

Friday, 1 November, 2024

(10.00 am)

LADY SMITH: Good morning. And we return today, the last day this week, to evidence in relation to Chapter 10 of this part of our case study, looking into the provision of residential care for children in secure and similar establishments.

Now, as we can see, today we start with a witness over the WebEx link, which seems to be set up and working well; is that right, Ms Forbes?

MS FORBES: Yes, it does, my Lady. Hopefully that continues.

This witness is anonymous and is known as 'Mary' and she is a witness who will require a warning.

LADY SMITH: Thank you.

'Mary', good morning.

A. Good morning.

LADY SMITH: My name is Lady Smith and I chair the Scottish Child Abuse Inquiry here, in Edinburgh. Thank you very much for engaging with us over the link this morning, so that we can explore your evidence in person with you. I already, of course, have your written statement and I am very grateful to you for providing that. It has been very helpful to analyse it and learn about some of what you have to say in advance.

1 'Mary' (sworn)

2 LADY SMITH: Thank you, 'Mary'.

3 Now, I know that you have got available to you there
4 a copy of your written statement. As I have mentioned
5 already, it has been really helpful to have that in
6 advance. It is evidence before me already and we won't
7 be going through it line by line, but there are certain
8 aspects of it that we would like to explore with you.

9 If at any time you have any questions or concerns,
10 please do speak up, don't hesitate to let me know, as my
11 task here is, amongst other things, to see that I do
12 anything I can to make the whole process of giving
13 evidence as comfortable as possible. I say that knowing
14 that it is not an easy thing to do; you are giving
15 evidence in a public inquiry and we are going to be
16 asking you about things that happened decades ago. I do
17 understand that can be hard, to go back in your memory
18 and pull out memories of things that, as you look back,
19 may be troubling or your memory may not be complete.
20 I get that and that's not a problem. If you don't
21 remember everything, you just say that. It is perfectly
22 understandable if you don't.

23 Some of the questions we may be asking you, 'Mary',
24 are questions the answers to which could incriminate
25 you. Now, although this is a public inquiry and it is

1 not any form of court process, you have exactly the same
2 protections that you would have in a courtroom; that
3 means that if we do explore any such questions with you
4 you don't have to answer them. It is your choice. But,
5 of course, if you do answer them, I expect you to do so
6 fully. You will be aware a transcript is being made of
7 the evidence, so that would be available in the future.

8 If you are in any doubt as to whether any questions
9 we are asking you fall into that category, that's the
10 category of questions that could incriminate you, just
11 ask, just check, don't hesitate if that's a problem for
12 you.

13 If you want a break at any time, just say. We can
14 do that, because I know it can get very tiring giving
15 evidence or if there is anything else that I can do to
16 help, just let me know.

17 Do you have any questions at this stage?

18 A. No, I'm just quite happy to get started.

19 LADY SMITH: Right. Well, let's do that. I will hand over
20 to Ms Forbes.

21 Ms Forbes.

22 Questions by Ms Forbes

23 MS FORBES: Thank you, my Lady.

24 Good morning, 'Mary'.

25 A. Good morning.

1 Q. I understand that you have your statement in front of
2 you. We give that statement a reference number. This
3 is just for our records. I am just going to read that
4 out, so that we have it on the transcript. It is
5 WIT-1-000001388. This is a very detailed statement that
6 you have provided us with, 'Mary', so I am thankful to
7 you for that. If you could maybe just go to the very
8 last page of your statement -- it is page 51 -- and if
9 you --

10 A. Yes.

11 Q. At that last paragraph there, 204, there is
12 a declaration that's made. It is this usual declaration
13 we have in statements that says:

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

18 Then you have signed that and it is dated
19 20 February 2024; is that right?

20 A. Yes.

21 Q. And is that still the position?

22 A. Yes.

23 Q. Okay. So, if you go back to the beginning of your
24 statement or put it to one side, it is up to you. I am
25 just going to start, 'Mary', by asking a little bit

1 about how you came to be at Brimmond. I think you know
2 we are here today to mostly ask you about your time
3 working at Brimmond.

4 A. Yes.

5 Q. But I think you tell us, first of all, 'Mary', you were
6 born in 1932; is that right?

7 A. Yes, yes.

8 Q. So you are 92 years of age?

9 A. I am.

10 Q. And I think you tell us later in your statement you
11 originally are from the Aberdeen area or the north of
12 Scotland; is that right?

13 A. Yes.

14 Q. But your husband was English and you tell us that you
15 married him in 1958?

16 A. That's correct.

17 Q. And he worked as a teacher. I think you tell us he
18 worked in a state secondary school for a period, down in
19 England?

20 A. Yes.

21 Q. Thereafter you tell us that he decided he would like to
22 go into approved school teaching and he took up a post
23 in an approved school in Birmingham, in about 1961?

24 A. Yes.

25 Q. This was, you say, a boys residential school and it was

1 the largest approved school in England at that time?

2 A. That's correct.

3 Q. You and he moved from Norwich to Birmingham for him to

4 take up that post; is that right?

5 A. That is correct.

6 Q. And I think you then go on and tell us about his time

7 there. I am not going to go through that in any detail,

8 but I think you explain that you ended up helping out at

9 that approved school in various capacities; is that

10 right?

11 A. Yes.

12 Q. Having previously not been involved in teaching or in

13 working in a residential school, this was your first

14 experience at that?

15 A. Yes, yes.

16 Q. You tell us that in fact you went on to work as

17 an assistant matron for much of the time you were there?

18 A. Yes.

19 Q. Yes. And you explain, 'Mary', at paragraph 6, that you

20 didn't have any formal qualifications, you didn't

21 receive any formal training as assistant matron at that

22 place, but you worked alongside the matron and you

23 learned on the job?

24 A. Yes.

25 Q. I think you tell us a bit about your duties there and

1 you talk about the fact that, during this period, you
2 had a child and you were pregnant with your second
3 child. I think you tell us, sadly, about what happened
4 with your second child. Then you fell pregnant again
5 and had a son. That was your first son; is that right?

6 A. Yes.

7 Q. Then you tell us that around the time of you having your
8 second son, your husband applied for a job at Balgowan,
9 the approved school in Dundee, and he applied to be
10 a teacher which also included residential
11 responsibilities?

12 A. Yes.

13 Q. And then you moved from Birmingham to Dundee to take up
14 that post in 1963?

15 A. Yes.

16 Q. Okay. And then, I think, you tell us about Balgowan.
17 We have heard evidence in the Inquiry about Balgowan.
18 I am not going to go through that, what you tell us
19 about Balgowan, in any great detail. But I think when
20 you were there or your husband worked there, SNR
21 SNR was LIF ?

22 A. Yes.

23 Q. You say that when you went there, you were pregnant with
24 another child, who was born in 1963. So I think by the
25 time he came along that was you with three children?

1 A. Yes.

2 Q. And you say you didn't have anything to do with Balgowan
3 generally, at all?

4 A. I had no official connection whatsoever.

5 Q. You tell us a little bit about what your husband did.
6 We have that there in your statement, so I am not going
7 to go through that with you. But I think you explain
8 that your husband had spent a year doing a postgraduate
9 course involved in teaching children with special needs.
10 This was something that involved him doing various
11 placements which included assessment centres; is that
12 right?

13 A. Yes, yes, that was at Newcastle University.

14 Q. You tell us then you were at Balgowan from around 1963
15 to around 1972 and then you went to Calder House
16 Assessment Centre; is that right?

17 A. Yes.

18 Q. That was a shorter period. I think you explain that it
19 was about a year or so; is that right?

20 A. Yes, yes, yes.

21 Q. I think you described, 'Mary', that that was an unhappy
22 year for all of you. I think there were issues with
23 living in that part of Scotland; is that right?

24 A. Yes, yes. Yes, bit of a culture shock.

25 Q. But Calder House was an assessment centre, you tell us.

1 Again, 'Mary', we have heard evidence about
2 Calder House, so, again, I am not going to go through
3 everything that you tell us about that in detail because
4 we have heard a lot of evidence in relation to
5 Calder House.

6 But, while you were there, I think you say Mr BHN
7 was SNR of Calder House and his wife was the
8 matron; is that right?

9 A. Yes, yes.

10 Q. This is at paragraph 16 of your statement. I think you
11 tell us that it was very normal in those days for
12 husband and wife to have joint appointments?

13 A. Yes, yes.

14 Q. And your husband there was SNR. I think you
15 say his formal title was SNR?

16 A. Yes, yes.

17 Q. And you took up a post as the deputy matron; is that
18 right?

19 A. Yes, yes.

20 Q. Yes. And you tell us a little bit about some of the
21 people who were there as houseparents. I think you tell
22 us that you were mostly involved with the girls, because
23 this was a mixed centre; is that right?

24 A. Yes.

25 Q. You tell us that you think that you filled out

1 an application form and had an interview to get you your
2 appointment as deputy matron; is that right?

3 A. Yes.

4 Q. But, again, you say you started there and there was no
5 formal training for you; is that correct?

6 A. Yes, yes.

7 Q. Yes?

8 A. I was really very much involved with the domestic
9 duties.

10 Q. And I think you tell us, at paragraph 19, that your
11 responsibility was on the domestic side, but you did
12 have more contact with the children there, particularly
13 the girls --

14 A. Yes.

15 Q. -- but you would only work during the day because there
16 was someone full time on night duty?

17 A. Yes, yes.

18 Q. Okay. And again, you tell us all about the routine at
19 Calder House. Again, that's not something I am going to
20 go over with you.

21 But you do say at paragraph 30, 'Mary', that
22 bedwetting was just a fact of life in the assessment
23 centre. You tell us about what would happen if there
24 was bedwetting. Sorry, this is at paragraph 30 of your
25 statement.

1 A. Yes.

2 Q. You explain that if children had wet the bed that they
3 just dumped their sheets in the laundry and there wasn't
4 a question of criticism. There was a laundry woman who
5 would spend her day washing sheets and drying them?

6 A. Yes, yes.

7 Q. In your role there, 'Mary', then, you tell us, at
8 paragraph 33, that you would assist the matron in
9 carrying out medical checks of the children in the
10 morning; is that right?

11 A. Yes.

12 Q. This is at paragraph 33.

13 A. Yes.

14 Q. You mention the fact that when children arrived, there
15 was sometimes head lice and this was a problem there?

16 A. Yes.

17 Q. And it had been a problem at the approved school down in
18 England as well?

19 A. Oh yes, very much so.

20 Q. You explain, 'Mary', that you didn't have any medical
21 training, but you had obviously learned from the matron
22 you worked with before and you also worked with a matron
23 at Calder House as well; is that right?

24 A. Yes, yes.

25 Q. There was no nurse on site?

1 A. No, no, no. But you immediately would get a doctor or
2 take a child to A&E if there was any need for that.

3 Q. 'Mary', you go on to talk about schooling at
4 Calder House. You just say that it was available, but
5 it was limited. You talk about the fact that there was
6 a turnover of children there, so that meant you couldn't
7 really do any serious type of education; is that right?

8 A. That's correct, yes.

9 Q. And it was more woodwork, that sort of thing, that would
10 take place?

11 A. Yes, yes.

12 Q. Going then to paragraph 36, you talk about the children
13 at Calder House helping out with domestic duties. This
14 would be things like making their beds, keeping their
15 rooms tidy and doing a bit of cleaning; is that right?

16 A. Yes, yes.

17 Q. But there was domestic staff, so children there weren't
18 responsible for keeping the whole place clean?

19 A. No, no.

20 Q. I think you go on to tell us that there would be
21 meetings for children and there would be input from
22 everyone involved with the child, and that you would
23 attend those meetings as well as the teachers and the
24 houseparents?

25 A. Yes.

1 Q. At paragraph 40, 'Mary', you say that there would also
2 be regular case conferences for each child and that you
3 were expected to write a report on a girl for a case
4 conference; is that right?

5 A. Yes, yes.

6 Q. So, as assistant matron, that was one -- or deputy
7 matron, that was one of your duties --

8 A. Yes.

9 Q. -- that would you have to write a report?

10 A. Yes.

11 Q. And you tell us, 'Mary', that would cover everything you
12 observed, such as how they were as people, how they got
13 along with others and what you believed their problems
14 to be, that sort of thing?

15 A. Yes, yes.

16 Q. Was that the first time you were involved in writing
17 reports on children in your work life?

18 A. Yes, yes.

19 Q. Were you given any training in relation to that?

20 A. No, I wasn't, because it was really just a question of,
21 erm, writing down what you observed and giving your
22 opinions as well.

23 Q. Okay.

24 A. I enjoyed that part of it. Writing's always been
25 something I have enjoyed.

1 LADY SMITH: Who did you submit the report to? Do you
2 remember, 'Mary'?

3 A. Oh, SNR [REDACTED], Mr BHN [REDACTED] would gather up all the written
4 reports and, erm, he would then coordinate everything
5 that he was understanding through that.

6 LADY SMITH: Yes.

7 A. And it would then go to the Children's Hearing.

8 LADY SMITH: Thank you.

9 MS FORBES: So from what you are describing, 'Mary', there
10 were a number of different reports from different people
11 who would be involved in the care of a child that would
12 go to these case conferences; is that right?

13 A. Yes.

14 Q. Moving on then, 'Mary', to what you tell us about
15 discipline and punishment at Calder House. You tell us
16 that whilst you were there, even though corporal
17 punishment wasn't controversial at that time and belts
18 were used in most schools, there wasn't any corporal
19 punishment that you were aware of at Calder House?

20 A. No.

21 Q. But you explain, I think, that HLP [REDACTED] was very much
22 the boss insofar as the girls' wing was concerned?

23 A. Yes.

24 Q. You say that rather than punishment, there was a lot of
25 talking to the kids and trying to speak to them and tell

1 them that that was not a good way of dealing with
2 a situation?

3 A. Yes.

4 Q. And you tell us that one of the things that was probably
5 used, not as a punishment, but as an encouragement to
6 behave, was getting out on home leave?

7 A. Yes.

8 Q. Do you mean, 'Mary', that sometimes home leave would be
9 denied to a child if they hadn't behaved?

10 A. Yes.

11 Q. Okay.

12 A. You got home leave when you were indicating that you
13 were learning to behave in a more acceptable way.

14 Q. I appreciate you say that you didn't think it was used
15 as a punishment, but could a child have seen that as
16 a punishment, do you think?

17 A. The child probably did see it as a punishment.

18 Q. Okay.

19 A. We would talk to them about why they weren't getting
20 home. We would have tried to explain.

21 Q. But I think you go on to say that there weren't rewards
22 there like pocket money, because there was nowhere for
23 them to spend it in a place like Calder House?

24 A. No. No, there was no -- no, they couldn't.

25 Q. You go on, 'Mary', to tell us about some of the things

1 that would mean that home leave would be removed. You
2 say, at paragraph 44, that if a child misbehaved during
3 home week, they wouldn't go home the next week. If
4 there had been something serious during the week, like
5 children falling out amongst themselves or absconding,
6 or attempting to abscond, a decision might be made that
7 the child was not as ready as you thought to be getting
8 out; is that right.

9 A. Yes, yes.

10 Q. But you weren't involved in those decisions at
11 Calder House?

12 A. I wouldn't make decisions about anything like that, no.

13 Q. And that was up to BHN-HLP I think you say?

14 A. Yes.

15 Q. And also, perhaps, your husband?

16 A. Yes, yes. It would have been discussed and a decision
17 would have been reached.

18 Q. Yes. 'Mary', you go on to talk about restraint at
19 paragraph 46. You say that it was used at Calder House,
20 but never by you; is that right?

21 A. Yes.

22 Q. And it would be mostly carried out by houseparents or,
23 perhaps, one of the teachers; is that right?

24 A. That's right, yes.

25 Q. But you weren't aware of any training, in those days,

1 being given on how to safely restrain a child?

2 A. No, no.

3 Q. You say that you were aware that Mrs HLP and some of

4 the teachers had done some sort of course specific to

5 working with children --

6 A. Yes.

7 Q. -- but not necessarily on how to restrain them?

8 A. I think they went on an in-service course. It probably

9 lasted over a year or so.

10 Q. You tell us, 'Mary', that you didn't witness anything at

11 Calder House that you considered to be abusive or

12 anything that gave you a cause for concern; is that

13 right?

14 A. Yes. No, as I say, 50 years ago, life was very

15 different, the way that people brought up their children

16 and so on. But I never saw children being bad used,

17 never.

18 LADY SMITH: When you say life was very different all

19 these years ago regarding the way people brought up

20 their children; what is it you have in mind, 'Mary'?

21 A. Erm, I think there was ... well, I've got children and

22 I've got grandchildren and I've got great grandchildren,

23 and, erm, just I think the whole attitude to life is

24 different nowadays. I think children -- I'm trying to

25 think of simple sort of things. For instance, we potty

1 trained our children. Nowadays young mums don't seem
2 to; they seem to just wait until it all happens
3 naturally.

4 Children were taught to say 'please' and 'thank
5 you'. Now an awful lot of children aren't. Very small
6 things like that.

7 LADY SMITH: I see. Thank you, 'Mary'.

8 Ms Forbes.

9 MS FORBES: My Lady.

10 'Mary', you go on to tell us, at paragraph 54, about
11 leaving your placement at Calder House and you say it
12 was after around nine months your husband became aware
13 of what was supposed to be a remand assessment centre
14 being built in Aberdeen. And this idea of moving back
15 to the East Coast, particularly Aberdeen, was appealing
16 to you; is that right?

17 A. Yes. I think it was appealing to all of us.

18 Q. And --

19 A. But, naturally, to me because my parents were in
20 Aberdeen.

21 Q. I think you say this was appealing to your husband; it
22 was the thought of going somewhere new and being able to
23 bring his own ideas.

24 A. Yes.

25 Q. And he was very interested and applied for the post of

1 SNR ?

2 A. Yes.

3 Q. Again, you explain, 'Mary', that this was a joint

4 appointment and you applied, I think, for the role as

5 matron with your husband as SNR ?

6 A. Yes.

7 Q. And you both started working at Brimmond, you say,

8 around 1973?

9 A. Yes.

10 Q. I think we then go to a part of your statement, 'Mary',

11 that starts to tell us about your experiences at

12 Brimmond. That part's headed up:

13 'Experiences at Brimmond Assessment Centre,

14 Aberdeen, 1973 to 1979.'

15 Now, 'Mary', we have heard evidence that you might

16 have been there longer than 1979 and, indeed, you might

17 have been there as late as 1983.

18 A. No, I wasn't. My husband might -- would have been, but

19 I wasn't.

20 Q. And certainly, 'Mary', we've seen some records that

21 refer to you at Brimmond -- in contact with you

22 from February 1981. I'm just raising that because

23 perhaps you might be wrong about the date that you left?

24 A. I'm not good at remembering actual -- you know, the year

25 I went and did this or the year I did that, but ... I am

1 sure I wasn't there in '81.

2 LADY SMITH: Does it help if you think about how old you

3 were, 'Mary'? I think you would have been 41 when you

4 started at Brimmond.

5 A. Yes.

6 LADY SMITH: And if this record we have seen that indicates

7 you were still there in 1981 is right, that would be

8 when you were 49; can you remember how old you were when

9 you left Brimmond?

10 A. I think I moved out of Brimmond a couple of years before

11 my husband.

12 LADY SMITH: Yes, I get that.

13 A. I was at Seafield Children's Home and I was at Airyhall

14 Children's Home.

15 LADY SMITH: Mm-hm.

16 A. Before I started at Cordyce School.

17 LADY SMITH: Is it possible you started the first of these

18 other jobs when you were about 49 years old, before your

19 50th birthday?

20 A. To be quite honest, I don't remember what --

21 LADY SMITH: Right. It maybe doesn't --

22 A. If (Inaudible) very important ...

23 LADY SMITH: We will no doubt be coming back to the progress

24 of events and the time of you leaving.

25 A. Yes.

1 LADY SMITH: But perhaps we can proceed on the basis that it
2 looks as though it was possible that you were there
3 a little bit longer than 1979, but not that much longer.
4 A. Yes, yes. I was still living at Brimmond --
5 LADY SMITH: Mm-hm.
6 A. -- but I was no longer employed in Brimmond.
7 LADY SMITH: Oh, so did you start the first of these other
8 jobs while you were still living at Brimmond?
9 A. Yes.
10 LADY SMITH: Okay.
11 A. Yes, yes. I was transferred from Brimmond. I went to
12 Airyhall. And I would have been there for about a year
13 and then I went to Seafield.
14 LADY SMITH: Okay.
15 Ms Forbes.
16 A. Will that perhaps clear up something?
17 LADY SMITH: I think we have got the feel of the timing and
18 that's what we are most interested in at the moment.
19 Thank you.
20 MS FORBES: 'Mary', thank you for explaining. So there was
21 a period, before you moved out of the accommodation at
22 Brimmond, where you were living there, but you weren't
23 working in the assessment centre?
24 A. Yes, I was living in our house at Brimmond, but I was no
25 longer involved with Brimmond itself.

1 Q. During that period, I think you have told us that your
2 husband was still working --
3 A. Yes.
4 Q. -- at Brimmond?
5 A. Yes, yes.
6 Q. And during that period, then; did you take anything to
7 do with the running of Brimmond?
8 A. Absolutely not, no.
9 Q. So I don't want to go on about this too much, 'Mary',
10 because it might not matter too much. But I think the
11 record that we have is a social work record
12 in February 1981 and it details conversations with you
13 about children who were at Brimmond. So I think from
14 that we took it that, at that point, February 1981, you
15 were still involved, from the point of view of the
16 social work anyway, as making decisions about children
17 in Brimmond. But it may be that not long after, that
18 you went on to your other job.
19 A. I couldn't tell you whether I left in December, you
20 know, or January, you know, that kind of minute detail
21 about dates.
22 Q. Okay.
23 A. I can probably sit down quietly tonight and work it out.
24 But once I had transferred to Airyhall, I had absolutely
25 no involvement whatsoever with Brimmond, as the

1 assessment unit. I lived there, but the house was quite
2 separate [REDACTED].

3 Q. Thank you, 'Mary'.

4 So we will just go on to look at what you tell us
5 about Brimmond. I think you say that this was a modern,
6 purpose built, assessment centre for boys and girls. So
7 it was mixed?

8 A. Yes.

9 Q. Did you start there when it first opened?

10 A. Oh yes. Yes, yes. Yes, we moved up and moved into our
11 house at the end of '72, really, I think it would have
12 been. Yes. And then Brimmond actually opened just
13 early in '73.

14 Q. Yes. Because we will come to talk about Morag Morrell
15 a bit later, 'Mary'. I know that you have been told
16 about Morag Morrell's statement and had sight of parts
17 of it. But I think her suggestion -- she is somebody
18 who worked for the Children's Panel and then as
19 a councillor and visited Brimmond over the years. And
20 if her evidence is that a Miss FSG [REDACTED] was [REDACTED]
21 before you and your husband arrived, that would be
22 incorrect; is that right?

23 A. Oh yes. She says that a children's home was being used
24 before the assessment centre. But it was actually the
25 old remand home that closed down and Brimmond opened and

1 staff from the remand home were transferred to Brimmond.

2 Q. Okay.

3 A. Now, these people had -- were in situ in the old remand
4 home and were just automatically transferred to
5 Brimmond. They knew that they were coming to Brimmond
6 before my husband had even been appointed. But they
7 didn't move until there was an incident where the
8 children in the remand home barricaded themselves in and
9 set fire to the place.

10 Q. Yes.

11 A. So it -- Brimmond opened very abruptly.

12 Q. This remand home was a separate building; it wasn't on
13 the same premises as Brimmond?

14 A. Oh no, no. It was a way over on the other side of town.
15 And it had been the remand home in the old-fashioned
16 sense. You know, it was a time of a lot of change in
17 childcare and, you know, children were going to panels,
18 not going to court. There were social workers and it
19 was just a time of change. But Brimmond was brand new
20 and my husband and I were the first people to be
21 SNR and matron.

22 Q. I think you tell us, at paragraph 56, 'Mary', about
23 Brimmond having to open up slightly ahead of schedule
24 because of what happened. Then you tell us that
25 officially it was supposed to have 20 boys and five

1 girls?

2 A. Yes, that was our official number.

3 Q. And I think we know that there were parts of the

4 building that were for boys and parts that were for

5 girls to sleep?

6 A. Yes.

7 Q. Is that right?

8 A. Yes.

9 Q. But I think you say that even though that was the number

10 you were supposed to have, frequently you would have to

11 put up an emergency bed?

12 A. Yes, yes.

13 Q. But there would never normally be more than one or two

14 in the girls' dorms and no more than five in the boys'?

15 A. Yes, yes.

16 Q. So you could have a maximum of another seven beds in

17 addition to that number?

18 A. Yes, yes. Yes, but we wouldn't usually have as many as

19 that. But sometimes kids just came in overnight, only

20 for a couple of days, you know?

21 Q. And I think you explain that, 'Mary', later in your

22 statement. You say that police would sometimes turn up

23 with children who they had picked up and Brimmond would

24 have to take them overnight --

25 A. Yes.

1 Q. -- or until another place was found for them, or they
2 were taken back to whence they came?
3 A. Yes.
4 Q. And you couldn't say no to that; is that right?
5 A. Yes. Yes, you just -- we had no choice in who we got or
6 when we got them.
7 Q. So it wasn't a situation at Brimmond whereby prior to
8 a child being admitted, there was input from you or your
9 husband, or others at Brimmond, about whether or not
10 Brimmond was suitable for that child?
11 A. No, we had no say in that.
12 Q. I think you explain later -- and we will see that maybe
13 when we come through parts of your statement -- that
14 that meant you had children who had all different types
15 of backgrounds?
16 A. Absolutely.
17 Q. And were there --
18 A. Huge -- huge range of ages and problems.
19 Q. Yes. And that meant, I think, that some were there
20 because they had committed offences?
21 A. Pardon?
22 Q. Some were in Brimmond because they had committed
23 offences; is that right?
24 A. Oh yes, many of them, many of them.
25 Q. But there would also be some that were there for care

1 and protection as well?

