saying 'I love you'
6 to your wife or your family, was difficult?
7 A. Yes, it is something -- I still don't do it to this day.
8 Yeah, I find it really, really hard. So yes, even...
9 I have only ever said it, really, to [REDACTED], something
10 like that. Once with my mum, she died of Alzheimer's,
11 and I had never, ever said it to her, and I said it, it
12 was just the situation at the time, and so I said to
13 [REDACTED], she sort of snapped out of it and she goes to
14 me, 'I have never heard you say that', and then she just
15 went back again. So it was nice to say it, but, yes,
16 I do find it hard to get into any sort of emotion like
17 that.
18 Q. I think you tell us, at paragraph 139, that you think
19 about your time in care on and off, but you feel that
20 you have missed out on a lot of things, but particularly
21 the education part of it?
22 A. Yes, education, and it has played a big part in my life.
23 In fact just recently, I will say it now, recently
24 I went, not this job, but it was a driver in a care
25 section and you had to do a care bit, that was with

1 Clackmannanshire Council, and I went for the interview
2 and I had sort of opened up a bit with being with
3 [REDACTED], and I thought yes, I will just tell them I am
4 dyslexic, because the bit they had... I didn't realise
5 you had to do a course, but you do it within that
6 section. And I told them and they said that's fine, we
7 can help you. The job was withdrawn the next day, or
8 half of it was, and I complained, and the next day they
9 offered me the job back, and I went to see the lady that
10 was in charge of the home. They said no -- I got called
11 in to see her and they said no -- because, like I said,
12 I did complain, I thought it was down to me telling them
13 I am dyslexic, and they said no, you can do it, we will
14 just take you through that, and she knew I was going to
15 the Inquiries, and then she turned round and I swear she
16 said is it because -- because she knew how -- we got
17 into kids or whatever, and she goes:

18 'Is that how you don't have any kids, because you're
19 scared in case you abuse them?'

20 That was just recent. So that shows you the
21 mentality of people hadn't changed at all. So
22 I finished with that job. It was temporary and it
23 was... I was covering for somebody on long-term sick,
24 but that was a full time within the same section, doing
25 that, so because of that, and I opened up to what

1 I thought would have been okay, they withdrew that part
2 of that job, and then when that lady said that, that
3 sort of, yes... I thought 'enough'.
4 Q. Yes.
5 A. Yes, society in certain bits hasn't changed, and it has
6 followed me even trying to get a job to this day. But
7 the job I am in now is in the care section and it is
8 fine. I am enjoying it. But it just shows you, yes, it
9 can affect you even right up to now.
10 Q. Yes. And did that kind of attitude take you by
11 surprise?
12 A. With that person, yes. She was an older lady, and yes,
13 don't get me wrong, she was really nice, I don't even
14 think she realised what she said, and I told [REDACTED]
15 when I went home. I said I don't even think she realised
16 what she had actually said, so I just left it. What
17 I did say to her is I said: 'not every kid that gets
18 abused turns to be an abuser'. So yes.
19 Q. I think one of the things you make a point of, 'Daniel',
20 in saying is that you only started smoking when you were
21 in care, because they give you these things?
22 A. Yes.
23 Q. And it took you a long time to stop, but you managed to
24 do that?
25 A. Yes, that was in Bellfield, I think that was, I started,

1 and then they used to give you cigarettes in St Andrew's
2 and in Bellfield. But, yes, it took me a while to stop.
3 I didn't smoke that much, but it did take me a while to
4 stop. But I am glad I did, yes.

5 Q. I think you say you have been stopped for a long time
6 now?

7 A. Oh yes, about 20 odd, about 20 years I think,
8 18/20 years.

9 Q. Thinking about lessons to be learned, 'Daniel', in
10 relation to your time in care, I think you comment here
11 on the education, the education 'should have been A1'?

12 A. Oh yes, yes.

13 Q. You hope that kind of thing doesn't go on any more?

14 A. Yes.

15 Q. I think you also say that the staff really need to be
16 well trained in these establishments?

17 A. Yes.

18 Q. There needs to be good vetting?

19 A. Yes.

20 Q. Also you make the point that you were never visited by
21 social work?

22 A. No.

23 Q. So there has to be more time with them, and you hope
24 that that's the case nowadays?

25 A. Yes.

1 Q. Kids need somebody to talk to?

2 A. Mm-hm.

3 Q. You made the point that kids would speak to each other

4 but not to an adult?

5 A. Yes, when I was young, when we were there, we would

6 speak to each other, but never to an adult. Half the

7 time, when I was young, I remember they never really had

8 the time to talk to you anyway, so, yeah, you never

9 got -- the social workers didn't, the only time I seen

10 a social worker was with Panels, or if I was home and

11 I had to go up and see them. That was the only ever

12 really time, unless they were dropping me off.

13 Q. Yes.

14 A. And that was it.

15 Q. From having run away?

16 A. Or run away, yes.

17 Q. Having to be taken back?

18 A. Yes.

19 Q. 'Daniel', in relation to hopes for the Inquiry, I think

20 you tell us, at paragraph 152:

21 'I hope that it will help to get justice for some

22 kids who are in that situation now.'

23 A. Yes.

24 Q. 'I really hope that these places don't exist now. If

25 society can learn from the information then that has to

1 be good.'

2 A. Yes.

3 Q. Is that how you feel?

4 A. I do feel... I would hope that none of these places

5 exist, or ... but it is not the place, it is the people

6 who work in it.

7 Q. Yes.

8 A. I would hope, in society in this day and age, that none

9 of that would happen. But you just never know.

10 Q. Yes.

11 A. And yes, people, they should never, and the people who

12 did do it to us... there were a lot of kids worse off

13 than me... and the people, if they are out there, they

14 get -- they should get punished for what they done to

15 people, to young kids, but hopefully in time, in the

16 future, yes. I don't think places like that do exist

17 now, but it doesn't matter. Like I said at the start,

18 it is not the place, it is the people that's in it.

19 Q. Yes.

20 A. It is more the training of the people, well vetted and,

21 yeah.

22 Q. I think you say a little bit earlier in your statement

23 that it is the staff that make these places?

24 A. It is the staff. It is like -- we worked in the holiday

25 industry, and it's the people like that, or where you

1 are, that make the place, make it enjoyable, make it
2 good. It just takes one bad apple, or two bad apples,
3 and that's it. Unfortunately in that time and age, yes,
4 there were a lot of bad apples, yeah. But hopefully it
5 will never happen, hopefully.

6 MS FORBES: Yes.

7 'Daniel', that's all the questions I have for you,
8 so thank you very much for answering them today.

9 A. No, thank you.

10 MS FORBES: Is there anything you want to say that you
11 haven't had a chance to tell us about?

12 A. No, I think you have covered everything, and even the
13 last bit there, hopefully it never happens to any other
14 kids, and I don't think it will... and the Inquiry is
15 a good way of just getting people to speak for what they
16 went through, yes.

17 MS FORBES: Thank you.

18 A. No, thank you.

19 LADY SMITH: 'Daniel', can I add my thanks. I am really
20 grateful to you for coming here today. As I said
21 earlier, I have your written evidence, but having you in
22 person and hearing your explanations and your memories
23 offered in person has made a huge difference and
24 improved my learning considerably.

25 Thank you for that.

1 A. No, thank you.

2 LADY SMITH: I am now able to let you go.

3 A. No, thank you so much.

4 Thank you.

5 (The witness withdrew)

6 LADY SMITH: I know we have another witness ready, but I am

7 going to rise for a few minutes whilst we organise the

8 changeover for the next witness.

9 MS FORBES: My Lady.

10 (2.24 pm)

11 (A short break)

12 (2.29 pm)

13 LADY SMITH: Ms Forbes.

14 MS FORBES: My Lady, the next witness is anonymous and is

15 known as 'Seamus'.

16 LADY SMITH: Thank you.

17 MS FORBES: He is a witness who will require a warning.

18 LADY SMITH: Yes, thank you.

19 'Seamus' (affirmed)

20 LADY SMITH: 'Seamus', do sit down and make yourself

21 comfortable.

22 A. Thank you.

23 LADY SMITH: 'Seamus', thank you for coming along this

24 afternoon, but not just this afternoon. Thank you also

25 for providing your written evidence, which is already

1 evidence before the Inquiry. It has been really helpful
2 to have that in advance.

3 That written statement is in the red folder that's
4 on the desk there so, if you want to refer to that, it
5 will be there for you.

6 A. Thank you.

7 LADY SMITH: We will also bring parts of the statement up on
8 screen as we are focusing on what we are particularly
9 interested in discussing today, so it will also be
10 there, if that's okay for you. Some people don't like
11 seeing the statement on screen.

12 A. That's all right.

13 LADY SMITH: We will do that.

14 'Seamus', the general message is I want to help you
15 to be as comfortable as you can giving your evidence,
16 and I say that knowing that actually what we are asking
17 you to do is probably very uncomfortable, because you
18 will be aware you are going to be asked some difficult
19 questions that we have to explore with you.

20 If at any time you want a break, you just want to
21 pause or there is something else that I can do to make
22 things feel a bit easier, don't hesitate to let me know.

23 A. Thank you.

24 LADY SMITH: The other really important thing is that if you
25 don't understand what we are asking you, or you want to

1 ask us about it, you must say. If we are not making
2 ourselves clear, it is our fault not yours, because it
3 is really important that we get the communication as
4 good as we can.

5 Finally, 'Seamus', as I have said, you will be aware
6 we have to ask you some difficult questions. Although
7 this is a public inquiry, not a courtroom -- it is not
8 a criminal process, or a civil court process -- you have
9 the same rights here as you would have in those
10 circumstances, and they include the right not to
11 incriminate yourself. So if anything we ask you is that
12 sort of question, you have a choice as to whether or not
13 you answer it. If you do answer it, of course you must
14 answer it fully. But that's a protection you have if
15 you like, or a choice you have.

16 If at any time you are not sure whether it is one of
17 those sorts of questions, just check, just ask us and we
18 will explain. Does that all make sense?

19 A. Thank you, yes.

20 LADY SMITH: Thank you.

21 Ms Forbes, if you are ready we will take it from
22 there.

23 Questions by Ms Forbes

24 MS FORBES: Thank you, my Lady.

25 'Seamus', your statement is in front of you in the

1 red folder. If you could just turn to the very last
2 page. All the paragraphs in your statement are
3 numbered, but on the very last page there should be
4 a paragraph 212, and there there is a declaration that
5 is set out. If we can just go to that on the screen, it
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 That's something you have signed and it is dated --
12 I think it says 27 June --

13 A. Yes.

14 Q. -- 2024.

15 Is that the position?

16 A. Yes.

17 Q. You can go back to the beginning of the statement, or
18 put it to one side, it is up to you. The other thing
19 I have to do is read out a reference number that relates
20 to that statement, for our records. It is not something
21 for you to worry about, but I will read it out now. It
22 is WIT-1-000001456.

23 'Seamus', when you gave the statement you tell us
24 that you were born in 1957, is that right?

25 A. Correct.

1 Q. I think you say you left home very young and went to
2 work as a chef and you joined the Merchant Navy?
3 A. Yes.
4 Q. You were in the Merchant Navy as a chef for 13 years?
5 A. Yes.
6 Q. I think after that, after you came out, you went to work
7 in a drug rehabilitation centre, is that right?
8 A. Correct, yes.
9 Q. Before you then applied for a job as a chef at Cardross?
10 A. Correct.
11 Q. That is Cardross Park Assessment Centre, as it would
12 have been at that time, is that right?
13 A. Correct.
14 Q. When you first, then, started working at Cardross, it
15 wasn't in the kind of field of childcare, it was as
16 a chef, but you tell us a little bit later in your
17 statement that you did move into childcare whilst you
18 were there, and we will come to how that came to be.
19 A. Okay.
20 Q. You then go on to tell us a little bit in general,
21 I think, about Cardross Park as it was when you were
22 there, and this is from paragraph 5 onwards. You tell
23 us, 'Seamus', that it was primarily for 21-day
24 residential assessments, but there were also children
25 there on 110-day warrants, is that right?

