

1 Wednesday, 9 October 2024

2 (10.05 am)

3 LADY SMITH: Good morning, and welcome back to Chapter 9 of
4 Phase 8 of this set of our case study hearings. We have
5 a witness ready, I think, Mr Peoples, to give evidence
6 this morning from the local authority that we are moving
7 on to, is that right?

8 MR PEOPLES: Yes, my Lady. The next witness is
9 Jonathan Hinds.

10 LADY SMITH: Thank you.

11 Mr Jonathan Hinds (sworn)

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

14 Jonathan, thank you for coming along this morning to
15 help us with your evidence in relation to the
16 local authority which you are representing, Inverclyde
17 I think, do I have that right?

18 A. Yes.

19 LADY SMITH: The material we have from you already is in the
20 red folder on the desk there, so that will be available
21 to you, but we also use the screen in front of you to
22 put material up on the screen that we are particularly
23 referring to as we go through your evidence.

24 I am sure you appreciate, but let me reassure you,
25 we are not going through it all word for word or page by

1 page, but there are some particular aspects we would
2 like to discuss with you today if that is all right?

3 A. Of course, thank you.

4 LADY SMITH: If you have any questions at any time, just let
5 me know. The plan is to run with your evidence until
6 11.30 am, and we will see what we can cover between now
7 and then, which I hope will be everything we need from
8 you today, in any event, if I can put it that way.

9 If you are ready, I will hand over to Mr Peoples and
10 he will take it from there.

11 A. Thank you, my Lady.

12 LADY SMITH: Mr Peoples.

13 Questions by Mr Peoples

14 MR PEOPLES: Good morning.

15 A. Good morning.

16 Q. Do you mind if I call you Jonathan?

17 A. No, please do.

18 Q. Thank you. Jonathan, as has just been said, you are
19 here today to assist us with a particular establishment
20 that we are looking at in this chapter of Phase 8 case
21 study and it is Balrossie School, which was a former
22 residential school in Kilmacolm.

23 What I propose to do, mindful that you are appearing
24 today and appearing again on Friday, I am going to cover
25 certain things today and if I don't get to the end of

1 what I am trying to cover in the time we have, I will
2 pick up more matters on Friday. I think you know
3 already, I have indicated that that would be my plan of
4 action?

5 A. Yes.

6 Q. Can I start, first of all, by finding out a little bit
7 about you and your professional career.

8 You are currently Chief Social Work Officer and Head
9 of Children and Families and Justice with
10 Inverclyde Health and Social Care Partnership, is that
11 right?

12 A. Yes, that's right.

13 Q. You have been in that position since 20 February of last
14 year?

15 A. Yes, that's right.

16 Q. I will just briefly touch on your previous positions,
17 which to a large extent have been in local authorities,
18 although just before you took up your current role, you
19 had a spell from 30 August 2021 to 19 February 2023 with
20 the Care Inspectorate?

21 A. Yes, that's right.

22 Q. I have in front of me a job title 'Strategic Inspector,
23 Strategic Scrutiny and Assurance, Children and Young
24 People'.

25 Can you perhaps just very briefly indicate what that

1 role involved?

2 A. Yes, of course.

3 The role with the Care Inspectorate involved being
4 part of a strategic scrutiny team, which essentially
5 meant that, with other regulatory partners, for instance
6 Health Care Improvement Scotland, we had responsibility
7 for undertaking in-depth inspections of, particularly,
8 services for children at risk of harm during the time
9 that I was there.

10 Q. Before you joined the Care Inspectorate, if I go back to
11 perhaps the beginnings of your career in this field, you
12 started, I think -- first of all, you obtained, I think,
13 by way of qualifications, a Bachelor of Arts in social
14 work in 1999, is that right?

15 A. Yes, that's correct.

16 Q. In the same year, I think, you obtained a diploma in
17 social work?

18 A. Yes.

19 Q. Subsequently, in 2006 you obtained a Master of Science
20 in advanced social work studies and criminal justice?

21 A. Yes.

22 Q. As far as employment is concerned, you did work for
23 a time with Glasgow City Council, is that correct?

24 A. Yes, that's right.

25 Q. I think, from 3 August 1999 to 30 July 2003, you were

1 a social worker in the Gorbals/Govanhill area team?

2 A. Yes, that's right.

3 Q. Then you moved to a more senior position of Senior

4 Social Worker with South Area Services, again with

5 Glasgow City Council.

6 Then from there, I think you moved to a different

7 authority, East Renfrewshire Community Health and Care

8 Partnership, where, between 2004 and 2008, you were

9 a team manager with responsibility for criminal justice?

10 A. That's correct.

11 Q. Then, moving on, with the same partnership, you, for,

12 I think, between about 2008 and 2016, you were a service

13 manager responsible for children and families and

14 criminal justice?

15 A. Yes, that's right.

16 Q. Then you, again with the same health and social care

17 partnership, for about two years you were a senior

18 manager with children and families and criminal justice?

19 A. Yes, that's right.

20 Q. Then your employment immediately prior to the

21 Care Inspectorate was, I think, a move up again to

22 Chief Social Work Officer and Head of Children's Health

23 Care and Justice, with West Dunbartonshire Health and

24 Social Care Partnership, that was between 2018 and 2021?

25 A. Yes, that's right.

1 Q. With that introduction, can I now turn to certain
2 documents that were submitted to the Inquiry on behalf
3 of Inverclyde Council. My intention is to go through
4 these at a fairly high level, but to establish just
5 exactly what we were told at the various stages when
6 these documents were submitted.

7 Can I begin -- it can be on screen, but I don't plan
8 to look at this in depth, but Inverclyde submitted
9 a response to a Section 21 notice from the Inquiry.
10 They submitted a response to that notice in the first
11 half of 2019. We call these A to D responses for short.
12 If I use that term, that is what I refer to.

13 The notice was issued and a response was submitted
14 and I will just give the reference for that response,
15 our reference, and it is INC.001.001.5059.

16 As I have said, I don't plan to go through that
17 document, it contains quite a lot of valuable
18 information in response to a large number of questions
19 that were posed by the Inquiry in the various parts of
20 the Section 21 notice, but it was concerned with
21 obtaining information from the council about Balrossie.

22 Just before I ask you some questions about the
23 response, Balrossie itself has quite a long history,
24 I think, and it started life in 1889 as an orphanage for
25 boys and girls run by the Sailors Society, I think that

1 is what research has revealed?

2 A. Yes, that's right.

3 Q. Then it had various purposes after, I think, 1934;

4 I think both being used by the Boys' Brigade for

5 residential camps and was used by the War Office during

6 World War II, is that right?

7 A. Yes, that's correct.

8 Q. Then -- which is more relevant, I think, for our

9 purposes -- in the 1960s, Balrossie was purchased by

10 Glasgow Corporation and was run as an approved school

11 until 1971.

12 I think the date is given as 1960. Some

13 Scottish Government files I have seen suggest it perhaps

14 opened in March 1962, but broadly speaking it opened in

15 the early 1960s.

16 I think, can you confirm, that Balrossie remained

17 open until 1998?

18 A. Yes, our records indicate March 1998 was the date of

19 closure.

20 Q. During that period, it was operated by various

21 local authorities due to local government

22 re-organisations and just to be clear about this, the

23 first local authority that was involved in running

24 Balrossie from the early 1960s was Glasgow Corporation?

25 A. Yes.

1 Q. That corporation had responsibility for Balrossie until
2 local government re-organisation in 1975, when it was
3 then taken over by Strathclyde Regional Council?
4 A. Yes, that's right.
5 Q. Strathclyde Regional Council ran and managed Balrossie
6 from 1975 until a further local government
7 re-organisation in 1996, when it then became the
8 responsibility of Inverclyde Council --
9 A. Yes.
10 Q. -- the new unitary authority, which was one of the
11 disaggregated areas of the former Strathclyde Region.
12 Just to be clear, it was an approved school until
13 1971. It changed its status in that year to List D
14 school. In 1986, when central government withdrew
15 direct funding and oversight of List D schools, it
16 became a residential school, subject to new regulations
17 promulgated in 1987, I think?
18 A. Yes, indeed.
19 Q. Previously the rules applying were the
20 Approved Schools (Scotland) Rules and previous rules
21 applying to approved schools.
22 In the Inverclyde Council era, which was
23 a relatively short period before closure, I think you
24 tell us in the A to D response that the school was
25 operated under what was known as a joint user agreement,

1 which was entered into by 11 user authorities,
2 Inverclyde being one but 10 others as well?

3 A. Yes.

4 Q. And that that agreement was not renewed beyond its
5 initial two-year term and that the school closed in
6 1998?

7 A. Yes.

8 Q. I think perhaps one of the reasons for this agreement
9 was that Inverclyde is a relatively small
10 local authority, is that right?

11 A. Yes, it is. We are one of the smallest mainland local
12 authorities by population.

13 Q. And that many of the children that were placed in
14 Balrossie over the years came from outwith what I would
15 call the current Inverclyde local authority area?

16 A. Yes, that's right.

17 Q. As far as what I call the original A to D response is
18 concerned, the one that was submitted in 2019, the
19 response submitted was based on a review of a sample of
20 Balrossie records which were held by Inverclyde Council
21 at that time?

22 A. Yes, that's correct.

23 Q. I think we are told that there were quite a large number
24 of records and at least paper records filled 100 boxes,
25 I think, or thereabouts?

1 A. Yes, indeed.

2 Q. They were held in -- is it an Inverclyde archive?

3 A. Yes, they were held in the local archiving facility.

4 Q. I just want to ask one or two questions about this

5 document, because it has been to some extent superseded

6 in terms of some of the information by later documents

7 that have been submitted to the Inquiry, but at that

8 stage, just about the sample itself that was the basis

9 of the response, it represented -- or perhaps included,

10 I am not entirely sure -- 20 per cent of paper files

11 relating to children who had attended Balrossie during

12 its period of operation from 1960, or 1962, to 1998, is

13 that right?

14 A. Yes, that's my understanding.

15 Q. Can I just be clear; the files, the paper files, I think

16 the original response said that some 134 files were read

17 and reviewed.

18 A. I --

19 Q. Take it from me, I have taken that from --

20 A. Sure.

21 Q. You don't need to worry too much about the precise --

22 the point I am just wanting to get at at this stage is

23 because there is some reference later on to a larger

24 figure that was seen before the response, and I was just

25 wondering: were the paper files more than simply

1 children's files for children that were placed at
2 Balrossie? Did the review involve looking at other
3 files that would contain, for example, minutes of
4 meetings of the local authority of the time and things
5 of that nature or not? Can you help us?

6 A. Unfortunately, my knowledge of that phase of preparation
7 is limited by virtue of the fact it took place before
8 I joined the organisation. However, I am aware of the
9 document logs around the work to support the Inquiry
10 also make reference to minutes of borough meetings and
11 other committees. So I would expect that that would
12 have also been available at that time.

13 Q. So apart from looking at a sample of children's files
14 relating to individual children over the various
15 decades, it appears that there was some review of files
16 that contained other records that were of a more generic
17 nature?

18 A. That would be my assumption. However, if it is of
19 assistance to the Inquiry, we can obviously clarify
20 that.

21 Q. It is just to get a picture of what the basis of the
22 response at that stage was and really the nub of the
23 matter, I think, was set out in part B of the response,
24 that -- I am not going to take you to it, unless you
25 wish to see it but just taking it short; Inverclyde,

1 having carried out this sampling exercise, were unable
2 to locate within the sample any evidence of abuse of
3 children who had been placed in Balrossie, is that what
4 it came to?