2 A. Yes, yes.

3 Q. I think you explain that there were some who were just

4 there because they couldn't find anywhere else to put

5 them?

6 A. Yes, yes.

7 Q. You do say, 'Mary', that there was always a pressure on

8 you to take more children, but you explain you didn't

9 think you were ever overcrowded or not functioning as

10 you were meant to?

11 A. Where is this?

12 Q. This is at paragraph 57. It is just the last sentence.

13 I will read it out, it says:

14 'There was always pressure on us to be taking more

15 children, but we were never overcrowded and I never felt

16 that we weren't functioning as we were meant to.'

17 A. Yes, yes. I always felt we were just doing the very

18 best we could in difficult circumstances.

19 Q. And I think you go on to say about the process of how

20 you and your husband were appointed. We can see that on

21 paragraph 58 and 59. I think you make the comment you

22 don't think they were as concerned about you as they

23 were about getting the right person for SNR

24 SNR job?

25 A. Yes, because, there was -- at that time, there was this

1 joint appointment thing went on everywhere, you know,
2 children's homes and --

3 Q. So, I think, as you said before, it was husband and wife
4 would be appointed and invariably they would be living
5 in the premises?

6 A. Yes, yes.

7 Q. And I think you tell us, 'Mary', that you in fact would
8 be dropping salary slightly from what you had been on
9 before by taking up the post; is that right?

10 A. Yes, yes.

11 Q. I think you tell us --

12 A. Only slightly, but a bit.

13 Q. I think you say that didn't bother you because you were
14 happy to be coming back to Aberdeen?

15 A. Yes, yes.

16 Q. You tell us, 'Mary', that you worked with boys and the
17 girls at Brimmond, so both sexes; is that right?

18 A. Yes.

19 Q. But there was a lot of male staff?

20 A. Yes.

21 Q. And they were the ones who were houseparents to the
22 boys?

23 A. Yes.

24 Q. As you have explained already with the numbers, there
25 were fewer girls there than boys; is that right?

1 A. Yes.

2 Q. And they were looked after by the female staff?

3 A. Yes, yes.

4 Q. You tell us, 'Mary', about your duties at Brimmond, at
5 paragraph 61. And you say:
6 'Day to day I did anything and everything that
7 cropped up.'
8 Is that right?

9 A. Yes, yes.

10 Q. You say that your main duties were supervising both the
11 female domestic and houseparent staff, as well as going
12 over menus with the cooks?

13 A. Yep.

14 Q. So from that point of view; did you see it as you and
15 your husband as being SNR of the assessment centre
16 as a whole?

17 A. Oh, my husband was very much the person SNR of the
18 assessment centre.

19 Q. You explain, 'Mary', that you took the children to a lot
20 of their meetings, but it would be your husband who
21 would discuss the outcome of the meetings with any of
22 the professionals involved; is that right?

23 A. Yes, yep.

24 Q. And you would also take them to doctors and dentists'
25 appointments if they needed it?

1 A. Yes.

2 Q. Yes.

3 A. Yes. Yes, a lot of the children saw a child
4 psychologist and child psychiatrist. We had a lot of
5 contact with the children's psychiatric units in the
6 hospital. And I would take the children to these
7 meetings and so on, but it's my husband who actually
8 would then discuss the findings.

9 Q. And I think you tell us in your statement elsewhere that
10 it was your husband that had the qualifications in that
11 regard?

12 A. Oh yes, yes. Yes, yes, yes.

13 Q. You go on, 'Mary', to tell us about the layout of
14 Brimmond. We have heard evidence about that. We have
15 seen a couple of photographs of the building, so we do
16 know a bit about that already. But, as you have told
17 us, it was a purpose-built building, but that was
18 something that neither you nor your husband had any
19 input into before?

20 A. Absolutely not, no. There was no consultation. The
21 whole thing was well on, really, by the time they got
22 around to appointing my husband.

23 Q. And you describe that as being, maybe, one of the
24 mistakes that was made, because I think you describe
25 there being things about the building design that you

1 would have wanted to change; is that right?

2 A. Well, yes, erm ... I think, erm ... nothing major.

3 Nothing major at all. But, you know, I think a bit more

4 space, perhaps, would have been good. But, you know,

5 the general provision and layout was fine.

6 Q. I think one of the things you mention, 'Mary', at

7 paragraph 63, is the size of the dormitories; you

8 mention they were quite small?

9 A. Yes, yes, yes.

10 Q. And the boys' unit was in the long leg and the girls'

11 unit was in the short leg, completely cut off from the

12 boys?

13 A. Yes, yes, yes.

14 Q. But you go on to describe there being a very large

15 dining room and that's where both genders of children

16 ate together; is that right?

17 A. Oh, they all -- the children all ate together in the

18 dining room and, erm, there was quite a large gymnasium,

19 which -- they would have time together. But the girls

20 had their own sitting room and the boys had a sitting

21 room with a television in it.

22 We will perhaps come to it with Mrs Morrell, she

23 gives some information about the rooms that's quite

24 wrong, but ...

25 Q. I think in relation to meal times, you tell us at

1 paragraph 64, that children were always supervised
2 during meal times, usually by yourself?

3 A. Yes.

4 Q. And would other staff be involved in that, too?

5 A. Yes, there was quite often a second member of staff on.

6 Q. Now, we've heard evidence, 'Mary' -- and I have already
7 made you aware of this before you were giving your
8 evidence today -- we have heard evidence that children
9 weren't allowed to talk during meal times and would have
10 to sit in silence. What's your position about that?

11 A. It's absolutely not true.

12 Q. And, again, this is something I have let you know about,
13 that we have also heard evidence that if children
14 weren't silent or laughed, or made a noise or talked
15 during meal times, they would be hit by staff and that
16 would either be by being wrapped on the head with
17 knuckles or hit on the back by staff; what's your
18 position in relation to that?

19 A. I would have said I supervised 95 per cent of the meals
20 and I did not see that happen.

21 Q. Now, just to be clear, 'Mary', I am not suggesting
22 an allegation has been made about you in respect of
23 that, but the evidence we have heard is that male
24 members of staff would hit the children at meal times if
25 they spoke or made a noise?

1 A. There was no reason why the children couldn't speak. If
2 they got very rowdy, I would say, you know, 'Calm down
3 a bit. Don't make so much noise'. But I just don't
4 understand why anybody would want children to sit
5 silently during a meal.

6 Q. So that's not your recollection of --

7 A. It's not my recollection.

8 Q. Okay. And I take it from what you are telling us,
9 'Mary', that you didn't see any children being hit
10 during meal times if they spoke or made a noise?

11 A. No, no, no.

12 Q. 'Mary', you go on -- I think you have mentioned the TV
13 room and some of the other rooms. I think you say that
14 there was a large woodwork room; there was a couple of
15 classrooms; there was a medical room; a staffroom, as
16 well as a couple of live-in staffrooms. And there was
17 also your own accommodation, separate from Brimmond, [REDACTED]
18 [REDACTED]; is that right?

19 A. Yes, it was -- you had to come out of [REDACTED] house and just
20 cross over about as far as from here to that wall and
21 then you could go into the main school. But there was
22 no door from [REDACTED] house into the school. You had to come
23 outside to go into the home.

24 Q. And, within the main building itself, was there two
25 floors or more?

1 A. Yes, two floors. Two floors.

2 Q. Was there a basement at all?

3 A. Huh?

4 Q. A basement.

5 A. No. No.

6 Q. The classrooms that you have mentioned, 'Mary'; where
7 were they in Brimmond?

8 I think you mentioned that in relation to the ground
9 floor; is that right? The classrooms that were used.

10 A. The classrooms were on the ground floor, yes, yes. The
11 classrooms were on the ground floor. There was
12 a television room, area. Again, Mrs Morrell mentioned
13 them looking at television in the dining room. The
14 television was not in the dining room. There was a room
15 with a television in it. One of the children spoke
16 about a small television. There was nothing else
17 50 years ago but small televisions.

18 There was the quiet room. Now, that was not what is
19 referred to by the children as 'the cell'. The quiet
20 room was another common room downstairs, where the kids
21 played cards. You know, my husband taught a lot of them
22 to play chess, strangely enough. They seemed to enjoy
23 that.

24 Whereas upstairs, there were all the boys' bedrooms.
25 There was, erm, a -- toilets and wash hand basins.

1 There was a room where the man on night duty was on
2 waking night duty, all night. And the girls' little
3 flat, that was upstairs as well. They had their own
4 sitting room and showers and bedrooms.

5 Q. I think there, 'Mary', you have mentioned the word
6 'cell'. And I think you refer later in your statement
7 to a room that I think you say was used sometimes at
8 Brimmond to put children in?

9 A. The secure room, yes.

10 Q. The secure room.

11 A. The secure room, yes.

12 Q. It has been referred to by different people in different
13 ways.

14 A. Oh yes.

15 Q. Some people have called it a punishment room,
16 an isolation room, a cell. But I think --

17 A. Yes.

18 Q. -- did you know it as a secure room? Is that how you
19 saw it?

20 A. 'Secure isolation' would be the two words that I would
21 feel were appropriate. And may I say that that was not
22 something that we had chosen to have; that was something
23 that was in the original design of Brimmond.

24 Q. And where was that in Brimmond?

25 A. That was upstairs.

1 Q. In relation to the boys' area and the girls' area; where
2 was it?

3 A. It was, erm -- the boys -- most of the boys' bedrooms
4 were on the front of the building and there was
5 a corridor that ran up the middle and the secure room
6 was on the back of the building.

7 Q. So to access it; did you have to go through the boys'
8 dormitory or the boys' area?

9 A. No, it was on the same corridor as the boys'
10 dormitories, upstairs.

11 Q. But, from what you are saying, then, it would be
12 completely separate from the girls' flat?

13 A. Yes. Oh yes. Yes.

14 Q. But I think it was something that was used for both boys
15 and girls; is that right?

16 A. Very, very seldom for girls. Very seldom.

17 Q. Well, we might come on to talk about that a little bit
18 more in a little while, 'Mary'.

19 But, just before we leave that: was there just the
20 one secure room?

21 A. Yes. Yes. And it wasn't something that was used, you
22 know, daily or anything like that. You could go weeks
23 sometimes and not have to use it at all. And it was
24 never used as a form of punishment.

25 Q. Well, 'Mary', we will come on to that in a little while

1 and I will get your views on some of the --

2 A. Yes.

3 Q. -- things that are said that I think you know about.

4 'Mary', you go on to tell us about some of the

5 people who were there when you and your husband started

6 at Brimmond. You talk about GJO-GJP

7 GJO-GJP as being --

8 A. Yes.

9 Q. So they were, again, one of these pairings as husband

10 and wife; they were SNR and deputy

11 matron?

12 A. Yes, yes.

13 Q. And there was also somebody who you say was

14 GJQ, who was initially a driver and handyman?

15 A. Yes.

16 Q. Then there was a Harry Barron and a Charlie Ogston, who

17 were houseparents?

18 A. Yes.

19 Q. Now, was there also a Mrs GJX?

20 A. Yes, but she didn't come until a year or two later.

21 Q. And again, when she came; was she a houseparent, too?

22 A. Yes. Yes.

23 Q. And you say you recall Mr McHatty, who was a teacher?

24 A. Yes, he was the teacher when we first -- and these

25 people all actually came from the old remand home.

1 Q. 'Mary', you mention Mr McHatty there; was he a teacher
2 when you first arrived at Brimmond?
3 A. Yes, yes. He had been in the remand home and he was
4 transferred over to us.
5 Q. Was he the only teacher who was there when you first
6 arrived?
7 A. Yes. Well ... yes, there would only have been one
8 teacher in the remand home. It was a very small place,
9 the remand home. It wasn't anything like the size of
10 Brimmond.
11 Q. And I think you tell us, 'Mary', that there were two
12 cooks. You mentioned Mrs Maitland; is she --
13 A. No, Mrs Maitland was the laundry woman.
14 Q. Apologies, Mrs Maitland was the laundry woman. Then
15 there was a lady called KPP ?
16 A. Yes.
17 Q. And a [REDACTED], who was not related to GJP ?
18 A. She was no relation to GJP .
19 Q. And what did KPP and [REDACTED] do?
20 A. They were domestic staff. And also the children were
21 expected to keep their rooms tidy and so on. KPP and
22 [REDACTED] were responsible for cleaning the
23 offices and the television room, and all those places.
24 The dining room and so on.
25 Q. And you mention, also, a Mrs Tough, is it?

1 A. Mrs Tough. Mrs Tough.

2 Q. It's always difficult to pronounce these things.

3 A. She was a housemother.

4 Q. So she was a house --

5 A. She worked with the girls. She and GJP ,

6 the deputy, were the people who spent the main sort of

7 times with the girls.

8 Q. Okay. You go on to tell us, 'Mary', that you were

9 actually involved in the recruitment of domestic staff

10 and --

11 A. The domestic staff I did interview, yes.

12 Q. And this is at paragraph 68. Now, when you say domestic

13 staff; would that include the cook or any cooks?

14 A. Yes, yes. Yes.

15 Q. Now, I think we have heard evidence from someone who was

16 a cook at Brimmond, but this was later on, so this was

17 in the early 1980s. She has a different name now, but

18 I think back then she was called Frances Davidson and

19 she says that you interviewed her for the role as cook,

20 and gave her that job; do you recall her?

21 A. The name is not ringing a bell with me. But there was

22 a cook came for a short time and that may have been her

23 name. It's unlike me not to remember names, but

24 I remember the woman quite clearly.

25 Q. And you tell us, 'Mary', that you actually inherited

1 a lot of the domestic staff from an old people's home --

2 A. Yes.

3 Q. -- which was nearby?

4 A. Yes.

5 Q. You go on to tell us you wouldn't say you were involved

6 in the supervision, appraisal or evaluation of staff in

7 any formal way?

8 A. No, no.

9 Q. Now, I think I asked you earlier, 'Mary', whether or not

10 you would see yourself and your husband as being SNR

11 SNR of Brimmond, and you said, no, it was your

12 husband. But, again, this is something that you have

13 been made aware of: we have heard evidence that the

14 impression was that you were very much someone who was

15 SNR of the girls at Brimmond and your husband was

16 very much SNR of the boys; does that sound right

17 to you?

18 A. I think we had different roles. My husband was the

19 person who had the direct contact with social workers,

20 like, you know, psychologists, psychiatrists, probably

21 a bit more direct contact with the boys.

22 A lot of my work was not with the group of girls or

23 the group of boys; it was with individuals, taking them

24 to -- as I say, they were constantly going to see

25 psychologists, psychiatrists. Taking children to

1 children's hearings. We spent a lot of our time going
2 to children's hearings. And, again, my husband went to
3 the majority of them, but I also went to quite a few.

4 Q. I think you will have seen from Morag Morrell's
5 statement, she talks about you and your husband being at
6 children's hearings, so your position is that is
7 something that you would go to; is that right?

8 A. Yes.

9 Q. Yes?

10 A. Yes. A large part of our task at Brimmond was to
11 prepare a report, a written report, on the child and any
12 recommendations we might have to make. But you then
13 went with the child and with the report to the
14 children's hearing.

15 I know Mrs Morrell says that we shouldn't have been
16 there. I can't understand how she imagines we shouldn't
17 have been there. It was one of the main reasons for our
18 existence.

19 Q. So, 'Mary', from what you are telling us, you were
20 involved in that process, the writing of reports and
21 making recommendations to the children's hearing?

22 A. Yes, I wouldn't write -- I would never write the report
23 to go to the children's hearing. I would contribute
24 a -- quite often, a written report to the staff meetings
25 where the children were discussed. But it was always my

1 husband who prepared the coordinated reports to go to
2 the children's hearing.

3 Q. But you would go with them to the hearings and you would
4 be present --

5 A. No, we didn't -- no, we didn't usually both go.

6 Q. Okay, so it would be one or other of you that would go?

7 A. Yes.

8 Q. And when you were at the hearings, 'Mary'; would you
9 speak to the panel?

10 A. Oh yes. We would be asked, you know, to enlarge on the
11 report and so on.

12 Q. Now, in relation to staff, I pointed out the part of
13 your statement, 'Mary', where you say you weren't
14 involved in the supervision, appraisal or evaluation of
15 staff in any formal way. But we have heard evidence,
16 'Mary', that the impression seemed to be that you were
17 in charge of the female staff and you would tell them
18 what to do and what you said went. Do you have any
19 comment on that?

20 A. I probably spent more time with the female staff, yes.
21 Erm, er, I spent a lot of time in the girls' unit. But
22 there wasn't a lot of formal supervision and so on going
23 on. You know, we just all got on with our jobs.

24 Q. Because we talked about Mrs HLP role at Calder House
25 earlier, I think you said that she was really in charge

1 in a lot of ways in her role. Did you see your role as
2 matron at Brimmond as similar to her?

3 A. Yes. Much more -- yes.

4 Q. Okay.

5 A. Yes, yes, I mean, I think that's just how it was, you
6 know? Our husbands were very much tied up with -- you
7 know, were in their office doing things. I was much
8 more in the public view. I could understand why the
9 kids thought that I had -- you know, 'Oh, she's [REDACTED]
10 [REDACTED]'. It was me they would see around the place in
11 a way that they didn't see my husband. You know, I had
12 probably more direct involvement with all the children,
13 boys and girls, than my husband would have done because
14 I wasn't spending hours every day in an office collating
15 information and writing reports.

16 Q. And what about the impression that what you said to
17 staff went? What you said was what was to happen; was
18 that the position?

19 A. No. I don't remember situations where I was telling the
20 staff what to do. It wasn't that kind of a place. We
21 worked together as a team.

22 Q. 'Mary', you go on to tell us about the types of children
23 at paragraph 72. We have touched on this already and we
24 have said that the children would come from all
25 different types of backgrounds --

1 A. Yes.

2 Q. -- and be there for very different reasons, sometimes.

3 And you mentioned earlier that there would be an age

4 range. You tell us, at paragraph 72, that the majority

5 of children were around 13, 14 or 15, but, very

6 occasionally, you would have a primary school child?

7 A. Yes.

8 Q. And you do remember occasions when that happened; is

9 that right?

10 A. Yes, oh yes, yes. And we had no say in that. If we

11 were told that they were coming to us, we just had to

12 accept them.

13 Q. Yes. And I think we've heard evidence, 'Mary', of

14 perhaps children as young as 8 or 9 being in Brimmond

15 for periods of time; is that something that you recall?

16 A. Yes, yes.

17 Q. And in that paragraph, at 72, you mention two siblings

18 who were brought in who were quite young. You comment

19 you don't know why they were ever put to Brimmond.

20 A. No, no. As I say, I think they were Iranians. But the

21 background of that, I do not remember the great details,

22 but I certainly remember the two children very vividly,

23 because the younger one was just really young, really

24 young. But they didn't want to separate him from his

25 brother.

1 And then they spent most of the time playing in the
2 showers, because he'd never seen a shower before. But
3 I don't think he had an unhappy time. I mean, the older
4 children were usually really quite nice to little ones
5 who came in. They felt: 'It's a shame a wee boy like
6 that being here'. You know?

7 Q. But, again as you told us, 'Mary', you say you didn't
8 really have a choice as to which children you took
9 because sometimes the police, as we have discussed,
10 would just turn up with children or the children's
11 hearing would decide that the children were coming to
12 Brimmond and you just had to take them?

13 A. Yes, yes.

14 Q. And you comment that you got some background information
15 after they came in, but sometimes you would just have
16 a child overnight. In those situations you wouldn't
17 have, really, any information about them, other than --

18 A. No.

19 Q. -- what was -- told?

20 A. We didn't really need any information. All that the
21 police were asking you to do was keep this child safe
22 during the night and then the next day, we would either
23 return them to where they had come from or somebody
24 would come from wherever they had absconded from, or,
25 you know, whatever the situation.

1 Q. We have seen some comment about the purpose of Brimmond,
2 or Brimmond's functions. The comment is that the
3 functions were 'hopelessly muddled', is the way it was
4 put.

5 A. Yes.

6 Q. And the comment goes on to say:

7 'It had been purpose-built with no purpose in mind.
8 It was supposedly a children's home providing
9 semi-secure accommodation with an assessment function.
10 However, there were insufficient trained staff to carry
11 out the supposed assessment function.'

12 And it was meant to be a children's home, but it was
13 one where children were deprived of their liberty, in
14 effect; what would you say about that?

15 A. I think there was a lot of confusion about what Brimmond
16 was meant to do. There's no question about that. We
17 came on the understanding that it was to be
18 an assessment unit. Erm, er, but we had no control over
19 the staff that came. We were given the staff.

20 The police thought of us as the remand home, because
21 that's what they had been operating with -- was
22 an old-fashioned remand home and that's what they
23 considered -- continued to consider us to be.

24 Some people felt that: 'Oh yes, that's where the bad
25 boys go and they lock the doors and, you know, that's

1 what they deserve to be, and I don't think they're half
2 strict enough'.

3 Other people felt it was all wrong, that children
4 were coming in and the doors were being locked when they
5 perhaps had not committed any crimes.

6 There was confusion about what we were meant to do.
7 And we continued to try and do the main thing which we
8 understood us to be expected to do, which was to try and
9 understand what the problem was, why it had occurred,
10 what could be done to help to solve it, where might be
11 the best place for children to go.

12 Q. And you've explained, 'Mary', that in relation to staff
13 it was the staff from the remand home that had already
14 been decided that they were coming to Brimmond before
15 you and your husband took up the post?

16 A. Yes, as far as I know, the decision was just taken by
17 the social work department that they were closing the
18 remand home, they were opening a new assessment centre,
19 but that the staff who had been employed at the remand
20 home would just move over.

21 Gradually, over the following years, these people
22 retired or -- we began, as the years went by, to get in
23 younger staff, qualified staff, staff who had done
24 a social work course, staff who were already working
25 there were being encouraged to go and do the CSS, which

1 is a certificate in social studies. It was something
2 where you continued to work at your job, but you got
3 blocks of time off to perhaps go and do a placement
4 somewhere else or go to university, which was, I think,
5 mainly down in Dundee at that time. Over the ten years
6 that we were there, there were -- huge changes took
7 place.

8 Q. So did you feel then that the children -- other than
9 children who were there as an emergency; did you feel
10 that children were being assessed in the way that they
11 should be whilst they were at Brimmond?

12 A. Well, the ones who just were brought in and assessed in
13 an emergency -- it depended what the emergency was.
14 Some of them might then be sent to a children's hearing
15 and the children's hearing would decide that they could
16 come back to Brimmond and be assessed. But, if some of
17 them had run away from other children's homes, from
18 other assessment centres, from approved schools, they
19 would all be just brought to us for a night and then
20 they would go back to where they had come from.

21 Q. But those children who were placed there and weren't
22 there under some sort of emergency; did you feel that
23 they were being assessed while they were at Brimmond?

24 A. Oh yes. Yes. Yes. Any who came and stayed for any
25 length of time and were going to have to go back to

1 a children's hearing, you would prepare what would just
2 be, you know, an early report, really. If the panel
3 felt that they wanted them to be there longer and to
4 have a more in-depth report, then they would be sent
5 back to Brimmond for longer. But a lot of children came
6 in initially on a three week order, but they would go
7 back to the panel after three weeks and then might come
8 to us for three months. Ideally, that was what was
9 happening.

10 Q. How were they being assessed, from your point of view,
11 'Mary'?

12 A. Well, they would be seen, probably, by an educational
13 psychologist, a child psychologist, sometimes a child
14 psychiatrist, their social worker. They would either
15 have a social worker appointed or the social worker they
16 already had would get a better opportunity to see the
17 child on a regular basis and talk with them. They would
18 have an opportunity to perhaps do more work with the
19 family, with the parents, with the school.

20 The school would -- you know, there would be
21 an educational psychologist probably involved.
22 Sometimes the guidance teacher who might have been
23 involved would come in and have a meeting with us.

24 There was just a lot of contact between all the
25 professionals that could contribute to a picture of what

1 was going on in this child's life.

2 Q. When you say school being involved, 'Mary'; do you mean

3 a school that was out in the community?

4 A. The child had been in.

5 Q. Yes.

6 A. Yes.

7 Q. But there would be children sometimes who perhaps didn't

8 have a school out in the community; is that right?

9 A. Most of the children would have been at school, but

10 a lot of them weren't attending school. A lot of them

11 would be, you know, not allowed to attend school. The

12 school would have, you know, put them out on

13 a short-term basis or a longer-term basis. That was --

14 a lot of them came in with school attendance problems.

15 They either didn't go to school or they went to school

16 and were very disruptive. You know, it was just a wide,

17 wide variety of reasons.

18 Q. And there would also be children there, 'Mary', who

19 weren't from the local area, from elsewhere in Scotland;

20 is that right?

21 A. Yes, erm, initially, we had one or two from a distance,

22 but, you know, that didn't continue. But you would have

23 children from Fraserburgh and Peterhead; we got quite

24 a lot of children from that area. At that time,

25 children would come down from Elgin. But, during the

1 time that we were there, they actually opened
2 an assessment centre in Elgin.

3 Q. 'Mary', there is a quote in a newspaper article that we
4 have seen and I think this relates to the comment
5 I mentioned to you earlier about Brimmond's functions
6 being hopelessly muddled. The quote seems to be:
7 'What children's home has a detention room or cell?
8 If it's a children's home, why do you have children who
9 are classifiably seriously mentally ill? Brimmond is
10 just a dumping ground for all children of the area.'