1 A. Correct.

2 Q. So there was a mixture of assessments, residential
3 assessments, and secure warrants?

4 A. Correct.

5 Q. Did that mean that some children had more restrictions
6 attached to them than others?

7 A. With regards to their liberty, yes.

8 Q. Yes. You also tell us, at paragraph 6, that there were
9 children in Cardross for longer than was ever
10 anticipated, and that was really because a place
11 somewhere else for them couldn't be found?

12 A. Correct.

13 Q. So it ended up being a sort of holding place for
14 children?

15 A. Correct, yes.

16 Q. They would be staying well in advance of the 110-day
17 period, then?

18 A. Yes.

19 Q. And potentially wouldn't be there on that restriction,
20 but --

21 A. No.

22 Q. -- they would be there for longer than those who were?

23 A. Correct.

24 Q. I think you tell us that your impression, when you first
25 started working there as a chef, was that you thought

1 some of the young people there were 'broken'?

2 A. Yes.

3 Q. They would latch onto their peer groups, and to staff as

4 substitute parents?

5 A. Correct.

6 Q. And they were looking for acknowledgement and to see

7 that somebody actually cared about them?

8 A. Correct.

9 Q. But there were also residents who were more streetwise,

10 and I think you say those were the ones who knew how to

11 play the system?

12 A. Correct.

13 Q. Some just knew how to get their head down, do their

14 21 days, and get out again, is that right?

15 A. Yes.

16 Q. I think you say one of the struggles for the young

17 people who came to Cardross was the routine that was

18 offered?

19 A. (Nods)

20 Q. Was that because they sometimes had not had a routine in

21 their life?

22 A. The majority of time the young folk didn't have

23 a routine, whether that be driven by parental

24 responsibilities or education, they just didn't have

25 a routine to follow in their lives.

1 Q. I think you say that the routine, though, would be
2 bought into by them relatively quickly, in the sense of
3 the three square meals a day, having activities to take
4 part in and going to school?

5 A. And the majority of young folk did so, and did so really
6 quickly, because they were being reassured that there
7 were things in place to support them.

8 Q. Did you feel that that gave them a sense of security?

9 A. Without doubt.

10 Q. Yes. You comment at paragraph 9 that almost all of
11 these young people had never experienced the consistency
12 of being looked after, getting fed and going to school?

13 A. Correct.

14 Q. Yes, so this was new to them?

15 A. Yes.

16 Q. You say that, at Cardross, you were getting very
17 susceptible, vulnerable young people into the units?

18 A. I mean the young -- the variety of difficulties that
19 young people were facing when they were admitted to
20 Cardross were extreme in many circumstances. I mean
21 I am talking about child exploitation, I am talking
22 about substance misuse, but I am talking about parents
23 who couldn't cope with the young folk and weren't in
24 a position to offer them a stable environment.

25 Q. Yes. But you tell us that, from your point of view, you

1 felt that the culture at Cardross was supportive and
2 protective?
3 A. Yes.
4 Q. At paragraph 11, you say you didn't want to keep
5 youngsters in Cardross any longer than was required, you
6 wanted to get the assessment completed and then
7 hopefully come up with a plan that supported the young
8 person afterwards?
9 A. Correct.
10 Q. That would be different for those that were on the
11 110-day warrants?
12 A. Because those young folk... the ultimate decision was
13 determined by the courts.
14 Q. Yes, and --
15 LADY SMITH: When you say 110-day warrants, you are talking
16 about young people who were awaiting trial?
17 A. Yes, my Lady, the majority of the time, yes.
18 LADY SMITH: Then they could be with you, I suppose,
19 actually for longer than 110 days, depending on whether
20 there was an extension of time granted by the court or
21 how long the trial took.
22 A. And if the Sheriff warranted an additional 21-day
23 assessment.
24 LADY SMITH: Yes.
25 A. Yes.

1 LADY SMITH: Thank you.

2 MS FORBES: You point out, for some young people, at certain
3 times, being in Cardross was purely a place to contain
4 them.

5 A. Yes.

6 Q. Yes. You say that you saw a lot of sad cases come
7 through Cardross?

8 A. Very sad.

9 Q. You talk at paragraph 13, 'Seamus', about there being
10 occasions when the place was in uproar, and that would
11 tend to happen if one unit sparked off; it would spread
12 throughout the centre?

13 A. Usually, yes.

14 Q. You say that not all the units would spark off, but one
15 or two individuals may have and then, the way you have
16 put it is, 'anarchy tended to reign'?

17 A. Yes.

18 Q. That would then often involve the local police?

19 A. Correct.

20 Q. Because it would be outwith the ability of the staff to
21 contain it?

22 A. Correct.

23 Q. That's some of the things you tell us as a sort of
24 background to Cardross Park. You then go on to tell us
25 about your role and your recruitment whilst you were

1 there. As we have talked about, you started as a chef,
2 and you say that was in 1992, is that right?

3 A. Correct.

4 Q. But after about six months of doing that, you expressed
5 an interest in working with the young people?

6 A. I expressed an interest because, when you were serving
7 the young folk at the hatch, a rapport -- you would
8 build a rapport up with them, because you weren't seen
9 as a member of staff, you were just seen as somebody who
10 was there to feed them. And I found I got on quite well
11 with the majority of the youngsters. And the
12 opportunity came up for me to apply for an assessment,
13 or an assistant assessment officer's post, and I duly
14 took it.

15 Q. I think you say that you submitted an application and
16 that you were then interviewed. That was by three
17 people from Cardross: the Head of the Centre, the
18 Depute, and a senior residential worker?

19 A. Correct.

20 Q. Then after that you had to wait for police checks to
21 come back, and then you were given a start date; is that
22 right?

23 A. That's right.

24 Q. Thereafter, then, you talk about some induction taking
25 place, and you say that that would happen once a week,

1 on a Sunday morning, is that right?

2 A. Correct, yes.

3 Q. I think you tell us a little bit later on that that

4 happened for about eight weeks or so?

5 A. Correct.

6 Q. Then, after that, you were assigned to one of the units?

7 A. Correct.

8 Q. Then you say you fell into the unit way of life?

9 A. Yes.

10 Q. When you say the 'unit way of life', what do you mean by

11 that, can you describe it?

12 A. Each unit tended to offer a different environment.

13 So the likes of the two holding units, Carman and

14 Appin, the young people were in there for longer term,

15 they weren't going through periods of residential

16 assessment, so they were encouraged to participate more

17 in the community, they were encouraged to travel on

18 their own, you know, life skills were being introduced

19 over that longer period.

20 Whereas the two residential assessment units were

21 structured in respect of building and completing the

22 residential assessment process.

23 Q. Okay.

24 A. So the focus was different.

25 LADY SMITH: 'Seamus', if I can just get the timing of this

1 part of your life about right. You started in Cardross
2 in about 1992?
3 A. I believe so, my Lady, yes.
4 LADY SMITH: You were there for about five years; is that
5 right?
6 A. Correct.
7 LADY SMITH: That was from your mid 30s up to about age 40,
8 do I have that right?
9 A. I don't know, my Lady, because I think it was --
10 LADY SMITH: Well, you were born in 1957 you told us.
11 A. Yes.
12 LADY SMITH: So in 1992, you would have been about 35,
13 depending when in the year you started.
14 A. No, you're right, yes.
15 LADY SMITH: Add another five years or so.
16 A. Yes.
17 LADY SMITH: Just to get a feel of where it was in the
18 history I am looking at --
19 A. Okay.
20 LADY SMITH: -- and where it was in your life.
21 Thank you.
22 MS FORBES: 'Seamus', you come on to tell us that, after
23 starting as the basic grade worker, you then became
24 a senior, and then you do tell us about the fact that
25 you then left to go and pursue some further

1 qualifications, and were meant to come back to Cardross,
2 but you didn't do that. We will come to that, I think,
3 a little bit later.

4 You talk about structure and recruitment of staff
5 from paragraph 19, and you tell us that, when you were
6 there, the officer in charge at Cardross was
7 Alex Barnes, the depute was Graham Bell and then you say
8 there was someone called Ron Conway, who was just
9 a little below the depute, is that right?

10 A. Correct.

11 Q. Then there were four senior social workers, and you name
12 them: HWM [REDACTED], Margaret Garvey, Rita Banning
13 and Bob Simpson?

14 A. Correct.

15 Q. Then there would be the main staff group, which you say
16 was a well-balanced mix of female and male staff, it
17 wasn't heavily sided towards male staff, is that right?

18 A. That's correct.

19 Q. You told us that Ron Conway had a house in the grounds
20 of Cardross, but I think you say that everybody else
21 lived off-site at that time?

22 A. Correct.

23 Q. You have mentioned the four units, Carman, Appin, Fruin
24 and Endrick. Can you just remind me, 'Seamus', what
25 were the two residential units?

1 A. The two residential assessment units?

2 Q. Yes.

3 A. Were Fruin and Endrick.

4 Q. Okay. So the people in there were potentially,

5 hopefully, on a shorter term to have assessments carried

6 out on them, but in the other units, as you have told

7 us, they would be, they would have children who were

8 there for perhaps a longer period of time?

9 A. It was more like, or akin to, a throughcare process.

10 Q. Okay. In relation to the numbers, you say there was

11 about 32 young people staying there at any one time,

12 across the four units?

13 A. I believe so, yes.

14 Q. With staff being assigned to specific units?

15 A. Correct.

16 Q. There would be a senior staff member on every shift and

17 a minimum of three staff allocated to each shift, but

18 that could be, you put it, bumped up to five if a unit

19 was particularly volatile?

20 A. Correct.

21 Q. You said that Appin had less staff as it was used as the

22 throughcare preparation unit?

23 A. Correct.

24 Q. Presumably by that time, the children in there were seen

25 as being able to take the new skills on and perhaps then

1 be on the way to leave, hopefully?

2 A. Correct.

3 Q. You tell us about the shifts, in that there was an early

4 shift, a back shift and a night shift, and the timings

5 of that.

6 I think you say that, although you weren't taken on

7 for a night-shift role, you did do some work on night

8 shift, is that right?

9 A. Correct.

10 Q. That would be if there was somebody senior off sick?

11 A. Correct.

12 Q. Was that when you became a senior worker or did that

13 happen when you were a base grade worker, as you put it?

14 A. It happened when I was a basic grade worker.

15 Q. Okay.

16 A. And then if you were on shift as a night shift senior,

17 you had responsibility for the centre.

18 Q. Okay.

19 A. So you moved around each unit during the night, just to

20 ensure that everything was settled.

21 Q. You tell us, 'Seamus', about some other members of

22 staff, and you name them at paragraph 24.

23 You say at paragraph 25 that the only member of

24 staff you remember, [REDACTED],

25 I won't read that out, [REDACTED]

1 ██████, was a night shift worker, but you can't remember
2 his second name. He was Scottish, is that right?
3 A. Correct, yes.
4 Q. You say you were the only Irish member of staff that was
5 working there?
6 A. Yes.
7 Q. I think that becomes relevant later on, when
8 an allegation was made, and you respond to that in your
9 statement, and we will come to that.
10 I think, 'Seamus', you tell us that you only really
11 got to speak to Alex Barnes when he did his rounds, but
12 it was Graham Bell who was the person that was hands-on
13 on a daily basis?
14 A. Correct.
15 Q. You worked in Fruin, but depending on the staffing on
16 a given day, you could perhaps be in different units?
17 A. Correct.
18 Q. But you are not sure how long you worked in Fruin; is
19 that right?
20 A. I couldn't offhand say, you know, the duration.
21 Q. Did that change when you became a senior?
22 A. It did, because I was then taken out of the units and we
23 had an office in one of the bungalows on site. So the
24 responsibility then was to coordinate with field
25 workers, area teams, but still be actively involved in

1 the unit life.

2 Q. Okay.

3 You say, 'Seamus', that when you were in Fruin there

4 were about eight young people, and the same in Appin.

5 Carman was bigger, so it might have had about ten.

6 A. Yes.

7 Q. The youngest age you think you were involved with was

8 probably about 10?

9 A. Correct.

10 Q. And going up to 18?

11 A. Correct.

12 Q. There were people while you were there as young as

13 10 years old?

14 A. Yes.

15 Q. At that time, this is on paragraph 30, you say that it

16 was individual rooms, it wasn't dormitories or anything

17 like that?