5 A. Yes.

6 Q. However, as part of the sampling exercise, it did find
7 three complaints in 1994, do you recall that?

8 A. Yes, I do.

9 Q. I think two related to restraints and a third to
10 a complaint relating to emotional abuse. I think it was
11 something to do with a boy being threatened with being
12 put in a tower at Balrossie was the particular nature of
13 the complaint?

14 A. Yes, I recall that.

15 Q. As far as these complaints are concerned, I think the
16 review concluded that all three complaints had been
17 investigated and found not to have been substantiated?

18 A. Yes, that's right.

19 Q. This investigation appears to have been without any
20 apparent reporting to the police, as far as the records
21 disclose?

22 A. Yes, that's correct.

23 Q. It was an in-house investigation. I think, generally
24 speaking, would it be by the headmaster or the
25 headmaster's deputy?

1 A. Yes, that's right.

2 Q. So there was evidence of allegations being made in the
3 sample records that were reviewed, but the basis of the
4 part D response was that, having seen them being
5 investigated, and effectively rejected, that was why it
6 was said in part B that there was no evidence of abuse
7 of children in the records reviewed. There was evidence
8 of allegations, but they had clearly been rejected at
9 the time?

10 A. Yes, that's right.

11 Q. Okay. The other thing that was said in 2019, in the
12 original A to D response, was there was an ongoing
13 police investigation relating to a former member of
14 staff?

15 A. Yes, that's right.

16 Q. I am going to leave it there because I don't think --
17 you have a lot of information more generally about the
18 school and I am not going to go there. We can read it
19 and I am perhaps in due course going to put against that
20 some other information from Scottish Government files
21 and I will either do that today, or, if time doesn't
22 allow, I will do it on Friday. That is my plan, as
23 I think you already know.

24 Can I move on in time to May 2023, last year, and at
25 that time, Inverclyde submitted an addendum to the A to

1 D response to the Inquiry, and I will just give our
2 reference to that document, INC-000000479. You don't
3 need to worry too much about that at this stage.

4 Just by way of background, that addendum was
5 submitted following sight of applicant evidence, in
6 other words evidence of statements given to this Inquiry
7 by people who were at Balrossie at some point during its
8 period of operation, is that --

9 A. Yes, indeed.

10 Q. The council were shown these statements at that time and
11 they were also given what we call a framework document,
12 which was an attempt, I think, to pull together, in
13 a general sense, some information based on the Inquiry's
14 investigations about the broad picture about the school,
15 about its history, about various things that have been
16 picked up in various documents that the Inquiry had
17 seen. I think that Inverclyde had a chance to look at
18 that document at that time?

19 A. Yes.

20 Q. I think, indeed, they submitted separate to the
21 addendum, a response to the framework document which, to
22 some extent, echoed what was in the addendum to the A to
23 D response, is that --

24 A. Yes. Yes.

25 Q. Can I just ask again a few points about that, because

1 I think things have moved on since then, as we will come
2 to. As far as the addendum is concerned, can I just ask
3 you this: having seen the witness statements of
4 applicants, former residents of Balrossie, am I correct
5 in understanding that Inverclyde accepts that children
6 who came from the Inverclyde area were abused -- or at
7 least some children were abused during the period when
8 they were at Balrossie, in some cases outside of the
9 school?

10 A. Yes, that would certainly be our position from having
11 reviewed the records and acknowledging that that abuse
12 took place.

13 Q. The reason I used the expression 'children who came from
14 the Inverclyde area', because I think we have to
15 understand the limitations of the exercise that you
16 could conduct, is that, as we have touched on earlier,
17 most children who were placed in Balrossie were placed
18 by other local authorities, or their statutory
19 predecessors. In other words, they were children who
20 did not come from what is now the Inverclyde
21 local authority area?

22 A. Yes, that's correct.

23 Q. So that when Balrossie closed, their records would have
24 been transferred to the relevant local authority area
25 that they came from. That should have happened anyway?

1 A. Yes, that would have been the normal practice.

2 Q. So you have not had a chance to either review or sample
3 any of these records for the children that were not from
4 the Inverclyde area?

5 A. That's correct.

6 Q. Of course, you will not know how many records that might
7 be involved overall, in terms of children who were at
8 Balrossie, that may still be in existence?

9 A. No.

10 Q. The A to D, I don't want to go back to it, but I think
11 it states that there were around 1,084 admissions to
12 Balrossie between 1960, or at least when it opened,
13 through to 1987?

14 A. Yes.

15 Q. That is what the researches disclosed and then, after
16 that, we were told, in the original A to D response,
17 that Balrossie was accommodating 60 residents between
18 1987 and 1996. Was that at any one time or over the
19 course of a year? I was not sure I had --

20 A. My reading of the information provided was that the
21 total occupancy of Balrossie varied between 44 and 78
22 over time, so I would take the figure of 60 to be an as
23 at ...

24 Q. Doing a sort of crude exercise then, if you multiplied
25 nine by 60 for the nine years it was 60 and two by 44,

1 and you add that to the 1,084, you get an idea of the
2 general number of children that may have been admitted,
3 although some might have been admitted more than once?
4 A. Yes.
5 Q. But we are looking at something that is just shy of
6 2,000 admissions?
7 A. Yes.
8 Q. If you do the exercise I have done, just in a broad way,
9 to get a sort of sense of the numbers that we are
10 thinking about here, is that right?
11 A. Yes, that's right.
12 Q. At the date of the addendum in May of last year, there
13 was this acknowledgment that there were children from
14 Inverclyde area who had been abused while they were at
15 Balrossie, but I think what wasn't known, and indeed
16 still isn't known, I suppose, from what we have just
17 said, is the extent of any abuse of children who resided
18 at Balrossie, whether from the Inverclyde area or from
19 some other local authority area -- you don't know that
20 and you are not offering an assessment on that?
21 A. No, that's correct.
22 Q. I mean, we can try and extrapolate from what your
23 authority found from looking at your authority's files,
24 but that, to some extent, is an uncertain exercise, but
25 one would think that if you can find evidence of abuse

1 in files for the children that came from Inverclyde,
2 there must be a fair prospect that the same exercise
3 done by all the other authorities would reveal something
4 similar?

5 A. Yes, I would think that's a reasonable assumption.

6 Q. It certainly would be in line with the sort of evidence
7 we have heard at this Inquiry over the last few years
8 about what was happening in residential child care
9 establishments in various parts of Scotland run by
10 various providers?

11 A. Yes, indeed.

12 Q. Now, at the date of the addendum in May 2023, we were
13 told that a personal injury action had been raised in
14 the Court of Session alleging abuse between 1985 and
15 1987. I will just call that 'the PI action', just for
16 short.

17 I think, at the time of the original response, there
18 had been no actions against Inverclyde in respect of
19 Balrossie, but by the stage of the addendum, there was
20 one action that had been brought?

21 A. Yes.

22 Q. In addition, shortly before the addendum was submitted
23 on 25 May 2023, there had also been a claim intimated
24 alleging sexual abuse by a former member of staff, and
25 I will call that 'the PI claim', if I may. But that was

1 a recently intimated claim and I think that you tell us
2 in the addendum that the action and the claim were
3 passed to the council's insurers to handle and conduct,
4 is that --
5 A. Yes, that's correct.
6 Q. Which would be the normal practice, I suppose, in these
7 matters?
8 A. Yes.
9 Q. Then, so far as the ongoing police investigation is
10 concerned that was mentioned in the original A to D
11 response, you told us -- sorry, I say you, Inverclyde
12 told us at the stage of the addendum in May 2023, that
13 that investigation had by then ended and that no charges
14 had been brought against the person under investigation?
15 A. Yes, that's correct.
16 Q. Do you know, or were you told, why no charges were
17 brought?
18 A. No, I wasn't told of the rationale for that decision.
19 Q. I mean sometimes, as we know, charges may not be brought
20 because there is insufficient evidence or lack of
21 corroboration, a requirement for legal criminal
22 proceedings, but you were not given any information
23 whether that was the reason why charges were not brought
24 at that time?
25 A. No, no.

1 Q. Am I right in thinking that the PI action, and the PI
2 claim, did these relate to staff members other than the
3 person under police investigation?

4 A. I don't know.

5 Q. Okay. I think, in fact, information about the PI
6 action, if I have picked it up correctly, is that it was
7 brought by a former female resident and it made
8 allegations against two male members of staff, former
9 members of staff. I think I am correct in saying that
10 neither were the person under police investigation.

11 I think, as far as the PI claim was concerned,
12 I think you tell us that the information that was given,
13 was it concerned a person who was identified only as
14 GBR ?

15 A. Yes, I recall that.

16 Q. Would that be a name that was in any way connected to
17 the person under police investigation or do we know?

18 A. I'm afraid I couldn't clarify that point without further
19 checking.

20 Q. Okay. At the stage of the addendum, in May 2023, the
21 Inquiry was told that Inverclyde had embarked on a wider
22 review of the Balrossie records that it holds, that was
23 decided at that time?

24 A. Yes, that's right.

25 Q. That's right.

1 This particular case study, Phase 8, began on
2 Tuesday, 19 September 2023, Day 369 of this Inquiry, and
3 the council, I know, made an opening statement at that
4 time through counsel. Without taking that at any
5 length, I think that it was made clear at that time that
6 the objective of the council was to assist the Inquiry,
7 so far as it was able to do so, and the Inquiry was
8 informed about the wider review and was told that in due
9 course, if anything emerged from that that was relevant,
10 then that information would be passed on to the Inquiry.

11 Just at the time of the start of the Phase 8 study,
12 I think that the Inquiry was told through counsel that,
13 at that point, there were no residential schools in
14 Inverclyde. Is that still the position?

15 A. Yes, that's right.

16 Q. It was also told that there were three children's
17 houses, two in Greenock and one in Port Glasgow, is that
18 still the position?

19 A. Yes, it is.

20 Q. It was told that the staff in these houses were trained
21 in something known as -- we have heard about this
22 before -- 'promoting positive behaviour'?

23 A. Yes.

24 Q. And that that training was mandatory for all staff?

25 A. Yes, that's correct, mandatory for all residential

1 staff.

2 Q. I'm sorry, yes, and that, I think, residential staff,
3 loosely care workers, frontline care workers, would
4 receive also trauma training at different levels, is
5 that --

6 A. Yes, that's right.

7 Q. Is that still the position?

8 A. It is, there's still a programme of trauma-informed
9 training within the local authority.

10 Q. We have heard in this Inquiry about physical
11 intervention or, loosely called, 'restraint training',
12 that was done historically at a point when training
13 began to be given. We have heard of methods or training
14 courses involving different types of restraint training,
15 including CALM, and TCI, therapeutic crisis
16 intervention.

17 Just so that I am clear, are either of these two --
18 were they used in the past by Inverclyde or --

19 A. I understand that TCI, therapeutic crisis intervention,
20 was used prior to promoting positive behaviour being
21 introduced in the more recent past.

22 Q. The current training is promoting positive behaviour?

23 A. Yes, that's right.

24 Q. There is no CALM or no TCI currently?

25 A. No, no.

1 Q. Although TCI was used historically?

2 A. Yes, that's correct.

3 Q. As far as qualifications are concerned, we know from
4 many days of evidence about the historical position,
5 that generally speaking, whatever the nature of the
6 child care establishment, whether it was a school,
7 a children's home, a remand, or whatever, that the vast
8 majority of the frontline care staff were unqualified,
9 had no child care qualifications, many were
10 inexperienced and often, having taken up employment, did
11 not receive in-service training or supervision or at
12 least adequate supervision during their period of
13 employment.

