#### **Scottish Child Abuse Inquiry**

Witness Statement of

HMY

Support person present: No

My name is HMY
 I am known as HMY
 My date of birth is
 1937. My contact details are known to the Inquiry.

### Background

- 2. Between 1966 and 1968 I obtained a teaching certificate and diploma from Colleges, what is now Colleges University. I thereafter obtained a BA from Colleges, what is now Colleges and a CQSW (Certificate of Qualification in Social Work) from Colleges University. I also have a Masters' in Education from Colleges and an honorary Bachelor of Science from University.
- On leaving school in 1952, I took up employment as a coal miner. In 1954 I joined the RAF and served for twelve years.
- 4. In 1968, after completing my teaching qualification, I taught physical education (PE) at Secondary Modern School, Secondary Secondary Modern School, Secondary Modern
- 5. In 1973, legislation was being introduced to change single-gender schools to dualgender and I realised I only had experience in working with boys. A job came up as third in charge at St Christopher's Residential School for Girls, which was looked after by Liverpool Social Services. I successfully applied and remained there until 1976, during which time I gained promotion SNR

- 6. In 1976 I became **SNR** of **Community Home with Education on the** Premises (CHE), which was operated by **Social Services**. These had previously been Approved Schools, but the idea in the legislation was to change the preconceptions of Approved Schools. I was therefore one of the earliest people to become involved in residential schools for children who had come through the courts, as happened in England. There were only two other such schools in England, where boys and girls were on the same campus, let alone, as was the case with us, in the same units.
- 7. Previously, education had been very much the focus of residential schools, but by that time social work was taking a greater step forward. It seemed important to me not only to be a teacher, but also to have a social work qualification. I consider I was quite lucky to have been given the opportunity when I worked in **second and the second and the teacher**.
- 8. I remained SNR until 1982 when I was given a change of job as a Team Manager of Children's Services for Social Services
- 9. By 198, for personal reasons, I decided to move to Scotland and successfully applied for the role of SNR and a Oakbank School, Aberdeen. I started in the position in and the second started there until 199, when I took early retirement at the age of sixty.

# Oakbank School, Aberdeen

- 10. Oakbank School is situated in Aberdeen and has a long history, having been established in the late 1870s as an Industrial School for boys. At that time, boys were sent to the school by a legal process as an alternative to prison or other forms of sanctions that prevailed then. The purpose was to provide residential care, education, and vocational training to the boys.
- 11. During the twentieth century, Oakbank became an Approved School and later it was registered as a List D School. Shortly after my being appointed, the designation changed again and for administrative purposes it was regarded as a List G School. A

List G School was a residential and day school for children with special educational needs and social, emotional, and behavioral difficulties (SEBD).

- 12. The common factor with children who had special educational needs, was that they were pupils who had not been attending school on a regular basis. The outcome of that was that they had failed in their school setting and there were gaps in their education. It could also be that they had misbehaved in their school, and that had resulted in their exclusion or transfer to other schools. Often, if not frequently, Oakbank was regarded as the school which could help these children.
- 13. Most of the young people were thirteen to fifteen years of age on admission and I believe Oakbank was often seen as the placement when other resources had been tried and failed. Our task was to help the children catch up with their education and help them to reach their full potential. Having smaller classes and opportunities for individual teaching was a measure of our success.
- 14. The role of Oakbank was to provide care, education, and vocational training for a residential population of up to sixty-six adolescent boys. Later in **the second second**, however, we also admitted adolescent girls and around 1990 we introduced a day population of ten pupils for education.
- 15. Oakbank had a Board of Governors, which comprised twelve members. Two of those governors were volunteers and were not part of Grampian Regional Council, however the other ten were and were Regional councillors. They visited the school regularly and we had monthly meetings.
- 16. Budget allocation under my predecessor and overall line-management was the responsibility of the Scottish Office. Shortly after my appointment in 198, management was the responsibility of the Board of Governors appointed by Grampian Regional Council (GRC), and the school became self-funding. In practice, that meant we received a payment per pupil at a rate agreed by GRC, however the school was seriously underfunded. In 1996, Aberdeen City Council became the local authority with responsibility for Oakbank School and that resolved the cost per pupil situation.

- 17. When I arrived at Oakbank, my recollection is that it was very institutional; very much like where I'd worked earlier in my career. Accommodation for day-to-day living was sparse. My recollection is that, other than in the dining room, where there were benches and tables, there was a shortage of furniture in the living spaces. There was a TV and a games room with a pool table.
- 18. Oakbank was on a very large site. Along with a sports field, there was a gymnasium, a multi gym and a swimming pool. Facilities provided for participation in aerobics, athletics, basketball, football, weight training and swimming. The swimming pool was, I think, twenty-five metres long and had been built before I arrived by staff and the young people. The building of the pool by staff and pupils was a fantastic achievement and it was available for the local community to use.
- 19. Children slept in dormitories, where the floor area was divided by a partition into separate bed cubicles. There were no cupboards or lockers for clothes.
- 20. However, ex-pupils who had been at Oakbank several years ago would return for a visit and say that their stay at Oakbank had been the best thing that had happened to them.
- 21. Another area of concern was that the care staff assignment was five members of staff, supplemented by the senior team, caring for some sixty-plus boys. Teachers were employed to undertake extraneous duties of probably fifteen hours per week and in this way provided additional support and supervision of the pupils.
- 22. Additionally, there were only two night-care officers, which meant because of shifts that there was only one officer on each night. That one officer was supervising sixty boys, with a senior staff member available on call. It was appalling staff cover and, understandably, there were discipline problems.
- 23. It was apparent, however, that the teaching and care staff were committed to helping the young people in their care. In 1985, teachers and care staff were all male and they were supportive in what I would describe as difficult employment circumstances. They

were proud to be Oakbank staff members and, again from my recollection, the majority had been at the school for a lengthy period.