11 Now, what comment would you make about that?

12 A. That's fair enough, probably. I -- you know, there were
13 no secure rooms in ordinary children's homes.

14 Q. But it was something that was used at Brimmond. You
15 accept that, 'Mary', is that right, this room?

16 A. Oh, it was used, yes. But it was not used as
17 a punishment. It was used as a place where children
18 would be safe and secure. There was nothing in the
19 secure room that they could harm themselves with. It
20 wasn't a glass window that they could break and cut
21 themselves.

22 LADY SMITH: 'Mary', do you accept that the children might
23 have felt that it was a punishment to be put there?

24 A. Oh, without a doubt. I think the thing that I am most
25 aware of, having, you know, spoken with you folks over

1 many days and thought so much about it, we listened to
2 children, but we didn't talk enough to children. We
3 didn't explain enough to children about why things were
4 happening. We didn't -- we almost assumed that the
5 children knew, that their social worker, which most of
6 them had, would have explained circumstances to them.

7 I think that that is the biggest thing that I, you
8 know, that I would change hugely, is that we should have
9 talked more and explained more to children. And then
10 encouraged them to talk back, not just hope that they
11 would talk to us.

12 Q. 'Mary', before we leave what's said in that quote,
13 I think one of the things that's pointed out is that
14 there would be children at Brimmond who had mental
15 health problems, or serious mental health problems; was
16 that the case?

17 A. Erm, I don't know that we would have diagnosed them as
18 having mental health problems, but there were certainly
19 children there that, yes, they would have had mental
20 health problems.

21 People weren't as aware of mental health in those
22 days, 50 years ago, as they are now. Mental health's
23 spoke about all the time. People are very aware of it.
24 People didn't speak about mental health problems, the
25 same way that you didn't have people with Alzheimer's,

1 folk got dottled and that was all there was to it.

2 You know, the whole terminology, the whole attitude

3 to so many things has changed.

4 Q. And what about Brimmond being described as a dumping

5 ground for all of the children in the area; do you agree

6 with that?

7 A. Yes, sometimes you felt that that was what you were

8 being used as.

9 Q. 'Mary', you tell us -- and we have talked a bit about

10 this -- that the duration of a child's stay at Brimmond

11 would depend on circumstances and it could be anything

12 from this emergency overnight to something else. You

13 mention a particular boy who's mentioned also later in

14 your statement?

15 A. Yes.

16 Q. We know him as 'Shane' --

17 A. Yes, yes.

18 Q. -- who lingered for years at Brimmond?

19 A. Yes, yes, yes. And I would have said very definitely

20 mental health issues there.

21 Q. And you say that he was the one child who was at

22 Brimmond, from your recollection, the longest by a mile,

23 you say?

24 A. Yes, yes. Yes.

25 Q. 'Mary', just going forward in your statement to what

1 would happen during the day, you talk, at paragraph 78,
2 about children after they got up in the morning and got
3 breakfast. Those who weren't in class would be involved
4 in doing chores.

5 A. Yes.

6 Q. I think you go on then to tell us that children were
7 expected to do quite a lot when it came to chores. It
8 was thought to be good for them and it also filled their
9 time. You state that kids would sweep the floor in the
10 dining room or wash and dry the dishes. There was
11 a chore rota that was put up and the duties were divided
12 up by the staff; is that right?

13 A. Yes, and it would have been like that in all the -- you
14 know, the assessment centres. Because there was -- it
15 was very difficult to provide education for this
16 constantly moving group of children.

17 You know, if you only had two, or at the most three,
18 teachers, it was -- and you had children as young as
19 eight, sometimes, coming -- in fact, the little Iranian
20 boy would have been younger than that. He was really
21 small. But you had, you know, some primary school
22 children and then you had them right the way up to
23 an age when children should have been preparing to sit,
24 you know, exams. And some children were only there for
25 three weeks. You know, you couldn't really provide

1 an appropriate education for that wide range of
2 children.

3 Q. And for those children who didn't go to class or get
4 schooling; would they be expected to do chores all day?

5 A. No. No. They would -- as well as the teachers being
6 there, you had care staff there and they would be, you
7 know, taking the kids out for a while. A lot of the
8 children were going off to see psychologists and
9 psychiatrists, and I'd be taking a group to the dentist
10 and that kind of thing. You know, you had all these
11 things to fit in while they were there.

12 Q. But there would be a period of the day, from what you
13 are telling us, that children who weren't at school were
14 expected to carry out chores?

15 A. Yes, yes.

16 Q. Were chores ever used as a punishment at Brimmond?

17 A. No, never. Never. No. No. No.

18 Q. And you have mentioned the types of things that children
19 would do, 'Mary', sweeping the floor or washing and
20 drying the dishes; did children ever have to scrub the
21 floor on their hands and knees?

22 A. Yes. I think that it is actually in the report that one
23 of our domestic staff was a lady called KPP and any
24 child I ever met who had been in Brimmond would always
25 ask: is KPP still there?

1 The kids got on really well with KPP. She was
2 a homely, country wifey and she was awfully good with
3 getting the kids to come away. If they were having
4 a hard morning, if they were falling out with everybody,
5 if they were unsettled, occasionally KPP would say,
6 'Come on, you come on with me. I could need -- could
7 help get some help from you. I could help -- get
8 somebody to help me. I'm doing the stair'.

9 Now, they weren't put on to scrub the stairs. KPP
10 was scrubbing the stairs, but the bairns would get
11 a scrubbing brush and be there with her. But, mostly,
12 KPP spoke with them.

13 Now, this may all sound very strange to you, but
14 that was what happened. They were never put to scrub
15 the stairs as a punishment and they never scrubbed it
16 with toothbrushes or nail brushes or anything like that.

17 Q. Okay.

18 A. That's the kind of things that kids would tell the new
19 kids coming in: 'You'd better behave or they'll make you
20 scrub the toilet wi' your toothbrush'.

21 Q. Well, we might come back to --

22 A. That's like saying to children: 'If you don't behave,
23 I'll get the bobby to come and take you away'.

24 That's the kind of way that it was in those days.

25 Q. 'Mary', thank you for explaining that. We might come

1 back to that again when we look at a different part of
2 your statement.

3 A. Yes.

4 Q. And I will get your views.

5 Just looking then, again, we have talked about the
6 meal times, because we mentioned it earlier but I think,
7 at paragraph 80/81, you tell us about that. You say the
8 children ate together, they were supervised, and the
9 staff ate the same food as the kids. But not in the
10 same room or at the same time, because they did it in
11 a break room somewhere separate; is that right?

12 A. Now, which --

13 Q. Sorry, 'Mary', this is paragraph 80. I think that's
14 really where you tell us --

15 A. Yes, yes.

16 Q. -- about children eating in the dining room and staff
17 eating somewhere separate, but they all ate the same
18 thing?

19 A. Yes.

20 Q. Now, 'Mary', we've heard evidence that children would
21 march into the dining room; is that something that
22 happened?

23 A. March into the dining room is one way of putting it.
24 No, they would all be gathered together from wherever
25 they were, the television room or the quiet room or the

1 classrooms, and so on. And there would just be
2 an orderly line of them because they had to walk along
3 the long corridor and down another corridor to the
4 dining room. But staff would just make sure that they
5 were all there together, that they were in an orderly
6 sort of fashion, and take them down to the dining room.
7 See them into the dining room and then they would start
8 getting their tea.

9 Q. Okay.

10 A. The children could certainly say: 'Yes, we were lined up
11 and marched down to the dining room', but that wasn't,
12 you know, really what it was. It was just making sure
13 they were all there and all ready for their dinner.

14 Q. 'Mary', just before I leave that topic, you say that in
15 those days children were expected to eat what they were
16 given, but, that being said, no one was ever forced to
17 eat if they didn't want to or made to sit for hours to
18 finish the food on their plate?

19 A. No, never.

20 Q. Were children ever allowed second helpings if they
21 wanted it?

22 A. Yes, yes. I don't think there was a child in Brimmond,
23 ever, that didn't have enough to eat. I mean, the food
24 was -- as I say, exactly the same as the staff and my
25 own children ate. The food was really plentiful. If

1 there were leftovers, of course the children got them.

2 Q. So 'Mary', we've heard from Frances Davidson, who was

3 the cook that I mentioned earlier, that came along

4 later. Her recollection was that she was never allowed

5 to give children second helpings when she was there and

6 that sometimes meant that food would be wasted and she

7 thought it was a shame to waste the food; what's your

8 position in relation to that?

9 A. I just -- as I say, I've no recollection particularly of

10 somebody of that name, but I would never have said that

11 they couldn't use up the leftovers. Never. I hate --

12 it's a family joke in our house that I put leftovers in

13 small dishes. I'm constantly reminded that it's not

14 wartime, I don't need to save the leftovers. No, there

15 was no question of that.

16 MS FORBES: We have dealt with the question I think you were

17 asked about whether children had to sit in silence. You

18 talk about that again in paragraph 81 and you give us

19 your position on that.

20 So I think at this stage --

21 LADY SMITH: Ms Forbes, yes.

22 MS FORBES: -- my Lady, it might be a time for a break.

23 LADY SMITH: Yes. 'Mary', I normally take a break for about

24 15 minutes at this stage in the morning.

25 A. Yes.

1 LADY SMITH: Would that work for you all right if we did
2 that just now?
3 A. Yes.
4 LADY SMITH: Very well.
5 A. Thank you.
6 LADY SMITH: We will have a break and return to the rest of
7 your evidence afterwards.
8 (11.32 am)
9 (A short break)
10 (11.50 am)
11 LADY SMITH: Welcome back, 'Mary'. Are you ready for us to
12 carry on?
13 A. Yes, thank you very much. I enjoyed the break.
14 LADY SMITH: Thank you. Ms Forbes.
15 MS FORBES: My Lady, thank you.
16 Hi 'Mary', just to continue to another part of your
17 statement. This is to do with washing and bathing and
18 Brimmond. This is paragraph 82. This is where you tell
19 us about the boys' shower room and that it was located
20 on the ground floor of the boys' unit. You say:
21 'This was a large washroom with a big block of
22 showers in open-ended cubicles, so the staff could keep
23 an eye on them.'
24 Is that right?
25 A. Yes.

1 Q. Yes. So, from one point of view, there wasn't complete
2 privacy for the boys when they used the showers; is that
3 right?

4 A. No. No, no. I don't think that the boys would really
5 have expected privacy.

6 Q. Were there any baths, as opposed to showers, in the
7 boys' area?

8 A. No, no. I think it was all showers.

9 Q. Just showers, okay.

10 A. I think there was a bath in the girls' wing.

11 Q. Okay. So, in the girls' wing there were showers as
12 well, but --

13 A. I think so. Honestly, that's something -- not something
14 I'm absolutely sure about.

15 Q. Okay. Now, 'Mary', you are aware of some of the
16 allegations that have been made in respect of you. Some
17 of them relate to the shower, shower area, showering
18 time. So I just want to ask you about that: did you
19 ever go into the boys' shower area?

20 A. Er, I was in the boys' shower area, but not when the
21 boys were showering.

22 Q. So you wouldn't be present supervising boys in the
23 shower?

24 A. No, no, no, I didn't do that kind of thing.

25 Q. Were you ever offering to shampoo boys' hair in the

1 shower?

2 A. No, no.

3 Q. What about assisting them with washing their bodies when

4 they were in the shower?

5 A. No, no.

6 Q. And I think you know why I am asking you that, because

7 of some of the allegations that have been made; is that

8 right?

9 A. Yes, yes.

10 Q. But, from your point of view, that wasn't something you

11 would do; you wouldn't be in the shower room when the

12 boys were naked?

13 A. No, no.

14 Q. Okay. But there would be members of staff there; is

15 that right?

16 A. Yes, the men were -- there were always men on duty, yes.

17 Q. And when they were -- do you know why they were there

18 supervising the boys in the shower?

19 A. Yes, just to make sure that there was nothing untoward

20 going on. You know, the children in Brimmond were

21 really supervised all the time. There were always quite

22 a number of staff on duty to make sure that everything

23 was peaceful.

24 Q. In respect of the girls' shower area; was that also

25 a similar set up, these open-ended cubicles?

1 A. No. It was an much smaller unit, you see. You only had
2 five girls, not 20 boys.

3 Q. So, from what you are saying, 'Mary'; did they have more
4 privacy in their shower area?

5 A. Yes, they would have done, they would have done.
6 Because it was a smaller number you were dealing with.
7 It was a different atmosphere all together with girls.

8 Q. Were they also supervised or was that not necessary?

9 A. No, it wasn't necessary.

10 Q. You tell us about providing clothing to children that
11 arrived at Brimmond and you say that although there was
12 no uniform, they would be provided with clothes by
13 Brimmond; is that right?

14 A. Yes. Yes.

15 Q. So they wouldn't keep their own clothes whilst they were
16 there?

17 A. No, no.

18 Q. And you say when a new kid came in, their own clothes
19 would be washed, put away safely, and then given back to
20 them when they left?

21 A. Yes.

22 Q. That would be, presumably, if they still fit them at
23 that point?

24 A. Oh, absolutely. Absolutely. No, no, they would have
25 been given the dress things. You know, it wasn't

1 a major issue. Erm, but, I mean, the kids just wore
2 what kids wear all the time: jeans and jumpers.

3 Q. But, from what you are saying in this paragraph, 'Mary',
4 there seemed to be this process that on arrival at
5 Brimmond, children would be given clothing and asked to
6 hand over their own clothing that they had arrived with?

7 A. Yes, yes.

8 Q. Was that something that happened quite quickly after
9 they arrived?

10 A. Oh yes, yes. You know, they would have probably got the
11 chance to have a shower and get into clean things,
12 because quite a lot of these children who came in might
13 have been abscondeeas and they would have been sleeping
14 rough. You know, they were probably ready for a shower
15 and fresh clothes.

16 LADY SMITH: Were children ever allowed to carry on wearing
17 their own clothes at Brimmond?

18 A. They didn't have their own clothes. The one time that
19 they did get -- put their own clothes on, apart from
20 obviously if they were going to a children's hearing or
21 something like that, was if they chose to go to church
22 on Sunday, and then they could wear their own clothes.
23 But the rest of the time -- I don't think it was
24 something that bothered most of the children. They were
25 just wearing what they would have worn anyway.

1 LADY SMITH: Was there a particular reason why they weren't
2 normally allowed to wear their own clothes?
3 A. Mainly because it would have been very, very difficult
4 to keep tabs on whose clothes belonged to who, and, you
5 know, you had some children coming in for a night. You
6 had some there for, you know, a few weeks, some for
7 longer. Any other establishment that I had dealings
8 with, like -- you know, I know at the List D school in
9 Birmingham, in Calder House, the children in those
10 establishments didn't wear their own clothes in those
11 days. I'm sure nowadays if there were such places they
12 would, but they didn't in those days.
13 LADY SMITH: Thank you.
14 MS FORBES: So that was a practice that went on at Brimmond,
15 that their own clothes couldn't be worn and the clothes
16 provided by Brimmond would then have to be worn by the
17 child?
18 A. Yes.
19 Q. Yes. And were there ever occasions when a child didn't
20 want to do that?
21 A. No. No, I don't remember anybody -- kids ever caring
22 tuppence about what they wore.
23 Q. Were you ever present -- and, again, you are aware of
24 allegations that have been made, 'Mary' -- when a boy
25 was told to strip naked in front of you and another

1 member of staff and didn't want to do that?

2 A. No, the only time that I saw children in a state of
3 undress was when we were swimming or on that one
4 occasion when there was a medical reason that the boys
5 all had to be, you know, anointed.

6 Q. I think you mentioned later in your statement, 'Mary',
7 that medical reason. That, again, is in response to
8 comments made in statements from children that you have
9 seen. You explain there was an outbreak of scabies at
10 one point.

11 A. I think it was scabies. To be quite honest, you know,
12 it's 50 years ago.

13 Q. No, I appreciate that.

14 A. But it was that kind of thing that, you know, we took
15 medical advice and I was given instructions and
16 I carried out those instructions. And it was once --
17 one occasion in 10 years. It was not something that
18 happened on a regular basis or anything.

19 Q. And what instructions were you given, 'Mary', in
20 relation to treating that outbreak?

21 A. Just, you know, that we must use this ointment and get
22 it onto all the boys.

23 Q. I think you tell us later in your statement that's
24 something that you did personally; is that right?

25 A. I was one of the -- there were 20, at least, boys to be

1 done and it was just an occasion when everybody -- all
2 the men who were on duty and myself.

3 Q. When that happened and this ointment had to be put on to
4 the boys; were they naked?

5 A. Well, they must have been, yes.

6 Q. And --

7 A. They wouldn't have -- I think they showered and then
8 they got this put on, you know?

9 Q. Were you involved, 'Mary', though, in putting that on
10 them?

11 A. Yes, yes.

12 Q. And --

13 A. I had -- apart from anything else, it was myself who had
14 been shown by the medical people what had to be done.
15 And, you know, I'm sorry, it was just part of my duties.

16 Q. But just to explain what happened, 'Mary', I think you
17 say that you were involved in putting that ointment on,
18 painting it on, if you like, their bodies, and that
19 included private areas of their bodies, such as their
20 genitals?

21 A. It was one of the areas that had to be done, yes.

22 Q. And that was done in front of other people, other
23 members of staff?

24 A. Yes, there was -- you know, they all had to be done.

25 Q. Was it also --

1 A. It wasn't done in private. This was in a -- you know,
2 just all in the one area.

3 Q. So are you describing a situation, 'Mary', whereby boys
4 were there together, along with members of staff, and
5 this treatment was being applied?

6 A. Yes.

7 Q. And --

8 A. Yes.

9 Q. -- this was public, together, in the sense that they
10 were all in the same room; is that right?

11 A. Yes, yes.

12 Q. And so boys were naked in front of other boys and
13 members of staff?

14 A. Yes.

15 Q. Okay.

16 A. Boys were showering in front of each other on a regular
17 basis.

18 Q. I think you have seen what's been said by those in the
19 statements that have talked about this, and they
20 obviously complained about that, that they found it to
21 be humiliating at the time.

22 A. Yes, they didn't complain at the time, I can assure you.

23 Q. But could you see, 'Mary', how that could be humiliating
24 for a boy, perhaps teenage or younger than teenage, for
25 that to take place?

1 A. I think, for instance, in toilets, women always go into
2 individual cubicles. A man's toilet area has got
3 a urinal, where men perform freely in front of one
4 another. I don't think I had imagined that boys were
5 quite as sensitive as they are now claiming they were.

6 Q. But can you --

7 A. I really don't -- maybe being naive, but ...

8 Q. No, I'm grateful to you, 'Mary', for explaining your
9 position on that. But can you see how perhaps up to 20
10 boys standing around naked in front of each other and in
11 front of members of staff for a period of time whilst
12 this treatment is applied to them all could be seen as
13 quite different from going to a toilet, a urinal, beside
14 one another?

15 A. Perhaps they did see it differently, but I didn't
16 realise that at the time.

17 Q. Okay.

18 A. I still doubt it.

19 Q. But that's something that you accept happened, what
20 these people said?

21 A. Oh, it certainly happened.

22 Q. But your position is --

23 A. I still feel that that was what I was told to do and
24 I did it.

25 Q. And from what you are saying, 'Mary', you didn't think

1 there was anything wrong with that at the time?

2 A. No, I didn't. I really didn't.

3 Q. And I think from what you have explained, you still

4 don't see how that was a problem?

5 A. I accept that it may have genuinely been, but

6 I certainly didn't pick it up at the time, that it was

7 a problem.

8 Q. 'Mary', were you ever present when a boy refused to take

9 off their clothes after arriving at Brimmond and then

10 they had to have their clothes forcibly removed from

11 them?

12 A. No.

13 Q. I think you have seen the statement this relates to.

14 The phrase that's used is their 'clothes were ripped

15 off'.

16 A. No.

17 Q. And --

18 A. I was not aware of that.

19 Q. Sorry? I missed that, 'Mary'.

20 A. I wasn't aware of an incident like this.

21 Q. So you weren't involved in that? You don't recall being

22 involved in that?

23 A. No.

24 Q. Just on this point of boys arriving, or children

25 arriving at Brimmond and being received into Brimmond,

1 you have been made aware this morning of some evidence
2 that we have heard about someone saying that they were
3 called by either you or your husband a 'dirty little
4 boy' when they arrived. What's your position in
5 relation to that?

6 A. I have no recollection of such an incident.

7 Q. Was that something you would ever say to a child?

8 A. No, no, I wouldn't. And I couldn't imagine my husband
9 saying it either.

10 Q. But I think you have told us there are occasions when
11 children would arrive at Brimmond and they would be --
12 as you have described, they would be in a particular
13 type of state, having slept rough previously or
14 something and they would need a shower?

15 A. Yes.

16 Q. Is that right?

17 A. Yes, yes. But it wouldn't be something that I would be
18 commenting on.

19 Q. Okay. 'Mary', when --

20 A. When boys arrived at Brimmond, I had nothing do with
21 that sort of admission procedure, you know. There were
22 plenty of men on duty.

23 During the night there was a night man, that was his
24 job to be there, to, you know, keep an eye on everything
25 and to admit boys. I only would be called over if it

1 was a girl who was being brought in because there were
2 not women on duty overnight.

3 Q. So were there no houseparents who were women on duty
4 overnight in the girls' flat?

5 A. No.

6 Q. Who would be responsible for girls at night?

7 A. Me or GJP, the deputy, you know, whichever one of us
8 was on call.

9 Q. Okay.

10 A. But the girls' wing was right next to where the night
11 man was on duty. He had a room on the upstairs, which
12 looked down the main boys' corridor and the adjoining
13 one was the girls' wing. And if there was any -- you
14 know, somebody being admitted or a girl saying she was
15 unwell, he would phone over immediately and I would go
16 on duty.

17 Q. Okay. So there were occasions when you had to work in
18 the evening or in the middle of the night, at Brimmond?

19 A. Oh, I was called out many times in the middle of the
20 night and so was GJP, yes. If abscondee from
21 somewhere else were brought in or, you know, police had
22 picked up a girl in some circumstances and brought in,
23 we would always be called out.

24 Q. Okay. 'Mary', just to go on a little bit in your
25 statement, you tell us about taking the children out

1 a lot, but this was mostly at weekends, when the numbers
2 were lower and there was a minibus that could be used.
3 Balmedie Beach was a favourite place for the children to
4 go; is that right?

5 A. Yes, yes.

6 Q. It was also taking the children to football,
7 particularly the boys were keen --

8 A. Yes.

9 Q. -- in relation to that. And there were picnics out and
10 to the local swimming pool, as well?

11 A. Yes, we got the use of the Inverurie swimming pool one
12 day a week for a couple of hours.

13 Q. And I think you comment that your husband was
14 a qualified swimming instructor and that was something
15 that he was quite keen on; is that right?

16 A. Yes.

17 Q. Just going forward, then, 'Mary', you talk about
18 children getting a medical examination in Brimmond when
19 they arrived. That would be carried out by a doctor.

20 And you mentioned already that you would be involved
21 in taking children to doctors or dentists' appointments
22 if it was necessary. And you say you do remember a few
23 visits to Accident and Emergency, but that's not
24 something that happened often?

25 A. Yes. No.

1 Q. And you mentioned that there was an incident with a boy
2 who punched a glass panel which had mesh in it; is he
3 somebody that had to be taken to Accident and Emergency?
4 A. Yes.
5 Q. And can you recall any other times when children had to
6 be taken for emergency treatment?
7 A. Oh, there were a number of times when children had to be
8 taken. But, as I say, in ten years, it's inevitable, if
9 you are dealing with teenagers, that there will be some
10 of them that need to go to hospital for something. It
11 wasn't something that was happening on a regular basis.
12 Q. And what types of things would happen that would result
13 in them having to go to Accident and Emergency?
14 A. You know ... oh, difficult to say, really. Erm, but if
15 something happened or a child was feeling unwell in
16 a way that wasn't appropriate to go to the GP, you would
17 just have taken them to A&E.
18 Q. But would there be injuries that would require treatment
19 at Accident and Emergency?
20 A. Yes, I mean, children might have a fall or a ...
21 I'm really not able to recall exactly why. I just
22 know I certainly went to A&E on a number of occasions.
23 I particularly remember the one where [REDACTED] put his
24 fist through the mesh.
25 Q. But can you recall, 'Mary', if these were in relation to

1 accidents or whether this relates to something else, for
2 example, a child being assaulted?

3 A. Oh, it might have been, yes. It could have been.
4 That's what I am saying. I can't, you know ...

5 It would be untruthful if I said I could remember
6 specific incidents and why they happened. I just know
7 that now and again there would be something occurred
8 that it was felt the appropriate thing to do was to take
9 the child to A&E and I did so.

10 Q. And if the injury was as a result of an assault; who
11 would have assaulted them?

12 A. They would have assaulted one another.

13 Q. Okay, so you are talking about --

14 A. Certainly, if it had been a case of a member of staff
15 assaulting a child, I would certainly have remembered
16 that. Because, you know ...

17 Q. So what you are talking about is boys assaulting each
18 other?

19 A. Oh yes. Yes.

20 Q. And what about --

21 A. If you have 20 very disturbed or mainly very disturbed
22 boys, you will have incidents where they fall out with
23 one another.

24 Q. And what about self-harm? Was that something that you
25 recall being an issue?

1 A. Not really at Brimmond. I can remember a girl who
2 self-harmed quite regularly, if she could, at
3 Calder House, but not at Brimmond.

4 I'm not saying it never happened. I can't remember
5 it.

6 Q. So you can't recall an occasion at Brimmond while you
7 were there where a child tried to take their own life or
8 self-harmed to the point they needed to go to Accident
9 and Emergency?