14 Did the researches that were conducted in relation
15 to Balrossie reveal a similar picture?

16 A. It did reveal a broadly similar picture and I suppose
17 over time, as the Inquiry will no doubt be aware, within
18 residential care, the profession has moved on over that
19 time but, yes, the historical records would indicate
20 a similar pattern.

21 Q. As far as the current position is concerned, if you can
22 help me, Jonathan, as far as the care staff in the
23 children's houses in Inverclyde, at least, is concerned,
24 do they all have appropriate qualifications and
25 training?

1 A. Yes, they do. We have a programme of training staff and
2 supporting them to achieve qualifications before they
3 are appointed.

4 Q. Yes. I suppose that anyone that is taking an interest
5 in the development of the care system and the changes
6 that have taken place over the years, has to be aware
7 that there were significant developments generally that
8 affected what happened to children in care.

9 Indeed -- I am not going to labour this -- we have
10 to keep in mind, when we are looking at any particular
11 period, that there are changes in local government,
12 re-organisations, for example, in 1975 and 1996. There
13 has been changes in legislation from the
14 Children Act 1948 to the Social Work (Scotland) Act in
15 1968. There was the introduction of the
16 Children's Hearing System in 1971.

17 There was the transitional period for List D schools
18 between 1971 and 1986, which, without labouring it,
19 I think we know took much longer than anticipated by
20 central government, because there were difficulties in
21 getting consensus on the future of the then List D
22 schools. Some closed, some went independent, most had
23 been privately run rather than local authority run, but
24 there seemed to be a reluctance on the part of the local
25 authorities to take them on, and things like that.

1 These were all, I think, problems that were not
2 really satisfactorily addressed and ultimately the
3 Secretary of State I think perhaps lost -- well, maybe
4 I am putting it too highly to say he lost patience, but
5 decided, in his wisdom, to say, 'I am going do withdraw
6 direct support and from now on the establishments will
7 be funded through placements and through largely
8 speaking local authority expenditure'. Is that broadly
9 speaking what happened?

10 A. Yes, indeed.

11 Q. Yes. As I say, in 1980, some of the schools closed and
12 that maybe put pressure on accommodation and one of the
13 other things that we have to bear in mind in this
14 transitional period, after this very influential change
15 in the Children's Hearing System, is that there was
16 a shortage of alternatives to List D schools, specialist
17 alternatives for example, residential or otherwise, and
18 so children's hearings were sending children to List D
19 schools in the absence of any other alternative that
20 appeared to be better suited to its needs, the child's
21 needs. Again, am I saying anything that is heresy here
22 or does not accord with your understanding of the
23 historical position?

24 A. No, it absolutely aligns with my understanding.

25 Q. If we turn to Balrossie, and I am not again going to

1 deal with this too much at this stage, but it could be
2 broken down into two eras, if you like; the era of
3 Thomas Hand, who was a long-serving headmaster from when
4 Balrossie opened in 1960 or 1962, until he resigned in
5 1975, so he was there possibly 15 years, possibly 13,
6 but a long time?

7 A. Yes.

8 Q. Then there followed what I would call the McCallum era,
9 because his successor was a person, Struan McCallum, who
10 was head of Balrossie between 1976 and 1996?

11 A. Yes.

12 Q. Then, for the final two years of its existence, when
13 Inverclyde came on the scene and was created, I think
14 the headmaster was [REDACTED], who had previously been
15 in a senior position at the school?

16 A. Yes.

17 Q. I will just observe, when we are looking at the two
18 eras, that Mr Hand's era came to an end around the time
19 of local government re-organisation, where the
20 Corporation of Glasgow was replaced by
21 Strathclyde Regional Council, and Mr McCallum's era came
22 to an end around the time of a further local government
23 re-organisation from regional council to unitary
24 councils, is that --

25 A. Yes.

1 Q. It may just be a coincidence, but it is --

2 A. Yes, noted.

3 Q. I think both resigned, and no doubt we can find out, at

4 least from one of them, what his reasons were in due

5 course.

6 I think that what may have emerged from the

7 researches, and again I am not wanting to go into the

8 nitty-gritty in detail, but, particularly in the

9 McCallum era, post 1975, there seemed to have been

10 modernisation of Balrossie in terms of facilities,

11 regime, practices and approach to child care?

12 A. Yes, absolutely.

13 Q. Insofar as inspectors were critical of these areas when

14 Mr Hand was headmaster, they appear to have been

15 commenting more favourably on the school in the McCallum

16 era. I may come to some of that from the

17 Scottish Government files that I spoke about earlier,

18 but I don't know if that emerged from the researches

19 that were conducted by Inverclyde, but I am suggesting

20 that at least one can see, to some extent, a watershed?

21 A. Yes, absolutely. Although, I suppose, the more recent

22 research really would tend to fall under the latter

23 chapter of Balrossie but yes, that would tend to fit

24 with the overall findings.

25 Q. One of the points that Inverclyde make is that quite

1 a lot of the allegations that have been identified -- we
2 will come to them in a moment -- do relate to
3 a pre-Inverclyde period of operation?
4 A. Yes.
5 Q. There are not too many in the period 1996 to 1998 that
6 were unearthed, is that --
7 A. That's correct.
8 Q. It doesn't matter for our purposes, I can see from the A
9 to D it might matter from the point of view of the
10 local authority as to who is legally responsible. We
11 are concerned simply with were there complaints? Was
12 there abuse? And how it was responded to if it was
13 complained of and so forth, so we are looking at it from
14 a very different perspective?
15 A. Of course.
16 Q. We are not necessarily applying, as I think was
17 mentioned, the A to D standards of the time, which may
18 be relevant in a legal context?
19 A. Surely.
20 Q. A litigation context?
21 LADY SMITH: I am sure you appreciate, Jonathan, from my
22 perspective, I am also interested in looking at what was
23 happening in the past through the modern lens, because
24 we need to learn from it, and if looking at it in the
25 21st century tells you that that was abusive, it was

1 abusive, even if it wasn't realised at the time and
2 wouldn't have been classed that way at the time.

3 A. Yes, indeed, my Lady.

4 LADY SMITH: It is important for the learning for now and
5 for the future that we recognise that.

6 MR PEOPLES: Of course, apart from the Scottish Government
7 records, and the Inverclyde records, we do, of course,
8 have, as has been recognised, a very important third
9 source of evidence. That is from people who were former
10 residents at Balrossie and what they tell us about their
11 experiences in the different periods that they were at
12 that particular school.

13 A. Yes.

14 Q. That probably brings more colour to the table, because
15 records can be a bit dry and not necessarily bring out,
16 I think, a complete or wholly accurate picture of life
17 in a particular establishment. I am not speaking
18 exclusively of Balrossie, but I think maybe that is
19 something the common experience would tell us, is it
20 not?

21 A. Yes, yes, absolutely.

22 Q. Particularly when we go further back in time when
23 perhaps there was not the same degree of information
24 even in the records themselves about children and how
25 they were progressing and how they were feeling and

1 whether they were feeling safe or feeling unsafe or
2 whatever. We don't get much of that in the earlier
3 records of the period -- in Balrossie's case, going back
4 to the 1960s and 1970s and so forth?

5 A. No, that would certainly fit with our experience of
6 reading records further back. There is more limited
7 recording and more limited context, I suppose, provided.

8 Q. Although it is a paradox, I suppose, that in the more
9 modern era, particularly from the onset of the regional
10 councils and beyond, that we get much larger files and
11 records, many more forms and much more information
12 required of authorities, or providers of care, but at
13 the same time, we get published inspection records which
14 are less illuminating than their predecessors, because
15 the older reports are often quite frank in their
16 criticisms and comments about particular establishments
17 and perhaps even more frank when the inspectors go back
18 to central government and write internal memos to SED
19 officials.

20 A. Okay.

21 Q. I don't know if that is something you have come across,
22 you may not have had a chance to have a look at these
23 sort of records in any depth, but they are quite
24 revealing at times?

25 A. I haven't seen those records as part of my work.

1 LADY SMITH: Jonathan, Inverclyde apart, have you come
2 across that in your professional life? Namely that when
3 you go back to old reports, records, they often have
4 more colour and detail in them than the modern ones do?
5 A. They can do. I suppose what I have observed, even
6 looking at historical records away from the focus of
7 this Inquiry, in my professional career, has been to see
8 the standards of recording can vary significantly and,
9 as you say, my Lady, there can be sometimes greater
10 insight and conversely there can also be some very brief
11 references in records, which we would, in the modern
12 era, expect to be much more comprehensive.
13 LADY SMITH: Thank you.
14 MR PEOPLES: You have obviously had time in the
15 Care Inspectorate in recent times, but I think we have
16 had an opportunity to quiz them on their approach to
17 inspection and reporting. It is sometimes suggested,
18 perhaps, that some of the reports are rather formulaic
19 and that the format, albeit it is published and there
20 are perhaps concerns about what you can publish, but
21 that they don't have that colour that the previous
22 reports had when they were not published or, indeed,
23 shown to the providers themselves.
24 A. That may reflect the evolution of practice and the
25 awareness of professional standards and reporting

1 standards as well.

2 Q. At the time of the start of Phase 8, in September of
3 last year, I mentioned earlier that Inverclyde advised
4 us that they had no residential schools, but three
5 children's houses, and I have asked you about that, but
6 obviously historically, Balrossie and Kilmacolm, and
7 indeed Langlands Park in Port Glasgow were located in
8 the now Inverclyde area?

9 A. Yes, that's correct.

10 Q. Now, moving forward, if I may, the Inquiry was provided
11 yesterday with a report by Inverclyde after the wider
12 review of the Balrossie records. I will just give our
13 reference for that report, we have given it a reference
14 INC-000000561. It is not my plan to take to you the
15 detail of that report, it is 25/26 pages long, but what
16 I do want is an understanding of what we should be
17 taking, in broad terms, from that report, and if I have
18 any follow-up questions after further reflection, I will
19 come to them on Friday.

20 The only matter I would ask is it would have been
21 helpful if the report had been available much earlier
22 than 24 hours before you give evidence, and --

23 LADY SMITH: Jonathan, not to put too fine a point on it, we
24 are hearing evidence during the day every day at the
25 moment and have other work planned, meetings planned,

1 and, frankly, to receive a document that I can see has
2 a lot of helpful detail in it, after our close of
3 business yesterday, for today, just wasn't good.

4 I am sure you are not directly responsible, but I do
5 hope you will take the message back to others that it
6 has to be done better in the future.

7 A. I will pass that on, my Lady.

8 LADY SMITH: I am sure you appreciate what I am saying,
9 after a long hard day, when we thought we were just
10 about ready for today, to get that was tough. Okay, and
11 we don't promise to have absorbed it in the detail and
12 with the understanding that otherwise we would normally
13 have done, okay?

14 A. Okay, thank you.

15 LADY SMITH: Mr Peoples.

16 MR PEOPLES: Thank you.

17 Can I just ask you one question, and you may not be
18 able to answer it, but no doubt you can answer it on
19 Friday if you can't: did your insurers, because they
20 clearly have an interest in any claims or actions, did
21 they play any part in either the original review or the
22 wider review or the preparation and finalisation of the
23 reports and responses that have been submitted or have
24 they remained quite apart from all of that?