18 A. Individual rooms.

19 Q. Each of the units had a dedicated member of staff during

20 the night shift?

21 A. Correct.

22 Q. That would be a senior social worker?

23 A. No, that would be a residential worker, with a senior on

24 duty for the centre.

25 Q. Okay. So it would be a residential worker, but there

1 would always be a senior who was on duty for the whole
2 centre?
3 A. Correct.
4 Q. The senior's responsibility, you tell us, during the
5 night was to go round all of the units and ensure the
6 security at the centre, is that right?
7 A. Correct.
8 Q. The main doors were locked, which gave access to
9 outside, but the other doors inside weren't?
10 A. Correct.
11 Q. But the main office block was locked up at night?
12 A. Yes.
13 Q. You tell us, 'Seamus', that when you first started at
14 Cardross, your main responsibilities, is this as a basic
15 grade worker --
16 A. Correct.
17 Q. -- moving from chef? That your main responsibilities
18 were making sure the young folk were okay, taking them
19 out and transporting them?
20 A. Correct.
21 Q. Was that in the minibus that was available?
22 A. Correct.
23 Q. It was just the one minibus, is that right?
24 A. It was just the one minibus, but if two or three units
25 decided that they were having an outing, the Council

1 would then supply transport with a driver.

2 Q. You say that you took them as a unit sometimes on

3 activities, to try and burn off excess energy?

4 A. Correct.

5 Q. You say that activities were key to that?

6 A. Without a doubt.

7 Q. Thank you. You explain that, to start with, that's all

8 you were really involved with, was going out with

9 another two members of staff in the minibus, with the

10 young people that could obviously fit into the minibus

11 who wanted to go?

12 A. Correct.

13 Q. You would take them swimming, you went to the pictures,

14 played football, those sorts of things?

15 A. Correct.

16 Q. You describe the young people going to school at

17 Cardross during the day, and that wasn't in the

18 assessment centre where they slept at night, that was in

19 the old building, is that right?

20 A. Initially that was in the old building, until the

21 education transferred over to the assessment centre.

22 Q. So there was this old building. Did you know that that

23 used to be where the assessment centre was previously?

24 A. Yes.

25 Q. Yes. But at this time only part of it was being used

1 and it was being used for education?

2 A. Correct.

3 Q. You talk about the fact that there was separate teaching

4 staff at Cardross?

5 A. Correct.

6 Q. So the residential care staff weren't involved in that

7 part?

8 A. No.

9 Q. Moving on then, 'Seamus', in relation to training, we

10 talked about the fact that you had this Sunday morning

11 induction for a number of weeks... I think you say about

12 eight to ten weeks in this paragraph. And that was with

13 Graham Bell?

14 A. Correct.

15 Q. You say that that training, in the next paragraph, 38,

16 covered things like how you talk to young people, how

17 you encouraged them to buy into whatever Cardross had on

18 offer and, when you were out with them, the health and

19 safety expectations?

20 A. Correct.

21 Q. It was drummed into you that there was an importance

22 about recording everything?

23 A. Correct.

24 Q. And that didn't matter how busy the shift had been, it

25 had to be done?

1 A. It had to be done before every shift was completed.

2 Q. You make reference to this term 'jumping', you say:

3 'If it had been jumping through the night or through

4 the day before you went home, everything had to be

5 recorded and then signed by somebody senior.'

6 A. Correct.

7 Q. When you say jumping, can you just describe what you

8 mean by that, 'Seamus'?

9 A. Well, if one or two of the units had a particularly

10 difficult shift, that's what I mean by 'jumping', you

11 know, the staff could have been deployed, didn't get

12 an awful lot of time to record, but before every shift

13 was completed those recordings had to be in before the

14 handover to night shift.

15 Q. We have heard a term, or a phrase used, 'kicking off'

16 has been used in the Inquiry - is that something you

17 associate with jumping --

18 A. Yes.

19 Q. -- is that the type of thing?

20 I think you tell us at paragraph 40 that, as far as

21 the quality and sufficiency of the training was

22 concerned, you didn't know any better at the time.

23 However, since then, looking back, you say that you

24 would have to accept the training wasn't sufficient?

25 A. Correct.

1 Q. You base that on the training that you yourself had to
2 go through after you were at Cardross to become a social
3 worker on an area team?
4 A. Correct.
5 Q. Prior to you becoming a basic grade worker, you didn't
6 know any better, I think is what you have said?
7 A. Correct.
8 Q. You do tell us a little bit here about the therapeutic
9 crisis intervention, TCI, training. I think you say you
10 were a volunteer at one point, helping to demonstrate
11 holds and things like that?
12 A. Correct.
13 Q. I think later in your statement you go on to tell us
14 that you were given therapeutic crisis intervention
15 training shortly after you started as a basic grade
16 worker?
17 A. Correct.
18 Q. You were in that role, the basic role, for three years,
19 you say, about three years before you were promoted to
20 the senior role?
21 A. Correct.
22 Q. Again, with that, you were interviewed for the position
23 and Alex Barnes had moved on by then, so it was
24 Jan Meldrum, who was the deputy; it was her, Ron Conway
25 and a senior social worker, HWM, that

1 interviewed you?

2 A. Correct.

3 Q. When you were successful with that, you started at

4 Fruin, but then you went on to get the senior job in

5 Carman?

6 A. Correct.

7 Q. Okay. But even though you got that promotion, you tell

8 us there wasn't any further training for the senior

9 post?

10 A. No.

11 Q. I think you said the best way to describe it would just

12 be a continuous ongoing assessment of your ability?

13 A. Correct.

14 Q. I think you outline, 'Seamus', that you were maybe

15 acting up, or being given more responsibility, prior to

16 your promotion?

17 A. Correct.

18 Q. So you had done part of the job already?

19 A. Correct.

20 Q. Was that with a view to preparing you to apply for such

21 a role, or was that to do with staffing levels, and

22 things like that?

23 A. I think it is a mixture of staffing levels... but

24 I think, in hindsight, on reflection, it was for the

25 senior managers to assess whether I was capable or not

1 of holding such a position.

2 Q. Once you became a senior, 'Seamus', you tell us the
3 seniors still worked with the young people too, at
4 Cardross, but the senior position was to do with the
5 running of the unit, organising shifts and making sure
6 that everything was as it should be?

7 A. Correct.

8 Q. But you were still part of the team?

9 A. Correct.

10 Q. But you would be the one delegating at the start of the
11 shift what needed to be done?

12 A. Correct.

13 Q. You comment, 'Seamus', that you don't recall there being
14 any appraisal or any supervisory policy at Cardross, is
15 that something that you remember?

16 A. Yes. No, I don't remember.

17 Q. Yes.

18 You say that if you compare it to an area team,
19 where you get taken in and given formal appraisals -- is
20 this later when you became a social worker?

21 A. Correct.

22 Q. So it was much different from that?

23 A. It was very structured.

24 Q. It was very structured later?

25 A. Later in my career it was very structured, yes.

1 Q. You tell us, at paragraph 47, that you did have a staff
2 meeting every week, where you discussed things like the
3 running of the unit, and how the young people were
4 integrating into the unit --
5 A. Correct.
6 Q. -- and what disagreements there were?
7 A. Yes.
8 Q. But you weren't aware of any policies in place?
9 A. No.
10 Q. No. There was a folder you had to sign, but you think
11 that that was all about health and safety, planning
12 trips and suchlike?
13 A. Correct.
14 Q. There was nothing about care and control or welfare and
15 promotion?
16 A. No.
17 Q. Going on, then, to look at the children, the routine at
18 Cardross when you were there, you talk about that from
19 paragraph 50 of your statement, and you say that at that
20 time it was mixed, I think it had been like that for
21 a while, boys and girls?
22 A. It was mixed ever since I began... commenced work at it.
23 Q. The numbers between the mix would just depend on how
24 busy it was at any time?
25 A. Correct.

1 Q. But as we have said, the young people had their own
2 rooms?
3 A. Yes.
4 Q. Then would they mix with one another when they were
5 outside their rooms?
6 A. Yes.
7 Q. There wasn't a separation of --
8 A. It was total integration once the day started.
9 Q. Yes. Whilst you were there the children all wore their
10 own clothes?
11 A. Correct.
12 Q. And they weren't involved in washing or drying their
13 clothes; there was a laundry assistant who did that?
14 A. Correct.
15 Q. You go on to tell us about the food, and we have what
16 you say about that, but your view was this was
17 nutritious, well presented and good food?
18 A. Correct.
19 Q. And the staff ate with the young people?
20 A. Yes.
21 Q. At that time then, looking at paragraph 54, you said the
22 showers were single, they weren't in individual rooms so
23 they weren't en suite, but there was a designated shower
24 room area.
25 A. Correct.

1 Q. That could be locked?

2 A. By the young person, yes.

3 Q. The shower cubicle could be locked?

4 A. Correct.

5 Q. And they could shower as often as they wanted, there was

6 no restrictions?

7 A. Correct.

8 Q. Looking, then, at activities, you tell us from

9 paragraph 55 again about the minibus and going swimming

10 and out for a drive. You say that activities within the

11 centre just really depended on the individual staff

12 member's strengths?

13 A. Correct, yes.

14 Q. Would that depend on the kind of things that they were

15 skilled in, or were interested in, and what they could

16 do with the children?

17 A. A lot of the staff were very interested in either using

18 the outside football pitch or the indoor gym; a lot of

19 staff enjoyed table tennis or pool. You tried to match

20 the strengths of the member of staff with the young

21 folk.

22 Q. You say there was a TV room --

23 A. Correct.

24 Q. -- a pool table and a table tennis area?

25 A. Correct.

1 Q. But the shifts would have to book that to be used by
2 each unit?
3 A. Correct.
4 Q. That would have to be booked each day?
5 A. Correct.
6 Q. And they would be given time slots?
7 A. Yes.
8 Q. Okay. You say there were no holidays, but there were
9 day trips?
10 A. Correct.
11 Q. Things like Aviemore for skiing, and to Blackpool?
12 A. Correct.
13 Q. Staff then, who were taking a child out would really
14 only be... to get clothes, but not for activities, if
15 they were going on their own?
16 A. No.
17 Q. Staff were not allowed to take children to their own
18 homes?
19 A. No.
20 Q. You say there weren't any policies but that was
21 something that you were obviously told about, was it?
22 A. It was primarily due to the risk of the young person
23 absconding once they got home. But one member of staff
24 driving a young person from the centre to their home,
25 the vulnerability aspect was they could jump out of the

1 car, you know, it was just, it wasn't right in promoting
2 the young person's welfare, but also protecting the
3 member of staff.

4 Q. When you say to their own homes, just so I am clear
5 about that paragraph, are you talking about staff taking
6 the children to the staff's home?

7 A. No.

8 Q. You are talking about staff taking the children to their
9 own home?

10 A. To their parents' home or their grandparents' or
11 a relative's home.

12 Q. Okay. Because I think maybe it is just the way that
13 that sentence reads, it then goes on to say:

14 '... and they weren't allowed to disclose to the
15 children where they lived.'

16 But that's just a separate thing?

17 A. Correct.

18 Q. Does that follow then that staff didn't take children to
19 their own homes?

20 A. Never in my time. It wasn't allowed.

21 Q. To the staff's home?

22 A. To the staff's home, yes. You never disclosed the area
23 you lived in, or ... and you never would take a young
24 person to your home.

25 Q. Okay. You go on to tell us a little bit more about the

1 schooling, and we have talked about the fact it was in
2 the school building -- you say the school building was
3 connected to the assessment centre?
4 A. Correct.
5 Q. Was that the old building then?
6 A. No.
7 Q. No, okay.
8 A. That was a new building.
9 Q. Right, okay. Did this come along later?
10 A. Correct, after the old building was condemned, the young
11 folk moved over to the assessment centre, so you had the
12 residential section of the assessment centre, but you
13 also had the educational unit attached.
14 Q. Do you remember, roughly, 'Seamus', when that happened,
15 while you were there?
16 A. I couldn't tell you.
17 Q. But it was in that five-year period?
18 A. Oh, without doubt, yes.
19 Q. You said there was a corridor, then, between the dining
20 room and the Carman Unit, and branching off from that
21 was a stairway that led down to the main offices, the
22 medical room and the school building?
23 A. Correct.
24 Q. Talking then about the subjects, you say that the kids
25 got a full range of subjects: English, history, maths,

1 geography, but there was a high emphasis on vocational
2 studies like woodwork and building things?