10 A. No, no.

11 Q. Okay.

12 A. No.

13 Q. 'Mary', you talk about schooling. We did touch on this
14 earlier and you said that there was a teacher there when
15 you arrived and there was only really, I think you said,
16 one teacher. Now, this is at paragraph 86, where you go
17 on to tell us a little bit more. You say that there was
18 always meant to be a bit of schooling in an assessment
19 centre. You talk about there being two classrooms,
20 a woodwork room and an arts and crafts and cookery room.

21 Now, were there always two classrooms, to your
22 recollection?

23 A. Yes. Yes.

24 Q. So it wasn't a situation where there was one classroom
25 to begin with and then that changed over time?

1 A. No. I don't think there was any changes made to the
2 basic planning and structure of Brimmond.

3 Q. You tell us that there were two full time teachers who
4 came in during the day and they were qualified teachers;
5 did that then change from when you had first arrived at
6 Brimmond?

7 A. Yes, when we first arrived, Mr McHatty came over, and he
8 was an older man and coming up to retirement. I don't
9 think he was there for very long.

10 Q. And you mention, at paragraph 87, Mr McHatty again.
11 Then you talk about George Keith, who you say was there
12 for probably the longest time.

13 A. Yes. Oh yes.

14 Q. And then, later on, a teacher called Daphne Archibald.

15 A. Yes.

16 Q. You'll have seen, 'Mary', Morag Morrell's statement and
17 parts of it. I think she talks about George Keith and
18 a letter that she provided to the Inquiry that was to
19 her from George Keith and that was talking about the
20 educational provision at Brimmond. Now, this is 1978,
21 so not perhaps when you first started, but a later
22 period.

23 I think you will have seen that Morag Morrell says
24 that her understanding was that in theory the teachers
25 came from Bankhead Academy when requested. The teachers

1 from Bankhead didn't like to go to Brimmond. They
2 couldn't be forced to go and that she had disagreements
3 with the headteacher on that subject. What was your
4 understanding of that?

5 A. Er, I didn't think it was the -- I didn't think teachers
6 came up from Bankhead at all. I think we had our own
7 teachers. And, you know, you've always got sort of
8 peripatetic teachers who sort of, you know, go hither
9 and yon and we had those. But it wasn't an easy place
10 to come and be a teacher, I'm quite sure of that.
11 I wouldn't argue with Mrs Morrell about that.

12 Q. But certainly, 'Mary', you are saying at one point, in
13 any event, there were two full time teachers who came in
14 during the day who were qualified; would that be on
15 a daily basis that they would come to Brimmond?

16 A. Yes. Oh yes. Oh, George Keith and Daphne Archibald
17 were full-time teachers. And then we had an arts
18 teacher who came in on a regular basis, a home economics
19 teacher, a woodwork teacher. Also, some of the men who
20 were houseparents were quite keen on going into the
21 woodwork room and doing woodwork with the boys. That's
22 the kind of thing that they would do.

23 Q. You talk, 'Mary', about an assessment being carried out
24 by a teacher when a child arrived at Brimmond relating
25 to their ability. And, during your time there, there

1 were really only a few who went to an outside school?

2 A. Yes, yes.

3 Q. You make the point they were children of all ages and

4 a huge variation in academic ability; is that right?

5 A. Yes. Oh yes, yes. Yes, most of these children had

6 never been regular attenders at school, with, you know,

7 a history of truancy and so on.

8 Q. Were there any formal qualifications that you were aware

9 of being pursued at Brimmond, whilst you were there?

10 A. What, academically?

11 Q. Yes.

12 A. You know, exams and things? No. Oh, definitely no, no.

13 No, no.

14 Q. And you go on to talk in particular about the boy we

15 have mentioned before -- this is at paragraph 89 --

16 about 'Shane', who was there for a number of years. You

17 would say that attempts were made to try and get him

18 into school. You make the point that Brimmond wasn't

19 somewhere where children were meant to stay for long

20 term?

21 A. Yes. He was a very particular case.

22 Q. And you mentioned earlier, 'Mary', about this 21-day

23 period of children coming to Brimmond --

24 A. Yes.

25 Q. -- and then coming back to the children's hearing?

1 A. Yes.

2 Q. Then perhaps coming back for three months. But there
3 were children who did stay at Brimmond for longer
4 periods of time than that?

5 A. Yes, yes.

6 Q. Would you agree -- I think you say there in relation to
7 'Shane', that in relation to him and others who stayed
8 long-term, the education at Brimmond was inadequate?

9 A. Oh, absolutely. Absolutely.

10 Q. Now, just looking to what you say -- you mentioned it
11 already, 'Mary', about children going to church on
12 a Sunday. You say, at paragraph 91:

13 '[They] had an opportunity to go to church, but only
14 if they wanted to. They were never forced.'

15 Is that your recollection?

16 A. Oh, absolutely. Oh yes, no children were ever made to
17 go to church. Whereas in Balgowan Approved School, all
18 the children went to church, every Sunday. In those
19 days, people did go to church.

20 Q. I think, 'Mary', we have heard that you and your husband
21 were very involved in the local church; is that right?

22 A. My husband was an elder in the church.

23 Q. Yes. But we have also heard evidence, 'Mary', that the
24 impression that some children had was that they had to
25 go to church on a Sunday. It wasn't an option.

1 A. No, no.

2 Q. What's your position about that?

3 A. No, the children knew they didn't have to go to church.

4 They were asked: 'Does anybody want to go to church?',

5 and the ones who said yes were taken and the others, no

6 problem at all. Because the staff who were on duty,

7 they were there to look after the children. You know,

8 my husband was not on duty, officially, at the weekend

9 and he was happy to take children with him. And when

10 I was free to, I would sometimes go to church with them

11 as well.

12 Q. 'Mary', in relation to Christmas, just looking at that

13 for a moment, you tell us that there were no decorations

14 at Christmas. You comment this was never designed to be

15 a children's home with a homely kind of feel to it. It

16 was supposed to be anything from three weeks to

17 three months.

18 A. Mm-hm.

19 Q. And that's why you think the homely touches were not as

20 they should have been.

21 A. Yes.

22 Q. But there were children who, as we have said, were there

23 for longer than the three-month period.

24 A. Yes.

25 Q. And there were some who were there for a number

1 of years?

2 A. Oh, very few were there for years. I think the one is

3 the only one I can remember that was there for years.

4 But every child who could go home and was happy to

5 go home went home at Christmastime. It was never more

6 than a handful of children in Brimmond over Christmas

7 and we did try to make it a happy time for them. I can

8 remember one girl saying to me that it was the happiest

9 Christmas she had ever had in her life. And that was

10 a child who had been in her own home, who had been in a

11 children's home and was temporarily in Brimmond. And

12 that was what she said; it was the happiest Christmas

13 she had ever had.

14 Q. 'Mary', you would accept that for those -- even though

15 it may be only a few -- for those children who didn't go

16 home over Christmas, then they would be in Brimmond and

17 they would spend it there; is that right?

18 A. Yes, yes.

19 Q. And Brimmond wasn't closed over Christmas, was it?

20 A. No.

21 Q. The children weren't sent away somewhere else if they

22 couldn't go home? There would still be some that were

23 in Brimmond over Christmas?

24 A. Oh, very, very, few. Two, three, that would be all.

25 Only children who had -- who really didn't have

1 somewhere to go. Because however much we would have
2 felt that homes weren't ideal, children still thought
3 that there was nowhere like home.

4 Q. And I think, again, 'Mary', you have seen
5 Morag Morrell's statement and what she said about her
6 impression of Brimmond. And I think you know she has
7 talked about the fact that she suggested posters could
8 be put up and that suggestion wasn't taken up; do you
9 recall that in her statement?

10 A. No, I don't recall that. But I think the fact would be
11 correct, that the kids would have torn them down.

12 Q. But I think she -- oh, sorry.

13 A. The girls' unit was probably a bit more homely, because,
14 I think, girls tried to make it homely.

15 Q. And I think it's -- yes -- Morag Morrell who comments
16 that Brimmond was a 'dull place to be'; would you agree
17 with that?

18 A. No, no. A number of children who had been in Brimmond
19 and been in children's homes said that they actually
20 felt it was better in Brimmond, because there were
21 always things happening in Brimmond. You know, there
22 was a gymnasium, they went on outings, they had enough
23 kids there to play football matches. They played
24 football matches against other schools, against Oakbank,
25 against the social workers. And even the kids who

1 didn't want to play football liked, you know, supporting
2 their team. They were taken swimming. They were taken
3 to Pittodrie. There was -- actually, the kids were
4 doing things with staff at Brimmond in a way that they
5 didn't do in children's homes.

6 Q. 'Mary', I have what you say about the types of
7 activities that would go on. But I think you accept, in
8 that paragraph that we just looked at, that Brimmond
9 didn't have the homely touches -- is the way you have
10 put it -- that it might have done?

11 A. No, it didn't. Yes. No, I completely agree with that.

12 Q. Now, I just want to go forward, 'Mary', in your
13 statement to where you talk about discipline and
14 punishment at Brimmond. This is at paragraph 99 and
15 following. You say that there was no emphasis on
16 punishment at Brimmond and there was no corporal
17 punishment.

18 A. Mm-hm.

19 Q. You talk about if a child was unsettled you would wait
20 until they were calm to try to talk to them about their
21 behaviour. And there was an emphasis on encouraging
22 good behaviour rather than punishing bad behaviour. But
23 I think --

24 A. Yes.

25 Q. -- you say that if some form of punishment was

1 necessary, it might be missing an outing or home leave,
2 if necessary --

3 A. Yes.

4 Q. -- and that any staff member could suggest a form of
5 punishment, but the ultimate decision was made by your
6 husband?

7 A. Yes. Yes, yes.

8 Q. So home leave could be something that was used as
9 a punishment if a child had misbehaved?

10 A. Yes. But it was -- basically, it was used as
11 an encouragement to behave, rather than, you know, than
12 a punishment for misbehaviour.

13 Q. Yes, I think that's the way you have said it. But can
14 you see how, from the child's point of view, being
15 denied home leave might be seen as a punishment?

16 A. Yes, I can understand, looking back particularly. And
17 that's what I said earlier about -- I feel strongly now
18 that we didn't talk enough to children. We did try to
19 listen, but we didn't talk enough and explain enough to
20 them.

21 Q. Because you could have a situation where a child is
22 running away because they miss home or want to get back
23 to where they are from, but as a punishment they are
24 then denied home leave?

25 A. Yes. When children ran away they didn't tend to go

1 home. For a lot of children, they knew quite well they
2 would be picked up again, probably within hours, and
3 brought back. But they just enjoyed a few hours of
4 going -- mostly, they ran down to the carnies at the
5 beach, to the fun fair.

6 Q. And we've talked about the fact already that you have
7 mentioned the scrubbing of the backstairs and KPP ?

8 A. Yes.

9 Q. We might touch upon that just shortly again. But, at
10 this section, you say that chores weren't used as
11 a punishment, as has been described in the statements
12 that you have seen?

13 A. Yes.

14 Q. In relation to restraint, 'Mary', you tell us, at
15 paragraph 101, that it was something that was used when
16 necessary, but you give the example of splitting up
17 children if there was a fight and a child would then be
18 put in the isolation room to calm down?

19 A. Yes.

20 Q. But restraint was always used -- sorry, if it was used
21 it was recorded in the child's notes on the file. And
22 you can't say how often restraint was used in Brimmond;
23 is that right?

24 A. Yes.

25 Q. Okay. But you say that most of the kids that came

1 through Brimmond would never need to be restrained or
2 ever see the inside of the isolation room?

3 A. Yes, absolutely, yes. No, most of the children would
4 never have been in the isolation room.

5 Q. You go on, 'Mary', to tell us that you don't recall
6 a situation where you had any concerns about Brimmond or
7 the staff that worked there whilst you were there. You
8 describe yourselves as being a 'happy crowd'?

9 A. Yes, yes.

10 Q. But I think you comment that you have read the
11 statements that have been disclosed to you and you make
12 the point that you now have some concerns?

13 A. Yes, yes. You know, I am quite prepared to admit that
14 I wasn't perfect and I didn't -- I couldn't be
15 everywhere all the time. And --

16 Q. In particular, you say you have concerns about what you
17 might have missed with regards to KEF ?

18 A. Yes, yes.

19 Q. So we haven't mentioned KEF until now. But was
20 he someone then who worked at Brimmond whilst you were
21 there?

22 A. Yes, for part of the time that I was there.

23 Q. What was his role?

24 A. He came as a -- just a, you know, a housefather or
25 whatever.

1 They kept changing the title of what people were.
2 Eventually, he was an assistant officer in charge.
3 Q. So did he start as a houseparent or housefather?
4 A. Yes, yes.
5 Q. And then he was promoted at some point --
6 A. Yes.
7 Q. -- to assistant officer in charge; is that what you have
8 described?
9 A. Yes.
10 Q. How long, from your recollection -- and I appreciate it
11 was a long time ago. How long did he work there for?
12 A. I really wouldn't like to say. I'd be guessing.
13 Q. Okay. But was it for a number of years?
14 A. No, no, no. He didn't come until, oh, I'm sure halfway
15 through the time that Brimmond was open.
16 Q. But whilst he might have started a number of years after
17 you began at Brimmond; did he --
18 A. Yes.
19 Q. -- not continue in his post for some time?
20 A. As I say, I really can't recall. I would be guessing.
21 Q. And you go on, 'Mary', to tell us, at paragraph 107,
22 that you weren't aware of any allegations of abuse
23 whilst you worked at Brimmond?
24 A. No.
25 Q. And you have no recollection of any official inspection,

1 although I think you do recall Morag Morrell attending
2 to visit Brimmond; is that right?

3 A. Yes. Yes, but I don't remember Mrs Morrell coming as
4 frequently as she said she did, but she may have done
5 and I just didn't see her.

6 Q. But do you recall her visiting Brimmond as a Children's
7 Panel member?

8 A. Yes, the Children's Panel members did come to see round
9 Brimmond. It was part of their training. And I do
10 remember Mrs Morrell being in Brimmond.

11 Q. Do you remember her coming, also, as a councillor at one
12 point?

13 A. No, to be quite honest, I didn't know Mrs Morrell was
14 a councillor until I read her statement. I thought of
15 her as a Children's Panel member.

16 Q. Do you recall her coming with sheriffs at any point?

17 A. No, I don't particularly. But, you know, I just don't
18 remember it, but I'm not saying it didn't happen.

19 Q. But, certainly, is your recollection that she came more
20 than once whilst you were there?

21 A. If you'd asked me how often did Mrs Morrell come,
22 I wouldn't have been able to tell you.

23 Q. Did you speak to her when she came?

24 A. I can't actually remember speaking to her. I must have
25 done, but I don't remember it. I remember her very well

1 as a Panel member.

2 Q. So you would see her when you went to a children's

3 hearing?

4 A. I saw her at some children's hearings. I mean, there

5 were a lot of panel members; it wasn't always

6 Mrs Morrell. Occasionally, it was Mrs Morrell.

7 Q. 'Mary', I just want to move on to some observations that

8 you have made about Brimmond, at paragraph 111. You

9 tell us that, looking back now, you think that Brimmond

10 wasn't able to function in the way that it was intended

11 to and that got worse over time; is that right?

12 A. Yes, yes.

13 Q. We have mentioned this already: you were getting

14 children -- more children who were there for longer

15 periods because there was nowhere to put them. The

16 children that were coming, you have described at

17 paragraph 112, as being 'more and more disturbed'; is

18 that right?

19 A. Yes.

20 Q. Yes, and the way you have put it is: there were some

21 children that you didn't believe should have been at

22 Brimmond and were being dumped there because people

23 didn't know what else to do with them?

24 A. Yes, yes.

25 Q. And I think you give as an example there about a little

1 girl who came who had been sexually abused?

2 A. Yes.

3 Q. That was the reason she was in Brimmond; that she had

4 been sexually abused by a family member?

5 A. Yes, yes.

6 Q. And you comment as well, 'Mary', that throughout most of

7 your time there, proper training wasn't really available

8 for staff, but that did change and we have already

9 mentioned the CSS course --

10 A. Yes.

11 Q. -- that qualified individuals to be a residential care

12 social worker?

13 A. Yes.

14 Q. And that's something that changed during your time

15 there?

16 A. Yes.

17 Q. You then tell us, 'Mary', about leaving Brimmond. You

18 say that you left -- and we have been through this, we

19 won't go over it again, about the dates. But I think

20 you recollect a date that you left there, but you say

21 that was because of a relationship you had --

22 A. Yes.

23 Q. -- with KEF ?

24 A. Yes.

25 Q. And you say that's something that came to light -- or

1 came to the attention of the authorities and it was felt
2 better if you were at a different place from one
3 another; is that right?
4 A. Yes, yes.
5 Q. So did that mean that you went to work somewhere else
6 and KEF [REDACTED] stayed at Brimmond? Or did he, too, go
7 to work somewhere else?
8 A. No, we both left Brimmond.
9 Q. Okay. And you say, 'Mary', that you were aware that the
10 children had been talking and that was talking about the
11 fact that there was a relationship between you and
12 KEF [REDACTED]; is that right?
13 A. Yes.
14 Q. And you were asked --
15 A. I think that --
16 Q. Sorry.
17 A. I think the children had a very false picture of the
18 situation.
19 MS FORBES: Okay.
20 LADY SMITH: But there was a relationship?
21 A. Oh yes. Yes.
22 LADY SMITH: How long did it go on?
23 A. Erm, again, I would be making a guess if I said a time.
24 It wasn't for very long and it was deeply regretted,
25 I can assure you.

1 MS FORBES: When you say it didn't go on for very long,
2 'Mary' -- and I don't want to dwell on this, because it
3 is part of your private life -- but do you mean a period
4 of months or are we talking more than a year?
5 A. Perhaps six months. Yes.
6 Q. And I think you tell --
7 A. But I think --
8 Q. Sorry.
9 A. I think the children were imagining a relationship
10 before one ever existed and imagining one after it had
11 finished. I was no longer in a relationship with KEF
12 by the time we were moved.
13 Q. And you talk, then, about your husband continuing to
14 work at Brimmond until -- and, again, we have looked at
15 dates, but it may be that he worked there until about
16 1983. But we won't dwell on dates too much. But
17 I think you say he had become increasingly disillusioned
18 and eventually resigned?
19 A. Yes.
20 Q. And then he went on to work in a unit for disabled
21 adults in Aberdeen?
22 A. Yes.
23 Q. And then he had a heart attack and retired early?
24 A. Yes.
25 Q. You then go on, 'Mary', to tell us about your employment

1 after Brimmond. You tell us about that and we have that
2 there. You went on to be involved in children's care,
3 in children's homes, and you tell us the places that you
4 worked. So you continued with that until you, too, then
5 eventually retired; is that right?

6 A. No, I went to work at Cordyce School.

7 Q. Oh.

8 A. I worked at Cordyce School for ten years before
9 I retired.

10 Q. Apologies. But that was as a houseparent; is that
11 right?

12 A. Yes, a residential social worker, you were called at
13 Cordyce. But, at Airyhall and Seafield, I was assistant
14 officer in charge.

15 Q. But I think for the remainder of your career, 'Mary',
16 you were involved in childcare to some degree in
17 different positions?

18 A. Yes.

19 Q. Yes. So I just now want to ask you, 'Mary', a few
20 things about some of what we have talked about. You do
21 tell us, at paragraph 120, that you were interviewed by
22 the police at one point in relation to the boy we will
23 call 'Shane'.

24 A. Yes.

25 Q. That's about accusations you say that he made about you

1 and a complaint about him being sexually abused by
2 a befriender who came to Brimmond.

3 A. Yes.

4 Q. What was the complaint about you?

5 A. Erm ... oh, I think it was this thing about me being in
6 the showers and so on.

7 Q. So I think we will come later, just briefly, to that
8 part of your statement. But your recollection is it is
9 the same thing as he is alleging in his statement that
10 you have seen?

11 A. Yes, yes.

12 Q. Okay.

13 A. Yes.

14 Q. And --

15 A. I don't think I particularly thought a lot about it at
16 the time. I think the main thing that I felt was being
17 investigated was the befriender's thing.

18 Q. Okay.

19 A. The accusation that was being made about me was just so
20 ludicrous that I just dismissed it and really didn't
21 think anything more about it. It certainly wasn't true.

22 Q. And you say that nothing further came of that from the
23 police in relation to you?

24 A. No, no.

25 Q. But, in relation to the befriender, you do tell us

1 that -- and I think we are aware of this separately --
2 that the man he names as sexually abusing him was found
3 guilty later; is that right?

4 A. Yes. I believe so. But, by that time, of course, it
5 was years and years after it had all happened.

6 Q. Yes, so the police came to see you, at a much later date
7 after you had left Brimmond, about that?

8 A. Oh yes. Oh, years after I had left Brimmond.

9 Q. Now, you tell us, 'Mary', in the following paragraphs
10 about some staff at Balgowan and Calder House. I don't
11 want to go through that with you. We have it there and
12 we can see what you say.

13 But, if we go to paragraph 136, you start telling us
14 about some of the staff who were at Brimmond when you
15 were there. First of all, you mention your husband.
16 But I think you make the point that you didn't see him
17 use corporal punishment, hit or act in any way
18 inappropriately towards a child; is that right?

19 A. Yes.

20 Q. You did see him assist in restraining a child at
21 Brimmond, but you say restraint is not something that
22 happened regularly?

23 A. That's correct.

24 Q. You tell us, 'Mary', about someone called
25 FFI [REDACTED], at paragraph 138.

1 A. Yes.

2 Q. And he was someone who worked in Brimmond whilst you
3 were there; is that right?

4 A. Yes.

5 Q. And what was his role there?

6 A. He was just a houseparent.

7 Q. Okay. And I think he became a member of your family
8 through marriage at one point?

9 A. Yes.

10 Q. And you were --

11 A. But that was after he had left Brimmond.

12 Q. And you tell us that you were aware that he was someone
13 who had been fostered and adopted as a child?

14 A. Yes.

15 Q. But you say, I think, at paragraph 139, that he only
16 worked in Brimmond for a relatively short time before he
17 went to work at Seafield and then Rossie Farm?

18 A. Yes.

19 Q. We have what you say about him there, at paragraph 140;
20 you didn't have any concerns about him whilst you were
21 at Brimmond and you didn't observe him behaving in any
22 way which would give you cause for concern; is that
23 right?

24 A. Yes.

25 Q. Just moving to the next page, then, 'Mary', this is

1 paragraph 143, and you tell us a little bit more about
2 KEF . Again, you say you never witnessed him
3 behaving in a way which you thought was abusive towards
4 the children, but you say:
5 'I do recall the children used to speak about him
6 going around with a baseball bat, which he did, but it
7 was only used for playing rounders, as far as I know.'
8 So I just wanted to ask you about that, 'Mary'. You
9 say he went around with a baseball bat; do you mean he
10 went around Brimmond with a baseball bat?
11 A. Yes. When they were outside on the field playing
12 rounders, he had a baseball bat.
13 Q. What about when he was inside?
14 A. No, I don't think so. I don't recall him ...
15 Q. But I think you tell us that this was a story he told,
16 whether it was true or not you don't know, that he had
17 been in the SAS, and you think the children saw him as
18 a tough guy and there was a bit of idolisation?
19 A. Yes.
20 Q. You say, though, 'Mary', that he was probably a stricter
21 disciplinarian than the others would be, but only in
22 that he expected the kids to do as they were told.
23 When you say he was a 'stricter disciplinarian';
24 what would he do if children behaved in a way that he
25 didn't like?

1 A. He would just insist that they did do what they were
2 told. He had -- he was quite a strong personality.

3 Q. You are aware of allegations that have been disclosed to
4 you that talk about children being assaulted by him,
5 being injured, having bruises, and I think your position
6 you tell us, 'Mary', in your statement, is that you
7 never saw that kind of thing?

8 A. No, I never saw children bruised and ... and ... no.

9 Q. But you do make the point, 'Mary', that you can't say
10 that didn't happen because you weren't everywhere all
11 the time?

12 A. No.

13 Q. I just want to ask you about something that you said
14 earlier, 'Mary', in your evidence, where you said,
15 thinking back, it's made you, perhaps, have some
16 concerns about KEF [REDACTED]?

17 A. Yes. I think just the number of times that he seemed to
18 get mentioned. But, on the other hand, I was being
19 mentioned regularly and most of what was being said
20 about me just simply wasn't true, so I don't know.

21 Q. You also say, 'Mary', about someone who was called [REDACTED]
22 being referred to in statements, and you say you didn't
23 know anyone by that name who worked at Brimmond, and you
24 believe that they would be referring to KEF [REDACTED]?

25 A. They may have been referring to KEF [REDACTED], because

1 I certainly don't remember a [REDACTED].

2 Q. Okay. And you tell us about some of the houseparents.

3 We have that there, so I am not going to go through that

4 with you.

5 You mention somebody called GJU [REDACTED] who was

6 a houseparent, and we have talked about the GJO-GJP [REDACTED]

7 already?

8 A. Yes.

9 Q. Then you mention a Mr HQS [REDACTED], at paragraph 155, who

10 you say taught the boys a bit of boxing?

11 A. Yes, but that was a very normal thing in those days.

12 Q. When you say he taught the boys a bit of boxing, 'Mary';

13 how did he do that?

14 A. Oh, a bit of sparring down in the gym in an evening, you

15 know.

16 Q. Was this something the boys wanted to do?

17 A. Oh yes. Yes. Yes.

18 Q. So was it ever --

19 A. Yes, I --

20 Q. Sorry.

21 A. When I worked in the approved school down in Birmingham,

22 there was a boxing league for all the approved schools

23 in the Midlands. They had regular boxing matches

24 throughout the winter months. You know, it was just

25 something that boys did in those days.