25 A. They've remained apart from that.

1 Q. Okay. Because their interest might be rather different
2 to our interest. Their interest might be to try and
3 defend claims and they might look at matters in a very
4 different light and be more circumspect about what they
5 are prepared to disclose, but that is not the approach
6 that Inverclyde has adopted in its dealings with the
7 Inquiry?

8 A. No, that's correct. It's been about trying to provide
9 helpful information for the work of the Inquiry.

10 Q. Now, the report, the recent report that I have given the
11 reference for, can I just ask one or two questions about
12 that today, so that I understand what it is that the
13 report tells us.

14 There is reference in the report to the fact that
15 a large number of files have been read as part of this
16 wider review. I think -- you can help me with the
17 numbers --

18 LADY SMITH: Mr Peoples, do we want to put in our reference
19 for the document that is the most recent report for the
20 transcript?

21 MR PEOPLES: I thought I did actually. Did I not?

22 LADY SMITH: I am just looking for it.

23 Oh, you have, it ends 561?

24 MR PEOPLES: Yes, yes.

25 LADY SMITH: Forgive me, you did do, yes.

1 MR PEOPLES: Yes.

2 I think, as I understand, 593 files were read as
3 part of the wider exercise, in addition to 168 files
4 that had been read prior to the submission of the
5 original response?

6 A. Yes, that's correct.

7 Q. Were these 593 children's files, as you understand?

8 A. Yes.

9 Q. Okay, and that what was done was that a template was
10 completed by the reader for each file?

11 A. Yes, that's correct.

12 Q. Trying to record, in a systematic way, information on
13 various matters, including whether allegations have been
14 made and so forth, other information that might be of
15 assistance to the Inquiry. Is that how it was done?

16 A. Yes, that's correct.

17 Q. Having read these 593 files -- again these relate to
18 children from the Inverclyde area, as we have spoken of
19 earlier, these are not children that were at Balrossie
20 who were placed there by authorities --

21 A. They do.

22 Q. -- outwith Inverclyde?

23 A. I beg your pardon, but they do relate to --

24 Q. Oh they do?

25 A. -- children who were resident in Balrossie, regardless

1 of their originating area.

2 Q. I see, okay, so from where did you get those records?

3 A. They were the historical records held from Balrossie,
4 but not the children's social work records, which would
5 ordinarily be held by the responsible local authority
6 area.

7 Q. I see, so if we take the 593 files, while they were not
8 comprehensive in the sense that they didn't include
9 social work records that would be held by what might be
10 called the placing authority and would have been -- and,
11 if still exists, would still be held by the placing
12 authority or its successor --

13 A. Yes.

14 Q. -- but they did include Balrossie files relating to
15 children over the various decades who had been there,
16 who may have come from somewhere other than Inverclyde?

17 A. Yes, that's correct.

18 Q. I see. I see.

19 It was all the children's records that Balrossie had
20 retained by the time of closure were reviewed?

21 A. Yes, that's correct. It was the records that
22 Inverclyde Council held following the closure of
23 Balrossie, so not necessarily a complete picture, as you
24 referred to it earlier, however it's around 761 records
25 in total across the two phases of file reading.

1 Q. Yes. The reason that Inverclyde would inherit these in
2 1998 was not because of where the children had come
3 from, it was because Balrossie was located in Inverclyde
4 area?

5 A. Yes, that's correct.

6 Q. That would be the normal way in which records of this
7 type might be transferred, they would go to the area
8 where the establishment was located?

9 A. Yes, that's right.

10 Q. I see. As a result of this wider review, if I can call
11 it that, evidence of abuse or alleged abuse was found?

12 A. Yes, that's right.

13 Q. Which contrasts with the position at the stage of the
14 earlier review, the sample review --

15 A. Yes.

16 Q. -- that we have spoken about.

17 What you tell us is that of the files read, 36 files
18 disclosed abuse or complaints of abuse or possibly
19 a reference to alleged abuse of restraint?

20 A. Yes, that's correct.

21 Q. There is 36 files with some sort of evidence of that
22 kind. Then, breaking the 36 files into different
23 categories, 17 files contained complaints or allegations
24 against staff?

25 A. Yes.

1 Q. These were by 17 different children?

2 A. Yes, that's correct.

3 Q. I think there is a list of them in the report.

4 11 files of the 36 contained complaints or

5 allegations against other residents?

6 A. Yes.

7 Q. Eight files -- I think that makes up the balance of the

8 36 -- contained complaints or allegations of alleged

9 abuse outside of Balrossie?

10 A. Yes, that's correct.

11 Q. Can I just ask you this: the complaints in the eight

12 files, are these allegations against persons other than

13 staff or other residents, such as parents, for example?

14 A. Yes, that's correct.

15 Q. So it wouldn't be a situation where a member of staff

16 has taken a child out to some location and there has

17 been a complaint arising out of a trip outwith the

18 school, or do you know?

19 A. In terms of how the files have been broken down, the

20 eight that you refer to, from my recall, relate to

21 allegations of physical or sexual harm by other people

22 who were not either staff in Balrossie or other

23 residents.

24 Q. Because you can see why it would be interesting, because

25 although they may be on home leave or absconding, they

1 are in care and they are still the responsibility of
2 both the placing authority and the care provider?
3 A. Yes.
4 Q. Although I think in the historical position, perhaps the
5 concept of risk assessment was not very well developed?
6 A. Again, that would be one area that has evolved in
7 practice over the decades.
8 Q. It wouldn't be that every child that got home leave,
9 there was a proper risk assessment of what might happen
10 if they had two or three days away from a school or
11 a home?
12 A. No, not the way we would have it established now.
13 Q. Whereas currently, if there is a child in a residential
14 care setting, am I right in thinking that part of the
15 process would involve some risk assessment about any
16 risks and whether they were acceptable risks of the
17 child being allowed to leave the establishment and enter
18 the community or go to a particular place?
19 A. Yes, that's correct.
20 Q. That's the way it would be done in the modern era?
21 A. Yes, indeed.
22 Q. Risk assessment.
23 There would be a general risk assessment on
24 admission to a residential establishment as well, would
25 there not?

1 A. There would indeed, yes.

2 Q. To see what risks might be posed, either by the person
3 or to the person, if put in a particular environment?

4 A. Yes, that's right.

5 Q. That would maybe dictate some of the arrangements for
6 that particular child when they are in that environment?

7 A. Yes, it would be normal to expect that that risk
8 assessment would form part of the broader assessment in
9 terms of where a child would reside and the care plan to
10 support them, as well as planning for any outside
11 contact with third parties who are within the community.

12 Q. Because again, unlike the historical position, we are in
13 the era of care planning now and children have care
14 plans, which are prepared and reviewed, and are based on
15 continuous assessment and review of the child and its
16 progress and any significant developments, and these
17 care plans are individualised to suit the particular
18 needs of the particular child?

19 A. Yes, that's correct.

20 Q. Is that the way it happens now?

21 A. It is, and it's very much done from the perspective of
22 the child or young person in terms of their safety,
23 their wellbeing and working towards positive outcomes
24 for children who are in care placements.

25 Q. I suppose therefore, it follows from the onset of a more

1 developed system of care planning and initial assessment
2 before admission to places or placement in a particular
3 care environment, that there has been a move away from
4 what I might loosely call 'group care', where everyone
5 gets the same regime and the same treatment in a single
6 environment?

7 A. Yes, that would be right. Whilst there are still great
8 facilities, and you have referred to our local
9 children's houses as one example, the size and scale
10 would be much smaller than would have been historically
11 the case.

12 Q. Yes, so apart from the fact that group care has moved on
13 to individualised care, the establishments themselves,
14 so far as they are such places these days, tend to be
15 small in size and much more specialist in function than
16 the historical position of putting people in generic
17 children's homes or generic schools, called approved
18 schools or List D schools?

19 A. Yes, that's correct.

20 Q. As far as the 36 files are concerned, can I just be
21 clear on one or two things at this stage. Is it clear
22 from the records and the files that contained these
23 complaints that all of the complaints and allegations
24 were investigated to some degree, or is that not clear?

25 A. Overall, it's clear that there was some effort to

1 investigate and to better understand the claims.

2 However, the process to determine an outcome is not

3 consistent through those 36 records.

4 Q. I suppose that might raise an issue of yes, there's

5 evidence of investigation but the quality of the

6 investigation might be variable?

7 A. Yes, that would be reasonable.

8 Q. There is not necessarily a consistent pattern of

9 investigation in a particular way and by a particular

10 standard procedure?

11 A. Yes.

12 Q. Now, am I right in taking from the report that all of

13 the complaints that have been identified from the 36

14 files were handled internally with no apparent evidence

15 of police involvement?

16 A. Yes, that would be correct. We did not discern any

17 direct involvement of police as part of

18 any investigatory process.

19 Q. Although the complaints themselves, no doubt there would

20 be different forms of complaint, some about ill

21 treatment or physical abuse or assault or sexual abuse

22 at times, they all raise issues that, on the face of it,

23 involved potential criminal -- the commission of

24 criminal offences and therefore it might be expected

25 that there would be some form of reporting and referral

1 to the police.

2 Would you agree with that, that that would tend to
3 be what people might expect should happen if a child
4 complains, for example, of being assaulted? But that
5 doesn't appear to have been happening in these cases?

6 A. No, that's correct, it wasn't evident that that was
7 pursued, but it would be what we would expect to happen.

8 Q. Is that what would happen now?

9 A. Yes, if there was any allegation of assault or other
10 form of harm, any concern that a crime may have been
11 committed, then we would inform the police.

12 Q. Was any explanation discernible for the fact that all of
13 the complaints seem to have been handled without any
14 police involvement, is there any reason that has emerged
15 from the researches that would explain this state of
16 affairs?

17 A. No. We've not been able to find any common thread for
18 the outcomes or the decisions around those -- the nature
19 of those complaints.

20 Q. I think you can see where I am going with this -- maybe
21 you can't -- that some, a cynic, or perhaps not even
22 a cynic, someone might say, well, you know, if these are
23 all reportable matters, because they involve potential
24 criminal offences, then if you don't report them, some
25 might be suspicious that you are trying to keep the

1 matter in house and to keep the lid on it and to -- not
2 necessarily to cover up but not to disclose in
3 a transparent way so that people know what is going on?

4 Do you see the point I am making?

5 A. I do, and I think, as you yourself have acknowledged,
6 that there's a range of concerns within these
7 allegations. Some may indicate a crime being committed,
8 others may not, but certainly the requirement or the
9 expectation to thoroughly investigate and to involve
10 police or any other appropriate external agency has not
11 been evidenced in the records that we have read.

12 Q. Because there is a worry that under the guise of well,
13 we will just talk this through with a young person and
14 that they then don't want to pursue the matter, even,
15 for example, to have the matter referred to the police,
16 there is a concern that, in a relationship which is not
17 necessarily of equals, that they may be unduly
18 influenced by the persuasion placed on them not to take
19 the matter further, ostensibly in their best interests,
20 according to the adults giving this suggestion, but that
21 that might not be in their best interests, that they
22 should be allowed to perhaps -- the matter should be
23 investigated by an independent body, such as the police.
24 Is that not a concern?

25 A. Yes. Yes, it would be a concern and, again, if I can

1 equate it with modern day practice, the development of
2 advocacy services and independent advocacy to ensure
3 that children have a voice and have that additional
4 independent support, is another indication of how modern
5 practice has evolved.