3 A. Yes.

4 Q. When we are thinking about subjects like English,
5 history, maths and geography, how often would a young
6 person be being taught those subjects?

7 A. I couldn't tell you, because that was determined by the
8 principal teacher at the time, because once we brought
9 the young folk down to the educational unit, it was the
10 teaching staff that had decided where the young folk
11 would -- what subjects the young folk would be taking
12 that particular day.

13 Q. Okay. Would a young person, generally speaking, be
14 expected to go for education every day?

15 A. Yes.

16 Q. During the week?

17 A. Yes.

18 Q. Would that be in the morning, the afternoon or
19 throughout the day?

20 A. Both.

21 Q. Both.

22 A. Morning and afternoon.

23 Q. In that respect, was it like going to a normal school,
24 in the sense you have classes in the morning and classes
25 in the afternoon?

1 A. Correct.

2 Q. Okay. You tell us there was a headteacher, and you
3 think, in your time, a maximum of four teachers - is
4 that at any one time?

5 A. Correct.

6 Q. Who taught different subjects. Whilst you were there,
7 the only chores that the children had to do was keep
8 their rooms tidy?

9 A. Correct.

10 Q. There was no cleaning of the building or anything like
11 that?

12 A. No, there were domestics employed to do that.

13 Q. In relation to visitors, then, you say that the area
14 team had to sanction visitors and they set visiting
15 times?

16 A. Correct. As part of the assessment process, and on
17 admission, all of these things were identified. So if
18 parents, grandparents, aunts, uncles, family, relatives,
19 were visiting we would agree a pattern of visits.
20 Sometimes initially they had to be supervised, and
21 thereafter, if everything was going well, that
22 restriction was lifted.

23 Q. Okay. You say that parents were allowed to take their
24 kids out, they could go to the local shops or go out for
25 a walk down to the beach?

1 A. Correct.

2 Q. Again, would that depend on the type of reason that the
3 child was there, for example if they were a 110-day
4 warrant, or something like that?

5 A. No, a 110-day warrant, the staff would be in attendance,
6 so if mum and dad decided they wanted to go for a walk,
7 that's absolutely fine, but there will be a member of
8 staff with you because of the conditions that were
9 imposed.

10 Q. You go on then, 'Seamus', to tell us about home leave
11 and you say that was very dependent on home
12 circumstances and there might be child protection issues
13 in the background?

14 A. Correct.

15 Q. You explain how you would build up to that by trying
16 an afternoon visit midweek, and then seeing if the young
17 person was able to come back on time?

18 A. Yes.

19 Q. If that worked, it could be increased?

20 A. Yes.

21 Q. Then you go on to tell us about discharge from Cardross,
22 and you say that that was always subject to the
23 Children's Hearings System?

24 A. Correct.

25 Q. They would have to agree to a recommendation. However,

1 it might be that the court would be involved as well,
2 depending on what was going on in the background?

3 A. Correct.

4 Q. You mention a throughcare package and you say that you
5 can't remember any young people leaving Cardross with,
6 what you now call a throughcare package, you say, who
7 then had to be reintegrated to Cardross.

8 I think from what you are saying there is it seemed
9 anyone who was given that support didn't come back to
10 Cardross again, or is that not correct?

11 A. No, that is correct.

12 Q. Okay.

13 A. If the supports identified within the residential
14 assessment were facilitated, I would say, in the main,
15 young folk didn't return.

16 LADY SMITH: That would depend on the local authority?

17 A. Correct.

18 Q. You go on to describe what that throughcare package
19 could include, and you describe supported living,
20 supported lodgings, avenues into employment and perhaps
21 even a healthcare... health package as well.

22 From what you are saying, 'Seamus', was it the
23 position that that didn't always happen?

24 A. It didn't always happen, yes.

25 Q. Would that just be dependent on the local authority and

1 whether they were able to fund it?

2 A. And the resources that were available to the local
3 authority at the time.

4 Q. Okay. Was that a source of frustration to you, when you
5 were working there?

6 A. Most definitely.

7 Q. Mm-hm. Okay.

8 A. And I mean at many an assessment, a 21-day assessment
9 meeting, the frustrations were aired, because packages
10 couldn't be provided and that was impacting on the young
11 folk. So you were working with a young person for three
12 weeks, 21 days, and you were gearing them to the
13 potential to going home with a package of support being
14 in place, and the young folk attended the assessment
15 meetings to hear, 'No, actually we can't provide that'.
16 That was frustration to the staff and to the young
17 person.

18 Q. Just going forward a little bit in your statement,
19 'Seamus', you say that in relation to review of the
20 placement and keeping information about young people,
21 that every young person had a residential assessment
22 plan or care plan while you were there. That was
23 maintained by their key worker, so they also had a key
24 worker as well?

25 A. Within the unit.

1 Q. That would be supervised by the senior?

2 A. Correct.

3 Q. You say that you weren't aware at that time of any local

4 authority or independent bodies carrying out reviews or

5 anything like that?

6 A. Not during the residential periods, no.

7 Q. You mention Who Cares?, an agency which supports people

8 living in care, coming on a couple of occasions, but

9 that was in relation to contact with a particular young

10 person?

11 A. Correct.

12 Q. You point out that individual local authorities in

13 Strathclyde bought the placements at Cardross?

14 A. Correct.

15 Q. You don't remember them coming in and carrying out any

16 inspections whilst you were there?

17 A. No.

18 Q. Okay.

19 Moving forward, then, 'Seamus', to part of your

20 statement that talks about discipline and punishment.

21 You say that, from the outset, the word 'punishment' was

22 not a word that was used?

23 A. It was never used.

24 Q. You say that the introduction of routine was the

25 discipline?

1 A. Correct.

2 Q. And the young people saw that as a discipline, going to
3 school, because they weren't allowed to say no to the
4 education?

5 A. Correct.

6 Q. You say there that if the young person didn't want to go
7 to the school buildings, then education came to them?

8 A. Correct.

9 Q. How would it come to them?

10 A. A teacher would be assigned to the unit. If the unit --
11 if the young people in the unit were predominantly in
12 the educational unit, it meant that the unit lounge was
13 free, so education would take place with the young
14 person on a one-to-one basis within the unit lounge.

15 Q. Did that happen often?

16 A. Not often-often, I mean it happened periodically.

17 Q. Okay.

18 'Seamus', you say that if a child stepped out of
19 line, options would be given. They would be asked if
20 they wanted to be involved in activities or not.
21 Something would be taken away from them. It could be
22 an overnight visit, although it did depend on what the
23 social work agreed on and whether the parents could have
24 them home or not. So, from what you are saying there,
25 is it the case that one of the methods of discipline was

1 to remove an activity that they could be involved in?

2 A. Yes.

3 Q. When you say that they would be asked if they wanted to

4 be involved in activities or not, was that the case or

5 was that simply that option wasn't given because they

6 had stepped out of line?

7 A. No, the option was always given on the premise that

8 there is an opportunity for you here to pull back from

9 wherever they were thinking of going with their

10 behaviour.

11 LADY SMITH: Because otherwise they might forfeit their home

12 leave?

13 A. Correct.

14 LADY SMITH: So that's a punishment, wasn't it?

15 A. Well, no, because it was seen, if the young person

16 wasn't buying into the unit way of life and a particular

17 incident or circumstance occurred, and we couldn't

18 persuade them to pull back, the vulnerability of going

19 out into the community and that carrying on within the

20 parental home or the relative's home was quite high.

21 LADY SMITH: What sort of thing would they be doing or not

22 doing that amounted to not buying into the routine of

23 the unit?

24 A. Making constant threats of absconding, on some occasions

25 bullying other young folk within the centre.

1 LADY SMITH: Mm-hm.

2 A. Or, on other occasions, simply not buying into the

3 routine and the structure of what was being offered.

4 LADY SMITH: Was the starting point that every young person

5 had a right to home leave?

6 A. No.

7 LADY SMITH: Or was it that they would only be awarded home

8 leave if they built up a credit that entitled them to

9 it?

10 A. The starting point, my Lady, always was... the Social

11 Work Department on the admission would determine if home

12 leave was to be an option.

13 LADY SMITH: Okay.

14 A. If home leave was to be an option, that was included in

15 part of the overall assessment process. A lot of the

16 time, home leave wasn't even considered on admission

17 because of the circumstances that the young persons were

18 finding themselves in within the community. But home

19 leave wasn't used as a threat.

20 LADY SMITH: Do you know what a young person or child would

21 be told about home leave? Let's assume that their home

22 was, in principle, suitable for it, so the Social Work

23 Department would be happy about them going there. You

24 may not have been part of this, I just wondered what the

25 young person would be told about their ability to go

1 home on leave?

2 A. Well their ability, what they would have been told was,
3 you know, if they were cooperating with everything that
4 was being offered in the centre, including education,
5 well, that was a step to home leave being offered.

6 LADY SMITH: Who would tell them that, do you know?

7 A. Probably the admitting officer on admission of the
8 child.

9 LADY SMITH: Okay, and then who would decide whether they
10 were actually getting to go home or not?

11 A. That would very much be determined by the unit staff at
12 one of the meetings, staff meetings.

13 LADY SMITH: Thank you.

14 Ms Forbes.

15 MS FORBES: Thank you, my Lady.

16 Just going forward on that point to paragraph 99 of
17 your statement, 'Seamus', I just want to clarify what
18 the position was in relation to that. Paragraph 99
19 says:

20 'When a young person was curtailed it was
21 religiously documented in the unit logbook. Every unit
22 had a logbook and that logbook was quality assured by
23 the senior member of staff at the unit on a shift basis,
24 and by the depute on a daily basis. There was never
25 a curtailing of a young person's home access, or even

1 activities, but it was logged.'

2 A. Correct.

3 Q. Can you explain that? I am not sure what that means.

4 So it seems to suggest that there was never a curtailing

5 of a young person's home access, or activities?

6 A. If a young person's activities or home leave was to be

7 sanctioned, or curtailed, there would always be a reason

8 in the logbook.

9 Now, that reason would have been substantiated by

10 the fact that the area team's social worker would have

11 been contacted to say look, things aren't good, things

12 aren't great, are you in agreement with this? So there

13 was always a reason documented if home leave or

14 an activity was curtailed.

15 Q. But I am just wanting to be clear about that statement

16 that says there was never a curtailing of a young

17 person's home access. So that's not right, is it,

18 that's not the position, there was curtailing but it was

19 logged?

20 A. Yes.

21 Q. Is that essentially what that should say?

22 A. Correct.

23 Q. Just going back slightly, then, to paragraph 84. You

24 talk about what would happen if a young person acted out

25 physically, and you make reference there to TCI and that

1 if a young person acted out physically, then you were
2 trained in TCI?

3 A. Correct.

4 Q. That is essentially restraint, is that right?

5 A. Correct.

6 Q. Or there would be ways to try to divert the behaviour
7 before using restraint as part of that TCI technique?

8 A. As part of TCI, you always tried to talk the young
9 person down. But there were occasions when the young
10 person wasn't in a position to be talked down, and
11 I don't know whether that's the right language or not,
12 but there was no getting through to them, they had hit
13 a point where they were acting out and then the TCI was
14 only employed to protect them --

15 Q. Okay.

16 A. -- from harming or injuring themselves, and it was never
17 employed unless there was two members of staff present.

18 Q. I think you go on a little bit later to talk about two
19 members of staff and usually a third one observing?

20 A. Correct.

21 Q. You mentioned, 'Seamus', a code of conduct the children
22 had to adhere to. That was, from your memory, respect,
23 acceptable behaviour and cooperation, and you remember
24 going through that with the young people?

25 A. Correct.

1 Q. Was that when they were admitted to Cardross?

2 A. By the social worker, or by the social worker and their
3 parents.

4 LADY SMITH: What if they didn't? What if the young person
5 didn't adhere to this code of conduct by showing respect
6 and cooperation?