- 24. The education facilities were, however, superior to similar schools that I was aware of. In addition to classroom teaching, there was a strong focus on vocational training, which included painting and decorating, joinery, building and engineering. If you are a young person who has failed in his mainstream school, to then be able to do something practical and be successful made a big difference to their self-esteem.
- 25. Staffing, as I recollect, was six teachers and four Instructors led by the Head of Education. Teachers were GTC registered, and the instructors had appropriate qualifications allowing them to teach the young people. These instructors provided excellent vocational training for their students and were frequently involved in securing employment for them when the young person left the school.
- 26. A very positive aspect of the Oakbank team was the service provided by the catering and the domestic staff under the supervision of the bursar. They were very caring; the food was always of good quality and children were well fed. In addition to the expected cleaning tasks carried out by the domestic staff, there was also a laundry on site which seemed to me to be at an industrial level. The females in this team were again mainly long-term employees and were regarded in many instances by the pupils as being caring and friendly, like family.
- 27. We were registered for up to sixty-six children, but I don't think we ever operated at maximum capacity. Children were referred to Oakbank following a Children's Hearing and were placed there on a social work order. The Hearing would also make a stipulation that the young person would appear before them in the future, the time scale for reappearance being decided by the panel members. Reports were provided for the Children's Hearing by the school and by the local authority social worker. Any others present at the Hearing would be the decision of the Reporter.
- 28. They were children who had either not been attending school, or who, because of their behaviour, had been excluded. They were children who were beyond parental control and who were perhaps committing offences. The catchment area was the Northeast,

Dundee, and other parts of the central belt and, in the main when I started in 198, they were boys between fourteen and sixteen years old.

29. We might make recommendations in conjunction with a child's social worker as to when a child would leave, but it was the Children's Hearing Panel that ultimately decided. We would go to a Hearing and present our report.

## Time at Oakbank School

- 30. I was appointed SNR Oakbank School in 198 following an interview by the Board of Governors and a Scottish Office Inspector. My predecessor had left Oakbank a short time before. The direct management had was from the Scottish Office, but that changed for me.
- 31. My overall responsibility for **and the school was to the Board of** Governors. In that capacity, I would provide leadership and develop policies. I was responsible for the management of staff in **and** departments, including care, education, and the day-to-day **and the school**. That included catering, domestic and administrative functions.
- 32. I did not receive formal appraisal, but I was required to attend monthly board meetings and produce monthly reports. Each of the board members had different responsibilities. One of the board members was a retired local authority finance director who had responsibility for finance. There was a chairman of the board, however I can't remember what responsibilities the others had. Additionally, the Governors would drop into the school regularly and meet with staff and with children. The Board of Governors were very supportive of the school.
- 33. I attended case conferences, both before and during a child's placement, and I chaired some of them. I attended Children's Hearings and I met with parents and social workers on a regular basis. I was supported in this role by three senior staff, who were the SNR and the SNR

- 34. Although I had a second responsibility for education and leisure, curriculum development and any achievements were very much down to SNR and the teaching team. During the time I was there, there was progress in the core curriculum subjects, including English, mathematics, physical education, personal and social development, and science. The school provided standard grade courses and by 1996 over a third of children sat these exams, which had not been happening previously.
- 35. There were also optional curriculum subjects, which included home economics and graphics, and there were vocational subjects, which were painting and decorating, vehicle engineering, building and carpentry.

#### **Personal Influence**

- 36. I consider I played a part in how staff complied with relevant regulations, including responding to challenging behaviour. However, this was done along with support and input from <sup>SNR</sup>
- 37. The upgrading of the children's accommodation was an achievement of which I was quite proud. We replaced a system where the school population of sixty-plus boys were all in one unit in one location, to establishing four units with fifteen or sixteen young people in each. Admittedly, there were too many children in each of these units, but circumstances determined the speed of these improvements. The furniture was upgraded to create a comfortable living area and instead of dining being centralised for all sixty young people, meals were now eaten in smaller groups with a designated staff group.
- 38. The four residential units were Rosemount, Ashgrove, Oakhill, and an Independence Training Support Service (ITSS). Oakhill had previously been an empty building due to staff shortages, but in time we were able to convert it into additional accommodation. We introduced the ITSS for children who were about to leave and perhaps not returning to their family home.

- 39. These changes were intended to provide a more relaxed, child-centred environment, creating opportunities for the staff to form better relationships with the children in their care and with obvious benefits for the children.
- 40. We refurbished the dormitory accommodation into bedrooms for either one child or two, depending on the circumstances. Sometimes a youngster wanted to share with somebody, and we were able to accommodate that. The bedrooms were carpeted, and each had a wash hand basin, a locker, cupboards and a television. I was very grateful to the Board of Governors for their backing of this refurbishment.
- 41. By providing better accommodation, discipline issues are reduced. These upgrades provided a more comfortable quality of life for the children and a better working environment for the staff.
- 42. One of the major problems we faced was that our budget was agreed by Grampian Regional Council after it had been agreed initially by the Board of Governors. The funding allocation was reduced from what was required and the sum received was based on what the social work rate for children in residential homes was at that time. I think it was about £800 a week, or thereabouts.
- 43. However, we did not get funding for education, and we had fourteen teachers. Consequently, we were always in financial debt. On one occasion, we were bailed out by the Council. Obviously, I was very grateful for that financial support.
- 44. All the teachers were qualified and registered with the General Teaching Council, and we introduced a policy for all teachers to also have a Special Educational Needs Certificate. Additionally, the Instructors, who all held recognised trade qualifications for their trade background, were also, subject to funding, given the opportunity to obtain appropriate teaching qualifications.
- 45. Being able to admit day pupils was a successful development. These children were secondary age pupils, who had been placed by their local authority education departments and were fully integrated into the education programme. For reception

and meals, the day pupils were allocated their own unit, which was called Cedarwood and had a designated care staff member with pastoral responsibilities.

- 46. What was interesting about these day education pupils was that these were youngsters who would not go to the school at the end of their road but travelled, in some cases a long distance, by public transport, arriving in time for the morning assembly.
- 47. A major change was to have a school population of not just boys, but also to admit girls. This transformation was undertaken with the support of local authorities and girls came to Oakbank in circa 1989. This in turn required recruitment of female staff, both in the care side, including night-care staff, and in the education programme. The introduction of girls and female staff created a more caring and normal environment within the school and provided learning opportunities for both genders to establish appropriate relationships.
- 48. I have a copy of a newsletter, in which there is reference to the 'Rover Challenge', which was a competition Oakbank pupils took part in to modify a motor vehicle, a go-kart, for a person who was disabled. Some three hundred other schools took part and Oakbank came third. It was a fantastic achievement by the children and the staff members involved.
- 49. We also organised holiday programmes, whereby various trips were arranged for the young people. Those included school parties to an outdoor centre in Oban, to France and to Germany, where we had links with a German social work organisation. We arranged an exchange programme with children from Germany. For several years, they came with a party of children and stayed at the school and our children went to Germany.
- 50. Another notable achievement was the school football team taking part in a four nations competition. That trip also included the team visiting Manchester and Liverpool football grounds and Alton Towers.