6 Q. I mean nowadays, and if you are reading one of these
7 historical records and you also see something, 'Well,
8 after discussion, the young person decided not to pursue
9 or withdrew the complaint'. Is that not a red flag
10 these days?

11 A. It would be, yes.

12 LADY SMITH: I was thinking about the child and whether, in
13 the past, as we see in these records, it wasn't even
14 that a routine reference to the Social Work Department
15 was being made, an outsider who would have the
16 children's interests at the top of their list of
17 priorities. I don't think so. As I say, I have not
18 been able to go through this in detail, but I don't
19 think that was part of the pattern, was it?

20 A. No, that's correct, my Lady, we were not able to discern
21 that as a pattern in terms of responding to allegations
22 or complaints.

23 LADY SMITH: Whereas today, would you accept, the norm is to
24 at least ask the question: does this child's social
25 worker, outwith the school, the organisation, know about

1 what has happened? As well as: does this need to be
2 reported to the police? Also: does a report have to be
3 made to the children's parents if the children still
4 have parental rights or if there is another adult who
5 has parental rights? Am I right?

6 A. Yes, of course, my Lady, absolutely.

7 LADY SMITH: But that was not happening in these times?

8 A. No, we weren't able to see evidence of that.

9 LADY SMITH: Thank you.

10 Mr Peoples.

11 MR PEOPLES: So the investigations were very much -- when
12 I use the term 'in house', it is within the
13 establishment, the investigation process and the
14 decision-making process, without necessarily even
15 reference to the more senior line management within the
16 Social Work Department, and certainly not to the police.
17 That was not the sort of pattern that they were being
18 brought in to be at least part of the investigation
19 process, is that what was coming out of the researches?
20 That it was all just done at the school?

21 A. Overall.

22 Q. Overall, I mean generally speaking?

23 A. Yes, absolutely. There are, within some of the
24 templates from file reading, reference to social
25 worker's involvements and reviews and other meetings,

1 but, thinking particularly about the complaints or
2 allegations of harm that had been made, there is not
3 a consistent pattern of referral to or involvement of
4 people outwith the residential staffing group.

5 Q. Whereas nowadays, I take it, if there was an allegation,
6 then it might involve reporting to a range of people
7 including the police, if there was potential criminal
8 offences involved; to the Social Work Department,
9 external to the establishment; to the parents; and no
10 doubt possibly to other bodies as well. It might be to
11 the SSSC, for example?

12 A. Yes, absolutely, the SSSC is another one and the
13 provider of the facility as well, in terms of the
14 framework around regulation and --

15 Q. The Care Inspectorate?

16 A. As another example, yes.

17 Q. These days there would be a lot of people at least would
18 get information and get to know of a complaint? They
19 may not be involved in the investigative process
20 themselves, but they would be told and no doubt it would
21 be reported in due course what the outcome of the matter
22 was to these people, I assume, is that what would happen
23 today?

24 A. Yes, it is.

25 Q. Yes. In the files that were identified, the 36, was it

1 always apparent what the outcome of the investigative
2 process was?

3 A. It wasn't always clear. There were some references to
4 a young person maybe withdrawing their complaint or
5 moving away from the residential establishment, and
6 whilst that might not be a resolution to the matter
7 itself, that change in the young person's circumstances
8 was noted, but in terms of definitive outcomes, in terms
9 of either upholding or consequences of the investigatory
10 process, that was not clear.

11 Q. Because I suppose, and this is not really asking for
12 perfection, it would be actually important that you have
13 a proper record of the complaint and the details,
14 a proper record of the investigative process, and what
15 was done and what the findings were, and a clearly
16 recorded outcome with reasons.

17 I mean, would that be what you would expect today,
18 if someone said well, so and so made a complaint and you
19 were asked if there was an unhappiness and you would
20 say, 'Well, I want to see the papers here and I want to
21 see all of that and I want to see it's all carefully
22 documented'. Is that what you would be looking for?

23 A. Yes, absolutely, that there would be a record of the
24 complaint and a record of the actions taken in response
25 to that.

1 Q. Just in terms of outcomes, can I put it a different way:
2 did the research find any evidence that any of the
3 complaints were upheld?

4 A. No, from memory, we didn't. As you yourself have said,
5 the complaints covered a range of different areas, both
6 in terms of concerns about the staff or other
7 individuals and other children, but, from my reading of
8 the findings, I don't recall any that were upheld.

9 Q. Because, I mean historically, we have heard that some
10 young people didn't even see any point in complaining
11 and, indeed, we have heard evidence that when some of
12 them did complain, there was a denial on the part of
13 those that were seen as responsible for the behaviour
14 giving rise to the complaint, and that the upshot was
15 that the complaint was not upheld, either the staff were
16 accepted and the child was rejected, or at least it was
17 said there wasn't sufficient evidence because there was
18 a conflict that they didn't resolve in favour of the
19 child. If anything, it was resolved in favour of the
20 staff, there was a presumption that, 'Well, okay, unless
21 the young person can persuade us that the staff are not
22 telling the truth, then, sorry, the complaint is not
23 going to be accepted'.

24 That seems to have been something that we see going
25 back in time, but it strikes me that there is a danger

1 that you can see the same now, because, if a young
2 person makes a complaint against a member of staff and
3 the staff member stands there and says, 'That's not what
4 happened, yes, they are saying I twisted their arm up
5 their back during restraint, I didn't do that, I did it
6 in the appropriate manner, in accordance with all the
7 regulations'. In that situation, you put yourself in
8 that position of being the adjudicator, how difficult
9 then is it to resolve the complaint, certainly in favour
10 of the young person?

11 A. I think that now the way, again, with the evolution of
12 practice and the greater centrality of children's rights
13 and services prioritising the voices of children and
14 young people, there have been significant developments
15 in terms of offering greater assurance to children and
16 young people that they will be heard, they will be
17 listened to.

18 I think also, in terms of organisational policies
19 around complaints and investigation, as well as the
20 development of the workforce as a registered workforce,
21 there are a number of different structures, as we have
22 already referred to this morning, that create
23 a different context for concerns being raised.

24 I suppose from my professional perspective, I would
25 be more confident now than I would have been in decades

1 past about the voice of the child being heard and the
2 way that complaints or concerns would be investigated.

3 Q. Do you think that these days at least there is a much
4 more open mind when a complaint is received, rather than
5 saying, 'It's just these people, they are always making
6 up allegations or stories and we should just reject them
7 without very much investigation and move on'?

8 I mean, is it very much an open-minded approach,
9 'Let's just see what an investigation brings out, let's
10 listen carefully, don't prejudge, even on the basis of
11 past history and so forth'?

12 Is that the approach you would at least hope would
13 be followed if there was an investigation into
14 a complaint by a child?

15 A. Yes, absolutely.

16 Q. The other thing, I suppose, just before I finish off
17 this section of the report, is that, is there still
18 a problem in getting evidence of abuse or abusive
19 behaviours by staff or young people, there is the
20 problem of getting people to report what they see, not
21 just young people but other staff, because to be
22 a whistleblower in an organisation when you are still
23 employed, as opposed to an ex-employee, in some contexts
24 is a difficult thing. Some people feel that they end up
25 suffering for speaking out about concerns they have

1 about colleagues; is that still a problem?

2 A. Within my professional experience, I haven't been aware
3 of it, but in terms of the wider discussion about
4 whistleblowing and the safety that that can provide to
5 existing staff in the wider profession, I can absolutely
6 understand those concerns. But I would go back to my
7 earlier comments about the context within which,
8 particularly residential services, are provided within
9 social work and social care. I think that there are
10 a number of areas that have developed that I certainly
11 hope offer greater assurance and reassurance to
12 individual staff members who would want to raise
13 concerns about practice within any residential
14 establishment now.

15 Q. Do you agree there is maybe more work to be done in that
16 area to give people the confidence to speak out and be
17 reassured that it is not going to have any detrimental
18 impact on themselves?

19 A. I think we always need to learn and to improve practice.
20 It is never that professionally we have reached the
21 pinnacle of good practice. I think that, as we see from
22 even reading historical records, practice continues to
23 evolve and improve, so I absolutely would agree that
24 there is still more to be done to offer those
25 assurances.

1 Q. Can I go back to the report now, and I am conscious of
2 the time, there are a few things I want to pick up
3 before the break.

4 The readers in this exercise were looking for
5 evidence of response to complaints, and that is part of
6 the purpose of the template, I take it. For example,
7 whether an emergency multi-agency -- it is a bit of
8 a mouthful -- multi-agency child and care review was
9 conducted; whether an allegation, if made, to a social
10 worker was reported to and discussed with a senior
11 social worker; whether child protection procedures were
12 followed; the nature of any investigation or enquiries,
13 such as taking statements. That was all part of things
14 you were looking for to see how it was handled?

15 A. Yes, within the guidance that we provided to the file
16 readers, we asked them to look for overt indicators
17 around complaints or investigations or indicators of
18 potential harm, but we also asked them to be mindful
19 about any references to assessment, review or any other
20 planning for children as well as their views, so,
21 absolutely looking for any indicators of potential harm,
22 but also prompting them to think more broadly than that
23 so that the exercise could be as inclusive and all
24 encompassing as it could be.

25 Q. Yes. Just looking at the cases, I am not going to go

1 into them in detail, but I just want to pick up a few
2 things just before we break.

3 We were told one case of interest to us might be the
4 one from 1996 of a young person, who was male, staying
5 overnight with a staff member, who was also male, at his
6 home without prior approval. Is that one that you came
7 across?

8 A. Yes, that's right.

9 Q. Then the same boy making a complaint in 1996 of
10 something of a sexual nature, and the complaint was
11 directed against a male befriender?

12 A. Yes.

13 Q. Then we have four children making a complaint against
14 a former teacher, three complaining of physical assault
15 and the other of a form of sexual assault?

16 A. Yes.

17 Q. Then we have a range of complaints of physical assault
18 by children who -- by other children who were resident
19 at Balrossie, examples of that, is that the sort of
20 thing?

21 A. Yes.

22 Q. Just on the question of the PI claim that I mentioned
23 earlier, I think that claim, I think, I may have covered
24 this, but it was on behalf of a former male pupil whose
25 records showed that he was admitted on [REDACTED] 1975

1 and discharged on [REDACTED] 1976, alleging physical
2 abuse and sexual abuse by the person only identified as
3 [REDACTED] 'GBR [REDACTED]'?

4 A. Yes, that's correct.

5 Q. Is that a claim ongoing?

6 A. I believe that that claim has ceased and the redress
7 scheme is now being pursued.

8 Q. I see. Okay. Then as you say, the -- what I call the
9 PI action, which we mentioned earlier, that is, we are
10 told now, settled?

11 A. Yes, that's correct.

12 Q. Can I ask you this, and you may or may not know it, but
13 you can maybe tell me on Friday if you don't, I don't
14 want the details, but was it settled with or without
15 admission of liability?

16 A. I would need to provide clarification on that.

17 Q. Could you do that for me?

18 A. Of course.

19 Q. I don't want to go into the obviously confidential
20 matters, but I would just like to know in broad terms
21 how it was dealt with, because it would have been
22 handled by your insurers?

23 A. Yes, that's right.

24 Q. Then lastly at this stage, I think I am going to have to
25 save my Scottish Government files for Friday, but can

1 I ask, it seems to me that, however dry the records may
2 be, they may not have the colour of the
3 Scottish Government files, do you accept that, although
4 it has been quite an effort to carry out the wider
5 review, and it has involved quite a lot of resources,
6 that it has been a beneficial exercise and a learning
7 exercise and one that shows that, if people do pay more
8 attention to records, they can gain a lot from them?