7 A. My Lady, it was very much a learning process for most of
8 the young folk that were admitted, in respect that we
9 are using words like 'respect', 'acceptable behaviour'
10 and 'cooperation'. A lot of the young folk that were
11 admitted... respect wasn't on their agenda.

12 LADY SMITH: I can imagine that.

13 A. Acceptable behaviour, i.e. not telling somebody to ...
14 or kicking out. And cooperation, a lot of these young
15 folk had never been given the opportunity to cooperate
16 and build, and I am quite conscious about this. What
17 they learned thereafter was supportive relationships.
18 Because again, and I am speaking generally, my Lady,
19 a lot of the young folk had relationships that were
20 tenuous to the point of getting something in return, and
21 they were very short term. So, you know ...

22 LADY SMITH: Okay, thank you.

23 A. Tongue tying myself, I think.

24 LADY SMITH: Ms Forbes.

25 MS FORBES: My Lady.

1 If a young person didn't follow that code of
2 conduct, could there be situations where TCI was
3 employed?

4 A. Not unless the young person acted out physically.

5 Q. Okay. You go on at paragraph 92 to say that you can't
6 remember any formal policy around a code of conduct for
7 staff, and the document you had to sign on a monthly
8 basis, you think, was more to do with building health
9 and safety, not about how you worked with young people?

10 A. Correct.

11 Q. That seemed to be something that was lacking at that
12 time?

13 A. Yes.

14 Q. You say that going AWOL, running away, would be the main
15 thing that resulted in young people being disciplined?

16 A. Correct, always.

17 Q. They would be brought back by the police.

18 On those occasions, then, would home leave and
19 activities be one of the things that would be curtailed?

20 A. Depending on what the reason for going AWOL was or
21 whatever they had placed themselves in, yes.

22 Q. You then tell us a little bit about the handover setup,
23 from residential staff to teaching staff, and we have
24 that there. You say, though, that as a result of that
25 handover, paragraph 95, if there was any behaviour being

1 reported that needed some discipline action, that would
2 be a decision for the senior staff member at the unit,
3 if it was in-house. But if it was a curtailing of a
4 home visit, it would be the residential staff speaking
5 to the senior in conjunction with the area team social
6 workers?
7 A. Correct.
8 Q. You say home leave couldn't be stopped without area team
9 sanction?
10 A. Correct.
11 LADY SMITH: That was the area team in the social work
12 department --
13 A. Correct.
14 LADY SMITH: -- or at Cardross?
15 A. Correct, my Lady, not the area team.
16 LADY SMITH: Social work?
17 A. Yes.
18 MS FORBES: That's from the local authority?
19 A. Correct.
20 Q. Those local authority social workers would still be
21 involved with the young people who had been placed at
22 Cardross whilst they were there, is that right?
23 A. That was the expectation, yes.
24 Q. Was that expectation realised, or not?
25 A. In the majority of times, yes.

1 Q. Okay. Did you have a frustration about how involved the
2 local social work team were with children whilst you
3 were at Cardross?
4 A. Yes.
5 Q. What was that?
6 A. The frequency of an area team social worker's contact
7 with young folk. There were a lot of occasions when
8 a -- young folk, a young person was admitted to the
9 centre and didn't see their social worker for 21 days
10 thereafter. And yet we were supposed to come to
11 a realistic arrangement that if the young person was to
12 go home or to go back into the community, we were then
13 expecting them to have this relationship with somebody
14 that they hadn't seen for three weeks, who was part of
15 the care planning thereafter. It was somewhat
16 unrealistic.
17 Q. This was in the 1990s, because that's the period of time
18 you were working there?
19 A. Correct.
20 Q. You say that there was physical restraint, but there was
21 never any physical discipline or punishment?
22 A. Correct.
23 Q. When you say 'physical restraint', do you mean in
24 relation to the TCI technique that you had been trained
25 in?

1 A. Correct.

2 Q. Just moving forward then, 'Seamus', to restraint, and
3 that part of your statement starts from paragraph 100.
4 You set out there that you say:
5 'I am not denying that there were a number of
6 incidents in my time where the units were jumping
7 because one or two young people had incited the others
8 to rebel. If a young person sparked off there was
9 always two members of staff involved, with a third
10 normally observing.'

11 A. Correct.

12 Q. You go on to describe at paragraph 101 something called
13 a 'basket hold', and you say:
14 'If you went into a basket hold or a young person
15 had to be restrained, in the main, but not all the time,
16 you didn't go into it alone, there would be other staff
17 involved.'

18 If it was a female who was the young person then you
19 say that female staff members would end up being
20 deployed?

21 A. Yes.

22 Q. Although they might not be there when it first began?

23 A. Initially, no, they may not, but it was always a female
24 that was brought in.

25 Q. You then describe a basket hold, 'Seamus', at

1 paragraph 102 and you say that that's where a member of
2 staff takes a young person in a hold that prevents their
3 arms and legs from swinging. You put your arms around
4 them and hold them close. If you didn't gain control in
5 that initial hold, the young person would be put on the
6 floor and a second member of staff would assist and
7 restrain their legs from kicking out.

8 A. Correct.

9 Q. Was this basket hold something that was taught at the
10 TCI training?

11 A. Correct.

12 Q. Would that be the first thing that would be attempted if
13 physical intervention was required?

14 A. Always employed if, if, the situation allowed it.

15 Q. You say then, though, that if you didn't gain control in
16 that initial hold, the young person would be put on the
17 floor. How would they be put on the floor? Is this
18 face down, or face up, or would that depend?

19 A. Depending on the situation. If a member of staff was
20 employed in a basket hold and a young person couldn't be
21 -- the theory behind the basket hold was one member of
22 staff would be holding the child from injuring
23 themselves, whilst the second member of staff would be
24 talking to them to try and bring them down.

25 If that wasn't working, and the member of staff that

1 was employed in the basket hold deemed it to be more
2 safe to place the young person on the floor, to stop
3 them from injuring themselves or injuring the member of
4 staff, then it could be on their back, or it could be
5 ... it all depends on how it transpired.

6 Q. If it was face down, were there occasions where young
7 people would have injuries on their faces from being
8 placed face down on the ground?

9 A. Yes.

10 Q. Yes. Was that something that happened frequently?

11 A. Not frequently, no.

12 Q. Okay.

13 A. It very much depended on the young person's behaviour
14 once they were on the floor. Because there was
15 a continual dialogue between the member of staff and the
16 young person for the duration of that outburst.

17 Q. Was that an attempt to calm the situation down and get
18 them to comply with the instructions?

19 A. And it was always the young person that determined when
20 the restraint stopped.

21 Q. Okay. When you say they determined, how would they do
22 that?

23 A. By communicating.

24 Q. Communicating that they were ready to calm down?

25 A. Yes, and that they weren't going to place themselves at

1 further risk.

2 Q. Okay.

3 LADY SMITH: Can I just check something, 'Seamus', I am
4 trying to get a picture of this basket hold. You
5 describe it as being a hold where the young person's
6 arms and legs would be prevented from swinging. Explain
7 to me how you do that?

8 A. My Lady, the member of staff would approach the young
9 person from behind and place them in a basket hold like
10 that, and --

11 LADY SMITH: So you have your arms right round the young
12 person completely.

13 A. Yes.

14 LADY SMITH: Okay. And then what?

15 A. And then the other member of staff would be talking to
16 them to try and bring them down.

17 LADY SMITH: How does that stop the legs swinging? I see
18 how that stops the arms swinging.

19 A. I would say in my experience, nine times out of ten when
20 the young person was taken hold of, they felt that that
21 restraint and the legs would -- they wouldn't
22 automatically keep kicking out.

23 LADY SMITH: Right. Did some young people still manage to
24 kick when they were being held like that?

25 A. And break free, my Lady, yes.

1 LADY SMITH: Was the way this was done... ever involved
2 approaching the young person from behind and putting
3 your arms under their armpits?
4 A. Not that I can remember, my Lady, no.
5 LADY SMITH: It is always right round both of their arms?
6 A. Always right round.
7 LADY SMITH: And pulling the young person towards you?
8 A. Correct.
9 LADY SMITH: Thank you.
10 MS FORBES: 'Seamus', you say at paragraph 103 that you were
11 involved in restraining young people, but you say that
12 was infrequent.
13 A. Yes.
14 Q. You say it was done, it had to be, but you can't
15 remember any specific incidents -- sorry, you say it was
16 done, it had to be, but you can't remember any specific
17 incidents?
18 A. No.
19 Q. When you say it was infrequent, are you able to give us
20 an idea of how often you would have to do that on
21 a weekly basis?
22 A. If you had to do it once or twice a week, that was quite
23 extreme. Generally life was very good in Cardross.
24 When you tended to notice a change was at what we
25 would call the changeover, i.e. at the end -- if

1 a number of young people were leaving the centre at the
2 end of 21 days and there were new admissions coming in.
3 That tended to be quite -- it could be volatile.

4 Q. When you say volatile, would that be from the new people
5 coming in or those who were already there?

6 A. No, from the new people coming in who weren't aware of,
7 you know, what the centre had to offer, or what was
8 expected as a level of cooperation. If you had
9 a settled unit and you got a new admission, or two new
10 admissions, those young folk in the settled unit didn't
11 want their lifestyle, their care provision, to be upset
12 in any way. So sometimes young folk acted out as if to
13 say, 'Well, I am just in, it is my way or no way'.

14 Q. On the occasions that you were involved in restraining
15 young people at Cardross, what were the circumstances
16 that required that?

17 A. There were circumstances where young folk, a young
18 person had taken a dislike to a member of staff, if they
19 had been asked something.

20 There were circumstances where a young person was
21 trying to abscond, and no amount of talking was going to
22 bring them down.

23 There was a variety of circumstances, and I am not
24 trying to belittle it because, again I go back to the --
25 I go back to my opinion that TCI was only ever employed

1 as a last resort, it was always ... you always tried to
2 talk the young person down.

3 Q. You mentioned there, 'Seamus', when a young person took
4 a dislike to a member of staff. What did you mean by
5 that? What were they doing that would then result in
6 a restraint?

7 A. Well, if a member of staff said, and I am giving you
8 a very simplistic view, 'Tea time's 4.45 pm, we are not
9 going down until 5.00 pm because one of the other units
10 is still down there'.

11 That could spark a young person off, because they
12 had an expectation that it was 4.45 pm and ... in the
13 main it wasn't complicated issues that a young person
14 could fly off the handle.

15 Q. You say 'fly off the handle'. Do you mean that a young
16 person would have to be doing something physically for
17 you then to take the decision to use restraint?

18 A. Well, if it was the likes of upheaving a table, or going
19 for another young person, so they were placing
20 themselves or others at risk, yes, TCI was employed.

21 Q. What about if someone was simply refusing to comply with
22 an education requirement, or a dinner requirement, or to
23 go to their room, or something like that?

24 A. TCI wasn't required.

25 Q. Okay. I think you comment, 'Seamus', that you didn't

1 see excessive restraint being used on any young people
2 at Cardross, is that right?

3 A. Correct.

4 Q. You say, in your opinion, it was appropriate measures
5 being used to stop the young person from hurting
6 themselves or a member of staff?

7 A. Correct.

8 Q. The focus of TCI always was not to allow the young
9 person to injure themselves?

10 A. Correct.

11 Q. In relation to what you have said there, that restraint
12 was used by staff to stop the young person from hurting
13 themselves or a member of staff, is that the situation
14 in which restraint would be used?

15 A. Correct.

16 Q. Was that the only situation in which it would be used?

17 A. As far as I am aware, yes.

18 Q. You then go on to talk about concerns about the
19 institution, and you say at paragraph 105 you are not
20 aware of Cardross being of any concern at that time, or
21 because of the way that young people were being treated
22 there, is that right?

23 A. Correct.

24 Q. You also say that there was an incident when you were
25 working at Cardross when someone came from another

1 establishment who was on a secure order, and you ended
2 up being stabbed twice in the chest?

3 A. Correct.

4 Q. Is that right? You say that you ended up in hospital as
5 a result of that and you comment that you had follow-up
6 consultations with a psychiatrist, but there was no
7 welfare support because that was unheard of in the day?