51. We tried to provide opportunities, which I believe is how we would have been expected to operate by providing experiences similar to that provided in mainstream schools. I am grateful to the staff for providing these varied experiences for the children.

Policy

- 52. SNR I was involved in policy in relation to the care, including residential care, of children.
- 53. The long-term plan was to improve the quality of the staff and the quality of care. We wanted to increase the staffing levels, in particular the number of female staff and we wanted to recruit staff with social care qualifications. We also recruited additional night-care officers, both male and female.
- 54. Our policy also was to improve the education. To that end, we recruited more teachers and thereby we increased the range of subjects taught. Ideally, we wanted to increase the number of female teachers and provide opportunities to the instructors to enhance their qualifications. The instructors wanted that as well, because if they had a teaching qualification it would improve their opportunities.
- 55. We also continued to upgrade the young people's care plans, we abolished corporal punishment, we established a pupil and staff council, and we increased the involvement of parents.

## Strategic planning

- 56. SNR I had involvement in, and responsibility for, strategic planning in relation to Oakbank.
- 57. The strategic plan was to implement the practical aspects of all these long-term policies with the support and commitment of staff and with the support and commitment of the Board of Governors.

- 58. Our aims were to provide educational opportunities to develop the academic, cultural social, practical, and vocational skills of the young people. To promote emotional and social development, concern for others, to encourage appropriate social behaviour and to improve each young person's self-esteem. To support those children who wanted to return to full-time schooling, or to further education, or if there was an opportunity for them to find employment.
- 59. We wanted them to behave responsibly in their community. We wanted our young people to leave Oakbank equipped with all these skills and, for those not returning to their families, to include skills required for independent living in supportive accommodation.
- 60. As an organisation promoting our 'Statement of Values', we included that each young person in our school was of value. That we as a school should do all that we could to facilitate each young person's potential. We championed that we should work together to show respect for personal dignity through being courteous and treating one another with respect.

### Other staff

- 61. SNR I managed staff at Oakbank. When I started, there were five male social care staff and when I finished there were thirty-two social care staff. They were both male and female and twenty-two of them had a recognised qualification in social care or education. It took some time to get there but progress was being made.
- 62. There were four staff in the ITSS unit and about nine staff in each of the four residential units, which, today, would not be considered ideal. Those nine staff looked after twelve children, but worked shifts and therefore there were not that number on duty at the one time.
- 63. By the time I retired we had ten night-care officers, both male and female working a rota in the different units. There were also twelve domestic and catering staff, seven finance and administrative staff, who were a mixture of full and part time, and one gardener.

- 64. We also had a principal psychologist on site, and he was outstanding. He was part of a childcare psychology service that had been in place before I arrived and he was based fulltime in the school, although he was not part of my staffing structure.
- 65. The principal psychologist interviewed all the children during their placements and provided reports for each young person's treatment plan.
- 66. The teaching team at Oakbank increased in numbers and changed from having been all male, to both male and female teachers.

#### **Recruitment of staff**

- 67. Members of the Board of Governors would be involved if we were recruiting senior management, however other formal interviews involved **senior** and **senior** the senior management team.
- 68. All prospective staff were encouraged to visit Oakbank on an informal basis, prior to interview to meet other staff and the children. Appointments were made after various formalities, including references and police checks, were found to be satisfactory. We were an equal opportunities employer, and our policy was to recruit male and female staff with appropriate qualifications, or an appropriate skill set, who also had the potential to undergo training.
- 69. It was quite difficult to recruit care staff and there were not many at the time I started at Oakbank who had qualifications. That changed later in **the started** but getting staff to come and work at a school like Oakbank remained quite challenging. It wasn't the kind of job that suited everybody.
- 70. Those who were successful were subject to a period of probation, during which their progress was monitored by the head of social work. Staff needed to be quite confident in themselves and there were occasions when new staff were deemed unsuitable, and I had to terminate their employment. That didn't happen very often, as people tended

to realise their unsuitability themselves, or they would have discussions with other members of staff and come to that realisation.

# **Training of staff**

- 71. At Oakbank, the policy was for staff to attend externally run courses or to attend seminars and opportunities to obtain social work qualifications. They were enthusiastic about that, although there were obviously financial consequences and there had to be consideration to ensuring there were enough staff to look after the children.
- 72. Although not an exhaustive list, these included behavioral management, adolescent development, first aid, restraint, and crisis intervention.
- 73. There was a period when we seemed to have a lot of children who were physically aggressive and challenging. Staff coped but it was an issue, and it did affect staff morale. Consequently, we involved ourselves with Grampian prison staff and we all, including me, had three or four restraint training sessions with them. Although that training did not increase the number of incidents whereby restraint was required to be used, it did have the effect of boosting staff confidence. The advantage of providing such training in restraint was that both staff and children were not physically injured and instead were kept safe.
- 74. Education staff had a policy which was related to their use of discipline and the Head of Education was responsible for overseeing that procedure.
- 75. There were also ongoing weekly in-house staff meetings, at which topics related to training formed part of the agenda. We had a very active staff, and those meetings would include whatever they wanted to talk about.
- 76. I have a document from 1997, which shows that, of the thirty care-staff employed at Oakbank at that time, over twenty had some form of social work qualification.

#### Supervision/staff appraisals/staff evaluation

- 77. Our supervision policy was based on supporting staff and staff received supervision on both a formal and an informal basis. They also had ongoing daily support from their line manager or their senior manager. That supervision was based on their performance, including their relations with children and colleagues, and was casework related. Meetings would be held with their head of department or the unit manager.
- 78. I was very much involved in **the school** and a written appraisal was completed for each staff member; however, I can't remember if I had sight of each one.
- 79. oversaw the heads of all the units and the department. As a senior team, we met each morning to discuss what had happened in the previous twenty-four hours. We did not have a formal process of appraisal.
- 80. We also introduced a survey, whereby staff were asked to evaluate the performance of the senior staff **statutes**. The survey was conducted by the principal psychologist, and it was enlightening to find out what people thought about us. As a consequence of that survey, our performance as far as the staff were concerned did improve.
- 81. We also had a combined staff induction programme which was monitored by the Head of Social Work. He would meet with each new staff member for a period, possibly over a couple of weeks, before they were placed on the rota.
- 82. If any staff wanted additional counselling, whether it was related to the school or not, they could see the principal psychologist. That was provided on an individual and confidential basis.