9 A. I would, I think that the value of good recording, as
10 part of a child's record, as part of a child's story, is
11 invaluable for their understanding as they grow and
12 develop, but also in terms of the development of
13 professional practice as well, it's a hugely valuable
14 resource and it's a really good opportunity to inform
15 our ongoing improvement professionally.

16 Q. Well, it is 11.30 am. I am not finished with you yet,
17 but I will finish with you on Friday on the final
18 matter, I think I can deal with it then because it is
19 a discrete matter but it does bear on Balrossie and
20 particularly some of the early period that we talked
21 about, that there are records that I would like just to
22 ask you comment upon. I am not going to ask you to pore
23 over them, but I would like your comments about some of
24 the things that were said and perhaps how far they
25 either are consistent or perhaps at odds with the

1 Balrossie records.

2 A. Okay, thank you.

3 LADY SMITH: Are we finishing with Jonathan for today at
4 this stage?

5 MR PEOPLES: Yes, that is all.

6 LADY SMITH: I think you just need to confirm to him --

7 MR PEOPLES: I think I said that, that we were finishing.

8 LADY SMITH: Yes.

9 Jonathan, thank you for this morning and we look
10 forward to seeing you again on Friday.

11 A. Thank you, my Lady.

12 LADY SMITH: Thank you.

13 (11.32 am)

14 (A short break)

15 (11.48 am)

16 LADY SMITH: Ms Forbes.

17 MS FORBES: Good morning, my Lady. The next witness is

18 an applicant who is anonymous and is known as 'Robert'.

19 LADY SMITH: Thank you.

20 'Robert' (sworn)

21 LADY SMITH: 'Robert', do sit down and make yourself
22 comfortable.

23 A. Thank you.

24 LADY SMITH: 'Robert', thank you so much for coming along
25 this morning to help us with your evidence. I already,

1 of course, have your written evidence in your statement
2 and I have been able to study that in advance, and I am
3 really grateful to you for having provided that, because
4 we have had that for a little while now, but today is
5 an opportunity for us to explore some specific aspects
6 of your evidence with you --

7 A. Yes.

8 LADY SMITH: -- and I am grateful to you for agreeing to do
9 that.

10 A. Thank you.

11 LADY SMITH: When you are giving your evidence, the
12 statement that I have already referred to is available
13 for you in that red folder, if you want to refer to it,
14 and we will also bring sections of the statement up on
15 that screen in front of you.

16 A. Yes.

17 LADY SMITH: So you will see it there too, that might be
18 helpful. You don't have to use these, but they are
19 there if they would be of some use.

20 A. Thank you.

21 LADY SMITH: Separately though, 'Robert', I am aware that
22 doing what you are doing today isn't easy.

23 A. No.

24 LADY SMITH: You have agreed to take on a difficult job in
25 coming into public and talking about things that are

1 very personal to you and to people you knew and cared
2 about and are going to take you back decades in your
3 memory. I am sure you have prepared for it and you know
4 what you want to talk to us about today but, you know,
5 people can often be taken unawares by their own emotions
6 and how hard it is to do this.

7 A. Yeah.

8 LADY SMITH: I understand that.

9 If you need a break, just say, you can have a break
10 at any time. If you need something explained, then it
11 is our fault for not explaining it properly in the first
12 place, so don't hesitate to speak up. Or if you just
13 want a pause, do say.

14 A. Thank you.

15 LADY SMITH: Anything I can do to make this difficult
16 experience more comfortable, I would like to help you,
17 if I can, so let me know.

18 A. Thank you.

19 LADY SMITH: If you are ready, I will hand over to Ms Forbes
20 and she will take it from there.

21 A. Okay, morning.

22 LADY SMITH: Ms Forbes.

23 MS FORBES: Thank you, my Lady.

24

25

1 Questions by Ms Forbes

2 MS FORBES: Good morning, 'Robert'.

3 As her Ladyship says, you have that statement in
4 front of you, the red folder. We give that statement
5 a reference number, I am just going to read that number
6 out so we have it in the records, it is WIT-1-000000832.
7 If I could ask you just to go to the very last page of
8 that statement, it is page 24, there is a paragraph
9 right at the end, which is 128. I will let you get to
10 that.

11 This is where there is a declaration, 'Robert',
12 where you say:

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

17 You have signed that and it is dated
18 17 October 2021?

19 A. Yes.

20 Q. Is that still the position?

21 A. It is, yes.

22 Q. So you can go back to the beginning of the statement, or
23 put it to one side, it is a matter for you.

24 'Robert', I am just going to start by talking about
25 your life before you ended up going into Balrossie.

1 A. Yes. Sorry.

2 Q. You tell us you were born in 1951?

3 A. Yes.

4 Q. You talk about your life before going into care from

5 paragraph 2 onwards, and you give us a lot of

6 information, I am just going to try to summarise it as

7 best I can, to see if that is the position. So I think

8 you tell us you were born in Johnstone?

9 A. Yes.

10 Q. You were the youngest of four boys?

11 A. Yes.

12 Q. You lived with your parents originally, but things at

13 home weren't good?

14 A. No.

15 Q. Your father was a diabetic and an alcoholic --

16 A. Yes.

17 Q. -- and he was in and out of prison?

18 A. Yes.

19 Q. Your mother and your relationship was quite difficult --

20 A. Yes.

21 Q. -- and you felt that she was quite emotionally abusive

22 towards you, I think?

23 A. Very.

24 Q. You were treated differently from your brothers?

25 A. Yes.

1 Q. There was a lot of money problems, I think, and
2 evictions from houses?

3 A. Yes.

4 Q. So it was a very unsettled childhood, moving from
5 different houses and to different schools, is that
6 right?

7 A. Yes.

8 Q. I think you tell us that you would only really be at
9 school for short periods of time before you would move
10 on to the next one, is that right?

11 A. That's correct, yes.

12 Q. I think you also say, because of money problems, the
13 welfare was involved --

14 A. Yes.

15 Q. -- and because of the evictions, and you give us
16 a couple of examples of the way that your mother treated
17 you, this is at paragraphs 6 and 7, when you were
18 injured as a result of your leg being broken and in
19 relation to being electrocuted at one stage --

20 A. Yes.

21 Q. -- but essentially she was not showing you much care in
22 relation to that --

23 A. No, no.

24 Q. -- and didn't look after you properly?

25 A. No, none at all.

1 Q. I think there came a time when you and one of your
2 brothers were put into a children's home in Largs?
3 A. That's correct, yes.
4 Q. I think that was as a result of another eviction --
5 A. Yes.
6 Q. -- which took place and you were in there for a few
7 weeks perhaps but you ran away, is that right?
8 A. Yes.
9 Q. Then there came a time I think when your mum decided
10 that she was going to try and keep you off of school, so
11 you were not going to school?
12 A. That's correct, yes.
13 Q. I think you tell us at paragraph 10, that this seemed to
14 be she was keeping you off until the welfare were again
15 involved?
16 A. Yes.
17 Q. Then she would blame you and your brothers and say that
18 it was you who were refusing to go to school?
19 A. Yes, exactly. She said we were uncontrollable.
20 Q. Yes. I think we know from your records, 'Robert', that
21 you were placed on supervision in June 1961, when you
22 were only aged nine, and that was for three years and
23 that was for not going to school, for truancy?
24 A. Yes.
25 Q. I think there was a time that you were to be sent to

1 a remand home in Dumbarton, and I think that was
2 Bellfield Remand Home?

3 A. Yes. I can't remember the name for it, but that's
4 correct, yes.

5 Q. That was a short period for assessment?

6 A. Yeah, two weeks.

7 Q. I think you tell us about that at paragraph 12 of your
8 statement, and we have that there, and there is nothing,
9 I think, in relation to abuse that you want to tell us
10 about there?

11 A. No, there was nothing, no.

12 Q. That was really in [REDACTED] 1962 that you were there,
13 from the records that we have?

14 A. Yes.

15 Q. It seems then that there came a time when you were told
16 by a panel that you were going to be admitted to
17 Balrossie?

18 A. Mm.

19 Q. I think we know from the records again that you seemed
20 to be admitted there because of a breach of the
21 supervision order, which was not going to school?

22 A. Yes.

23 Q. Also there was an incident, I think, you were staying
24 with your aunt at that time because your mother had been
25 evicted and a glass panel --

1 A. I never stayed with my aunt.

2 Q. Apologies.

3 A. No, no, I'm just saying, I went to visit my aunt.

4 Q. In the records I think it tells us there was an incident

5 at your aunt's house --

6 A. Yes, yes, yes.

7 Q. -- and there was a broken glass panel?

8 A. Yes, in the door.

9 Q. That you seemed to get the blame for?

10 A. I did, yes.

11 Q. And this was quite a cost to replace it?

12 A. Yes.

13 Q. As a result of those two things together, the decision

14 seemed to be taken that you would go to Balrossie?

15 We know from your records again, 'Robert', that that

16 was on [REDACTED] 1962 --

17 A. It was.

18 Q. -- that you were admitted to Balrossie and you were just

19 aged 10 years?

20 A. Yes.

21 LADY SMITH: I think you were probably not far off 11 by

22 then.

23 A. Yes, the next month I would be 11, Lady Smith.

24 LADY SMITH: Thank you.

25 MS FORBES: I think you went there with one of your

1 brothers?

2 A. Yes.

3 Q. I think you tell us a little bit about Balrossie in the
4 first few paragraphs from paragraph 13 onwards, and you
5 give us a bit of a description of the layout. I am not
6 going to go through that in any big detail with you,
7 'Robert', but I think you say that this was a big school
8 that you were in, and it had two levels, is that right?

9 A. Yes, that's correct, yeah.

10 Q. There was bedrooms upstairs, mostly --

11 A. Yes.

12 Q. -- with showers and toilets?

13 A. Yes.

14 Q. Then there was another bedroom downstairs on the ground
15 floor?

16 A. Yes.

17 Q. I think you tell us that there were some bedrooms that
18 had between eight and ten beds and other rooms which
19 housed six boys?

20 A. Yes.

21 Q. The headmaster's room was on the ground floor, along
22 with some other rooms that you tell us about, and there
23 was a gym, some classrooms, a woodwork room and a sewing
24 room.

25 I think you say, 'Robert', at paragraph 17, that

1 with the boys there was odd fallouts, but that was just
2 the usual children falling out and then getting on
3 again?
4 A. Yes.
5 Q. You tell us about the staff there at paragraph 18, and
6 SNR [REDACTED] at the time was Mr GKF [REDACTED] ?
7 A. Yes.
8 Q. SNR [REDACTED] was Mr GKS [REDACTED], and you name some other
9 staff members there, and we will perhaps come to them
10 later in your statement.
11 A. Okay, thank you.
12 Q. You tell us, 'Robert', about the routine at Balrossie,
13 and we see that from paragraph 20 onwards. You say that
14 when you first went there, you were in a room that was
15 shared with another five boys, is that right?
16 A. Yes.
17 Q. This is at paragraph 22, your brother though was in
18 a different room, is that right?
19 A. Yes.
20 Q. So you were not allowed to share with him?
21 A. No.
22 Q. You tell us when you were there, you didn't have any
23 personal possessions but the clothes that you were given
24 by Balrossie had to be folded each night and placed on
25 a chair in a particular way?