8 A. Correct.

9 Q. You don't remember anything happening with the police in
10 relation to that?

11 A. You took it that the centre didn't want any adverse
12 publicity, especially within a small village like
13 Cardross. So, no, I mean I met with Joe Neil, the
14 psychologist, and basically he was the man that...
15 I don't know what he did, but he did.

16 Q. Was this somebody that was provided by Cardross or was
17 this through the NHS?

18 A. No, Joe Neil was a psychologist, a criminal psychologist
19 that all of the authorities within Strathclyde used.

20 Q. Okay. Just going over, then, 'Seamus', to the part of
21 your statement that looks at reporting of complaints or
22 concerns, you say that there was a mailbox on the wall
23 in Cardross, where young people could write things down
24 and put into the box anonymously if they wanted to, is
25 that right?

1 A. Correct.

2 Q. Although perhaps some of the young people who were at
3 Cardross may not have had the capabilities of being able
4 to write as well as others, is that the position?

5 A. Yes.

6 Q. You say that if a young person said they wanted to make
7 a complaint, it was usually the senior of the unit that
8 would sit with them and then pass it to the depute
9 thereafter?

10 A. Correct.

11 Q. You don't recall ever having an occasion to do that?

12 A. No.

13 Q. But at meetings later on in your time at Cardross, you
14 say that a young person's representative would be at the
15 weekly meetings and could put across the young person's
16 views?

17 A. Yes.

18 Q. You say young person's representative, was that the key
19 worker or somebody different?

20 A. No, it was usually someone that the group had picked
21 out.

22 Q. Okay, so this was another member of --

23 A. Resident.

24 Q. Another child, another resident?

25 A. Yes.

1 Q. Someone who was nominated by --?

2 A. By the group, the peer group.

3 Q. The group, okay. So that would be somebody appointed as

4 a representative for, perhaps the unit, to speak for

5 them?

6 A. Yes.

7 Q. But if a young person made a complaint it would be

8 logged in the unit logbook and then picked up by

9 a senior manager?

10 A. (Nods)

11 Q. You say you never received any complaints of abuse from

12 any young persons whilst you were there; is that right?

13 A. Correct.

14 Q. You did have occasions to experience young people

15 telling you they were being bullied, is that right?

16 A. By their peers within the unit, yes.

17 Q. By their peers. But, this is something that we have

18 heard about before, they weren't prepared to say who it

19 was?

20 A. No.

21 Q. Because they were afraid of repercussions?

22 A. Correct.

23 Q. You comment that there was always a pecking order in the

24 units amongst the young people?

25 A. Correct.

1 Q. You don't remember there being a big issue with bullying
2 when you were at Cardross?

3 A. No.

4 Q. You say that that's because it tended to be nipped in
5 the bud. How would that be done, do you remember?

6 A. Well, a lot of the times you might be sitting in the
7 unit watching television at night and ■ said, 'We are
8 not watching this', but the majority of the group wanted
9 to watch something and ■ would demonstrate 'it's
10 happening'. So you would bring it back under control by
11 saying no, it is actually what the majority of the
12 group, you know, wish to do, wish to watch.

13 So by that I mean nipping in the bud.

14 Q. That's something if you were aware of, if you were
15 present when it was being said, you would be able to
16 comment on and do something about?

17 A. Yes.

18 Q. Going forward, then, 'Seamus', in relation to a
19 definition of 'abuse', you are not aware of there being
20 a definition of abuse at Cardross when you were there.
21 And you go on to say there was no in-depth training
22 preparation within the residential care setting. It
23 didn't prepare you for what you then went on to do with
24 the area social work team?

25 A. Correct.

1 Q. You say that you went on to do joint interview training
2 with young people later on?

3 A. Correct.

4 Q. But you never saw any behaviour that you considered to
5 be abuse, and you say that you are confident that, if
6 a child was being abused, that would have come to light
7 at the time it was occurring without a doubt, and you
8 say that because of the volume of staff that were on
9 duty at Cardross?

10 A. Yes.

11 Q. You don't accept that abuse could have occurred at
12 Cardross during the time you were there without it
13 coming to light?

14 A. Correct.

15 Q. Okay. So you don't accept that abuse could have
16 happened when other members of staff weren't around?

17 A. Right, I am confident that, when I was on shift, that
18 the volume of staff to the number of young people was
19 prohibitive of abuse being observed, that's what I am
20 saying.

21 Q. Okay.

22 A. I can't comment on alternate shifts, or ...

23 Q. Yes, because people can't be in all places at all times?

24 A. No, but there was, respectfully -- young folk never sat
25 in the unit lounge on their own. There was always one

1 or two members of staff, always. It was an unspoken rule
2 that the staff were there to support the young people.
3 So you can't do that by sitting in an office, do you
4 know what I mean? So they were always supported.

5 Q. Okay. You say that if two or three members of staff
6 were involved in containing a child to stop them from
7 harming themselves or others, there were always other
8 staff in attendance and, if something sparked off, the
9 free members of staff would phone one of the other units
10 and ask for support?

11 A. Correct.

12 Q. You say that you went on to work in the area teams and
13 visited the residential units, and what impressed you
14 was the ratio of staff to children in Cardross?

15 A. Correct.

16 Q. You say that that's why you speak as confidently as you
17 are, because that was always the level of observation
18 that was going on?

19 A. Correct.

20 Q. I think that when you were talking earlier, and we went
21 over this in your statement, at that time in Cardross
22 people didn't stay in dorms, they were in individual
23 rooms by themselves?

24 A. Correct.

25 Q. Is that right?

1 A. Yes. Each room was situated off the main living area,
2 the main lounge. So young people going into each
3 other's rooms, it couldn't happen.

4 In Endrick there were four bedrooms off the main
5 corridor. There was always a member of staff, either
6 between Appin, Fruin and Endrick, that was patrolling
7 about, for want of a better word.

8 Q. I think you have told us that during the evenings there
9 would be less staff on duty; is that right?

10 A. During the night shift, yes.

11 Q. Yes. I think you said it was one member per unit plus
12 the senior member of staff?

13 A. Correct.

14 Q. In relation to child protection, 'Seamus', you say that
15 if a child protection issue was raised, the only
16 guidance you were given was to report it immediately to
17 senior management, and they would notify the area team?

18 A. Correct.

19 Q. If it was during the night then the duty social work
20 team would be informed, it was never left?

21 A. No.

22 Q. That was the position when you were there?

23 A. Yes.

24 Q. Again you talk about record keeping, and we have touched
25 on this earlier, about the different records that were

1 kept on children. I think there is also daily logbooks,
2 is that right?

3 A. Correct.

4 Q. Is that a logbook for each unit?

5 A. Correct.

6 Q. At the time that you were there, were there also things
7 like search logs?

8 A. No, that would have -- if there was reason to search
9 a child's, a young person's bedroom, that would be
10 recorded in the daily communication logbook.

11 Q. Okay, so when you were there that would be in the
12 same --

13 A. The same logbook.

14 Q. -- logbook. When you say the same logbook, I should be
15 clear: was that for that unit or was that something that
16 was an overarching daily logbook?

17 A. No, each unit had their own logbook.

18 Q. At the time you were there, was it just these daily
19 logbooks, then, that set out what was going on during
20 the day in each unit?

21 A. Within each unit, yes.

22 Q. Mm-hm.

23 A. But each young person, shifts would -- the key worker or
24 a shift may enter into the child's file as part of the
25 assessment of how their behaviour had been that day, or

1 whatever the circumstances were that warranted it.

2 Q. That would be for the child's individual record?

3 A. Yes.

4 Q. You point out that the quality of record keeping was

5 dependent on the person who was completing the logbook?

6 A. Correct.

7 Q. You do say that you think that adequate information was

8 held in the files, and is that between the children's

9 own files and the logbooks?

10 A. The children's own files that were created at Cardross,

11 the information that was provided on admission by

12 health, social work and any other agency that may have

13 been involved in the community, so, yes, you did have

14 a good picture in the main of the young person's needs.

15 Q. Okay, but you have pointed out already that the local

16 social work team often wouldn't be involved in coming to

17 see the child during, for example, a 21-day assessment?

18 A. Correct.

19 Q. Would you then just have to rely on the information that

20 had been passed on admission?

21 A. Yes.

22 Q. Where would that come from?

23 A. From the area team.

24 Q. Was that something you ever had a frustration about?

25 A. No, because the officer in charge at the time was quite

1 specific about what we needed, and from whom, so that we
2 were better placed to identify, from the onset, the
3 young person's needs.

4 Q. Was that on admission or would there sometimes be
5 a delay of a day or two?

6 A. No, the expectation was that the young person would be
7 accommodated by the area team social worker. Now, there
8 were occasions when social work duty, you know, outwith
9 our social work duty, would admit a child because of the
10 circumstances that the young person had found themselves
11 in and a meeting, an admission meeting, would be
12 arranged as soon as possible thereafter.

13 Q. Okay, just going forward, 'Seamus', you say you have
14 never been involved in any investigations on behalf of
15 Cardross into any allegations of abuse, ill treatment of
16 children or into any inappropriate behaviour by staff or
17 others towards children?

18 A. No.

19 Q. You say you have never been involved in any
20 investigations, sorry. Does that mean that you haven't
21 been the subject, as far as you are aware, of any
22 investigations?

23 A. Not until a recent conversation, no.

24 Q. At the time you gave this statement --

25 A. I wasn't aware, no.

1 Q. You say that in that paragraph. I just wanted to --
2 because saying:
3 'I have never been involved in any investigations on
4 behalf of Cardross.'
5 -- could mean you were investigating someone else,
6 so I just wanted to clarify what the position was. In
7 relation to you being investigated, that is your
8 position, is it?
9 A. That's my position.
10 Q. Okay. Again, in relation to civil claims by former
11 residents, you have not been involved in anything to do
12 with that, is that right?
13 A. No.
14 Q. Or any police investigations either?
15 A. No.
16 Q. Okay.
17 You do then go on to tell us about some staff who
18 worked there at the same time as you did, and we have
19 that there in the following paragraphs.
20 We now come to part of your statement where you are
21 asked about allegations that have been made to the
22 Inquiry about you. This is from paragraph 141. If we
23 can just go to that.
24 First of all, 'Seamus', I will just remind you of
25 the warning that you were given by her Ladyship, that

1 you don't have to answer any of these questions.

2 I will just go through the allegations that were

3 made, okay, and you can make a response.

4 At paragraph 141, a particular young boy is named.

5 Now, he has the pseudonym of 'Brian', and it says:

6 ''Brian' has given a statement to the Inquiry and at

7 paragraph 35 of the statement he has said ...'

8 Then there is a redacted part, and it is a name,

9 that's your name 'Seamus':

10 '... was an Irish member of staff. He drove me to

11 the Vale of Leven Hospital to get my medicals because

12 I was new into Cardross. I knew he was a rigid, strict,

13 ex-army, no-nonsense kind of guy.'

14 You have given a response to that, at paragraph 142,

15 and you say you don't remember this individual, is that

16 right?

17 A. That's correct.

18 Q. You say you didn't ever take him to Vale of Leven

19 Hospital?

20 A. Not for a medical, no.

21 Q. You say that medicals were carried out in the medical

22 rooms down the main corridor at Cardross.

23 A. Correct.

24 Q. And if there was a child protection issue on admission,

25 then the police family protection unit and a member of

1 staff and/or the young person's social worker were
2 involved?

3 A. Correct.

4 Q. Does that mean you never went to the Vale of Leven
5 Hospital from Cardross or is it just you saying
6 specifically in relation to 'getting medicals'?

7 A. Specifically in relation to having a medical carried out
8 on a young person, no, not the Vale of Leven Hospital.
9 Yes, I was involved at the Vale of Leven Hospital with
10 the family protection unit when a young person was being
11 examined.

12 Q. You say that in all of your time at Cardross, that no
13 medical was ever carried out at the Vale of Leven
14 Hospital?

15 A. Not that I am aware of, no. It was always carried out
16 in the centre, and usually on the day of admission.

17 Q. Or in relation -- sorry.

18 LADY SMITH: Sorry, when you are talking about a medical,
19 what is it you have in mind, 'Seamus'?

20 A. Where a health visitor, a nurse or a GP would examine
21 the child on admission.

22 LADY SMITH: All right.

23 A. And that was to ascertain if there was any injury or
24 bruising or anything before the child came into the
25 centre.