### Living arrangements

83. I lived in a house which was within the school grounds

- 84. Oakhill had staff flats at either end of the building and staff lived there for a period. There was no requirement for the staff to live in the school.
- 85. All members of staff had access to the children's residential areas because the teaching staff had additional duties too. Each teacher was attached to a particular unit and assisted in supervising the children.
- 86. The night care-staff were responsible for the children's residential areas overnight. If there was nobody off sick or on holiday, there would be three staff in the main building and two in Oakhill, both male and female and a member of the senior team would be on call.

## **Discipline and punishment**

- 87. Historically, one of the sanctions used for misbehaviour at Oakbank from its start up as an Industrial School in the 1870s, and latterly as a list D school, was corporal punishment. During my first term in 198 for the stop and to abolish this form of punishment. Additionally, although corporal punishment was still legal, the climate was changing and there was a desire to stop it.
- 88. It was **a series of the se**
- 89. to abolish corporal punishment had the general support of the staff.
- 90. Instead of corporal punishment, we developed other approaches. Over time, these approaches became a policy we called 'Achieving Acceptable Behaviour'. Whilst I was involved in developing this policy, so were the other senior members of staff and the principal psychologist. In effect, the policy was to motivate and promote positive

behaviour, so that young people would relate appropriately with each other, with staff, and within the wider community.

- 91. The 'Behavioural Management' system was intended to develop inner controls, help the young person gain self-respect, respect others and be courteous. We wanted children to treat others as they would want to be treated.
- 92. Behaviour was monitored by a blue card, which was voluntary, whereby their progress was recorded for positive aspects, such as helping in their house unit and for achievements in school. In effect, being recognised and praised for demonstrating positive behaviour. For those children who were demonstrating behaviour difficulties, there was a pink card, and their behaviour was more closely monitored.
- 93. Included in this policy was a system of measuring levels of behaviour whereby, if a child was placed on Level 1, a sanction such as no recreational trips out of school would be issued. On level 6 there were positive rewards such as being allowed to depart earlier than was the norm when going on home leave, provided their educational assignments had been completed. In effect, the intention was to emphasise positive behaviour and reward it.
- 94. As discipline issues occurred in the school setting, the 'Pupil Code of Conduct' was devised by involving staff and the pupils and included what was referred to as the '10 Commandments of Behaviour'. That included statements such as 'We go directly and quietly to our class', 'We go straight to our seats', 'We listen to the teacher and follow instructions', 'We work to the best of our ability', 'We should be polite and respectful', 'We should ask permission to enter and leave the class', 'We should tidy up at the end of the lesson', 'We should remain seated until dismissed', and 'We should go directly to the next timetable location'.
- 95. This behaviour system worked for most of the children. Our task at Oakbank was to attempt to provide a positive experience and the behaviour system did improve relationships between staff and the children. It motivated positive behaviour, it improved the learning experience, and it is highly likely that the education at Oakbank was the best school experience these pupils had.

- 96. Those same principles applied outwith school hours when the children were back in their units. We did try and emphasise that the school was the more formal time and tried to make the units more relaxed, but there was still the card system and positive behaviour was recognised.
- 97. My impression is that Oakbank had a good reputation because it was seen that we had a structure and that children responded to that structure. Our emphasis was on caring, but you must also have a controlling aspect. The key is to get the right balance.
- 98. When I arrived at Oakbank in 198, all the external doors were locked. The reason for that was the low number of staff and absconding could often be an issue, which is a concern. Legislation then came out which stipulated that if a school was not a secure unit, external doors could not be locked. Consequently, for most of the time I was at Oakbank, all the doors were locked from the outside in the evening, but could be opened from the inside.
- 99. Therefore, if a child wanted to run away, they could do and that was always a problem. We were looking after the children and, if they were not with us, the concern is what they were doing. Their personal safety was always paramount and so, if a child did abscond, they would be sanctioned.
- 100. Absconding was a big issue, although not every child ran away. We would inform the police and they would bring the child back to us.
- 101. One sanction was the removal of home leave, which would be the decision of a senior member of staff **staff** but agreed with the child's social worker. It wouldn't necessarily have been decided by **starting** would know of it, and I think it would have been understood by the senior team that **starting** agree with whatever decision had been made. It was the responsibility of the senior member of staff to record any sanctions and those records were kept in the admin office within the school.
- 102. Segregation was not part of our policy but if a child for example was constantly absconding, he or she could be provided with one-to-one staff support. Separated

from their peers. The intention being to stop absconding. We did not have facilities for confinement.

#### Restraint

- 103. I believe restraint was introduced around 1991. Most of the staff were given training in what was referred as 'Therapeutic Crisis Intervention' (TCI), which includes methods of physical restraint. I don't recall there being a formal written policy or formal training before that.
- 104. Restraint is not a sanction, but a method of managing violent behaviour or, in some cases, preventing an attempt at absconding. Restraint was used as a positive use of force, to protect the young person from hurting themselves or others, or from damaging property.
- 105. The application of restraint requires judgement, and the degree of its use is determined by the circumstances. The amount of force used in restraint must be reasonable and not excessive and must be eased as the young person calms down.
- 106. Unless in exceptional circumstances, all incidents of physical restraint would have been carried out by at least two members of staff. The objective would be to prevent the young person from hurting themselves or others and the presumption is that restraint should be used as a last resort.
- 107. All instances of restraint being used were reported to the senior staff member on duty. When the young person had calmed down and was composed, an appropriate member of staff talked through the incident with them, and the issues were addressed. The intention of that was to, hopefully, prevent a repeat of the incident.
- 108. Any use of restraint was recorded, including the circumstances of the incident that preceded it and it was reported to the young person's local authority social worker.
- 109. I tended to avoid getting involved in restraining children or having any physical contact with them. I never saw excessive restraint being used on a child at Oakbank.