1 A. Yes.

2 Q. If you didn't do that properly, then staff would throw
3 the clothes on the floor and make you fold them again?

4 A. Yes.

5 Q. In the morning, the beds had to be made in a particular
6 way as well?

7 A. Yes.

8 Q. You tell us about that at paragraph 22, about envelope
9 corners?

10 A. Yes.

11 Q. Again, if that was not done properly, they pulled it
12 apart --

13 A. Stripped it, yes.

14 Q. You go on to tell us about the mornings and bedtimes.
15 Again, I am not going to go into that in great detail
16 because we have it there to read, but you say that the
17 night watchman would wake you up in the morning and
18 sometimes you would shower in the morning but it wasn't
19 forced. Then you would have to get dressed, complete
20 any chores that you had been allocated, and then you
21 would have your breakfast before there would be
22 an assembly?

23 A. Yes.

24 Q. The headmaster at the assembly would read a passage from
25 the Bible and sing a hymn?

1 A. Yes.

2 Q. I think you tell us before this that this was
3 a Protestant sort of school?

4 A. Yes, it was, yes.

5 Q. Then the headmaster would also read out the names of the
6 children who were deemed to have done anything wrong at
7 that assembly?

8 A. That's correct.

9 Q. After that, you would have classes and then lunchtime
10 and then back in the classroom in the afternoon. Then
11 you go on to tell us a little bit about what would
12 happen in the evening.

13 This is at paragraph 25, and you say tea/supper was
14 about 4.30 pm, and if you were a bed wetter, then you
15 were not allowed anything to drink until breakfast the
16 next morning?

17 A. That's correct, yes.

18 Q. So if someone was identified as a bed wetter, then they
19 would be cut off from any fluids from 4.30 pm?

20 A. From 4.30, yes.

21 Q. You say if you were caught drinking any water, then
22 Mr GPN might give you a slap over the back of the
23 head?

24 A. Yes, that's correct.

25 Q. And most of the other staff would shout at you for

1 drinking before bed?

2 A. Yes.

3 Q. You would be given some time to play and an opportunity

4 to have a wash and shower in the evening and you were

5 allowed to watch some television but 9.00 pm it was into

6 bed, lights out and no talking?

7 A. Yes, that's correct.

8 Q. In relation to meal times, 'Robert', you tell us at

9 paragraph 28 that if you didn't like something, you had

10 to eat it or you went hungry --

11 A. Mm-hmm.

12 Q. -- but I think you do tell us, 'Robert', that there

13 would be shouting by staff to finish the meal?

14 A. Yes.

15 Q. If someone ended up being sick, the staff would then

16 realise they were not going to be able to make you eat

17 it?

18 A. Yes, you were made to sit until you ate it, in the

19 dining hall.

20 Q. Did that sometimes mean then that boys would be sick?

21 A. Yes, sometimes, yeah. Well, I was sick once, because

22 any oily fish or the likes of sardines or anything like

23 I that, I just -- and still to this day, put it near me

24 and it just makes me wretch, and if you'd got a salad

25 and that was it, and I wouldn't eat it and it was,

1 'You'll sit there until it's finished'.
2 Q. Whilst I think you make the point there was no force
3 feeding --
4 A. No.
5 Q. -- there was sometimes boys being shouted at to eat
6 their meals until they were sick?
7 A. Yes.
8 Q. Do you recall any particular members of staff being
9 involved in that?
10 A. It was just gen -- sorry, it was just general staff that
11 was there, that was the rule. What was put down to you,
12 you ate.
13 Q. I think you go on to say that on a weekend, there was
14 this sort of unwritten rule at breakfast that any kids
15 going home would hand their rolls over to those who were
16 having to stay behind?
17 A. Yes. Yes, that's correct.
18 Q. Going on to the question of washing and bathing,
19 'Robert', you tell us at paragraph 31 that there were
20 showers at Balrossie and they would be supervised by
21 staff?
22 A. Yes.
23 Q. But this wasn't in a bad way?
24 A. No.
25 Q. It was just to make sure there was no fighting?

1 A. Yeah.

2 Q. But the staff would be in control of the temperature of
3 the showers?

4 A. Yes.

5 Q. I think you say that there was staff that would help
6 younger boys putting toothpaste on their toothbrushes
7 and making sure they brushed their teeth properly and
8 things like that?

9 A. Yes, yes.

10 LADY SMITH: You refer to younger boys, what do you remember
11 as being the youngest end of the age range there?

12 A. Sorry, Lady Smith, about 10 or 11.

13 LADY SMITH: About the age you started?

14 A. About the age I started, yes.

15 LADY SMITH: Thank you.

16 A. But can I just say, when Mr GPN was supervising the
17 showers at night, it was just long -- sorry -- two long
18 showers each side of the room and we all had to stand
19 under the showers and sometimes he would ask the younger
20 boys to dance in the shower.

21 MS FORBES: Right.

22 A. It wasn't until I got a bit older that I realised what
23 was happening. I mean, he never -- I wouldn't do it, he
24 never asked me because I just gave him a look, but some
25 of the younger boys, sort of pre-pubescent, sort of

1 would dance in the shower and all that. Then he would
2 rise up and down the temperature, the temperature gauge.
3 LADY SMITH: What do you think was happening.
4 A. I think he was getting a sexual pleasure.
5 LADY SMITH: Thank you.
6 MS FORBES: This was just Mr GPN ?
7 A. Yes.
8 LADY SMITH: Yes.
9 MS FORBES: I think you tell us as well, 'Robert', that
10 there was a note kept of who had been for a shower as
11 well by staff?
12 A. Yes, there was a -- you had all your names on a list and
13 they put an 'S' if you had a shower and a 'W' if you
14 just had a wash at the basin, next to your name.
15 Q. 'Robert', I think we spoke a little bit about the fact
16 you had no possessions when you arrived at Balrossie.
17 At paragraph 32 you talk about clothes, and you say when
18 you arrived you just really had the clothes you were
19 wearing?
20 A. Yes.
21 Q. And staff issued you with clothes which were similar to
22 old army clothing, khaki shorts and tops?
23 A. Yes.
24 Q. That was the dress code for your whole time at
25 Balrossie?

1 A. Yes, yes. That was during the day but at night, after
2 school, sometimes we were allowed to put denims on when
3 we were out playing in the grounds and all that, but all
4 day long I'm sure it was khaki.

5 Q. Okay, I think you say, 'Robert', that shorts were worn
6 until you were aged 13 and then you could get long
7 trousers?

8 A. Yes.

9 Q. For church on a Sunday, it was school grey trousers and
10 a blue jacket?

11 A. Yes.

12 Q. That was a different sort of outfit you were allowed?

13 A. Yes.

14 Q. You tell us that everyone had a number --

15 A. Yes.

16 Q. -- and you were given a number that was on all your
17 clothing?

18 A. Yes.

19 Q. That was your number for the time that you were in
20 Balrossie?

21 A. Yes, all the time, yes.

22 Q. When a staff member referred to you at all, what did
23 they use, did they use your name or did they use your
24 number?

25 A. No, they just used your second name, usually.

1 Q. Your second name, right.

2 A. Yeah.

3 Q. You tell us about leisure time, 'Robert', at

4 paragraph 34. You say that there was a small library

5 there, a TV, some games, table tennis, a snooker table

6 and you could enjoy these activities between 6.00 pm and

7 8.00 pm?

8 A. Yes.

9 Q. Teachers would be present to supervise?

10 A. That's correct, yeah.

11 Q. You say, depending on who was on duty, some allowed more

12 freedom than others?

13 A. Yes.

14 Q. That depended really on what television programmes you

15 were allowed to watch?

16 A. Yes, yeah, yes.

17 Q. Okay. You tell us about there being playgrounds to the

18 side and the rear of the building and a football field

19 where you spent some of your leisure time, but you were

20 not allowed in the front grounds of the building?

21 A. No.

22 Q. I think, 'Robert', I can see from your records and

23 I think you tell us in your statement, that football was

24 something that you really enjoyed, is that right?

25 A. Yes, yes.

1 Q. You were someone who was recognised as being a good
2 footballer?
3 A. Yes.
4 Q. Yes, and somebody they wanted to be playing on teams?
5 A. Yes.
6 Q. I think later on in life you continued that, didn't you?
7 A. Yes, I did, yes.
8 Q. I think you say, 'Robert', at paragraph 36 that there
9 was a field in the grounds at the back, at the end of
10 the grounds at the back, but you were not allowed to
11 play in that and you were told it was out of bounds --
12 A. Yes.
13 Q. -- and there was an outdoor swimming pool but it too was
14 out of bounds?
15 A. Yes.
16 Q. But there was swimming sometimes at Port Glasgow?
17 A. Port Glasgow, yes.
18 Q. I think on at least one occasion, Quarriers at
19 Bridge of Weir?
20 A. Yes.
21 Q. There was a pantomime each year you tell us about, which
22 staff and parents would attend?
23 A. Yes.
24 Q. You would play matches in the football against a local
25 scout group or the Boys' Brigade?

1 A. Yes, that's correct.

2 Q. Would that be a football team from Balrossie then?

3 A. Yes, yes, it was all boys from Balrossie that was in

4 team, yes.

5 Q. You tell us you were the captain and the goalkeeper?

6 A. Yes.

7 Q. You mention a particular member of staff, GJF ?

8 A. GJF yes.

9 Q. And you say he was a good guy and he was the football

10 coach?

11 A. Yes.

12 Q. So he was someone you got on with?

13 A. Yes.

14 Q. You go on, I think, at paragraph 39 to tell us a lot

15 about being allowed to play for the Boys' Brigade as

16 their goalkeeper and I think you say that -- you tell us

17 later that there was a points system at Balrossie, is

18 that right?

19 A. Yes.

20 Q. I think you tell us you start off with 12 points?

21 A. You start off with nil.

22 Q. You start off with nil and then you would get points?

23 A. You would get points added and if you reached six, all

24 your privilege stopped. Yeah. And you weren't allowed

25 to go home at the weekend, you weren't allowed day

1 release or anything like that.

2 LADY SMITH: The point was to try and keep a clean sheet, as

3 they say?

4 A. Yes, exactly. And then I think it was less than three

5 points in any four weeks, you are first class, and you

6 got to stay overnight at home on the Saturday night into

7 the Sunday. But you had to be first class for that to

8 happen, and that was three points in any four-week

9 period.

10 LADY SMITH: Okay. Or no more than three points?

11 A. Yes, exactly, yeah, yes, sorry, Lady Smith, yes.

12 LADY SMITH: Three points or less?

13 A. Yes, exactly.

14 LADY SMITH: That is spot on, you are at first class for

15 that?

16 A. Yes.

17 LADY SMITH: I see, thank you.

18 A. I never reached that.

19 MS FORBES: 'Robert', we do have in your records quite a lot

20 of sheets that record points being awarded and taken

21 away for you.

22 A. Yes.

23 Q. So it seems to be something that was done throughout the

24 time you were at Balrossie?