1 Q. Were you ever aware of it being used for boys to sort
2 out their problems with one another?
3 A. No, no, no, no. I -- no, I had no ...
4 Q. Were you ever aware of boys being forced to box?
5 A. No.
6 Q. Okay.
7 A. No, no, no.
8 Q. Going forward, then, 'Mary', to paragraph 158, you talk
9 about a IFH [REDACTED], who was a houseparent, and we have
10 mentioned his wife earlier as well. But you make the
11 point there were two Mr [REDACTED], there was IFH [REDACTED] and his
12 brother [REDACTED]?
13 A. Yes.
14 Q. And [REDACTED] was the night man?
15 A. Yes.
16 Q. So he worked each night from about 10 o'clock until
17 8.00 am?
18 A. Yes.
19 Q. 'Mary', we are now going to just go through some parts
20 of the rest of your statement, where you talk about some
21 specific allegations. Now, I am not going to go through
22 all of them, because we have dealt with some of these
23 things as we have been going. [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 He has made allegations in his statement, some of
2 them involve you. You have been given the details of
3 that. I think he's somebody you remember; is that
4 right?

5 A. Oh, I certainly do.

6 Q. Yes, and I think --

7 A. Yes.

8 Q. -- we have talked about his allegations and the fact
9 that he says that when he arrived, he was told to take
10 off his clothes and didn't want to do that, didn't want
11 to strip off in front of you and GJQ and that
12 he was taken a hold of by you and GJQ and his clothing
13 ripped from him. You have told us about that and you
14 have said you would never have done that; is that right?

15 A. That's right.

16 Q. However, HWF goes on -- this is at paragraph 163 of
17 your statement, I think, if we go forward. Yes,
18 paragraph 163.

19 He talks about you coming into bedrooms at night and
20 touching his fore brow, telling him to be good. Then
21 kissing him on the lips and he says that you kissed
22 every boy on the lips and that you did that when you
23 were by yourself; did that happen?

24 A. Absolutely not.

25 Q. I think you say, 'Mary', that there might have been the

1 odd occasion when a young child came in who was homesick
2 and you might have given them a wee cuddle; is that
3 your --

4 A. That, yes. I'm afraid that in those days giving a bairn
5 a hug was not seen as sexual abuse. And I can honestly
6 say that I never at any time had the slightest sexual
7 interest in any child.

8 Q. Did you ever go into the boys' bedrooms at night?

9 A. Only as part of saying, 'Night night, boys'. You know,
10 I never went in on my own, you know, after lights out,
11 or anything like that. Never.

12 Q. And I think --

13 A. I was frequently --

14 Q. Sorry.

15 A. I was frequently upstairs on the sort of bedroom floor,
16 as it were, just popping in saying 'night' to the girls,
17 because we -- all the staff who were on duty would meet
18 in the night room after lights out. That was when you
19 would write up reports and things.

20 Q. And we have dealt with what he says about showering and
21 the incident involving the outbreak of scabies. I think
22 your position -- this is at paragraph 165 -- in relation
23 to that -- you have told us about that in your evidence,
24 but you say at the end:

25 'It was done publicly and quickly. There was one

1 application and that was it.'

2 But we have talked about that, 'Mary', already, and
3 you have answered my questions about whether or not you
4 think that that was appropriate.

5 A. I mean, it was only one occasion and it was not outside
6 the surgery. It was upstairs.

7 Q. Again, moving on, then, from HWF, we go to a boy who
8 is referred to, for our purposes, as 'Adrian'. This is
9 from paragraph 168. I think he is somebody you also
10 remember. He talks about the relationship that he was
11 aware of between you and KEF. I think in
12 relation to that, paragraph 169, you tell us that,
13 although you did have a relationship with KEF,
14 it is something you deeply regret and you make the
15 point, 'Mary':

16 'If there is one thing in my life I could change, it
17 would be that.'

18 Is that how you feel?

19 A. Absolutely.

20 Q. He, too, is someone who talks about showers. I have
21 asked you about that and your position is that you
22 wouldn't go into the showers when boys were there
23 showering or offer to put shampoo in their hair. So we
24 have your position on that.

25 Now, moving forward, then, 'Mary', to someone who we

1 referred to as 'Karen'. This is at paragraph 173
2 onwards. This relates to the allegation about being
3 punished by being made to scrub the backstairs, the
4 shower room, and outside and inside the toilet with
5 their own toothbrushes and a bucket of water.

6 Now, you have given your position on that, I think,
7 already. But, in your statement, at paragraph 173, you
8 say that is 'downright lies'.

9 A. Yes.

10 Q. Is that your position?

11 You go on to say, at paragraph 174, that:

12 'This is another of these stories "you better behave
13 yourself or they'll make you scrub the toilet with a
14 toothbrush". It was the kind of thing kids said when
15 new kid came in.'

16 And you say you heard them saying that to one
17 another; is that right?

18 A. Yes.

19 Q. So 'Mary', that was put to 'Karen' and her position was
20 that, yes, children would say that to one another
21 because that was something they would warn other
22 children about when they came in, to try and make sure
23 it didn't happen to them. But the reason they were
24 saying it is because it did actually happen.

25 A. It did not happen.

1 Q. I think you tell us, at paragraph 174, that you never
2 worked the night shift, but I think you have said that
3 you would sometimes be in Brimmond at night; is that
4 right?

5 A. Oh, yes, in the evening, and only during the night if
6 I was called over by the night man because there were
7 admissions coming in. But I didn't work in the
8 evenings.

9 Q. And you have seen there what 'Karen' describes, which is
10 being made to scrub late at night after being gotten out
11 of their beds, until the early hours of the morning, and
12 that would include using their toothbrush to scrub under
13 the rim of the toilet. Then, after the cleaning was
14 done, being made to brush their own teeth with the dirty
15 toothbrush. If anyone was sick they would have to clean
16 it up and start from scratch again.

17 So you see that it's quite a description that
18 'Karen' has given of what she says took place at
19 Brimmond?

20 A. It did not take place.

21 Q. And she says --

22 A. Absolutely never.

23 Q. And I think she told us in her evidence, 'Mary', that it
24 wasn't just you who would do that; it would be other
25 housemothers as well that would make them do that?

1 A. The housemothers weren't on duty during the night. We
2 were -- none of us ever slept over in the school all
3 night. And I just can't make this plain enough: the
4 housemothers went off duty at 10 o'clock and went home.

5 Q. But, just to continue for a little moment on this,
6 'Mary', her position was that -- her impression was that
7 sometimes the housemothers didn't want to do that
8 punishment, but that it was on your instructions and
9 that they did what you told them to do?

10 A. No.

11 Q. Now, 'Mary' --

12 A. I would never have instructed anybody to do anything
13 like that.

14 Q. -- you would accept, though, that if something like
15 that happened, that would be abuse?

16 A. Of course it would have been abuse. I would have been
17 horrified if anything like that went on.

18 Q. And that would be something that was very cruel?

19 A. Absolutely. Absolutely. It's just not the kind of
20 thing I would ever do.

21 Q. And you would agree --

22 A. I would be horrified if anybody did.

23 Q. And, 'Mary', you would agree that that would be
24 something that is really just disgusting?

25 A. Absolutely horrendous. I couldn't believe that anybody

1 would even suggest such a thing.

2 MS FORBES: Now, my Lady, I don't have too much more,
3 perhaps ten or 15 minutes. But, perhaps, this is a time
4 for lunch.

5 LADY SMITH: I think we have -- 'Mary', we have been
6 questioning you for quite a long time. We have almost
7 finished, but I think it would be better if you had
8 a lunch break now, then we finish off, as Ms Forbes
9 said, with just another 10 or 15 minutes at 2 o'clock;
10 is that okay with you?

11 A. Yes, fine by me.

12 LADY SMITH: Right, let's give you a break now.

13 A. Thank you.

14 LADY SMITH: And then we will complete your evidence at
15 2.00.

16 A. Thank you.

17 LADY SMITH: Before I rise for lunch, I want to catch up on
18 names of people whose identities are protected by my
19 General Restriction Order: BHN-HLP [REDACTED], the
20 GJO-GJP [REDACTED], GJO [REDACTED] and GJP [REDACTED], GJQ [REDACTED], the
21 IFH-GJX [REDACTED], KEF [REDACTED], and Mr HQS [REDACTED] and
22 FFI [REDACTED]. They are not to be identified outside
23 this room as having been referred to in our evidence.

24 Thank you.

25 (1.04 pm)

1 (The luncheon adjournment)

2 (2.00 pm)

3 LADY SMITH: 'Mary', welcome back. Are you ready for us to
4 carry on and just finish this last little bit of your
5 evidence?

6 A. Thank you.

7 LADY SMITH: All right, thank you.

8 A. Yes.

9 LADY SMITH: Ms Forbes.

10 MS FORBES: Thank you, my Lady.

11 Good afternoon, 'Mary'. Before we broke for lunch
12 I was still talking to you about the girl we referred to
13 as 'Karen'. This is looking at paragraph 175 of your
14 statement, where we were moving on to an incident that
15 she tells us about and that you have seen from her
16 statement, where she says she tried to run away and was
17 caught and she was taken back, and in her words she
18 'kicked off'. Then she says she was hauled upstairs by
19 the hair by you and her head was banged off the stairs.
20 She says she started kicking out at you with her feet
21 and you then shouted on your husband, who came running
22 up and then lifted her up and threw her into a cell.

23 Now, in her evidence, I should say, 'Karen'
24 clarified this incident a little bit and said that it
25 was a bit of a fisticuffs between you and her. She said

1 the banging of the head on the stairs was a consequence
2 of her being hauled up the stairs. But I think you have
3 told us what your position is in relation to this,
4 'Mary', and you say that you don't remember any such
5 incident; is that right?

6 A. Yes.

7 Q. Yes.

8 A. Yes.

9 Q. You do remember 'Karen', but you don't remember --

10 A. Yes, I remember 'Karen' well. Yes.

11 Q. Would you ever have assaulted a child in the way that
12 she has described?

13 A. No.

14 Q. Okay.

15 A. Apart from anything else, I am 5-foot nothing and the
16 idea that I could haul anybody upstairs by their hair is
17 quite ridiculous.

18 Q. I think you know, 'Mary', that there are some other
19 allegations later in 'Karen's' statement about her
20 seeing someone crying who said that they had been beaten
21 up by you. I think we know from another statement,
22 Peter Kelbie -- who has waived his right to anonymity --
23 he talks about allegations of witnessing you assaulting
24 people. What's your position in relation to those
25 allegations, 'Mary'?

1 A. I've never assaulted anybody.

2 Q. Okay. Now, just in relation to this incident with
3 'Karen', just staying with that, she talks about this
4 cell and you make the remark, at paragraph 175, that
5 there was the secure room, not a cell. You didn't see
6 it as a cell. But we have talked about this cell
7 already and I think you describe it a little bit at
8 paragraph 176 and say:

9 'The kids referred to the secure room as "the cell".
10 It was actually just like a single bedroom, but instead
11 of there being a bed which you could move about, it had
12 a built-in bed. Apart from that, it was exactly like
13 every other room. It wasn't a punishment cell. It
14 wasn't used like that. It was a secure room for kids
15 who were totally out of control.'

16 And then you say:

17 'Yes, sometimes kids were in there overnight, but
18 never for days at a time.'

19 So I just want to ask you about that, 'Mary'.
20 I think you describe there being a built-in bed; was
21 that an actual bed or was that some sort of
22 construction?

23 A. Well, it was -- the wooden base was built into the room.
24 It couldn't be moved. And there was a mattress exactly
25 the same as the mattresses in all the other rooms on

1 that bed. It was meant to be a safe room, you know?
2 There weren't things that kids could move about.

3 Q. I think she talks about being in there for three days.
4 And later, I think this is at paragraph 177, she talks
5 about the fact that there was only a potty for the
6 toilet. In respect of that, I think you say you are
7 surprised at what she says about a potty being in there,
8 because you thought there was a flushing toilet attached
9 to the room.

10 A. Yes. I -- that's still my recollection.

11 Q. Now, 'Mary', we have heard some evidence about this and
12 it seems that whilst there was a toilet within the
13 vicinity of that room, it could only be accessed from
14 the secure room through a door which could be locked.
15 So if a child was locked in the secure room, they
16 wouldn't be free to be able to go and use the toilet,
17 which was just outside, unless someone opened the door
18 and allowed them to do that. Does that help you at all
19 with how it was laid out?

20 A. My recollection, after 50 years, is that you could
21 actually access the toilet from the room where the bed
22 was.

23 Q. Okay. You have been shown the statement from
24 Morag Morrell. In that statement there is reference to
25 what she describes as a cell. This is at paragraph 53

1 of her statement. So I am just going to summarise what
2 she said. She said:

3 'There was a bathroom on the landing next to the
4 cell. Children couldn't access the bathroom.'

5 Then she goes on to say:

6 'At one point, I was taking people around Brimmond
7 and there was an infant's potty in the cell. There was
8 a peephole above the bed.'

9 She says that -- she refers to you and your husband
10 in the plural, by your surname, and said that you said
11 that that was to keep an eye on the child in the cell.

12 So, just thinking about that, then, 'Mary', she
13 seems to have a recollection that the bathroom wasn't
14 accessible from what she refers to as the cell. And
15 that --

16 A. Yes.

17 Q. -- on one occasion she did see an infant's potty in the
18 cell?

19 A. Well, I can't remember there being a potty in the cell.
20 I would have thought the whole idea of having a potty --
21 which you could pick up and throw and attack people
22 coming in -- I wouldn't have thought that was a bright
23 idea. But, to be quite honest, my recollection is that
24 you had access to a toilet. Mrs Morrell speaks about
25 there being a wash hand basin. I can't imagine why

1 there would be a wash hand basin and not a toilet in the
2 same place. Certainly, there was a whole block of wash
3 hand basins and toilets on the same corridor as the
4 secure room.

5 Q. But, certainly, we have also heard evidence, quite clear
6 evidence, 'Mary', that that toilet couldn't be accessed.
7 If the secure room was locked, it couldn't be accessed
8 by the child. But I, think from what you are telling
9 us, that's not your recollection?

10 A. It is not my recollection.

11 Q. Okay.

12 A. But ...

13 Q. And you say, in the paragraph that we are looking at,
14 that this wasn't a punishment cell and wasn't used like
15 that. But, at paragraph 55 of Morag Morrell's
16 statement, she talks about the main form of discipline
17 at Brimmond being a child being locked in the cell. She
18 goes on to say:

19 'Anything could get a child shut in the cell.'

20 Such as they had upset you or your husband, they
21 hadn't eaten their tea or they had run away. She refers
22 to you and your husband in the plural and says:

23 '[They] ... told us that when they showed us
24 around.'

25 What is your recollection about that? Do you accept

1 what she says about the cell and how it was used?

2 A. No, I find a lot of inaccuracies and misconceptions in

3 Mrs Morrell's statement. But we are talking about

4 something that happened 50 years ago and either of us,

5 you know, could be having difficulty remembering.

6 Q. But what about the reasons, 'Mary', that she says

7 people -- children would be put into the cell, such as

8 upsetting you or your husband or not eating their tea;

9 what's your position about that?

10 A. No, no, that would never have been the case.

11 Q. Okay.

12 A. No.

13 Q. 'Mary', you comment, at the same paragraph in your

14 statement that we were looking at, that sometimes kids

15 were in there overnight, but never for days at a time;

16 could children be in there over the weekend?

17 A. I wouldn't have seen any reason why they would have

18 needed to be in over a weekend any more than any other

19 time. But ... I mean, the home was always fully staffed

20 at the weekend.

21 Q. Now, so you don't recall children being in there for

22 more than one day?

23 A. No. No.

24 Q. I just want to, briefly, 'Mary', take you to a document.

25 It is one that you hadn't seen at the time that you gave

1 your statement to the Inquiry, but it is a document
2 that's been brought up to you to have a look at. The
3 reference for it, for our purposes, is ABN-000003388.
4 This is a two-page document. The second page, at the
5 bottom, seems to have 'matron' and a date of
6 15 November 1976.

7 A. Yes.

8 Q. It seems to be a note about a boy at Brimmond that was
9 written by you, because you would have been the matron
10 at that time; is that right?

11 A. Yes, yes, I can see that.

12 Q. Do you recall this document, 'Mary'?

13 A. I don't particularly recall this document. I do
14 remember a boy going into Brimmond -- to Craiginchies,
15 quite clearly.

16 Q. So, in this document, it is talking about a boy who you
17 have said, at page 1, is 14 and a half years old. You
18 set out his admissions to Brimmond and what had been
19 going on. And if we can go to page 2, halfway down
20 page 2, you refer to the decision to ask for him to be
21 held in Craiginchies rather than Brimmond, and you say it
22 was not made lightly. And then you talk about the
23 abscondings that he had undertaken. Then there is
24 a part in that paragraph where it says:
25 'We mainly have one secure room where a boy can be

1 held for a day or a weekend, but not indefinitely.'

2 So I just want to ask you about that document,

3 'Mary'. It seems that you are setting out there that

4 a boy could be held in the secure room over a weekend.

5 A. Yes. Yes, he could have been. But, you know,

6 I wouldn't have imagined that it was something --

7 I don't remember the exact details of every child. You

8 know, there were so many. There were hundreds of

9 children.

10 Q. I think, 'Mary', just to allow me to interrupt for

11 a moment. This seems to be a general statement, not

12 specific to the boy that this report was about. The

13 general statement being that you had one secure room at

14 Brimmond and, in that room, a boy could be held for

15 a day or a weekend, but you couldn't hold a boy, any

16 boy, there indefinitely. I think that was the point

17 that you were making --

18 A. Yes.

19 LADY SMITH: -- not just specific to this child.

20 A. Yes.

21 LADY SMITH: So that was right, was it?

22 A. Yes. Yes, yes.

23 LADY SMITH: Thank you.

24 MS FORBES: But I think you make the point, 'Mary', you

25 can't recall all the children, but it may have been that

1 children were kept in that secure room for a weekend or
2 even longer.

3 A. They might have. Yes, they might have been. I don't
4 remember that.

5 Q. Just before we leave this document, you make reference
6 in the note to the decision to ask for the boy to be
7 held in Craiginches; is that something that you would
8 do?

9 A. I obviously wrote this report and I can remember
10 an incident with a boy going into Craiginches. It was
11 not something that happened on a regular basis, at all.
12 I can't remember, actually, another incident. And
13 I certainly don't ever remember a girl being sent to
14 Craiginches.

15 Q. But, certainly from this note, 'Mary', you seem to have
16 been able to ask for the boy to be held in Craiginches,
17 rather than Brimmond. Do you know who you would have
18 asked?

19 A. No, I don't remember the details of this.

20 Q. But you are aware that on one occasion you can recall --

21 A. Yes, I remember clearly, yes, yes. And, I mean, all
22 that I have signed here, you know, that makes complete
23 sense to me. That is exactly the situation that would
24 have been.

25 Q. I think you know from some of the allegations that have

1 been shown to you that one person in particular has
2 alleged that if they were in the cell, they would be
3 stripped naked and put in there. I think you comment
4 that that's not something that you are ever aware of
5 happening?

6 A. I can't imagine why anybody would be stripped naked to
7 go into the secure room --

8 Q. Okay.

9 A. -- you know.

10 Q. What would they be wearing when they were in the secure
11 room?

12 A. Just their jeans and their jumper.

13 Q. And would there ever be an occasion when a child would
14 be in there with someone else?

15 A. No, no.

16 Q. So children didn't go in there in multiples?

17 A. There wouldn't be two children in there, never.

18 Q. Now, 'Mary', there is one other thing I wanted to ask
19 you about in relation to something that you weren't
20 aware of, I think, at the time of making your statement
21 and that goes back to the boy that we have referred to
22 as 'Shane', who I think you recall. I think you are now
23 aware of the fact that 'Shane' made an allegation about
24 KEF . The allegation was that he had pointed
25 a gun in his face and then hit him with the butt of the

1 gun, which he describes as a rifle, and that you were
2 there when that happened and you witnessed that.
3 Now, did that happen?
4 A. Not that I remember.
5 Q. Well, if that --
6 A. I do remember KEF taking a group of boys, on a few
7 occasions, out shooting rabbits, but he was actually
8 asked not to do that.
9 Q. So you were aware that --
10 A. I don't remember seeing -- being -- you know, that
11 incident.
12 Q. So KEF did have a rifle or access to a rifle?
13 A. He did hae a rifle, yes.
14 Q. But if something like that had happened; would you have
15 remembered that?
16 A. I would have thought so. But, as I've said quite
17 clearly, you know, in my statement, this was a boy who
18 lived in fantasy land.
19 Q. Now, 'Mary', just before we finish up, I just want to
20 quickly go back, briefly, to something that was said by
21 the cook that we mentioned. I know you said you don't
22 remember this lady, Frances Davidson, although you do
23 remember a cook who worked there for a short period of
24 time that you were involved in giving the job to; is
25 that right?

1 A. Yes, I would have been, but I can't remember the name.

2 Q. We have mentioned this, but she had the idea, I think,

3 that really you were SNR in Brimmond. I think,

4 though, that we have your evidence on that, that that

5 might have been what people perceived.

6 A. She would have seen me as being SNR of her. My

7 husband really didn't have direct dealings with the

8 domestic staff, the cook.

9 Q. And there is one thing that she talked about in relation

10 to you and your family that we haven't mentioned to you

11 yet, but you are aware of this. That's that she said

12 that you and your family would essentially treat the

13 food in the kitchen and the larder and the cupboards as

14 your own and you would just help yourselves; do you have

15 any comment to make about that, 'Mary'?

16 A. Yes, we lived there and had board and lodgings, if you

17 know what I mean.

18 Q. So, from your point of view, that's something that

19 happened; you would use food from the kitchen in

20 Brimmond?

21 A. Well, it would be a tin of beans or something like that.

22 You know, our main meals were just whatever was going.

23 Q. But this idea that -- the word she used was 'raiding'

24 the cupboard and the larder for food?

25 A. No, no, no.

1 Q. You don't accept that?

2 A. No.

3 Q. 'Mary', thank you very much. I am almost finished.

4 I just wanted to take you to a part of your statement

5 near the end, at paragraph 201, where you talk about

6 helping the Inquiry. I think you say that in your view,

7 with children, the sooner you can intervene the better,

8 because by the time kids are 14 or 15, many of them are

9 damaged beyond repair; is that right?

10 A. Yes. Which --

11 Q. It is page -- sorry, page 50 and it is paragraph 201.

12 A. Yes.

13 Q. I think you were just commenting there that you really

14 need to intervene earlier in children's lives; is that

15 how you feel?

16 A. Yes. Yes, it is.

17 Q. You make the point, at paragraph 202, that there must

18 have been 800 or maybe even twice that number of

19 children going through Brimmond and you believed in what

20 you were trying to do. You didn't always feel that you

21 were successful, but you were very aware that these

22 children had been everywhere else and nowhere was

23 finding them manageable and you were the last stop?

24 A. Yes.

25 Q. And I think, 'Mary', you finish by saying, at

1 paragraph 203, that you have a fond memory of Brimmond
2 and, even though you have found this process hard, that
3 Brimmond is still the place that you loved and you feel
4 proud of the work that you tried to do there?

5 A. I do. I sincerely feel that. Even the other day I was
6 thinking about it and I thought: despite how hard this
7 last few months have been, thinking in these negative
8 ways, I loved working at Brimmond. And I had the
9 greatest of admiration for what my husband did.

10 MS FORBES: Well, 'Mary', thank you very much for answering
11 all my questions. I know it can't have been easy.

12 Is there anything you want to add that you haven't
13 had a chance to say?

14 A. Yes, I would just like to say that I was clearing out
15 some old photographs and birthday cards and things the
16 other day and I came on a letter from HWF
17 which he wrote to me from Glenochil, and what he says in
18 that letter is so at a variance with what he has said in
19 that statement. He was expressing gratitude for what we
20 tried to do; apologising for the mess he was continuing
21 to make of his life; talking about having paid a visit
22 and how nice it had been to see us all. Saying, 'Give
23 my regards to the staff', you know. And that's what
24 I comfort myself with -- is that the positive things
25 that have been said to me over the last years far

1 outweigh these negatives that I have heard.

2 Why children would want to -- I don't know if they

3 misunderstood or misunderstood -- just misrepresented what

4 happened. But I honestly felt that I tried my best to

5 care for these kids.

6 MS FORBES: 'Mary', thank you very much for those additional

7 comments. That's very helpful.

8 LADY SMITH: 'Mary', let me add my thanks to you for

9 engaging with us as fully as you have done today. I am

10 very conscious of it having been a number of hours now

11 that we have been questioning you, but you have been

12 very patient with us and I am conscious of you having

13 done your best to answer the questions that we have had

14 for you.

15 I am now able to let you go. I hope you can have

16 a restful time for the rest of Friday. You certainly

17 now are due it, I think. Thank you.

18 A. Thank you very much.

19 LADY SMITH: Would you like me to rise for five minutes

20 while we get ready for where we are going next? Would

21 that be helpful?

22 MR SHELDON: I am in my Lady's hands.

23 LADY SMITH: I think perhaps I should. We can get organised

24 for that. Thank you.

25 (2.25 pm)

1 (A short break)

2 (2.33 pm)

3 Graeme Simpson (continued)

4 LADY SMITH: Graeme, welcome back.

5 A. Thank you very much.

6 LADY SMITH: Sorry we are a little bit later starting this
7 afternoon than we had hoped, but we are all ready to go
8 now if you are ready --

9 A. I am ready.

10 LADY SMITH: -- to carry on; is that all right?

11 A. Yes, thank you.

12 LADY SMITH: Thank you. Mr Sheldon.

13 Questions by Mr Sheldon (continued)

14 MR SHELDON: Thank you, my Lady. Good afternoon again,
15 Graeme.

16 Graeme, first of all, a piece of housekeeping which
17 you very helpfully drew to my attention at lunchtime.
18 You recalled that I had asked you, in the context of
19 restraint and restraint techniques, on Tuesday -- I had
20 asked you what a technique called PROACT SCIP meant,
21 PROACT S-C-I-P, and you couldn't immediately give
22 an answer. Having looked it up myself, I am not
23 entirely surprised. But perhaps you could just tell us
24 what PROACT SCIP stands for.