1 LADY SMITH: Okay, thank you.

2 MS FORBES: I think earlier in your statement you do talk
3 about a medical booklet that would be completed for each
4 child. Did that relate to that admission medical?

5 A. Yes.

6 Q. Okay. You say then that you have been informed that,
7 and you mention the first name, [REDACTED], being
8 referred to by this boy had a different surname,
9 [REDACTED] but you point out that there was no
10 other Irish staff, and only one staff member you can
11 recall [REDACTED] and that was
12 the one we talked about earlier who worked the night
13 shift but was Scottish, was that right?

14 A. Yes, but I did make an amendment to my statement, once
15 I was called back, that there was another gentleman,
16 I don't know, my Lady, am I allowed to mention the name?

17 LADY SMITH: Well, if it is somebody whose identity is
18 protected, I can make sure that everybody knows that
19 their identity is protected. Is it easier for you to
20 use the name?

21 A. Yes, my Lady.

22 LADY SMITH: Go on then.

23 A. [REDACTED].

24 LADY SMITH: Okay.

25 A. Subsequently deceased. But [REDACTED] worked in the centre

1 at the same time as I did.

2 MS FORBES: You have mentioned somebody who had [REDACTED]
3 [REDACTED] and now you are making reference
4 because there might be a similarity of some kind in
5 relation to someone else who had a particular [REDACTED]?

6 A. Correct.

7 Q. Was that person that you have named, was he Irish?

8 A. No, he was from the Hebrides.

9 Q. Okay. The boy, 'Brian', says at paragraph 145, he went
10 on to say... paragraph 46 of his statement:
11 'I was scared of 'Seamus'. A lot of people were.
12 He never did anything to me but I saw him slap other
13 people on the side of the head more than once. He
14 slapped [he names somebody]. I saw 'Seamus' slap
15 someone at the dinner table in the hall. The noise
16 echoed out and the hall went quiet.'

17 You have given a response to that. What was the
18 response, 'Seamus', to that allegation?

19 A. Under no circumstances have I lifted my hand to slap, to
20 physically abuse, or harm a young person.

21 Q. You are quite clear about that, 'Seamus', in your
22 response?

23 A. I am quite clear.

24 Q. Going forward, then, to paragraph 148, 'Seamus', you
25 say:

1 'I have got an opinion about why these things are
2 being said but I don't think I should articulate it
3 here.'

4 Are you able to say what you mean by that?

5 A. On reflection and from, or since, those initial
6 interviews I had where my statement was being taken...
7 Is it one? Is it three? Is it 103 young folk that have
8 been through Cardross, have subsequently got together,
9 and made statements inferring that I have done something
10 inappropriate? I don't know. And I want to be fair
11 about this. But some of the accusations that have been
12 made about me are hurtful to me. I didn't do them and
13 I am actually ... I am hurt.

14 Q. Okay.

15 A. And annoyed, my Lady, I have to be honest, that such
16 things could be said, because my intention was to work
17 with young folk to better their lives, not be punitive.

18 Q. What you are worried about, in that sentence, is the
19 potential of collusion because, from your point of view,
20 these things didn't happen, is that the position?

21 A. Correct.

22 Q. You do say that if children were treated in the way
23 that's been alleged there, that you accept that that
24 would be abuse?

25 A. Yes.

1 Q. Just going on, then, to the next allegation, 'Seamus',
2 this is from an individual who is anonymous and has the
3 pseudonym 'Lucy'. At paragraph 150, it says 'Lucy' has
4 given a statement to the Inquiry, and you say:

5 'I think I do remember 'Lucy' ...'.

6 But you say:

7 'I definitely didn't punish her. I don't know if
8 I ever sanctioned her, and by sanction I mean restrict
9 her from taking part in an activity or the like.'

10 You make the statement:

11 'I did not abuse 'Lucy'.'

12 Is that the position there?

13 A. Correct.

14 Q. Then I think paragraphs of her statement are put to you.

15 So at paragraph 151 of your statement it says:

16 'At paragraphs 42, 43 and 44 of her statement she
17 has said staff used restraints and I was quite a hostile
18 child. On one occasion I was probably being cheeky when
19 'Seamus' and two other staff members passed. 'Seamus'
20 was about 27 years old and Irish. One of them said
21 "grab her" and two of them grabbed me, one on each side,
22 which was called a hook and transport, and 'Seamus' said
23 "don't touch her face". He then started punching and
24 kicking me all over my body while the other two held me
25 down. I remember one of those holding me down looked

1 really ashamed about what they were doing to me and it
2 seemed clear he didn't want to be doing it. I was
3 screaming and trying to get up, and it seemed to go on
4 for ages. I don't recall what had happened in the build
5 up to this, but as I say, I was probably being cheeky to
6 'Seamus', who was the manager of the unit that I was in,
7 mainly because I just didn't want to be there. I think
8 it was after that that I was moved into the boys' unit.
9 Those were the only staff who ever beat me.'

10 Then she says:

11 'One of the guys who held me down may have been
12 called [she gives a name], but I am not really sure.'

13 What is your position in relation to that? I think
14 you give it at paragraph 151, if we can go down?

15 A. Well, punching and kicking never happened. Hook and
16 transport, I have never heard of it.

17 I refute what's in that paragraph.

18 Q. In relation, 'Seamus', to what's being suggested there,
19 that this restraint was sanctioned by you to be carried
20 out by two other members of staff because someone was
21 being cheeky, what do you say in relation to that?

22 A. Nonsense.

23 Q. Would you ever have carried out a restraint in response
24 to someone simply being cheeky?

25 A. No.

1 Q. I think we went over this earlier. Would the young
2 person have to be either physically endangering
3 themselves or others before you would carry out
4 a restraint?

5 A. Or physically acting out, yes.

6 Q. I think you tell us you don't know why she is saying
7 these things; is that right?

8 A. Correct.

9 Q. You say you do accept that what's being described would
10 be abuse if it was, if it had happened?

11 A. Correct.

12 Q. 'Seamus', we then go on to another allegation that's
13 made and put to you in your statement, and this is in
14 relation to someone who is anonymous called 'Thomas'.
15 At paragraph 153 it says:

16 'Thomas' has given a statement to the Inquiry.'
17 You say:
18 'I don't remember 'Thomas'.'
19 So he is not someone you recall during your time at
20 Cardross?

21 A. No.

22 Q. Then it goes on to say:
23 'At paragraph 141, 142 and 143 of his statement he
24 has said, "After the police left, I was back in the
25 bedroom of the unit. I then got shouted out into the

1 hallway by 'Derek' and another member of staff, who was
2 a heavy, stout guy, bald but cropped, and hair at the
3 sides and a moustache. I think his name was 'Seamus', or
4 maybe [then a different surname is given]. He asked for
5 my trainers and when I asked if I could keep them I felt
6 his hand grab me by the throat and he slammed me against
7 the wall. He was holding me off the ground and my heels
8 hit the wall. It was so quick and unexpected, he was
9 squeezing my throat and shouting I was a wee bastard, he
10 was spitting as he was shouting and his face was going
11 red. He was screaming that he would break my legs if
12 I ever ran away again. I would never be able to walk,
13 let alone run by the time he was finished with me.
14 I was telling him I couldn't breathe and he was
15 screaming and telling me that I wouldn't be able to
16 breathe once he had finished with me. I thought he was
17 going to kill me, as I was struggling to breathe harder
18 and harder by the second. I remember I wet myself with
19 fear and was greeting, it could have been two minutes,
20 it could have been five minutes, but it felt like it was
21 a lifetime he held me up against the wall. He was
22 shouting and pointed out that I had pissed myself. He
23 then dropped me down in front of everybody. He still
24 had me in a choke on the floor and had his forehead
25 pushed against mine. He was then screaming at me to go

1 into the room, get my housecoat and get showered.
2 I remember standing greeting in the shower and another
3 one of the staff members shouted to ask if I was okay in
4 there. I just said I was, got washed, dried and walked
5 back into the room. I was terrified of him after that.'

6 Then I will just go on, because this individual gave
7 evidence, just to set out what they said in evidence.

8 On 24 April 2024, 'Thomas' provided evidence at the
9 Scottish Child Abuse Inquiry hearings. The transcript
10 of his evidence, the reference is TRN-12-000000071,
11 shows that 'Thomas' said:

12 'The rooms were dead wee and I just opened the door.
13 It was, the member of staff, told me to come out, and
14 then I seen ['Seamus'] walking down the hallway towards
15 us, and I was told I was going to give them my training
16 shoes. I was to hand over my trainers and I was only to
17 be in slippers. I didn't want that because I knew if
18 I never had my trainers, if my mum and dad couldn't come
19 and get me, then I had to run away and I didn't want to
20 run away in slippers, but I had no option. And then
21 I reluctantly gave my trainers over and he grabbed me by
22 the throat and slammed me up against it... It wasn't
23 like a wall, it was like a column of a wall, splitting
24 up two rooms kind of thing, and he had me on my tiptoes
25 and he was screaming that, if I tried to run away again,

1 he would break my fucking legs. When he was shouting,
2 he was spitting, and I just remember the fear running
3 through me and feeling the spit landing on me.'

4 'The lawyer that was leading the evidence then said:
5 ''Thomas', you tell the Inquiry that you thought he
6 was going to kill you, because you were struggling to
7 breathe harder and harder by the second?'

8 'Thomas' responded:
9 'Yes, at that time I didn't think he was going to...
10 you can say I felt I wasn't going to come out of it...
11 but it was, he's not going to stop. That's what... he
12 is getting worse, you know what I mean? And the anger
13 in him. You will see on TV and things, characters being
14 angry, and you see on the street, maybe, gangs fighting.
15 But as a grown man being aggressive to me, he was like
16 in my face, know what I mean, which made it worse, if
17 you understand.'

18 The lawyer then said:
19 'Did something then happen to you in the course of
20 the attack?'

21 'Thomas' said:
22 'Aye, I wet myself.'

23 The lawyer then said:
24 'And how did he respond to that?'

25 'Thomas' said:

1 'That is when he kind of released and told me to get
2 a shower, I was a pishy wee bastard.'

3 The lawyer then said:

4 'You do tell us, 'Thomas', that you remember
5 standing crying in the shower.'

6 'Thomas' said 'yes'. The lawyer asked:

7 ''Thomas', did other members of staff see this
8 happening?'

9 'Thomas' said:

10 'The staff were there.'

11 The lawyer asked:

12 'Were you offered any kind of support or help
13 following the incident?'

14 'Thomas' said:

15 'No, just when I came out the shower, just told to
16 go to my room and get some sleep.'

17 The lawyer asked:

18 'Now, the next day, 'Thomas', did you have more
19 dealings with 'Seamus', or [a different version of your
20 surname]?'

21 'Thomas' said:

22 'I can't remember if I had dealings with him the
23 next day, I did have other dealings with him.'

24 That's quite long, because it sets out what's in the
25 statement of 'Thomas' and what the evidence was when he

1 gave it live. Again, 'Seamus', you have given
2 a response to that at paragraph 169: what's your
3 position?

4 A. Again, I refute in total. As you are reading it out
5 there, respectfully, one thing that has jumped to mind
6 is this removal of trainers. If the police brought
7 a young person back to the centre, the centre didn't
8 have their trainers, the police had their trainers and
9 the trainers were handed over by the police, because it
10 was practice, my Lady, back in the day, that if a young
11 person was apprehended because they had gone AWOL, the
12 police took their shoes and handed them over to the
13 centre. That's the only thing that's sticking out. But
14 as to that description of me being physical and whatever
15 else, no, no, no.

16 Q. In that paragraph, 'Seamus', you also say, you mention
17 this other member of staff that you referred to earlier
18 [REDACTED], this is
19 when you point out the fact that there is another member
20 of staff who has a similar [REDACTED]?

21 A. [REDACTED], yes.

22 Q. He was a senior member of staff at Fruin Unit, and you
23 describe him as being a tall man, 6-foot 2 or 6-foot 3,
24 medium build and having a beard and black hair.