#### Day to day running of establishment.

- 110. I was involved in the day to day running of Oakbank School.
- 111 had a meeting about 8:45 am every morning with the senior staff, at which, whoever had been on duty the previous night would update the others on what had happened.
  I would also have the diary to refer to, which staff would write comments in and which was held in the main office and accessible to everybody. We would discuss everything that had happened, and then we had the morning assembly.
- 112. The assembly lasted about fifteen minutes and sometimes there was a theme, sometimes the children took part, sometimes another member of staff did. After morning assembly, the children either went to school or to their workshops.
- 113. Local Authority social workers regularly visited the school to meet with their young person or for a case conference, which I would attend and occasionally chaired. I would walk round the school and sometimes and sometimes I was invited to join the children in their units for lunch. Sometimes I was asked to taste the food that had been prepared in the home economics class. I appreciated these invitations.
- 114. Looking back, because of my involvement in the day to day running of Oakbank, I do feel confident that, if any child was being abused or ill-treated, it would have come to light at or around the time it was occurring. I spoke to the children regularly and would ask them how they were. I am confident that, if they had any issues, I would have known.
- 115. I had an open-door policy and so, if the children wanted to come and see me, they did. Often, they might want to speak to me about home leave, which it was our policy to encourage, but which was always negotiated and agreed with a child's field social worker. Obviously, you can't be sending a child home if there was nobody there and sometimes the Children's Hearing had an input as well.

#### Problems at Oakbank School

- 116. For the majority of the time and for the majority of the children they responded appropriately during their stay at Oakbank.
- 117. However, there were children whose behaviour was at times unmanageable. They could be verbally aggressive and rude; physically aggressive to staff and other children; and totally uncooperative. Fortunately, for many of these children we were able to work through their difficulties and resolve whatever their issues were. For a small number of children we were unable to help, a case conference would be held involving his or her social worker and another placement would be sought.
- 118. Anti-social behaviour involving a minority of the children included glue sniffing; consuming 'magic mushrooms', when they were in season on our sports field; and the abuse of illegal drugs, which occasionally became an issue of concern.
- 119. Some children had been prescribed methadone by their G.P. which would have been dispensed by a care staff member. Some of the children were very knowledgeable about drugs.
- 120. I would have said bullying was not a big problem at Oakbank, but I suspect some of the children would disagree. I think if you were to ask the children in any school, they would say the same. We always tried to deal with bullying and respond to it, but it is difficult. If I was dealing with a bullying issue, I would speak to all the parties involved.
- 121. I met with most of the children who absconded after they had been brought back. I would ask them why they had done it, and I would explain our position regarding ensuring their wellbeing. I would not be the only member of staff who would do that, I am sure that the child's key worker, or the head of their unit, would also ask the same questions.

#### **Concerns about Oakbank School**

- 122. There were concerns expressed from time to time. Examples being children absconding and committing offences in the local community such as car theft or behaving inappropriately while on home leave. On occasions, **contacted** by those affected who would express their annoyance.
- 123. There was also a complaint report to the Inspection Unit at the local council by two members of staff regarding the behaviour of other staff. The incidents were investigated by council officers and, as far as I can recollect, no recommendations were made. There were no police investigations into the school as far as I recollect.

## Child protection arrangements

- 124. In 198, following my appointment at Oakbank, child protection and abuse training was not as common as it is in today's education and social work arena. However, topics such as preventing and responding to abuse were covered during induction and in ongoing supervision of staff. In my latter years at Oakbank, child protection and abuse was talked about more often.
- 125. All residential children were monitored and supported by their local authority social worker. That social worker also had responsibility for the child's wellbeing and welfare, and would visit the young person on a regular basis. These would be both planned visits and unannounced visits, and they would also meet with Oakbank staff. The social worker would arrange case conferences, they would monitor progress and they were the link with the young person's family. They would also organise appointments with any specialist, such as psychologists, medical appointments, the dentist, and other health professionals.
- 126. The local authority nominated a member of their staff to monitor the educational progress of the ten pupils who attended Oakbank daily.
- 127. If reference was made to abuse in a child's care reports received on their admission, our Principal Psychologist would have provided guidance to us. I would also have

presumed the local authority social worker would have taken appropriate steps to investigate and progress to a satisfactory outcome any such complaints.

# **Reporting of complaints/concerns**

- 128. On admission, both the pupil and their parent were informed of our complaints procedure.
- 129. If a complaint was made in the school setting, a form was available for the child to provide details of the complaint. If assistance was required in filling in the form, support would be available from the young person's key worker, other unit staff, or the child's Local Authority Social Worker. Local Authority Social Workers would visit the children regularly and these were the sort of issues that would be discussed.
- 130. On receipt of a complaints form, I as **SNR** or a member of the senior staff, would acknowledge the complaint in writing. The child's Local Authority Social Worker would be advised, and the police would also be contacted if there was a suggestion of a criminal offence.
- 131. If the complaint was investigated by me SNR or by a member of senior staff, that senior staff member would advise the young person of the outcome. If they were not satisfied, the complaint would then be forwarded to the Local Authority for investigation and the young person and their family would be advised of the outcome.
- 132. If either the young person or their family were dissatisfied with the outcome of the investigation, there was an appeals process, whereby representation would be made to either the Director of Social Work, the Director of Education or the Registration and Inspection unit.
- 133. If a child had been placed in the school by their local authority for Day Education, the local authority had designated staff responsible for ensuring there was an independent person available to be contacted who would meet with the young person privately. I don't think we ever had any day education pupils who made a complaint, however.

- 134. I did receive complaints, albeit not of abuse. A couple of members of staff reported allegations of physical aggression direct to the local authority. There was an investigation and, as far as I can remember, there were no sanctions imposed on any staff member.
- 135. As far as I can recall, after the passage of time, I did not receive any complaint from a child of their having been abused.
- 136. I was aware that children were being challenged for behaving inappropriately, for not responding to reasonable requests and, although you would always hope that the child would respond to that challenge, sometimes they did not.

# **Trusted adult/confidante**

- 137. Each young person had a member of the care staff designated as his or her key worker.
- 138. A key worker had the responsibility for establishing a caring and supportive relationship with the young person. They would act as a committed advocate and ensure the child's social, emotional and physical care was documented and reviewed. A key worker would facilitate the continuity of the child's care, they were a trusted adult and confidante, and it was their responsibility to maintain contact with the child's parents.
- 139. Within our education programme, each young person had their individual educational tutor who had the responsibility for their academic studies. That tutor would also be an adult with whom the young person would have a positive relationship and both the key workers, and the educational tutors worked collaboratively to ensure the best outcome for each young person.
- 140. Outside the school, the young person had a local authority social worker who would also be regarded as a trusted adult. Additionally, if the children wanted to speak confidentially with the principal psychologist, they could do so.