25 A. I hadn't appreciated that both the PROACT and the SCIP

1 were both acronyms. So PROACT stands for positive
2 ranges of options to avoid crisis use of therapy and the
3 SCIP stands for strategies for crisis intervention.
4 And, again, it is a person-centred approach to manage
5 behaviour, hopefully resulting in better outcomes and
6 understanding of the individual. And it is the
7 proactive strategies to reduce the need for physical
8 intervention. That's the philosophy of the approach.
9 Q. Thank you. So it is positive range of options to avoid
10 crisis and use therapy?
11 A. Yes.
12 Q. And, I guess, dash, strategies for crisis intervention
13 and prevention?
14 A. Yes.
15 Q. So it is quite the mouthful. But the essential idea is
16 just to minimise the use of restrictive practices?
17 A. Correct. It was a conscious step away from crisis --
18 from restraint to try to avoid that by actually
19 supporting staff to use their body, use their voice, use
20 their communication skills to avoid the use of putting
21 hands on children as a means of formal restraint.
22 Q. Although, I suppose, one might say that restrictive
23 practices might also include practices like isolation,
24 segregation and so on?
25 A. I think our understanding of restraint has grown over

1 the years, and certainly now we certainly look at
2 segregation, isolation, as a form of restraint.

3 Q. I suppose that brings us on to what I was going to ask
4 you about next, which is really just for your response
5 to the evidence that we have heard this week.

6 I understand that you have been managing to keep abreast
7 of that remotely, as it were.

8 There are perhaps a number of themes. One of them,
9 I think, is certainly the use of what's been described
10 as a 'cell' fairly constantly, fairly regularly, at
11 least on the evidence that we have seen and heard, and
12 as a punishment, not just as a cooling down or quiet
13 room?

14 A. Certainly, yes, that would be what I take from the
15 evidence that I have been made aware of over the course
16 of this week.

17 I think I said in my testimony, on Tuesday, that
18 I felt at times the philosophy of Brimmond was
19 a confused one, and I still stand by that. I think the
20 use of the segregation room, 'the cell' -- call it what
21 you want -- was used indiscriminately at times without
22 clear record keeping or, indeed, use, and I think that's
23 certainly something that is absolutely apparent.

24 I would take your point that it was used as
25 a punishment not simply as a means of trying to diffuse

1 a situation. It was certainly used as that. It was
2 also a resource -- if I can call it that, which is
3 probably the wrong word, but nonetheless -- where
4 children came from other settings to access that space,
5 and a wholly inappropriate way around that as well.

6 I think what I would hear is -- and, again, you drew
7 some of that out on Tuesday -- was an overuse of
8 physicalness within the responses. I don't think there
9 is any justification to slapping a child as a means of
10 deescalating their behaviours. I think at times the
11 description of children being pushed and pushed into
12 walls is a common one; children repeating that they were
13 physically hurt, at times punched, by staff is another
14 theme.

15 I think whilst I would recognise that with --
16 probably with some justification, that the staffing
17 ratios were not what, probably, they could be. The
18 training to staff at the time was not what they could
19 have been. Nonetheless, these behaviours, in my view,
20 are completely unjustified and there is no excuse for
21 those. They are assault, and that would clearly need to
22 be determined, but they are completely inappropriate and
23 goes against the philosophy, I think, of the profession,
24 of social work, which is there to actually promote the
25 better outcomes of children and young people as well.

1 Q. I suppose the other big theme -- there are certainly
2 more than two themes in the evidence this week, but the
3 other, perhaps, stand-out one, as it were, is the use of
4 physical violence and physical abuse, which has been
5 described as constant, as being something that was
6 normalised. And I think, perhaps most strikingly,
7 violence by a particular member of staff, KEF .
8 One of the applicants describes being -- he said:
9 'He battered us about like we were rag dolls.'
10 And even a fairly neutral witness, Sara Reid, who
11 wasn't a child in care and, I suppose, was to some
12 extent protected, a protected child, saw him as -- she
13 not only saw an incident of serious violence, but
14 thought he was a big bully and was an aggressively vocal
15 chap. This was the person who was supposedly ex-army,
16 or ex-SAS.
17 I suppose among the things that emerges from that is
18 the idea that it is quite hard to see that other staff
19 wouldn't have been aware, at least, that KEF was
20 a bullying sort of person, that he was an aggressively
21 vocal sort of person, as I think Ms Reid put it. One
22 might wonder whether staff might not -- or should not
23 have then questioned his suitability as a care worker?
24 A. In my view they should have. And I think what some of
25 the testimony would actually say is that actually that

1 behaviour almost became normalised, as you have said,
2 and actually replicated by other staff, not simply by
3 Mr KEF.

4 Q. The third thing that I have picked out -- again, as
5 I say, I am sure there are other issues that we might
6 want to pick up on, but a fairly constant theme,
7 certainly throughout the 1970s and 1980s, seems to have
8 been what appears to be -- I think it could fairly be
9 described as seriously unprofessional behaviour by
10 certain members of staff. Relationships between
11 staff -- senior staff behaving with young people, if not
12 necessarily abusively, then certainly improperly; is
13 that something that you would accept or agree with?

14 A. I would accept that fully around it. And I think the
15 other observations I would make is there was a lack of
16 oversight and, actually, checks and balances in terms of
17 drawing this behaviour out and making it far more
18 transparent. We shouldn't have to, you know, wait years
19 for this to happen. This should have been unearthed at
20 the time through the 1970s and the 1980s and indeed into
21 the 1990s, as well.

22 Q. It may be a very obvious question with a very obvious
23 answer, but: what are the dangers where there is just
24 a sort of laxity in relationships between staff and
25 between staff and young people?

1 A. When boundaries become blurred, then I think it makes it
2 difficult to support children and enable them to
3 there -- I think you actually -- it's confusing for the
4 children. This is meant to be an environment which is
5 safe, which is -- offers them protection. It offers
6 them space to recover from the experiences which
7 required for them to be removed from their family in the
8 first instance. And, actually, we have seen from the
9 testimony that, actually, the effects of this are
10 lifelong -- are life lasting into their adulthood. They
11 become distrusting of adults. You know, they have
12 normalised abusive relationships.

13 I think we often speak about, from a psychological
14 perspective, of five Fs. The fight and flight are often
15 very common, but we often speak about friend, flop and
16 freeze. Children will often try to befriend a member of
17 staff who is causing them harm as a means of trying to
18 stop that harm from happening. They may just flop and,
19 say, accept this is the world that they have been dealt
20 and almost that sort of submissiveness that there is
21 around. And, again, that freeze, that sense of having
22 no control, just that rabbit in headlights. And I think
23 you can see that through the testimony of individuals in
24 terms of their own personal relationships; their
25 relationships with authority, at times which has brought

1 them to conflict with police and brought their attention
2 into the courts. And all of these, I believe, would
3 have some antecedents both pre and during the care, that
4 local authorities have had responsibility for them as
5 well.

6 So I think it's not just about the injuries -- the
7 physical injuries that they have experienced during
8 their time within Brimmond; it's the lasting effects
9 that that has had and then the consequential impact on
10 their capacity to be effective parents of their own
11 children and so that cycle. And we have failed these
12 individuals, effectively, to enable them to become
13 functioning adults and functioning parents in their own
14 rights as well.

15 So I don't think it's just the time within Brimmond
16 that we look at the impact and the damaging impact of
17 the care that they have experienced. It is much longer
18 than that. That whole sense of trust, that whole sense
19 of relationships is so skewed for them that they often
20 struggle with that throughout the remainder of their
21 lives.

22 LADY SMITH: So, Graeme, are you saying that children will
23 be conscious of how they are regarded and what the
24 institution's attitude towards them is?

25 A. I think that what we know is that -- yes, is the answer

1 to your question. But I think what we know is that
2 children who have experienced this harm, their brain
3 development is they are more open to all that is going
4 on around them in a ways that we do not often give them
5 credit and recognition for. So some of the non-spoken
6 behaviours, some of the observed behaviours, have a
7 really much more powerful impact on their development
8 and on their outcomes than we have, perhaps, given
9 obvious significance to.

10 LADY SMITH: I was just wondering -- and it is in light of
11 a couple of things in the evidence of the witness that
12 we had earlier today -- that it may be that a child can
13 easily pick up that the way they are regarded is that
14 they are actually beyond help by the time they get into
15 Brimmond. They have already been damaged because of the
16 way their parents have treated them or neglected them,
17 so they are hopeless cases, 'Ship the boy off to
18 Craiginches if he gets too impossible for Brimmond',
19 that sort of thing. And that these were children that:
20 'Well, how could we possibly be expected to do anything
21 with them?' And they would pick up those vibes and that
22 would reflect in the way the adults were behaving as
23 well.

24 A. Absolutely. And I think it's the language that we draw
25 out attention on, on Tuesday, how they were often spoken

1 to, how they were often referred. That is really --
2 Mr Sheldon made reference to 'Broxy bike'. You know,
3 I think you cannot underestimate the sort of the
4 corrosive and damaging impact of those comments. How
5 they were, how we supported their personal care,
6 developed their self-esteem or the failure to develop
7 their self-esteem and their personal care. All of that
8 just gives us -- reinforces, I suppose, the sense of
9 blame that they often carry; that they are the cause of
10 why they are in care in the first place, in terms of
11 not. It's the adults in their lives who have let them
12 down, whether that be their parents, in the first
13 instance, and indeed the state thereafter in terms of
14 failing to adequately provide the care and the
15 protection that they absolutely need.

16 LADY SMITH: Yes. Thank you.

17 Mr Sheldon.

18 MR SHELTON: Thank you, my Lady.

19 Just following up on that, we have certainly heard
20 some powerful evidence about the impact of experiences
21 in care, about being made to feel worthless, having
22 serious issues with anger management, and, at times,
23 with alcohol and substance abuse. That clearly is
24 something that is going to be detrimental to people's
25 lives after care.

1 A. Absolutely. As I said, I have been in Aberdeen now for
2 25 years. I know that one of the testaments that is
3 given, I knew him as an adult through issues in relation
4 to his own children. That individual, I think, was
5 a very likeable man, but he had real problems. He had
6 addiction needs and he had anger issues as well. It
7 doesn't take away the fact that actually, at his core,
8 he was a nice person, but, actually, he was not equipped
9 to care for his children at that point of time. And the
10 antecedents of that are our responsibility. We bear
11 some of that responsibility for the fact that he was
12 unable to care for his children.

13 Q. Thank you. Moving on to a different issue, I suppose
14 a different theme, actually, that's emerged this week,
15 which is education. There were a couple of documents,
16 Graeme, that I wasn't able to find or put my hands on,
17 on Tuesday.

18 The first is a document, which is now
19 WIT-3-000005776. I'm afraid the copy of this is very
20 faded. It's a document that we got from Mrs Morrell,
21 who you will remember we had some material from. I have
22 had the advantage, I think the advantage, of a hard
23 copy. But this, we see, is a letter from ERM
24 at Brimmond, we think to the director of social work,
25 dated September 1974, 12 September 1974 -- I beg your

1 pardon -- yes, 12 September. And he says:

2 'Dear Mr Hogg, my conscience has been troubling me

3 for long enough. It is many weeks since you were up

4 here with the resources group and asked me for a note of

5 comments re: the classroom set up in Brimmond. I had

6 occasion to prepare these notes for another purpose and

7 am sending you a carbon copy for your information.

8 I hope it may be of some use to you.'

9 I am not going to take all of this, but I think

10 there are a couple of -- two or three passages that are

11 interesting.

12 Over the page, 'Schooling for residents':

13 'Experience of running a school room for two terms

14 leads us to [something] ... the following

15 conclusions ...'

16 LADY SMITH: Or 'the following observations'? 'To offer the

17 following observations'?

18 MR SHELTON: Following observations, my Lady. I beg your

19 pardon, yes.

20 LADY SMITH: Maybe 'make the following observations'?

21 MR SHELTON: He says:

22 'The one classroom is itself too small to

23 accommodate more than nine children at one time. There

24 are regulations regarding the amount of [I think] floor

25 area needed per pupil in the classroom. I do not know

1 how these could apply in practice and, depending on the
2 composition of the group, there is usually from six to
3 eight children in class.'

4 Of course, bearing in mind we know there are
5 probably about 25 children in Brimmond.

6 Paragraph 2:

7 'In order that the maximum number of youngsters may
8 get some schooling ["some" is underlined] two classroom
9 groups are in operation. A, the morning class [I think
10 that's] a remedial or modified primary situation for the
11 youngsters, most, [I think behind] ... and, B, the
12 afternoon class tended to cater for the middle of the
13 ...'

14 I am guessing 'middle of the road', my Lady.

15 LADY SMITH: I think.

16 MR SHELTON: Something of that sort:

17 '... with a more varied programme.'

18 Just pausing there, it seems, first of all, that
19 there is only one classroom at this stage. I think we
20 heard evidence earlier that there may have been two at
21 some point in Brimmond's history, but, at this point,
22 there seems to have been only one and that, at best,
23 young people were either getting a morning of education
24 or an afternoon of varying degrees of variation or
25 advancement.

1 And Mr ERM goes on:
2 'There may only be 14 or 15 children who have
3 [I think probably] any lessons. There are certainly ten
4 or more who get no schooling here.'
5 He says:
6 'Some youngsters attend ...'
7 I think would that be Bankhead Academy?
8 A. Yes.
9 Q. '... from this unit and in which social workers
10 [possibly] in relation to which social workers appear to
11 feel under pressure from members of the Children's Panel
12 to ensure that children continue to receive as full [not
13 sure what that is] ... education while ...'
14 LADY SMITH: 'As full as possible an education', maybe?
15 MR SHELDON: Possibly, my Lady, yes.
16 '... whilst studying here. As a result some
17 children may go to school from Brimmond before they have
18 reached that level of emotional and social ability.'
19 LADY SMITH: 'Stability'?
20 MR SHELDON: I am sorry, my Lady.
21 LADY SMITH: 'Social stability. Emotional and social
22 stability'.
23 MR SHELDON: The length of the word, I think that must be
24 right, my Lady, yes:
25 '... without which academic progress is virtually

1 impossible [something] ... of further deviant conduct is
2 considerable.'

3 'The risk', I think, 'of further deviant conduct is
4 considerable'. He then goes on to say something quite
5 interesting:

6 'Our growing confidence in the judgements we make in
7 the circumstances should tend to reduce unsuitable
8 placements of this kind.'

9 And he goes on to say:

10 'Ideally I think we need at least one more full-time
11 teacher.'

12 And he draws a comparison with Calder House,
13 Blantyre, where, of course, the ERL-ERM had worked
14 prior to coming to Brimmond.

15 I want to pick up on the sentence before that, where
16 he says:

17 'Our growing confidence in the judgements we make
18 should tend to reduce unsuitable placements.'

19 Does it appear from that that Mr ERM, and
20 possibly Mrs ERL, too, are themselves making
21 judgements about whether children should receive
22 mainstream schooling or not?

23 A. Yes, I think that goes back to some of the -- sort of
24 the intentions of the Brimmond --
25 Brimmond Assessment Centre, part of that would be to

1 assess both their social, educational and psychological
2 needs as well. So it would be understanding whether or
3 not that young person would require residential or could
4 actually manage in a community setting as well.

5 So, yes, there is -- this indicates there is some
6 judgement and some assessment being made as to what
7 their future needs are likely to be and how these could
8 be met in relation to that.

9 If my memory serves me correctly from the evidence
10 on Tuesday, September 1974 was pretty soon after this
11 home opened.

12 MR SHELTON: It's very early days, yes, in fairness.

13 A. And so I suppose, in some respects, for me, if it had
14 been opened for that purpose and there is only one
15 class; has it really been -- have they fully understood
16 the needs of the children, even before it opened to some
17 extent, to make that provision available for them at
18 that point in time. As you say, there was 25 young
19 people in Brimmond at that particular point in time.

20 LADY SMITH: That takes us back to a purpose-built building
21 with no clear sense of purpose.

22 A. Correct.

23 MR SHELTON: Again, following on from that, there is
24 a further document and, again, one which Mrs Morrell
25 pointed us to. It is at WIT.003.002.1187.

1 This is a letter to Mrs Morrell from George Keith,
2 who was then, we see, headteacher at Brimmond. It is
3 dated October 1978, so this is a few years into the
4 operation of Brimmond, and he says:

5 'Mr ERM [REDACTED] has recently asked me to provide
6 details relating to educational provision at Brimmond.
7 This I am always delighted to do because for too long,
8 people have been denied access to, or lacked interest
9 in, what we, the teaching staff, do with children for
10 most of the day-time during week days.

11 'Panel members, along with the majority of visitors
12 to this establishment, are told about what we do by
13 someone who has no responsibility for education. This
14 has always struck me as a strange situation and one
15 I have offered to remedy by contributing to the guided
16 tour.'

17 Just pausing there, it seems fairly clear from that,
18 that he is feeling shut out of the system or contact
19 with the outside world, in showing people what was being
20 done at Brimmond?

21 A. That would be my reading of that paragraph.

22 Q. When one might think that education would be one of the
23 pivotal roles to be undertaken there?

24 A. And certainly Children's Panel members have always
25 placed attention to the education provision of young

1 people.

2 Q. Yes. I will come back in a wee while to look at the
3 Children's Panel, Graeme, but just going on in this
4 document:

5 'The Education Department employ three full-time and
6 four part-time teachers here and have invested
7 considerable equipment and thought in Brimmond. We set
8 up work experience, help with careers, liaise directly
9 with day schools, fix up external sports facilities, as
10 well as offering specialised schooling and still no one
11 seems to be interested in talking to us directly. Most
12 of the time we find ourselves being talked about rather
13 than to - with a resultant degree of confusion and
14 I fear misrepresentation.

15 'Perhaps there is little need for in-depth
16 information on this occasion, but I felt if I informed
17 you of the situation, perhaps you would feel free to
18 approach us directly at other times. We have much to
19 offer in the assessment field because all our staff are
20 directly at the coalface, yet you are one of the very
21 few panel members who have asked for the education
22 unit's comments on a pupil. For this reason I am sure
23 you will treat this letter in the sense it is meant, as
24 a sincere invitation and not a reproach.'

25 So, again, that seems to betray a certain degree of

1 frustration with the situation that he and the other
2 teachers find themselves in?

3 A. It says to me that collectively as a council, we are not
4 joined up in how we are actually supporting these young
5 people. There is a sense of professional splitting and
6 that is also something that children would pick up on
7 very quickly in their experiences within Brimmond.

8 MR SHELTON: I won't take you to Mrs Morrell's statement
9 again, at least not at the moment. But she does go on
10 to say that Mr Keith resigned shortly after sending that
11 letter. I have to say, the records don't necessarily
12 support that, my Lady.

13 LADY SMITH: Yes.

14 MR SHELTON: There is certainly a record of him being in
15 post in 1987, but it is not clear what happened in the
16 interim.

17 LADY SMITH: Thank you.

18 MR SHELTON: What we do know, Graeme -- and we went to the
19 document on Tuesday. I won't take you to it again, but
20 it was a minute at ABN-000003544. We don't need to look
21 at it, though. It is minutes of the Working Party on
22 'Children in difficulty or at risk'. And you will
23 recall that recorded what was described as a breakdown
24 in relationships between care and education staff
25 in November 1985.

1 So it is slightly speculative, but does it appear
2 that the frustrations, which are evident from that
3 letter, seems to have not only continued, but perhaps
4 got worse?

5 A. Yes, it does. I mean, there may have been peaks and
6 troughs in that period of time when relations were
7 there, but I couldn't comment with certainty. But it
8 certainly would appear that over the six years period,
9 between 1979 and 1985, there were continuing challenges
10 between how social work and how education services were
11 working collaboratively to better meet the needs of
12 children and young people.

13 Q. Yes. Just finally on the subject of education, we heard
14 evidence this morning about the difficulties -- and this
15 was from the former SNR [REDACTED] or [REDACTED]
16 SNR [REDACTED] -- about difficulties of providing
17 education for a constantly moving or changing group of
18 children, just because of the high turnover. Is that
19 a fair point? How is that dealt with now, if indeed it
20 is still an issue?

21 A. I don't see it being an issue today, but it is a fair
22 point. You know, that when -- as I said on Tuesday,
23 I think the intention of the assessment centre at
24 Brimmond was for children to be there for about 12 to 14
25 weeks for that assessment of their needs to be

1 undertaken and for them to move on to a more stable,
2 longer-term placement or, indeed, return to their family
3 care, if that was deemed at all achievable. And that
4 would make it difficult for both an education --
5 a delivery of an education service, but also a delivery
6 of a care service. You have a constant changing cohort
7 of young people, just in terms of how they relate to
8 each other and with each other, all of that does make it
9 difficult to provide any stability within both
10 an education and a care setting around that.

11 The concept of assessment centres is not one we
12 practice today and we look to try and provide children
13 with stability and actually limit both the number of
14 moves of care and of school that they experience around
15 that, knowing that actually when you look at children
16 who are -- perhaps have the most challenging needs are
17 those who have experienced multiple moves of both school
18 and care.

19 Q. Moving on again, Graeme, although to, I think, a related
20 point, I just wanted to get some thoughts from you about
21 the transition between what was then remand homes and
22 what became the assessment centres, which, of course, we
23 no longer have, as such.

24 The Kilbrandon Report and the aspiration of the 1968
25 Act was -- and I am quoting from Kilbrandon:

1 'Those remand homes which are suitable will become
2 assessment centres and their principal function will be
3 to make available a full range of assessment facilities
4 for all children sent to them.'

5 The 1968 Act was intended to abolish detention in
6 a remand home as a punishment. Thinking about the
7 evidence that we have heard; what would you say about
8 the aspiration and the reality?

9 A. I think we fell short of that aspiration. I think the
10 continuing use of the cell runs completely contrary to
11 what you have just quoted from the Kilbrandon Report.
12 It, again, provides that sense of real confusion in
13 terms of what it is.

14 I think there is also the other bit is that when the
15 Kaimhill Detention Centre closed and Brimmond was
16 opened, many of the staff would appear to have
17 transferred, and so that sense of culture came with it,
18 of children who are under lock and key, that sense of,
19 you know, bad boys often -- you know, was that sense of
20 it's the rule of force, almost, in some respects, to
21 sort of keep order. And recognising what Kilbrandon was
22 saying was actually the culture of our care to these
23 young people needed to fundamentally change, not just
24 the naming of a building or the naming of
25 an institutional care setting.

1 LADY SMITH: It was also, according to some evidence
2 I heard, a matter of the police carrying on regarding
3 Brimmond as being a remand centre for bad boys, as you
4 put it.
5 A. Yes.
6 LADY SMITH: No different.
7 A. Absolutely. And it's that multi-agency aspect around it
8 as well.
9 LADY SMITH: Yes.
10 MR SHELDON: My Lady took the words out of my mouth in that
11 respect.
12 So, moving on again, Graeme, although just to round
13 that off; again, if assessment centres were to have
14 a full range of assessment facilities; would it be fair
15 to say that if education was a part of assessment, then,
16 again, the aspiration was falling short or the
17 reality -- I beg your pardon -- was falling short?
18 A. Yes, and building on that just slightly, if I can,
19 I think, you know, my Lady also spoke about the police,
20 but I think it is about where education fits into that
21 as well. Often these children were children who were
22 failing and struggling within education already and,
23 actually, for them, a sense of: if it was only for that
24 children wasn't within here, it would be much easier.
25 And so again, the push to sort of utilise Brimmond for

1 that purpose would have been significant.

2 So it is, again, a sense of rejection for these
3 children; rejection from their family, rejection from
4 their school, rejection from their community. How
5 and -- you know, and then actually put into a context
6 where we were not nurturing, we were not enabling
7 personal growth and development and treating them in
8 a quite harsh care environment and, at times, a cruel
9 care environment. That can do nothing to sort of
10 support the outcomes that we were hoping to achieve.

11 Q. Thank you. And again, I think, or I hope, following on
12 from that, in relation to the Children's Panel, we heard
13 evidence from 'James' this week. This is a kid who had
14 been badly abused by his father. He finally tried to
15 defend himself or fend off an attack. He had a butter
16 knife in his hand, as he put it, and is then put down as
17 a violent person, summarily taken to Brimmond.

18 He says there was no panel for a month after that,
19 although actually the records suggest it was a longer
20 period. And he felt that no one on the panel really
21 asked or wanted his side of the story. He said:

22 'You were just put down as a bad kid.'

23 So, following on, again, from the idea of the old
24 remand home culture; does it seem as though that may
25 have transferred over to the Children's Panel as well,

1 at least during those years?

2 A. It's difficult for me to say with certainty.

3 Q. I appreciate that.

4 A. But I think the answer from the evidence that we have
5 heard is: yes, that at times there is still that sense
6 of seeing beyond the deeds of the individual young
7 person and actually understanding them as an individual
8 behind all of this.

9 And, again, it goes back to that point: if that
10 child has experienced multiple beatings from his father,
11 then for him to defend himself, okay, with a knife --
12 and none of us would condone that at all, but
13 nonetheless a sense of fighting back. Then it is -- all
14 the other behaviours that he has experienced have been
15 almost consigned as irrelevant. It is his one deed in
16 relation to his father is the one which we are now
17 judging him by. And so a sense of, yes, this is
18 a dangerous person. I think society still would have
19 seen in the '70s and indeed, I would suggest, into the
20 '80s, the actions of these children as being bad rather
21 than sad, understanding the context of their home
22 circumstances in all of those.