25 In relation to those who had run away, was there

1 occasions when their shoes... they were given slippers
2 and not given outdoor shoes again after?

3 A. Yes.

4 Q. Okay. That is something that did take place, but you
5 are pointing out that, on this occasion, if someone had
6 been brought back by the police then the police at that
7 time took their shoes off them?

8 A. Correct.

9 Q. Was that to try to deter them from running away from
10 them?

11 A. To prevent them from running away again.

12 Q. You go on then also, 'Seamus', to make a comment about
13 the description of the person that is involved as being
14 bald and having a moustache, and you say you are not
15 bald and you have never been bald, you have never had
16 a moustache and you have never had cropped hair, is that
17 right?

18 A. Correct.

19 Q. You say at that time you were stocky and you have always
20 been stocky?

21 A. Correct.

22 Q. You say that your hair was mousy brown and would have
23 just been the trend of the day?

24 A. (Nods)

25 Q. You make the comment at paragraph 172 about the police

1 and the trainers, but you say that if a child had been
2 treated as described, in the way that 'Thomas' has
3 described it, then you accept that that would be abuse?
4 A. Correct.
5 Q. But your position is you deny that that happened?
6 A. Yes, aye.
7 Q. 'Thomas' then goes on to say -- this is at paragraph 174
8 of your statement -- from paragraph 144 to paragraph 151
9 of his statement:
10 'The next day the door just opened up as normal and
11 we went to education. After class I had gone back to
12 the unit and 'Seamus' came and told me and another boy
13 ...'
14 A. Sorry, my Lady, could I have a quick comfort break,
15 a very quick comfort break?
16 LADY SMITH: Absolutely, no problem, don't feel under
17 pressure. I'm happy to do that.
18 (4.05 pm)
19 (A short break)
20 (4.12 pm)
21 LADY SMITH: 'Seamus', is it all right if we carry on now?
22 A. Yes please, my Lady.
23 LADY SMITH: Thank you.
24 Ms Forbes.
25 MS FORBES: My Lady, thank you.

1 'Seamus', just before we stopped, I was putting
2 another part of 'Thomas's' statement to you, and I am
3 not going to read all of this out. This is something
4 that you have already been... it has already been put to
5 you before, and this relates to an allegation that
6 'Thomas' and others were hit by golf balls by you, and
7 I think the detail of that has been put to you, and
8 indeed, when 'Thomas' gave evidence, the detail of what
9 he said in evidence has been put to you too. What's
10 your position in relation to that? I think it is set
11 out at paragraph 179.

12 A. My position is it didn't happen.

13 Q. Yes. Then I think you go on to say, sorry, that it was
14 put to you that there were allegations of threats to
15 this boy and others, threats of violence, and also there
16 are allegations of you assaulting this boy and others,
17 and again what's your position in relation to that?

18 A. Didn't happen.

19 Q. I think there is a further thing that 'Thomas' alleged,
20 that he had told his mum about the incident that he says
21 happened with you, whereby he says you grabbed him and
22 slammed him against the wall, and he says that his mum
23 phoned and asked to speak to you and you told her that
24 he was a liar and that it didn't happen. What's your
25 position in relation to that? To whether or not that

1 phone call happened from his mother?

2 A. In all honesty, I have no recollection of it.

3 Q. You don't remember 'Thomas', is that right, at Cardross?

4 And do you recall a telephone conversation where you

5 were being accused of assaulting a child by their

6 mother?

7 A. No.

8 Q. No.

9 I think you go on to say, 'Seamus', that you left

10 Cardross in 1996 and that's when you applied to take the

11 diploma in social work, is that right?

12 A. Correct.

13 Q. Was the plan then that you would come back to Cardross

14 to commit to some two years' work there following

15 qualification?

16 A. Correct.

17 Q. But that didn't actually happen, is that right?

18 A. Because Strathclyde broke up, and there wasn't a local

19 authority that would pick up my secondment thereafter.

20 LADY SMITH: Why did you decide to leave Cardross?

21 A. Because I was given the opportunity for further training

22 in social work, which I thought would benefit -- had

23 Cardross still been there I thought I would have gone

24 back with a better knowledge base, a better

25 understanding, and probably far more experience in

1 dealing with community organisations that were
2 supporting young people.

3 LADY SMITH: Thank you.

4 MS FORBES: 'Seamus', there are two other documents I want
5 to take you to, just quickly.

6 The first is GLA-000003385, this is a daily logbook
7 for Endrick between 28 June 1995 and 24 July 1995, so
8 that is the timeframe.

9 On page 1 on the right-hand column if we can see
10 that there is the first full paragraph on the right,
11 there is a blacked-out part which has actually the name
12 of a female young person, and then there is an entry.
13 This relates to a letter that was received from
14 an inmate in Longriggend by this young girl, and that
15 the contents of the letter were alarming, and that that
16 person was claiming they were going to hang themselves
17 on the Monday after sentencing at court.

18 Then the record says that the girl became extremely
19 upset reading the letter, to the extent of becoming
20 hysterical. She was escorted to her bedroom by
21 AM Barnes, writer in attendance. AM Barnes tried to
22 console her. She began to hyperventilate. AM Barnes
23 placed her head between her legs in an attempt to
24 encourage her to breathe normally. This had little
25 effect. Writer took hold of her and slapped her cheek

1 to initiate breathing. This had the desired effect.'

2 Then it goes on, with her consent, the writer
3 informed the authorities at Longriggind.

4 If we go over to the next page, on the left-hand
5 side at the top, so that's page 2, we can see that that
6 is an entry -- it is redacted out, but that is an entry
7 that has your name on it. This appears to be an entry
8 made by yourself.

9 First of all, do you recall making this entry?

10 A. Honestly, no. But it is obviously my handwriting, so
11 I made it.

12 Q. In relation to what's described there, that you took
13 hold of this girl and slapped her cheek to initiate
14 breathing, do you accept that is something that
15 happened?

16 A. Based on that, yes.

17 Q. In relation to that, is your view that that was
18 an appropriate response to the situation?

19 A. Well, I am only going on why I think I did it, and that
20 was perhaps because of the hyperventilation that this
21 young person was experiencing, and we weren't having the
22 desired effect.

23 Q. You have outlined in that note that that then led to the
24 young person calming down?

25 A. Sorry?

1 Q. It having the desired effect, I think it said?

2 A. Aye, that she did, she came back and her breathing came
3 back to normal.

4 Q. Okay.

5 A. To the extent that I asked the other member of staff to
6 take her out.

7 Q. That's certainly something that you have obviously
8 written down in the logbook, it is not something you
9 have hidden?

10 A. No.

11 Q. It is something that you have recorded?

12 A. Correct.

13 Q. Just then going to the next document I want to show you,
14 'Seamus', it is CFS-000014690. This is something that,
15 after your statement was provided, you have been advised
16 about. If we can go to page 3, this relates to issues
17 raised and complaints made by four young people about
18 yourself when they were in Cardross.

19 If we go down to the bottom of the page it says
20 'Complaint 2' and that relates to:
21 'Unnecessary and inappropriate restraint, threats of
22 violence and actual violence by a member of care staff
23 in Cardross Park Assessment Centre.'

24 LADY SMITH: Was that complaints made in 1998? It is hard
25 to tell, it is a bit blurred at the top of the page,

1 just to help 'Seamus' with that. February 1998?

2 MS FORBES: Yes, my Lady, I think actually page 1, which is

3 the letter that attaches this note, sets out a date, it

4 says 2 March 1998.

5 LADY SMITH: Yes.

6 MS FORBES: If we go further down the page, it talks about

7 meeting -- this children's rights officer meeting with

8 four young people on different dates in February 1998 --

9 LADY SMITH: Thank you.

10 MS FORBES: -- and that's when these complaints were made.

11 If we go to page 4 of this document, please, and we

12 go down to 'focus of complaint 2', essentially it states

13 that four young people who had been placed in

14 Cardross Park Assessment Centre in the past named you as

15 threatening violent behaviour, being violent in

16 restraining young people, and of using restraint

17 sometimes unnecessarily. There is a particular incident

18 with a boy in the gym that's referred to.

19 If I can just latterly, before I ask you the

20 question about this, 'Seamus', go to page 2 of this

21 document, everything's a little bit out of order, but it

22 is a memorandum in response to the letter we went to. It

23 is from the district manager on 13 March 1998.

24 It states in that letter, and this is something that

25 you have been made aware of now, that in relation to the

1 complaint against you, that the incident referred to in
2 the gym was subject of a full fact-finding
3 investigation. The matter is yet to be concluded, but
4 the incident was being viewed extremely seriously by the
5 investigating officers, and by external management. But
6 there is no outcome of any such investigation given.

7 'Seamus', this is in 1998, according to these dates
8 on the documents, and you left Cardross in 1996, is that
9 right?

10 A. Right.

11 Q. Were you made aware at all, at any time, of complaints
12 being made against you in relation to unnecessary
13 restraints, or violent restraints, or threatening or
14 violent behaviour?

15 A. Up until yesterday afternoon, I was unaware of this.
16 I was never approached or spoken to about a complaint of
17 this nature.

18 Q. Okay.

19 A. So, up until yesterday afternoon, I had no knowledge of
20 this.

21 Q. This is not something you have ever been made aware of,
22 and, in relation to any allegation that you had been
23 involved in any of that type of behaviour, what is your
24 position today?

25 A. I refute it totally.

1 Q. Okay. Certainly you went on to become a social worker;
2 is that right?

3 A. Correct.

4 Q. You had a career in social work?

5 A. Latterly, as -- I finished my career as a Team Leader
6 for Children and Families and Youth Justice within [REDACTED]
7 [REDACTED] Council, yes.

8 Q. Okay. No concerns were raised about you in relation to
9 your time at Cardross, as far as you are aware?

10 A. No.

11 MS FORBES: 'Seamus', thank you for answering my questions.
12 That's all of the questions I have for you and apologies
13 for taking a lot longer than had been anticipated.

14 Is there anything you want to say that you haven't
15 had a chance to say?

16 A. My Lady, if I may, I want to make comment, because I was
17 given the opportunity when my statements were taken, and
18 I don't know whether this falls within the remit of the
19 Inquiry, but, my Lady, the children's hearings system in
20 Scotland now, in my opinion, has outlived its usefulness
21 in respect of promoting the welfare of young people and
22 their parents.

23 LADY SMITH: 'Seamus', were you aware that the report by
24 Sheriff Mackie was published earlier this year, after
25 a review of the children's hearings system?

1 A. No.

2 LADY SMITH: If it is something that interests you, they did
3 an in-depth review of the system and made quite a number
4 of recommendations that would change its practices quite
5 significantly from what they would have been in your
6 time, but it is really interesting to hear your concerns
7 about it.

8 As I say, you might be --

9 A. Thank you, my Lady --

10 LADY SMITH: -- wanting to have a look at that.

11 A. -- I will do.

12 LADY SMITH: Thank you.

13 Can I add my thanks, 'Seamus', you have been very
14 patient with us. As I said at the beginning, I know
15 this is something that was difficult to do. But you, of
16 course, fully appreciate what we are trying to do here,
17 and it is for all children, and working at trying to
18 make things better and safer for children in residential
19 care for the future. So I am grateful to you for your
20 contributions to that.

21 A. Thank you, my Lady.

22 LADY SMITH: You are now free to go.

23 A. Thank you.

24 (The witness withdrew)

25 LADY SMITH: Just before I rise, names. There was reference

1 to a man called [REDACTED]. If it is the one I am
2 thinking of, he does have the protection, his identity
3 has the protection of my General Restriction Order.
4 Please don't identify him outside of this room.

5 If any detectives want to take any part of his name
6 and try to work out who 'Seamus' was, don't do that,
7 because 'Seamus', of course, has his identity protected
8 as well.

9 That's it for today. I am going to rise until
10 tomorrow, when we will move on to further in-person
11 evidence.

12 MS FORBES: Yes.

13 LADY SMITH: We may or may not have time for read-ins. We
14 will see.

15 Thank you very much.

16 (4.26 pm)

17 (The Inquiry adjourned until 10.00 am on Thursday, 11 July

18 2024)

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