141. The children also had home leave arrangements, which could be weekly or if they lived within travel distance could be on days during the week, after school. This home contact provided an opportunity for the children to confide issues of concern with their parents. Whilst we were an institution, there was a lot of access to the outside adult contacts.

## "Abuse"

- 142. Many of our social care staff who went on to achieve appropriate social work qualifications would cover abuse and its definition on their course. However, discussion of abuse and trauma, which are such a significant part of training packages today, was not as prominent in the 1980s and 1990s.
- 143. In a sign as at Oakbank, I don't think there was ever a written definition of what constituted "abuse".
- 144. I never saw any behaviour that I considered to be abuse of a child or children at Oakbank.
- 145. No member of staff was ever dismissed during my tenure because he or she had, or was found to have, abused, or ill-treated a child.
- 146. The only member of staff who was dismissed by me was a care worker called <sup>EJS</sup> <sup>EJS</sup> sometime around 1990. I had been advised informally by the police that <sup>EJS</sup> who was in his thirties at the time, possibly slightly younger, had been in possession of indecent images of children.
- 147. I did not know him well, other than he was a staff member at Oakbank. I don't recall if I would have interviewed him for the role, but, as far as I was concerned, he did the job that we had employed him to do. I saw him with children, and he seemed to be okay with them. I did not see EJS discipline children. I did not see or hear of him abusing children. It came as a surprise when the police notified me. I had no suspicion and had received no reports of concerns regarding his behaviour. However, after being notified, I immediately terminated his employment. I did not speak to any

of the children he would have had contact with and I suppose looking back now, I perhaps should have. I assumed that if the police were investigating, I would be made aware if there was anything further.

- 148. When I spoke with him, I told him that I'd had a phone call from the police, but I did not ask him about the images. I then told him I was terminating his employment, and he did not challenge me.
- 149. Looking back, I can absolutely be confident that, if any child was being abused or illtreated, it would have come to light at or around the time it was occurring. I am also confident that any member of staff would feel able to report issues of abuse.

#### Allegations of abuse

150. I have never been the subject of an allegation of abuse or ill-treatment of a child or children who resided at Oakbank when I was SNR

### **External monitoring**

- 151. There were inspections during as as SNR . There was one around 1986, which was conducted by HMI, and it was deemed satisfactory. There was another in the early 1990s.
- 152. The inspectors were in the school for about three days and would have done what they normally would have expected to do. They spoke to and observed staff and the children, both individually and in a group and they spoke to me.
- 153. No concerns of child abuse, or of discipline and punishment were raised. There were issues identified concerning management and organisation. As a result of that inspection, along with the three members of the senior staff, I attended various courses to improve our management and organisation skills. Those included clarifying our policies and having these produced in a document which involved in its presentation the care and education teams.

154. We also had local authority registration and inspection officers attending the school and with whom I had regular meetings.

## **Record keeping**

- 155. I can't remember what records may have been kept at Oakbank before I started. I think I carried on with what was there but developed it and I think our records were more than adequate. I think my social work background was quite useful for Oakbank and I think I was quite well versed as to what was expected.
- 156. The senior staff, including the unit leaders, monitored how staff were completing the reports and records to make sure they were all following the practices that were established. I would have seen that when they were writing reports for case conferences. Those reports were signed off
- 157. At one time it was quite an issue if anybody who was not professionally qualified had access to a child's files. At Oakbank, our policy was that the young people had access to the records and reports that we had written about them. The exception to that was reports within their personal files from doctors, psychologists, social workers, and health professionals, which all required the author of these individual reports to give their authority first.
- 158. Information relating to the young people was recorded in personal case notes. Records were kept secure and were confidential, with only relevant personnel having access. Individual files included admissions details, personal information, health records, medication, care and education plans, review reports, correspondence and reports relating to accidents, complaints, etc.
- 159. Unit staff maintained records for issues relating to unit life such as pocket money, clothing issues, home contact arrangements, or any incidents of note.

#### Investigations into abuse – personal involvement

- 160. During my time as <sup>SNR</sup> of Oakbank, neither the school, nor any member of staff was ever the subject of any investigation, other than by the police, into alleged abuse or ill-treatment of children who were, or had been, in the establishment.
- 161. I was never involved in any investigation on behalf of Oakbank into allegations of abuse or ill-treatment of or into inappropriate behaviour by staff or others towards children.
- 162. Other than **EUS** the care worker about whom the police contacted me, I never had to dismiss any member of staff over concerns for their behaviour towards children. The only other member of staff I did dismiss was a night-care officer, who I found asleep on duty when I went into the school one night. The case went to an industrial tribunal with the findings in favour of the school.
- 163. Any dismissals were responsibility and, as far as I can recollect did not dismiss any other member of staff during **contract**.

## Reports of abuse and civil claims

164. I was never involved in the handling of reports to, or civil claims made against, Oakbank by former residents, concerning historical abuse.

### Police investigations/criminal proceedings

- 165. During my time as **SNR** neither Oakbank nor any member of staff was ever the subject of a police investigation into alleged abuse or ill-treatment of children who were, or had been, in care there.
- 166. About three or four years ago, I was invited to voluntarily attend an interview with the police concerning allegations that had been made by a former resident. It was an informal interview regarding corporal punishment; however, it was established at the

interview that the person making the allegations had been at Oakbank prior to my arrival.

- 167. I have never given a statement to the police concerning alleged abuse of children cared for at Oakbank.
- 168. I have never given evidence at a trial concerning alleged abuse of children cared for at Oakbank.
- 169. I am not aware of Oakbank or any member of staff being, when I was not SNR the subject of a police investigation into alleged abuse or ill-treatment of children who were, or had been, in the establishment.

### **Convicted abusers**

EJT

170. I do not know of any person who worked at Oakbank who was convicted of the abuse of a child or children at the establishment.

#### Other staff working at Oakbank School

- 171. I am aware that the Inquiry would like to find out about certain staff and others who may have been employed at Oakbank School at the same time as me.
- 172. I recall **EVENTION** He was one of the members of staff who was already at Oakbank when I was appointed. He was part of the senior team and I believe he was a senior social worker.
- 173. **EJT** was in his late forties or early fifties, and he had been a Marine previously. Sadly, he had a heart problem and, I'm not sure when, he died while I was at Oakbank.
- 174. I was on good terms with him, but I wouldn't say I knew him particularly well. I saw him with children, and he got on very well with them.