23 Q. Sure. Graeme, you have been in social work now for
24 quite some time, if I can put it that way; what's your
25 experience of the Children's Panel and how it deals,

1 over those years and now, with suggestions of abuse of
2 children in residential care, allegations of abuse,
3 I suppose?

4 A. I think the intention of residential care, whether it be
5 Brimmond or, indeed, a more modern version of our
6 children's homes and, likewise, is we always have the
7 intention that they will provide safe, nurturing and
8 enabling care to the children who are placed in those
9 settings.

10 You know, I hope we have moved a long way from the
11 '70s, and '80s. But, nonetheless, I think it is
12 important that, actually, for Children's Panels, to
13 really hear the child's voice of their experiences
14 within the care, whatever that care setting actually is.
15 Whether that's even in foster care or, indeed, that
16 residential unit; what is their experiences there? And
17 I think that is still something that the Children's
18 Panel members still sometimes struggle to fully hear.

19 And it is difficult for children in a room of adults
20 to speak out, particularly against, perhaps, people who
21 are sitting next to them who also have responsibility
22 for their care around it.

23 So we do know that, actually, children complain of
24 restraint at times causing them hurt and harm around
25 that; that still happens and we still hear that. And,

1 indeed, I had that fairly recently, of a child, and we
2 had to look into that and expose what happened to that
3 child in a much more forensic way. So how do we
4 actually ensure that child has a voice that's
5 independently heard, not having to rely upon others,
6 particularly adults, who have a degree of authority over
7 their care to actually speak on their behalf?

8 So the importance of advocacy is really, really
9 important for children around that.

10 Q. Well, I was just going to ask you -- and it is a big
11 question, and it is perhaps unfair to ask you to give
12 a concise answer, but I am afraid I must do so -- which
13 is: do you have any thoughts on how one might help that
14 process?

15 A. I think we have improved and there is certainly a growth
16 of independent advocacy available to children within the
17 Children's Hearings System now. So we would have Who
18 Cares? Scotland have been commissioned by Scottish
19 Government to be available to children going through the
20 Children's Hearings System within Aberdeen and different
21 arrangements take place across the country.

22 We also have enhanced our provision of children's
23 rights officers, who, whilst they are still employees of
24 Aberdeen City Council, are independent of the case
25 planning for that child, who very much are there to take

1 instructions and guidance from our young people. And
2 our young people have actually really invested in those
3 people as well.

4 It is also, however, about training the whole
5 workforce. It is not just reliant -- it can't just be
6 reliant upon one or two advocates who have a particular
7 role to undertake that. It's about all of us listening
8 to the child. I know that, for example, when I am being
9 asked to consider secure care for a child, I want to
10 hear the voice of that child, not necessarily through
11 another adult. I want to hear their voice and their
12 views independently of all of that, and I make sure that
13 I do. And my staff know that's what I want and will
14 ensure that that is provided to me in terms of my
15 decision making. And I think it is for the panel to do
16 likewise as well. Are they truly hearing the voice of
17 the child or is the child silenced by, I suppose, the
18 others around them within that setting as well?

19 LADY SMITH: Yes, you talk about the setting, Graeme, and
20 you are probably well aware of the work that's being
21 done on the development of the Bairns' Hoose. I know
22 that is principally directed, at the moment, to a place
23 where children can be interviewed by crime prevention
24 and crime enforcement authorities and have their
25 evidence recorded. But something that's happened there,

1 and has also happened in the Glasgow Tribunal Centre for
2 Children with Additional Support Needs, is the children
3 have been involved in the design of the premises; does
4 that help?

5 A. It does. Aberdeen City is one of the path finders for
6 the Bairns' Hoose. And so we are developing
7 a Bairns' Hoose within the city. We hope it will be
8 open by the summer of next year. The children have --
9 it will have three interview rooms, two particularly for
10 those children who have been harmed as a result of
11 abuse.

12 LADY SMITH: Yes.

13 A. One equipped more for a younger child, one equipped for
14 an older child. But we also have to be mindful the
15 Bairns' Hoose will also serve children who have harmed
16 others. So we will have a suite that will be available
17 for those. I hope that the age of criminal
18 responsibility in this country increases, to rise to 14,
19 and we see that. We don't interview -- we haven't
20 interviewed any child under the age of criminal
21 responsibility within that setting since the age of
22 criminal responsibility changed from 8 to 12. I think
23 by going up to 14, more would be there around it as
24 well. That facility would be there.

25 Our children told us five things that they wanted to

1 be in the Bairns' Hoose. One is when they came in for
2 there to be food available for them.

3 LADY SMITH: Yes.

4 A. Secondly, for there to be outside space for them to have
5 access to during the interview process, should they
6 choose to take a break.

7 Third was for the colours of the walls and the
8 furnishings to be of a neutral, but welcoming and warm
9 tones around that.

10 Thirdly was to have access to showers.

11 And I can't remember the fifth at this point in
12 time, but there were five things that they actually said
13 they actually wanted within that Bairns' Hoose. We have
14 ensured all of that has been designed into our facility
15 around that as well.

16 LADY SMITH: Good. These are other practical ways of
17 helping children feel comfortable in communicating in
18 their own voice.

19 A. Absolutely.

20 LADY SMITH: Mr Sheldon.

21 MR SHELTON: Moving on again, Graeme, and I want to ask you
22 just a little bit about the situation of the gypsy
23 traveller community in Aberdeen and Aberdeenshire. We
24 know that there is quite a large traveller community in
25 the north-east and, indeed, one of the great

1 ballad singers, Jeannie Robertson, was born in Aberdeen.

2 Two pieces of evidence that I just wanted to put to
3 you. The first is in Morag Morrell's statement again,
4 that is WIT.001.002.7576 and it is at page 7.

5 LADY SMITH: 7 through to 8, isn't it?

6 MR SHELTON: 7 to 8, yes.

7 LADY SMITH: Yes.

8 MR SHELTON: I can take paragraph 29 short. Mrs Morrell is
9 talking there about children being taken into care
10 having no rights at all:

11 '... hundreds or thousands of children in care who
12 hadn't done anything wrong. The only people who had any
13 responsibility to oversee these children was a social
14 worker. These children could be moved about the whole
15 care system throughout Scotland, sometimes into England.
16 The Children's Hearing didn't necessarily know, nor did
17 their parents, for instance, where social work took
18 children into care because they said the parents were
19 not good parents.

20 'Social work had taken over the parent's parental
21 rights.'

22 And reading short, she says:

23 'A lot of traveller children were taken into care,
24 mainly in Aberdeenshire, for that reason. That is
25 shocking. As far as I am aware, it happened because the

1 [REDACTED] at that time, Ms FSG,
2 thought that traveller parents couldn't or weren't
3 looking after their children.'

4 And she goes on to give an example:

5 'There were a couple of girls who were traveller
6 children who ran away to London. Their father drank.
7 They had two older sisters who had houses in Aberdeen.
8 They were brought to the hearing as being in need of
9 care and protection. They were great children. The
10 sisters wanted to take the children. Social work
11 wouldn't pay a foster allowance. They wanted to take
12 them into care. The girls didn't need to go into the
13 care system. They were perfectly well-adjusted and were
14 better with their own folk, rather than being put in
15 a children's home. Eventually, social work decided they
16 wouldn't pay a full foster care allowance, but would pay
17 some money to keep the girls in their sisters' homes.'

18 So that's the first piece, Graeme. The second is
19 evidence that we heard from the applicant 'James', who
20 told us about being introduced to his extended family
21 after his time in care, his traveller family, and the
22 contrast that that provided with the violent environment
23 that he had experienced as a young child, and perhaps
24 even more so when he was in local authority care.

25 Perhaps two things there: the first, perhaps, about

1 the importance of exploring kinship care as
2 an alternative to local authority care?

3 A. So in answering that; do you want me to reflect on
4 current practice as well as that which Ms Morrell has
5 referenced?

6 MR SHELTON: Please, yes.

7 LADY SMITH: Yes.

8 MR SHELTON: I guess particularly in cases such as this,
9 where there are very strong family and community bonds.

10 A. So I think that there is a travelling site within
11 Aberdeen. It is Clinterty Caravan Park. It's a static
12 home site that also has space for more mobile provision
13 around that as well. It's actually not far from
14 Brimmond in geographical terms around it as well. So,
15 yes, I think it's fair to say that actually, as
16 a society and as a profession, we haven't always
17 understood or made the time to understand the particular
18 needs of those from a travelling background around it as
19 well.

20 We have seen their life and lifestyle as just being
21 different and, therefore, have made judgements based
22 upon our own experiences as to what that actually is.
23 I certainly hope that has improved, and I believe it has
24 improved around it as well.

25 I think it's fair to say that the concept of kinship

1 care is one that has grown over the last, I would
2 suggest, 20 years/25 years, around that. And I think
3 that often, perhaps, when we would have -- historically,
4 when you look back at some of the records when children
5 were removed from travelling families, we did not
6 explore kinship options to the extent that we could
7 have, and perhaps should have, within these children's
8 circumstances as well.

9 Today, we would have. And actually we ensure
10 that -- and we are required to, provide an allowance
11 equivalent to the fostering allowance to those who are
12 providing a kinship care to a child. So there should be
13 no discrimination as to the availability of resources to
14 support kinship carers to do that. It's not just about
15 the money; it's about the practicalities: is the house
16 big enough? Therefore we have a scheme that supports
17 kinship carers who are in local authority tenancies to
18 access a larger tenancy to care for the child. It's
19 about the practicabilities of beds and bedding, and
20 clothes, and all the other bits that children require to
21 care for them so the allowance is one component.

22 But the question is: how do we actively enable the
23 kinship family to care for the child? I think it's fair
24 to say that wasn't the case always, and I think that is
25 with regret. And so therefore, children were placed

1 with strangers and actually we failed to recognise their
2 identity in terms of being part of a family network.
3 And we know that actually if children have a sense of
4 who they are, then actually they are able to make that
5 transition into adulthood with a great deal more
6 confidence and self-assuredness than is perhaps the case
7 around it as well.

8 In this instance, without knowing the circumstances,
9 my view is we should have explored the viability of the
10 older adult sisters providing care to their younger
11 sisters as well. They may have still have been young
12 themselves, but, nonetheless, there is no reason why we
13 could not have -- and we do still -- support some older
14 brothers and sisters to care for their younger brothers
15 and sisters as well.

16 LADY SMITH: Graeme, something that was apparent from the
17 evidence of 'James' was that it wouldn't just be
18 a matter of looking beyond the parents to the potential
19 of kinship care, but understanding, in the case of the
20 travelling community, the nature of support provided by
21 the community as a whole. That's quite unique to them,
22 and the way they live; would you agree that that's
23 something that you would also need to be aware of?

24 A. Absolutely. You know, and I think we draw comparisons,
25 Scotland has become a more ethnically diverse country

1 over the lifetime of my time in social work. And
2 I think we have to then think about that from a context
3 of Nigerian families and others, who have come into our
4 country.

5 Specifically in relation to the travelling
6 community, the sense of family is really, really strong
7 within the travelling community. I don't think we have
8 always recognised that. Their decision around girls and
9 boys are maybe values that we don't often apply them
10 ourselves and have a different sense of what they should
11 be. But, nonetheless, that's their life; that's their
12 choices around that.

13 It's about the value of education. We know that
14 actually they do -- they are keen for their children to
15 access education, so they can read and write and --
16 academic qualifications traditionally seem to be of less
17 significance within that community, but that shouldn't
18 be read as they don't value education, and it's about
19 thinking about that.

20 So we now have, within that Clinterty Caravan Park,
21 workers and education delivered on-site that they can
22 access, making it far more accessible to them around
23 that. Yes, we would still encourage their children into
24 mainstream education wherever possible, but recognising
25 sometimes they will choose not to, or they will educate

1 them -- home educate them, in ways which they choose.
2 They may be very different from what you and I may have
3 chosen, but, nonetheless, the law still allows for that
4 choice to be made and we need to recognise that.

5 LADY SMITH: That said, 'James' said two things on that
6 subject: one, he emphasised that he wanted me to
7 understand that there are traveller lawyers, traveller
8 doctors and traveller psychiatrists.

9 And, separately, when I asked him to say a little
10 more about the traveller way of doing things, which he
11 had taken up later in adult life, once he was able to
12 connect again with the traveller community, that there
13 were particular ways of finding a means of earning
14 a living, knowing that you have to earn trust and
15 respect. You shake on a deal; that's the deal.
16 Particular areas in which they work and so on, all of
17 which no doubt comes from education.

18 A. Yes.

19 LADY SMITH: He was fortunate to come across an older man
20 who was a traveller who taught him a lot of that when he
21 was well into adulthood.

22 A. Absolutely.

23 LADY SMITH: The third thing I take up with you -- and
24 I wonder if this is something that's been thought about:
25 is the added vulnerability of a child who goes into

1 care, let's say like Brimmond, like 'James' did, who has
2 been extracted from the traveller community, and that
3 has partly happened because of the breakdown of his
4 mother's marriage, but then he goes in to Brimmond. He
5 is completely divorced from the traveller world. He is
6 the only traveller's child there and somewhat at sea
7 because of that alone, quite apart from everything else.
8 And it was only through sheer good fortune in adulthood
9 he connected again with travellers through the woman who
10 became his wife.

11 But if you go to the child who has been
12 a traveller's child; don't you have to recognise that it
13 might be even harder for them to fit in -- if that's
14 a right way to put it -- with a community in residential
15 care?

16 A. Absolutely. And I think the onus is on the adults, on
17 the care system, to actually flex and actually to meet
18 the needs of that individual travelling young person to
19 ensure that we respect their culture, recognise their
20 culture, in ways which I don't think we have done. And
21 I think that's fair to say.

22 LADY SMITH: Yes.

23 A. We try to do that for black and ethnic minority children
24 and, perhaps, that very visible difference is something
25 that actually requires us to -- is much more apparent

1 for us to think about that. Most of these travelling
2 individuals will be white, the same colour as you and I,
3 and therefore, perhaps, we have assumed that they can
4 just fit into a more western, more community -- settled
5 community way of living. Whereas that's not what their
6 experiences have been.

7 LADY SMITH: Which 'will of itself be better than the
8 traveller way of life' --

9 A. Absolutely.

10 LADY SMITH: -- maybe was the old way of thinking --

11 A. Yes.

12 LADY SMITH: -- and mustn't be repeated now.

13 A. Yes.

14 LADY SMITH: Yes.

15 Mr Sheldon.

16 MR SHELDON: Thank you, my Lady. I think perhaps just one
17 more thing on that, Graeme. It is the second thing that
18 perhaps emerges from the Morag Morrell quote. The
19 suggestion seemed to be, I think, that
20 a disproportionate number of traveller children were
21 taken into care, mainly from Aberdeenshire.

22 I appreciate it may be very difficult for you to comment
23 on that at this remove, but: would there be any evidence
24 of such a policy, if we looked at it?

25 A. I wouldn't dare to speak on behalf of

1 Aberdeenshire Council, that would just be way beyond.

2 But I think I can say from across the Grampian Region.

3 I'm not sure that there is an evidence base to that.

4 But I'm not sure I have an evidence base to argue
5 against it either.

6 Q. Sure.

7 A. And I think that even when we look at some of the
8 classifications that we have to do in terms of our
9 record keeping; do we truly, accurately record the
10 travelling community within our records?

11 I'm not sure we do, and I'm not sure we do as well
12 as we could in relation to that as well. So I think it
13 would be very difficult to actually go back and actually
14 say there is X per cent of the Scottish population is of
15 a travelling background; does that correspond to the
16 numbers of children in our care system?

17 You know -- and there may be some validity to look
18 at that, you know, further. But I certainly -- it's not
19 something that I immediately recognise within our
20 current practice at all.

21 LADY SMITH: Thank you.

22 MR SHELTON: Thank you.

23 The last thing I want to -- or the last, I suppose,
24 substantive thing I want to ask you about, Graeme, is
25 about, I guess, the risks of sexual abuse.

1 You will recall the chapter of evidence that we
2 heard about Robert Hannah, who abused 'Shane' in the
3 1970s. He is later convicted. And then we had evidence
4 from the 1980s, really quite -- relatively late 1980s,
5 about a befriender, GJU [REDACTED], who, I think in your
6 words, was clearly behaving inappropriately and trying
7 to gain some influence over this young person that we
8 looked at. Clearly, with some risk factors there.

9 Would it be fair to say that those around, the
10 professionals around that situation, seemed to be
11 behaving with a degree of naivety?

12 A. I think you're right. I would describe Mr GJU [REDACTED]'s
13 behaviour as grooming. I think it's very classic
14 grooming behaviours, I think is the term I would use
15 today to add to that. I think the passages that you
16 shared with me on Tuesday recognised that.

17 Mrs Schofield, at that point in time, was suspicious
18 of this man's intentions and was trying to manage his
19 relationship with the young person concerned. And
20 I think that was insightful and, you know, was right to
21 be done, in terms of that.

22 That said, how this man had come out of working
23 within the residential environment as well -- we do know
24 that actually sometimes people have -- who have ill
25 intent will actually try and, you know, find ways into

1 the system to serve their ill intent. And it is really
2 incumbent upon us, as employees and as managers, to
3 really ensure that we have that supervision, that
4 oversight, that actually spots those behaviours and
5 actually weeds them out as quickly as we possibly can
6 where that becomes apparent around it as well.

7 I think when you referenced the sort of blurring of
8 boundaries, the sort of -- all of that, that was quite
9 endemic, I think, within some of the Brimmond context,
10 and so therefore some of that may have become lost --

11 Q. Yes, it perhaps comes back to the issue of
12 professionalism --

13 A. Correct.

14 Q. -- within that unit.

15 Just to ask you one final thing on this topic: it is
16 just that given the timeline, perhaps, of emerging
17 knowledge about the risks of sexual abuse in the social
18 work profession and residential care, I suppose, you
19 know, one starts to see references to sexual abuse
20 specifically in documents from the 1980s, perhaps; is it
21 surprising to you that this situation doesn't seem to
22 have been more clearly identified as a risky one at the
23 stage that it was? This is 1987/1988.

24 A. Yes, it does concern me and does trouble me, in terms of
25 doing that. I think the only other thing I would say is

1 when you have an officer in charge who thinks it's
2 appropriate to share a bed with a female resident on
3 a camping trip; then how does that -- as a senior
4 person, how does that set a benchmark which other staff
5 live up to as well?

6 You know, there is no education of actual abuse
7 happening, but the inappropriateness of that arrangement
8 was clearly very, very apparent and even in the 1980s
9 should never have happened.

10 MR SHELTON: Graeme, you have very patiently answered our
11 questions. At the end of your evidence on Tuesday, you
12 very fairly acknowledged the hurt and distress and harm
13 suffered by children that had been in your care, as you
14 put it, although we understand that Brimmond was
15 governed at this time by Grampian Region rather than
16 Aberdeen City, but I just wondered if there was anything
17 you wanted to add at this stage, at the end of your
18 evidence, and at the end of this week?

19 A. Mr Sheldon, thank you for giving me this opportunity.
20 I actually would.

21 I think that the intention of social work has always
22 been to protect the individual from harm and abuse.
23 That is our professional values and we want to sort of
24 strive to deliver on those.

25 We have failed these children. I offer an

1 unreserved apology to the experiences that they have
2 recounted to the Inquiry. I believe we have changed,
3 but I think we need to be very vigilant not to allow
4 ourselves to slip. We have to continue to strive to do
5 better for the children who are in our care and never
6 become complacent that actually there isn't more we
7 could actually do to ensure we are listening, and
8 seeing, and hearing the voices of our children and young
9 people to ensure that we are offering them safe,
10 enabling and nurturing care that enables them to become
11 the adults we all want them to become as well.

12 For all who have experienced abuse and harm in our
13 care, I would offer an unreserved apology.

14 MR SHELTON: Thank you.

15 LADY SMITH: Graeme, thank you for that. And I am really
16 grateful to you for your frank and open apology this
17 afternoon, but also for coming back again to allow us to
18 question you further. It has been so helpful, and
19 a pleasure to engage with you on a professional basis on
20 these matters. I have learnt a lot and you have given
21 me much food for thought that I greatly value. Thank
22 you for that.

23 A. Thank you.

24 LADY SMITH: Safe journey back.

25 A. Thank you very much.

1 LADY SMITH: Mr Sheldon.

2 MR SHELDON: My Lady, there are two further read-ins, one is
3 slightly longer than the other. I think I could do them
4 in 30 or 35 minutes.

5 LADY SMITH: Well, let's do them.

6 MR SHELDON: Okay.

7 LADY SMITH: Yes. Let's go. Thank you.

8 MR SHELDON: Does my Lady wish to take a short break at this
9 point?

10 LADY SMITH: I think we can just keep going for the moment,
11 thank you. If the first one takes longer than expected
12 we might have a brief break after that, but let's just
13 get started.

14 MR SHELDON: Sure, the first one is the longer one, my Lady.

15 LADY SMITH: Thank you.

16 MR SHELDON: And it is the statement of 'Alex'.

17 'Alex' (read)

18 MR SHELDON: This is WIT.001.002.7736.

19 LADY SMITH: Thank you.

20 MR SHELDON: 'Alex' was born in 1963.

21 I will take the first few paragraphs quite short, my
22 Lady, but he was brought up in the north of Scotland and
23 his parents were both heavy drinkers and they separated
24 when he was only 2. His father worked away quite a lot.
25 He had remarried, but his stepmother had a breakdown and

1 was in psychiatric hospital for quite a long period.

2 The Social Work Department became involved. His
3 father was frequently absent and 'Alex' was left to his
4 own devices. He felt he had really nothing to go home
5 for.

6 At paragraph 5, he tells us that he fell into some
7 bad company when he was 12 or 13. There was trouble
8 with the police and there was a Children's Panel.
9 Later, he started running away from home because he
10 wasn't happy there. There was, again, a Children's
11 Panel and his father and stepmother were with him. It
12 was decided he was to go to an assessment centre and, at
13 the time, he says, he had had no idea what an assessment
14 centre was and no one explained anything to him. He
15 says it would have been around [REDACTED] 1978. The records
16 suggest, my Lady, about [REDACTED] 1978.

17 He says that his social worker took him to Brimmond,
18 drove him there, and he notes that it was 200 miles from
19 his home to a place that he didn't know and didn't know
20 what it was.

21 Paragraph 7, he gives us a description of Brimmond,
22 and, again, I will take that short, my Lady, because we
23 already have some descriptions --

24 LADY SMITH: Yes.

25 MR SHELTON: -- of the layout.

1 He says, at paragraph 8:

2 'The outside doors were locked all the time and had
3 to be unlocked by staff using keys. There were metal
4 bars just outside all of the windows, so they could only
5 be opened a couple of inches.'

6 He says -- he describes the other children who were
7 in the home at the time. At the end of paragraph 9, he
8 says:

9 'We only had a chance to interact with the girls at
10 the weekend or when the staff took us all for a walk.
11 Otherwise we never really saw them.'

12 Paragraph 10, he talks about some members of staff,
13 many of whom are names we've heard before.

14 LADY SMITH: Yes.

15 MR SHELTON: He does say that Mr IFH was about 63 and he
16 was a lovely guy. He says:

17 'Overall, I would say there were about 15 members of
18 staff. There was a dinner lady who looked after our
19 meals. Her name was zKPP and she was also a domestic.
20 The cook was younger woman, about 28, and she was
21 a lovely woman.'

22 Paragraph 11, again taking that quite short, my
23 Lady, he says that he and his social worker arrived at
24 about 8 or 9 o'clock at night and were met by the
25 ERL-ERM, who he says were initially quite nice to him.

1 But it was only when his social worker realised she had
2 left something in the car that he realised the building
3 was locked. A member of staff had to unlock the door,
4 so she could get back out. He was given clothes to
5 wear. At the end of that paragraph, he says:

6 'I didn't see the clothes that I had been wearing
7 again.'

8 Paragraph 12, he is shown to his room. He says:

9 'I remember [...] getting a bit upset by this point.
10 Fiona had left and I was very much alone and I was aware
11 of that. Apart from a couple of army cadet trips, this
12 was the first time I had been away from home. This was
13 completely different as I didn't have a choice and
14 I wasn't with my friends. I went to my bed and I cried.
15 I cried myself to sleep the first few nights.'

16 Paragraph 13:

17 'We got woken up every morning at 7.30. I think it
18 was the night shift staff that came in before they
19 finished.'

20 Reading short to the end, he says:

21 'When we got up, we went along to the room where we
22 got changed. We then made our bed in an army style
23 block and were given a brush and pan to sweep the floor.
24 We then went down to breakfast.'

25 He says:

1 'Bedtime was at 9 o'clock for everyone.'

2 And again reading short, he says:

3 'It was a bit of a relief when the bedroom door was
4 locked because you could have a bit of a laugh and
5 a joke with the other boys. You had to knock if you
6 needed out through the night and a member of staff would
7 come. There were two night shift staff on duty at the
8 end of the corridor.

9 'We went for breakfast every day about 8.30. The
10 girls never ate with us. They either ate just before us
11 or just after us. We had to queue and pick our food up
12 from a counter. zKPP was the boss in the kitchen. She
13 was a horrible woman. She would have a big wooden spoon
14 and would rattle it on the table and shout her orders.'

15 Reading short, he says:

16 'Generally the food was all right. The cook was
17 quite good and the food was basic, but fine. There was
18 no choice. If you didn't like what was served to you
19 there was no alternative.'

20 Paragraph 16, again taking that short, he says:

21 'We couldn't shower just when we wanted to. There
22 were specific times like after the gym or on the set
23 shower days. We all wore the same clothes which had
24 been given to us. It was plimsolls, jeans, jersey and
25 a Parka jacket. It was like a uniform and we all wore

1 the same colours.'