- 175. I never saw EJT discipline any child and I never saw or heard of him abusing any child.
- 176. ILG was SNR and had been at Oakbank for some time before I arrived. He remained there for the whole time I was there.
- 177. He was younger than me and, I would think, was in his thirties or forties when I arrived. He was a very competent **SNR** and very hard working. Previously, he had been a technical studies teacher and, as **SNR**, he had overall responsibility for education and the teaching team.
- 178. We didn't socialise together, but we worked together, and I would say I knew him very well. I saw him interact with children, he also taught and he was a good teacher.
- 179. I did see <sup>ILG</sup> challenge children if they were not cooperating, although no specific incidents come to mind and certainly nothing gave me cause for concern.
- 180. I never saw or heard of ILG abusing any child.

ILG

LIL

- 181. **LL was our SNR** and looked after everything that wasn't part of social work or education. That would include the general running of the school, being there to assist if there were any problems with the children and supporting staff. He was a qualified teacher, having graduated from Jordan Hill College in physical education.
- 182. He was at Oakbank when I arrived, at which time he was a teacher, but later promoted him to <sup>SNR</sup> He would probably have been in his thirties or forties when I arrived and had been at the school for some time. He was a very strong personality and I often used to think he was the most popular member of staff amongst

the children. Whenever children returned to the school, they would ask about LL

183. We relied on LL in a disciplinary capacity and very much for challenging children's behaviour, but I never saw or heard of LL abusing any child.

184. **EJV** was the building instructor and had been in that role when I arrived at Oakbank. I'm not sure how old he would have been, but I think he may have retired a short time before I left the school.

- 185. I knew well as a member of staff at Oakbank. I did see him with his class of vocational trainees and his interactions with them seemed appropriate to me.
- 186. I never saw **EV** discipline any child and I never saw or heard of him abusing any child.
- 187. <sup>IAB</sup> was a care worker who was in post when I arrived. I don't know how long he would have worked at Oakbank, but he was mature and was probably in his thirties or forties.
- 188. I knew AB very well. He was likeable and he seemed to have a good relationship with the children.
- 189. I never saw <sup>AB</sup> discipline any child and I never saw or heard of him abusing any child.



EJV

190. I think there were two night-care officers when I arrived and I'm almost certain one of them was called <sup>ILF</sup> He was not the night-care officer I dismissed.

- 191. I think would have been in his forties and had been at Oakbank for a while. He had a very difficult job, looking after sixty-odd children on his own, particularly because of the layout of the building at that time. Despite that, he seemed to have a good relationship with the children. Occasionally, I was called in to deal with behavioural issues.
- 192. I never saw discipline any child and I never saw or heard of him abusing any child.



193. I cannot think of any member of staff named KNS



- 194. There was a member of staff named KZD who was a gardener. He was possibly in his forties when I arrived and is now deceased.
- 195. I saw him with children as children sometimes wanted to work in the gardens and he got on well with them.
- 196. I never saw KZD discipline any child and I never saw or heard of him abusing any child.

FZR

- 197. FZR was a care worker, who was probably in his early thirties at the time of his employment. His father, KFJ also worked at Oakbank.
- 198. I saw FZR interact with children and there was nothing he did that gave me cause for concern.

- 199. I am aware now that FZR had previous convictions, including for indecent exposure, at the time of his interview for employment. He did not disclose at the time that he had any previous convictions and I did not know he had at the time he was appointed. He had not declared this on his application. If he had indicated he had previous convictions, I would not have appointed him.
- 200. Although I don't recall his interview for employment, when it became known that he had lied at it, was going to terminate his contract. However, there was a large response from the children and from the staff that should not do so. He had been in post for some time by then, he was popular with children and staff when the offence came to light. There were no concerns regarding inappropriate behaviour. Consequently, was influenced by the reaction and responses not to terminate his employment.
- 201. I never saw <sup>EZR</sup> discipline any child and I never saw or heard of him abusing any child.

## Allegations that have been made to the Inquiry about me

202. I have been provided with copies of a number of statements made to the Inquiry by the following persons: HQJ

### HQJ

- 203. I note from his statement that HQJ was born in 1965 and that he says he was at Oakbank between approximately 1979 and 198. This was before I started at the school in 198.
- 204. I have, however, read HQJ statement and I note that he refers to SNR statement, but does not name who that was.



- 205. I note from his statement that LE says he was at Oakbank between 198, around the time I arrived, and about 198. I cannot remember LE
- 206. At paragraph 57 on page 11 of his statement, the formal has said, 'When I arrived at Oakbank I was introduced to SNR who was called Mr HMY He told me that I would not be known by my name and that I would be referred to by a number. I was allocated the number ... and that all my clothes and everything I did would be referred to by that number. He also told me that I would have to build up trust before I would be allowed any home leave.'
- 207. My policy was to meet, introduce and welcome all the young people. If they were with their parents I would try and make them feel that I was going to look after their child. It would not be me who would say to a child that they would not be known by their name but referred to by a number.
- 208. If that was said at all, it would have been said in the unit, but it is a totally inappropriate thing to say. We did not refer to children by a number. Children were allocated a number, which related to a basket in which they put their clothes. The baskets were given a number, instead of a child's name, because of the turnover of the children. As mentioned earlier, lockers were not provided in the early days of my appointment.
- 209. With regard to his comment concerning home leave, I would not have said such a thing. I think it was probably the case that we had a policy, which would have come from the Children's Panel, that a child would not go home for the first four weeks of their stay. I cannot really remember that, but that would make sense, because children were often unsettled when they arrived.
- 210. If, however, there were circumstances which meant a child did need to go home earlier, we would have been advised as much by the social worker. There would not have been any reason for us to stop that from happening. We did stop home leave as a disciplinary measure, but we did so in conjunction with the child's social worker.

- 211. LE goes on to say the following at page 18, paragraph 93 of his statement '*Mr* HMY would give you the belt sometimes. He would jump in the air to make sure he inflicted more pain.'
- 212. I cannot deny having used the cane. If I did ever cane anybody, I would always have a discussion with them afterwards about why they were being caned. I never used a belt and I certainly did not jump up and down when I was administering corporal punishment. It was certainly not my approach to try and inflict as much pain as I could. As mentioned earlier stopped corporal punishment within three months of being appointed and in any case, I do not recall caning any child on more than one occasion.
- 213. The passage of time has not affected my recollection of what **LE** has said, but I do accept that it would be abuse if a child was treated in the way he describes.
- 214. I cannot explain why LE has said this, because it is not true.

LUC

- 215. I note from her statement that **LUC** says she was at Oakbank between 1990 and 1991. I felt really sorry when I read **LUC** statement, it is very sad.
- 216. On page 5, at paragraph 28 of her statement, LUC statement said, 'Bedwetting was never a problem for me. Those that did wet their beds got abuse from the other children. I recall hearing SNR Mr Mr MY in the boy's dorm one time and I could hear him slapping a boy and saying "pishing the bed". All the washing was sent elsewhere.'
- 217. I have had experience of children bedwetting while in residential care. I have a very sensitive approach. We need to be compassionate and understanding. I would assume we would offer advice, such as telling the young person not to drink too much liquid late at night and to go to the toilet before going to sleep. We also used pads on the beds to absorb vapour from the urine.

- 218. I don't doubt about the children being unkind to each other, but because of my experiences in the various homes I have worked, I would be extremely sympathetic and understanding. I would be very sorry if other staff at Oakbank were unkind with anybody who had wet the bed, but I would be very surprised too.
- 219. The remark about hearing me slapping a boy is totally untrue and additionally, I would never use the sort of language Luc has said I did. I do, however, accept that sort of behaviour would constitute abuse, had it happened.
- 220. LUC goes on to say the following on page 7, at paragraph 38 of her statement, 'I tried to run away almost every single day. The only real punishment I got for it was not being allowed home at the weekend, but eventually they didn't even do that. The exceptions were LUC ... or SNR Mr Mr Mr Mr who would all slap or punch me for running away.'
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- 222. The passage of time has not affected my recollection of what Luc has alleged, certainly given the seriousness of what she is saying. I would accept that if a child was treated in such a way, it would be abuse.
- 223. Luc continues on page 8 at paragraph 45 of her statement 'Sometimes ... would have me in this hold in his office and Mr HMY would come in. I would be on the ground and HMY would stand on my ankle or kick me in the ribs and then just walk off. If Luc came in and I was in this position, he would also assault me and they would have a laugh about it. At times him and ... would both have a hold of my hands in that very painful position'.
- 224. I do not recognise this sort of behaviour. The part referring to me standing on her ankle or kicking her is totally untrue. I cannot speak for other members of staff, but that is not me and that is not the kind of regime we were operating.

- 225. The passage of time has not affected my recollection of what LUC has alleged. I would accept that if a child was treated in such a way, it would be abuse. I cannot explain why these things have been said.
- 226. At paragraph 47 on page 9 of her statement, LUC says, 'On my sixteenth birthday, ... and LUC along with an older man whose name I can't recall, grabbed me and cut my ponytail off. The next day, I went into their office and saw they had actually got my ponytail framed and put it up on the wall'.
- 227. Although she does not mention me, I would have known if that had happened. I was really quite shocked by this paragraph. That would have affected those of us who were parents, and it would have affected all members of staff. I wonder if there is proof of her ponytail being cut off and I would say that, unless there is evidence to the contrary, that is totally untrue.

#### KNR

- 228. I note from his statement that KNR says he was at Oakbank in 1987 for between five and eight weeks and around 1990, for several months. I cannot remember KNR
- 229. At paragraph 68, on page 11 of his statement, KNR said said, 'I remember being in the assembly room in Oakbank. A boy became aggressive and abusive towards me. He started fighting me and I hit him back. My keyworker ran over and put my arm up my back. He started marching me away and, as we walked, my arm was getting sorer and sorer and I was telling him to get off me. He was putting my arm further up my back and I punched him'.
- 230. He continues at paragraph 69, 'In came SNR Mr HMY and LL SNR They took me by the scruff of the neck and started shouting in my face. They leant me over SNR table and started smacking me round the head. Then I was belted on my backside a couple of times, on top of my clothes. It was sore and I was crying. I was then thrown upstairs into my dorm and into my bed. I don't

remember if they left marks on me. The three of them were in the office throughout. That was the first time I felt abused.'

- 231. Then at paragraph 70, he says 'My keyworker did speak to me about it afterwards. He asked me if I was okay and if I felt the need to see a nurse. I declined and told him I was okay. He explained that those were the rules in the school and that was how it worked. He said, if I didn't behave, I wouldn't get my home leave'.
- 232. That would not have happened. I have no recollection of this, but I am sure I would have remembered such an incident.
- 233. KNR refers to being at Oakbank in 1987 and states he was belted in SNR office. Corporal punishment, as mentioned earlier in my written report, was stopped as a sanction in 198 and I never used a belt on any child.
- 234. The passage of time has not affected my recollection and I would accept such treatment would be abuse. I cannot explain why such things are being said.

## **Other allegations**

235. I have never been the subject of any complaint in relation to the alleged abuse of children at Oakbank School, other than an instance a few years ago when the police mistakenly spoke to me.

# Convictions

236. I have never been convicted of any offence in relation to the abuse of children.

## Leaving Oakbank School

237. I took early retirement from Oakbank in 199, at the age of sixty. I did not require references for subsequent employment I took up.

# Helping the Inquiry

- 238. I did not see, nor hear of any abuse while I was at Oakbank. Any interaction that I had with any child that was intended as a reprimand, was done verbally and not physically.I cannot explain how it can be that such allegations of abuse at Oakbank have been made to the Inquiry.
- 239. The development of residential care since I started in 1970 has been tremendous. 'Getting it right for every child' is how it should be.
- 240. I realise how important the work of the Scottish Child Abuse Inquiry is. My view of Oakbank School is entirely different to that of the people whose statements I have been provided with. I do acknowledge that we did have incidents when some children behaved inappropriately, were verbally abusive or physically violent and it was always my understanding that they would be challenged, but never that they were dealt with physically.
- 241. The back story of some of the children we cared for was horrendous. I frequently read papers containing the life history of a child, not just at Oakbank, and it makes for sad reading.

# Other information

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

НМҮ	
Signed	
Dated 5-64 Septe	n.b. 2024