2 Again, taking that short, my Lady, he says,
3 paragraph 18:

4 'We finished in the school about quarter to four.
5 We then had a period of time when we could sit in the TV
6 room before our tea was ready. There were some board
7 games that we could play, but I don't remember any
8 books. There were magazines like National Geographic.
9 There was a football pitch outside, but we couldn't just
10 go out on our own. It was always an organised activity
11 with staff.

12 'We regularly went to the swimming pool at Aboyne,
13 or we went into Aberdeen City Centre. The only downside
14 is we wore the clothes they gave us and we stuck out as
15 coming from a home because it was like jail clothes.
16 I enjoyed this time away from Brimmond because I hated
17 every minute there. Every Friday morning we had to get
18 changed into our shorts and t-shirt and we ran down the
19 hill to Bucksburn, which was about a mile away. In
20 Bucksburn, there was a sports centre called the Beacon.
21 We used to go in there and did various things like
22 trampolining, football and other things like that. We
23 were there for about an hour and a half then we ran back
24 up the hill to Brimmond. KEF did this, and he
25 did it army style, barking out his orders.

1 'We went to classes from Monday to Friday and we
2 started at 9 o'clock. The teachers were only there
3 during the day and only came in to teach. I had
4 a female teacher and she was a lovely lady. She was
5 very kind and brought in sweets for us. I can't
6 remember her name. There were only five of us in her
7 class. She taught us English, maths and art. She was
8 a really good teacher and she was probably the one
9 person who I could trust. Being in that classroom was
10 like a refuge. I felt safe and comfortable in there
11 away from KEF , but knew it would all start again
12 when we left.'

13 At paragraph 21, he talks about healthcare and says
14 he remembers getting taken to a health centre in
15 Bucksburn at some point for a check up. He mentions
16 church services, but says it wasn't compulsory. He
17 says, paragraph 23:

18 'On a Saturday and Sunday we were given chores to
19 do. It was just general cleaning. We swept the floors
20 with a brush and a dustpan, cleaned the windows, doors
21 and the rooms downstairs. I don't remember seeing any
22 cleaners in there. I think we did it all. We didn't
23 get any pocket money for all the work that we did.'

24 He wasn't there over Christmas or have a birthday
25 when he was there. He says, at paragraph 25:

1 'My father came down to see me around six weeks into
2 my time there.'

3 Reading short, his social worker came, too:

4 'Fiona wanted to have a meeting with me and my
5 parents. KEF [REDACTED] came in and just stood there, so
6 he was asked to go away. He had no right to be there.
7 I was told that it had been decided that I should stay
8 at Brimmond until [REDACTED] and because I was 16
9 in [REDACTED], I would be finished. I burst into tears and
10 Fiona left the room. I decided that I was going to tell
11 my dad and my step mum about KEF [REDACTED], but just at
12 that moment KEF [REDACTED] came back in the room. Because he
13 was there, I couldn't bring myself to tell them. That
14 was the only time they visited me.'

15 He says he was allowed a phone call once a week. He
16 talks about the bedroom he was in, at paragraph 27:

17 'There were three beds, a carpet and curtains.
18 There was nothing else in that room apart from a pot
19 under the bed to go to the toilet through the night.
20 The staff knew that the best way of keeping order at
21 Brimmond and keeping everyone happy was by having
22 a plentiful supply of tobacco. We all got as much as we
23 wanted. Tobacco came in from the oil rigs and it was
24 duty free, so Brimmond was swamped with it. I didn't
25 have any personal possessions.'

1 He says, at paragraph 28, he never ran away,
2 although he did think about it. Staff gave them
3 cigarettes, so they wouldn't run away.

4 29:

5 'KEF [REDACTED] was the discipline system at Brimmond.
6 If anyone misbehaved they would either be sent to see
7 KEF [REDACTED] or he would be called for, even if he was
8 off duty.

9 'The day after I arrived, I was told that I wasn't
10 going to be going to school that week, but would be
11 starting on the following Monday. When everyone else
12 was going off to school, I was told that I would be
13 cleaning. I was given a bucket of warm water, a bar of
14 carbolic soap, a scrubbing brush and a cloth by zKPP [REDACTED],
15 the domestic. I was given the job of cleaning the
16 stairs and I did that for about half an hour and
17 I became really upset and started crying. Mrs ERL [REDACTED]
18 came downstairs and asked me what was wrong.'

19 Reading short, he said that he was homesick and
20 cleaned all morning:

21 'Mrs ERL [REDACTED] tried to make me feel better and said
22 she would organise a day out or something like that for
23 me. At lunchtime, I had my lunch and in the afternoon
24 I was made to do more cleaning. I cleaned for the next
25 two days whilst all the other boys went to school.

1 'That day, I heard others talking about KEF .
2 He wasn't there for the first three days that I was
3 there and I was warned about him. I was told that he
4 was ex-army, that he was a hard nut and that if I messed
5 about in there, he would have my head in my hands.
6 I was advised to keep out of his way.
7 'KEF turned up on the Saturday or Sunday that
8 weekend. He was about 43 and was English. He was five
9 foot six and was always well dressed. He often wore
10 a cowboy hat. He came straight up to me that first day
11 and shook my hand. He asked me if he knew who he was
12 I told him he was Mr KEF , but he just replied, "I am
13 your fucking worst nightmare". He showed me the cell at
14 that time. It had a red floor and had concrete block in
15 the middle and there was a metal toilet. He told me if
16 there was any misbehaviour that is where I would end up.
17 He said to me if I fucked about in Brimmond it would
18 just be me and him in the cell to sort it out. I took
19 that as a threat straight away.
20 'On the Sunday, Mrs ERL eldest son approached
21 me and told me we were going to watch a game of football
22 at Pittodrie. Aberdeen were playing another team, who
23 I can't remember. After the match I said I thought it
24 was rubbish and that I wasn't interested in football and
25 that I preferred rugby. That was a big mistake. At the

1 breakfast table the following morning, KEF got
2 into me about what I said about the football. He told
3 me I was "an ungrateful cunt" in front of all the other
4 children. He ranted on for ages about it.

5 'KEF was a horrible man. He regularly
6 called me a "fat bastard" and a "lump of lard". He said
7 this in front of KEE, but, to be honest, he was
8 just as bad. KEE was about 25. He had ginger
9 hair and a ginger beard. KEF was careful about
10 what he did and said in front of most of the other
11 staff, but he knew he could do what he wanted. Almost
12 all the other staff used KEE's name as a threat and
13 they were frightened of him. I think the only ones who
14 is didn't use KEF's name was Dave Rennie, Mr HCR,
15 zKPP the cook and my teacher.

16 'KEE regularly threatened children with KEF's
17 name and, on top of that, KEE was a bully. He was
18 arrogant and obnoxious and didn't have a good word to
19 say about anybody. He threatened us every day that if
20 we stepped out of line we would be "seen to" by
21 KEF. [There was a] little black boy who was
22 from Fraserburgh bore the brunt of a lot of KEE's
23 behaviour. He would make racist comments all the time
24 to [this boy].

25 'There was one time when I was in the class and the

1 female teacher was there. I could hear KEF outside
2 in the corridor and he was shouting at [this particular
3 boy] ... who was about 10 years old. I am not sure why
4 he was shouting at him, but he was calling him a little
5 black bastard, a spear-chucker, a coon, and other things
6 like that. He was screaming that if he heard any more
7 from [this boy] ... he would end up in the cell.
8 I never actually saw KEF, but it was definitely his
9 voice. I spoke to [the boy] afterwards and he was
10 really upset and was crying. My teacher obviously saw
11 and heard this incident, but she just shook her head and
12 did nothing.

13 'Around October, we were playing baseball outside.
14 One of the older boys had the baseball bat and he
15 walloped the ball and it went way over the building.
16 Another boy said that he would get it and he ran round.
17 [this second boy] ... must have had a Forrest Gump
18 moment and decided to keep running and he didn't come
19 back. He ran away down the hill and he was away. We
20 were all told get into the house and the police were
21 contacted. About 11.30 that night, I heard [the boy who
22 had absconded] ... screaming. I heard him getting
23 dragged into the building and into the cell. I heard
24 [him] ... shouting at KEF to leave him alone,
25 but KEF continued leathering him. I couldn't see what

1 KEF was doing, but there was no doubt KEF was
2 battering him. In the morning, we saw the boy and he
3 had bruises on his face. He looked like he had been
4 crying all night, too. KEF had really leathered him.
5 KEF came into the dining room and said something
6 like: "this is what happens if you run away". [The boy]
7 ... was in tears at the table.
8 'Probably the worst incident that happened was on
9 a Monday or Tuesday evening and by that time it was
10 into October. [Three of us] ... were in our bedroom.
11 We were all having a laugh in the room. It wasn't late,
12 maybe about 9.30. Our bedroom door was locked. All of
13 a sudden the door opened and KEF was standing there.
14 He said: "What is all the noise about you fucking
15 cunts?" He then told us to get out of our beds, so we
16 did, and he took us up to the night office at the end,
17 where Mr and Mrs GJO-GJP were. He told the
18 GJO-GJP that he had toothache and all these three
19 "cunts" thought it was funny to keep him awake. He told
20 them to make us all stand there for an hour. KEF
21 then started to walk out of the office, but, on the way,
22 he punched all three of us in the face. He punched me
23 first, then [the two other boys]. [One of the boys]
24 fell to the floor. He then carried on out and went to
25 his room. The GJO-GJP made us stand there for

1 an hour, just as KEF had told them to. The next
2 morning, KEF told us that we had got what we deserved
3 for being "smart cunts" and that we shouldn't fuck with
4 him. As usual, he must have felt guilty, because he
5 gave us some tobacco.

6 KEF verbally abused anyone and everyone in there
7 at every opportunity. It was relentless. He was
8 abusive, racist, discriminatory, and intimidating. He
9 was a bully. He would call us all "cunts, "shitbags,
10 "bastards" and other things like that. The only relief
11 we ever got was when KEF wasn't there. It must have
12 been the way the shifts were that every now and then he
13 had three days off. I think he worked four 12-hour
14 shifts and then had three days off. He never worked
15 a night shift. Although he usually stayed in the
16 building, sometimes he would go away for these three
17 days. There was a different atmosphere when he wasn't
18 there. There was a feeling of serenity.

19 'I have been trying to think of how best to describe
20 KEF and of any occasion when KEF was nice or it
21 felt that he had any empathy towards children. There
22 might have been one or two occasions, but no more. The
23 vast majority of staff in Brimmond didn't have any
24 empathy, although maybe one or two did. The
25 GJO-GJP certainly didn't show any love. Dave

1 Rennie, the teacher, Dennis McAllister, the cook, and
2 maybe Mr HCR were the only ones that ever showed any
3 affection.

4 'I cannot emphasise enough how horrible a man
5 KEF was. All the children, including myself,
6 lived in fear of him. Even the staff were afraid of
7 him. Just the sound of his voice in the corridor made
8 you worry about what he was going to come in and do. If
9 KEF hadn't been there, Brimmond would have been
10 a different place and definitely wouldn't have been
11 a fear-driven environment.

12 'I don't consider Brimmond to be an assessment
13 centre. I think it was more of a juvenile prison and
14 I was there to be punished. I was not aware of being
15 assessed in any way.

16 'All the other staff must have known what KEF was
17 up to, but none of them ever did anything about him.
18 Even my teacher knew, because of the time [the
19 particular boy we heard about who had run away] ... was
20 crying in class after that time he ran away and KEF
21 beat him up. She did nothing about it. Sometimes we
22 spoke to her and asked if she could do something about
23 the way KEF abused us. She said she would tell
24 someone and do something about it. She never did.

25 'There was no complaint mechanism in place. I was

1 frightened to say anything to anybody, otherwise it
2 could have got me into more trouble. The staff were too
3 frightened of KEF [REDACTED] do anything. Mrs ERL [REDACTED]
4 wouldn't do anything, because she was having an affair
5 with him. Mr ERM [REDACTED] was all brains, but with very
6 little common sense.

7 'When KEF [REDACTED] had toothache and punched me, [and
8 the two other boys] ... in front of the GJO-GJP [REDACTED],
9 they didn't do or say anything about what he did. They
10 did absolutely nothing.'

11 Taking this next part short, my Lady, 'Alex' leaves
12 Brimmond in [REDACTED] 1978. He was told in the last line
13 that he had done his time and now had a clean bill of
14 health.

15 My Lady, he got a job on leaving Brimmond, but seems
16 to have become somewhat withdrawn. He felt hurt over
17 everything that had happened.

18 At that stage, he had a girlfriend and wasn't in
19 trouble with the police. But his parents bought another
20 house and there wasn't room for him, so he was basically
21 homeless at the age of 20. At that point, he began
22 getting into alcohol and drugs. He got involved with
23 the wrong crowd and got into what he describes as
24 a 'downward spiral'. For a while he worked in a holiday
25 camp as a cook. He moved to Dundee and then back to

1 Wick.

2 In 1987, he realised he needed to sort out his drink
3 problem and, on appearing in court on one occasion,
4 essentially asked the sheriff to send him to prison so
5 that he could dry out. This is paragraph 50. But he
6 managed to access drugs in prison and says he was
7 getting stoned every night for 'just about the whole
8 time I was there'.

9 On release from prison, he managed to get a place in
10 a residential facility to help with alcohol and drugs
11 addiction and later moved into a bed and breakfast.

12 And in 1988, says he was doing great and for
13 a period seems to have had quite a stable life.

14 But, in 1994, he started getting into trouble again.
15 He split up with his girlfriend and was drinking again,
16 and he says -- paragraph 55:

17 '... was stealing to fund my drinking. I went
18 through hell and back.'

19 He spent time in London in a homeless hospital. He
20 got help again with his drink problem and for a while
21 moved abroad and worked in parts of Spain as a chef,
22 later in India and then back to Glasgow.

23 In relation to impact, he says he probably started
24 drinking alcohol from the age of 14:

25 'I was only 16 when I started going into pubs and

1 that's when I really found the joys of alcohol.'

2 He talks more about his relationship with alcohol,
3 and says, at the end of paragraph 58:

4 'Throughout my adult life I had alcohol issues.'

5 He says:

6 'Drinking alcohol helped me forget about Brimmond
7 and other things as well. My alcohol addiction resulted
8 in periods of depression when I tried to come off it.
9 I invariably ended up drinking again. It cost me one of
10 my girlfriends. I was with her when I got a job offer
11 in Gibraltar, so I took it. I signed the flat over to
12 her. It was depression that made me take the job and
13 knowing that no one was going to nag at me for drinking.
14 My drinking affected my relationships with women. I may
15 have been diagnosed with depression at some point, but
16 I am not sure.'

17 Taking paragraph 60 short, he says:

18 'I found that I kept myself away from adults because
19 I don't trust anyone. Even to this day I don't trust
20 the police or sheriffs. In relation to adults, I just
21 like keeping myself to myself.'

22 He says that, paragraph 61, he developed health
23 problems in 2007.

24 At paragraph 62:

25 'It's very difficult for me to say how or if my time

1 in care has affected how my life has turned out.
2 I don't think what happened to me in care was such a big
3 deal, but if it hadn't happened I am sure my life might
4 have turned out differently. There are lots of ifs and
5 buts. I certainly don't think the experience in
6 Brimmond helped me in any way. I went in there without
7 a clue and came out none the wiser. I went in there to
8 be assessed, but I don't think I was assessed in any
9 way. Nothing was achieved by putting me in there.
10 I think I was sent to Brimmond as a punishment. I can't
11 say whether I would have resorted to crime or alcohol
12 had I not gone to Brimmond, but Brimmond certainly
13 didn't help. I still have flashback sometimes about my
14 time there.'

15 He says he received help from a child psychologist
16 once when he was in Brimmond and, later, with an alcohol
17 counsellor.

18 He says, paragraph 64, that in [REDACTED] 1978, he
19 decided he was going to say something to the Children's
20 Panel about the abuse at Brimmond and thinks he might
21 have started to say something:

22 '... but my stepmother stopped me and said that it
23 wasn't the right time or place.

24 'That same day, when we got home, I sat down with my
25 dad and stepmum. I told them about Brimmond, but my dad

1 just said I should forget all about it and concentrate
2 on getting a job. I didn't bring it up again.'

3 Paragraph 67 and lessons to be learned. Taking that
4 short, my Lady, he says:

5 'As far as I am concerned what happened in
6 children's homes 40 years ago was par for the course.
7 There was no complaints mechanism or anyone that you
8 could speak to if bad things were happening. Back then,
9 the adult was always believed before the child. I would
10 like to think that 40 years later, things have changed.'

11 Paragraph 68:

12 'There should be some sort of system in place where
13 children know they can speak to someone if they are
14 having problems. Not members of staff, but someone
15 external and independent, or some other reporting
16 mechanism that is anonymous or safe for the children to
17 do so. Any member of staff reported like this must be
18 suspended immediately while an investigation is carried
19 out.'

20 He talks a bit more about his health issues and
21 medication that he has had to have. In 'Other
22 information', he says:

23 "A few months after I had left Brimmond, my brother
24 was working in Aberdeen so I went with him. He dropped
25 me off at Brimmond. I wanted to go in and see [one of

1 his old friends who was still there]. I phoned before
2 I got there and spoke to Mrs ERL to ask if I could
3 visit. I made sure KEF wasn't going to be
4 there. She said he was away. I took my friend some
5 colouring pens. I was made to feel very welcome by
6 Mr and Mrs ERL-ERM and I stayed for a couple of hours.
7 KEF wasn't there, but my friend said things were
8 just as bad with him and things hadn't changed. He was
9 in tears when I left him. I felt very sad for him when
10 I was walking away, knowing he was still suffering at
11 the hands of KEF.'

12 'Mrs ERL used to come up to KEF's room
13 and give him a cup of tea. About a week after
14 I arrived, I had been cleaning I caught them, let's just
15 say in a passionate embrace and they were kissing.
16 Later on, KEF approached me two hours later when he
17 approached me and grabbed me by the throat. He told me
18 that I hadn't seen anything. He then gave me some
19 tobacco and cigarette papers, and walked away with
20 a smile on his face. It was well known by all the
21 children that KEF and Mrs ERL were having
22 an affair. We could hear them sometimes at night.'

23 He says, reading short again, paragraph 74, it is
24 the usual declaration, my Lady, and he has signed the
25 statement.

1 LADY SMITH: Thank you very much.

2 MR SHELTON: There is one more read-in, my Lady, it is
3 a short one.

4 LADY SMITH: And it is very short. This is somebody who was
5 in Brimmond for no more than three nights.

6 MR SHELTON: Something like that, my Lady, yes.

7 LADY SMITH: Something like that.

8 MR SHELTON: There is some other material in it, but it can
9 be taken very short, my Lady, if necessary.

10 LADY SMITH: Let's just do it, and concentrate on the
11 Brimmond element. Thank you.

12 MR SHELTON: So my Lady, this is the statement of 'Isla'.
13 'Isla' (read).

14 MR SHELTON: The refer is WIT-1-000001335.

15 'Isla' had, as so many of our applicants have, had
16 a difficult childhood, and found herself in foster care,
17 where she reports some physical abuse, and highly
18 inappropriate borderline sexual abuse around bathing and
19 toileting. Sorry, I should have said that 'Isla' was
20 born in 1966.

21 She is then back with her mother for a spell, but
22 her mother ended up with an abusive partner, and she
23 found herself, along with her sister, being in
24 a children's home in Aberdeen. Secondary Institutions - to be published later

25 Secondary Institutions - to be published later

1 She is now aged about 12, so around 1978.

2 Secondary Institutions - to be published later

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9 She says that her friend had been at Brimmond
10 before.

11 "... and I had heard of it. I was terrified.

12 Secondary Institutions - to be published later

13

14

15 Secondary Institutions - to be published later. We were then put into the
16 police van and taken away to Brimmond. I was crying and
17 begging not to go there.'

18 It's not entirely clear when this was, my Lady, but
19 she says she was about 14 when she was at the children's
20 home.

21 LADY SMITH: I saw that.

22 MR SHELTON: So this would have been about 1980 or 1981,
23 I think.

24 Paragraph 112, she says:

25 "The only staff name I know was Mr ERM, and he

1 was the man who was SNR of the home. We knew from
2 previous residents about the physical and sexual abuse
3 that had taken place there. KEF, the gym teacher,
4 I don't know his surname, abused girls and beat boys.

5 'As soon as we arrived I was taken from the police
6 van straight to the cells, just like the ones you have
7 in a police station. [My friend] was placed in another
8 room, which was in the corridor. The cell I was placed
9 in was accessed through a door in the corridor. This
10 door led to a very small hallway. There was a bathroom
11 and sink off the hallway. The cell was also accessed
12 off this small hallway. There was a perspex window in
13 the cell, a wooden bench and a potty. The way it was
14 designed is the cell was actually right next to the one
15 where [my friend] had been placed.

16 'I spent the whole of my time in the cell and do not
17 know what the routine would have been as a normal
18 resident within Brimmond House. When it was getting
19 dark in the evening the lights were put on. About
20 9 o'clock a woman officer, I never found out her name,
21 would come in and I was given a mattress which was
22 filled with a sawdust like material. This mattress was
23 packed tight, and really uncomfortable. A sheet, pillow
24 and a grey blanket were also handed over. They were all
25 put on top of the wooden bench. There was no toilet in

1 the cell and I was given a potty.

2 'In the morning you were told to sluice the potty
3 out in the toilet. I was allowed to get a quick wash
4 and brush my teeth. I was then given a bucket,
5 a scrubbing brush, and a cloth. I was made to clean the
6 floor of the cell. She would then bring your breakfast
7 to you in the cell.

8 'All my food was brought to me in the cell. I don't
9 recall much about it.

10 'Apart from being kept in the cell there, I did not
11 receive any physical abuse. But the mental side from
12 being locked up all day was immense. On the second
13 night in Brimmond I did hear the abuse and beatings
14 carried out on [her friend].

15 'As it was the staff carrying out the abuse there
16 was no one we could approach. We were never out of the
17 cells and did not see anyone except the staff looking
18 after us. We were always threatened that if we did not
19 change our behaviour, we would end up being there
20 permanently.

21 'I was in Brimmond House for three nights and four
22 days but on my records they say I was only there for two
23 days. I know that on the third night, the lights were
24 not put on. I tried banging on the door, but no one
25 came. By the time I was getting to leave there I was

1 totally broken, and I would have done anything not to
2 get in to trouble again. When [my friend] came out of
3 the cell he was covered in black and blue bruises and
4 a burst mouth. Secondary Institutions - to be published later

5 Secondary Institutions - to be published later

6 Secondary Institutions Later in life, probably as a result of his
7 time in care, [my friend] committed suicide after being
8 addicted to heroin.'

9 And they were sent back then to the children's
10 hostel, or home, Secondary Institutions - to be published later

11 Secondary Institutions - to be published later

12
13 She says a lot about her life after care, my Lady,
14 and says at paragraph 177 that -- sorry, should say 176:

15 'As a result of the constant abuse from adults who
16 were caring for me, I find it really difficult to trust
17 people. My whole self esteem has been affected.
18 I always thought my husband would leave me as I felt
19 I was different from everyone else, and I never felt
20 good enough. I always believed he would find someone
21 better than me.'

22 177:

23 'My experiences in care have never left me. I have
24 talked about some of those experiences with my family
25 and some close friends but never gone through about my

1 life from beginning to end.'

2 She has been to counselling, and at 179:

3 'I am hyper-vigilant and I still assume that the
4 worst will happen. This has all affected how I have
5 reacted to my children. I have probably been
6 overprotective with them. I often find that if I cannot
7 get them on the phone straight away then I immediately
8 think something bad has happened.'

9 181:

10 'My education really suffered and it was not until
11 later in life that I was able to get the qualifications
12 that I had wanted for years. Everything I missed out on
13 at schools, such as parent's nights, I have made sure
14 that my children never missed out.

15 'Parents who spent time in care are assumed to be
16 living with shame and will not make as good parents as
17 those who did not spend time in care. This stigma is
18 still taking place today. It was assumed I could not
19 cope with many issues as my family grew. However,
20 I strived to be a good parent and managed to care for my
21 children without social services support. All five of
22 my children are grown now and have good jobs, homes and
23 families of their own. This despite the emotional
24 baggage I still carry from my childhood trauma.'

25 She did go on to get qualifications, my Lady --

1 LADY SMITH: Yes.

2 MR SHELTON: -- and worked in the field of residential
3 childcare, and relates particular incidents around that,
4 but in particular says at paragraph 187:
5 'We need to stop placing children in certain care
6 placements purely for financial reasons. The placements
7 should be centred on the needs of the children. When
8 a child is in care they should be cared for and nurtured
9 to help promote their self esteem. The right people
10 need to be employed in the care system, by doing this
11 they will look after the needs of the children. Every
12 child in care is unique, some are more resilient than
13 others, but all were treated the same.'

14 And she has made the usual declaration, my Lady, and
15 signed the statement.

16 LADY SMITH: Thank you very much.

17 MR SHELTON: That is all, my Lady. We have concluded the
18 oral evidence and the read-ins.

19 LADY SMITH: Well done. That's very helpful.

20 One last name, KEE, his identity is
21 protected by my General Restriction Order and he is not
22 to be identified outside of this room.

23 Quick preview of next week, do we have that to
24 offer?

25 MR SHELTON: So I am reminded, my Lady, there are two live

1 witnesses on Tuesday, the first at 10 o'clock, will be
2 the organisational witness for --
3 LADY SMITH: It is Newfield --
4 MR SHELDON: Newfield, yes.
5 LADY SMITH: -- we are moving on to next, isn't it?
6 MR SHELDON: Yes, my Lady.
7 LADY SMITH: Thank you very much. I wish everyone a good
8 weekend and we will be here on Tuesday morning at 10.
9 Thank you.
10 (4.15 pm)
11 (The Inquiry adjourned until 10.00 am on Tuesday,
12 5 November, 2024)
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