25 A. Yes.

1 Q. You tell us that if you didn't have -- however the
2 points system worked, if your points were not good
3 enough, sometimes you couldn't go home?
4 A. Yes, that's correct.
5 Q. But I think you tell us there was a time when you didn't
6 have enough points, or too many, to be able to go home,
7 but you were still allowed to play the football?
8 A. Yes, that's correct, yes.
9 Q. Sometimes you were allowed to even go and see your
10 football team that you supported?
11 A. Yes.
12 Q. Using your pocket money on a Saturday?
13 A. Yes, I was, yes.
14 Q. I think this is when you tell us that later on in life
15 you were able to play for a professional team?
16 A. Yes, I was, yeah.
17 Q. Just in relation to trips and holidays, 'Robert',
18 I think you say that there was a primary school near
19 Dyce where you would go with Balrossie for a two-week
20 break and there was one year where you went to
21 Stranraer.
22 A. Yes.
23 Q. Then there was also this occasion every year where boys
24 would be taken to the American naval base?
25 A. Yes, at the Holy Loch.

1 Q. You would be able to go onto the nuclear submarine
2 there, and you say that was a good experience?
3 A. Yes, that was, yes.
4 Q. Looking at schooling, 'Robert', from paragraph 44, you
5 tell us about the school lessons being organised in four
6 groups and they were letters A, B, C and D?
7 A. Yeah, A was the lowest and D was the highest.
8 Q. You say that there was a mix then of children in the
9 class --
10 A. Yes.
11 Q. -- and so there were different ages, different
12 abilities?
13 A. Yes.
14 Q. You tell us that it was really just general education --
15 A. Yes, exactly.
16 Q. -- and the lessons would be repeated again?
17 A. And again.
18 Q. The following year?
19 A. Yes, exactly.
20 Q. So after a period of time, you didn't learn anything
21 new, from your point of view?
22 A. Exactly, yes, that's correct.
23 Q. I think you say, is it GJF or GJF ?
24 A. GJF .
25 Q. GJF , would take you for all the physical

1 education and there was also another staff member who
2 would take you for woodwork lessons?

3 A. That was Mr KRN .

4 Q. Yes, and you tell us about having to line up before you
5 went to classroom in a sort of parade in the playground
6 --

7 A. Yes, that's correct.

8 Q. -- and then march to the classroom --

9 A. Yes.

10 Q. -- depending on what house you were in?

11 A. Yes.

12 Q. You name those houses as being Moray, Forth, Tay and
13 Solway, the estuaries in Scotland?

14 A. Yes, that's correct.

15 Q. The way you would line up is smallest to tallest?

16 A. Yes.

17 Q. So you could progress up the line as you --

18 A. Yes, smallest at the front, tallest at the back.

19 Q. You tell us, 'Robert', that you were only ill once
20 whilst you were at Balrossie and that was because you
21 ran into a wall and had a cut which got infected?

22 A. Yes.

23 Q. You were kept in isolation at the school and the local
24 doctor came to treat it. You make a comment here, and
25 we are going to go soon to a part of your statement

1 where you talk about abuse, but you say:

2 'Apart from the injuries from the beatings from the

3 staff, which were never treated, I never had any other

4 health issues.'

5 A. That's correct, yeah.

6 Q. You tell us about religious instruction, 'Robert', and

7 we have mentioned that this was a Protestant

8 establishment, so it was run along those lines, with

9 prayers and hymns and the like. You go on to talk about

10 chores that you would have to carry out from

11 paragraph 49. These were polishing shoes, is that

12 right?

13 A. Yes.

14 Q. Would they be your shoes or --

15 A. Yes.

16 Q. So would you have to polish your own shoes?

17 A. No, you were allocated maybe so many -- there were 72

18 boys in sorta 1 to 72, and you were maybe allocated, er,

19 1 to 15 and you had to polish all of the shoes.

20 Q. That could be your chore?

21 A. Yes, one of my chores, yes.

22 Q. Then you would also be asked to sweep, including the gym

23 hall, set out the tables for the next meal, clean the

24 toilets?

25 A. Yes.

1 Q. And the shower areas?

2 A. Yes.

3 Q. Did you see any cleaners coming in from outside?

4 A. Er, two wives of -- Mr GPN and Mr HHK, their wives

5 used to come in and mop the floors and the bedroom

6 floors and the hall floors and all that. But other than

7 that, there was none.

8 Q. Okay. You tell us, 'Robert', that there was a point

9 when the school started taking in old electric meters

10 for dismantling --

11 A. Yes.

12 Q. -- sometimes it would be money in the meters, but the

13 task that you had to do was remove the copper wire --

14 A. Yes.

15 Q. -- which would then be weighed for scrap --

16 A. Yes, and the mercury.

17 Q. -- and the school would get paid for that?

18 A. Yes, and the mercury as well.

19 Q. And the mercury, okay?

20 A. We were on benches and then we didn't realise it, we

21 were playing with the mercury and didn't realise it was

22 dangerous.

23 LADY SMITH: You can make little balls of it and roll it

24 along the benches.

25 A. Yes, and then licking your fingers and we didn't realise

1 what we were doing, it was a game basically.

2 LADY SMITH: Yes.

3 MS FORBES: Was that something you had to do often?

4 A. Maybe once a week. We had a woodwork room, and it was

5 your class's turn to get in the woodwork room, maybe you

6 would do some woodwork or you would be made to dismantle

7 the meters, yes.

8 Q. This was something that the school were paid for and you

9 were given an allowance from that money?

10 A. Yes, yes. What would happen is whatever you dismantled

11 was weighed and you were paid accordingly.

12 Q. Okay, so that is something that was quite transparent,

13 you could see what money you were making from that?

14 A. Yes, yes, yes.

15 Q. I think you tell us you would be able to spend it at the

16 school tuckshop --

17 A. Yes.

18 Q. But also, I think we mentioned, you might be able to go

19 out and see your football team at the weekend as well?

20 A. Yes.

21 Q. When you went to see your football team, 'Robert', would

22 you be able to go on your own?

23 A. Yes.

24 Q. You were trusted to do that and come back?

25 A. Yes, I mean, into the village and got the bus into

1 Paisley and then after the football, we would get the
2 bus back to Kilmacolm.

3 Q. Would you go with other boys?

4 A. No, it was just myself.

5 Q. I think you tell us you were not allowed to go into
6 Kilmacolm itself --

7 A. Kilmacolm.

8 Q. -- to spend the money?

9 A. No, we weren't allowed in the village at all.

10 Q. You then go on to talk about a section, 'Robert', that
11 is birthdays and Christmas and you say some were able to
12 go home during Christmas holidays -- sorry, some were
13 unable to go home during Christmas holidays --

14 A. Yes.

15 Q. -- and that would be you sometimes, is that right?

16 A. Yes.

17 Q. Because of your family situation, and so you would be
18 looked after at the school with skeleton staff and you
19 tell us a little bit more that, that you would maybe get
20 a comic as a gift --

21 A. Yes, yes.

22 Q. -- some fruit and sweets on your bed, but there was no
23 Christmas meal that you would recognise as Christmas
24 dinner?

25 A. Not that I can remember, no. I'm not saying there

1 wasn't, but I just can't remember.

2 Q. Again on birthday or something, you would get a comic as

3 well from the staff?

4 A. Yes.

5 Q. You say that the headmaster would announce during

6 assembly which boy had a birthday and the rest of the

7 school would sing 'Happy birthday'?

8 A. Yes, that's correct.

9 Q. I think in relation to family contact, 'Robert', you

10 talk about that from paragraph 56 and you say you did

11 see your mum four or five times during your time at

12 Balrossie, but when she visited, you were not allowed

13 out of the grounds --

14 A. No.

15 Q. -- and the visit would be for an hour or so, and you

16 only saw your dad once while you were there?

17 A. Yes.

18 Q. I think by this time, there came a point when your

19 parents were living separately, is that right?

20 A. Yes, my father was in Paisley and my mum ended up in

21 Bognor Regis in the south of England.

22 Q. Yes. You talk about the fact that there was a time when

23 you were allowed to visit her there and we might come to

24 that in a little bit. Actually, we will deal with that

25 now, I think, because we do know from your records,

1 'Robert', and I know that you haven't seen them all, but
2 we know your progress through Balrossie and, as I have
3 already said, you were admitted there in [REDACTED] 1962,
4 and when we see the records of your progress, it seems
5 that by the end of August 1964, the headmaster was
6 saying to Paisley Corporation that he would be prepared
7 to release you if the family could be allocated a house,
8 because part of the problem seemed to be that there was
9 nowhere for you to go if you were released?
10 A. That's correct, yes.
11 Q. That didn't seem to happen, and again there was further
12 letters from the headmaster to Paisley Corporation in
13 October 1964, saying that they wanted to recommend you
14 for release and that they didn't feel that continuation
15 of your training at the school was necessary, so as
16 early as August 1964, it seems that the headmaster's
17 view was that you shouldn't be there anymore?
18 A. Yes, that's correct, yes.
19 Q. The issue really was: where could you go? I think you
20 were still only 12 at this point.
21 A. Yes.
22 Q. Ultimately, you ended up having to just remain at
23 Balrossie for a lot longer than you should have been
24 there?
25 A. Yes.

1 Q. I think ultimately, in 1965, again efforts were being
2 made to try to get you released as soon as suitable
3 accommodation could be found and we come to
4 [REDACTED] 1965, when you were released to your mum down
5 in Bognor Regis?

6 A. Yeah.

7 Q. I think, unfortunately, that didn't go well?

8 A. No.

9 Q. I think we can see from your records that you were not
10 going to school whilst you were down there, and there
11 were reasons for that, that are recorded, that were not
12 your fault?

13 A. Yes.

14 Q. I think your mother's lifestyle made it difficult for
15 you to be able to sleep at night?

16 A. Yes.

17 Q. And the accommodation was very unsuitable?

18 A. Yes, it was a one room.

19 Q. Ultimately, it led to you having to be recalled to
20 Balrossie?

21 A. That's correct.

22 Q. You were recalled in [REDACTED] 1966?

23 A. Yes.

24 Q. Again, though, the view of the headmaster there seemed
25 to be that you should be being released?

1 A. Yes.

2 Q. And there was --

3 A. But can I just interrupt there?

4 Q. Yes.

5 A. When I was recalled, I was, er, put in a remand home in,
6 er, West Sussex and I was -- one of the staff come down
7 and took me back in a plane and when I was took back
8 into Balrossie, I was held over a 'mica-topped table and
9 beaten with a belt over the backside.

10 Q. What I will do just now is I will go to that part of
11 your statement and we can deal with that just now,
12 'Robert'. I think you tell us about that.

13 This is paragraph 80, so if we could go to that, it
14 is on page 16, and that is on the screen.

15 A. Yes. (Pause)

16 LADY SMITH: Do we also want to look at paragraph 60 first,
17 which sets the background to this, doesn't it.

18 MS FORBES: I think so, apologies. Yes, my Lady. I will
19 deal with that first and then perhaps we can go to the
20 incident you are talking about in the headmaster's room.

21 A. Are we talking about paragraph 60 or paragraph 80 at the
22 moment?

23 MS FORBES: Yes, it is my fault, 'Robert'. We will go to
24 paragraph 60 for now.

25 A. Thank you.

1 LADY SMITH: I think it might be more helpful to you,
2 'Robert' --
3 A. Yes, thank you, thank you, your Ladyship.
4 LADY SMITH: -- to let you go through the course of events
5 from when you were still in Bognor Regis.
6 A. Yes, thank you. Yeah.
7 MS FORBES: I think ultimately a probation officer down in
8 Bognor Regis was involved in trying to monitor you,
9 whilst you were there, and I think you talk about the
10 fact that there was an argument between you and your mum
11 at one point, where she ended up phoning Balrossie and
12 demanding that you go back there?
13 A. Correct, yes.
14 Q. There is a record of that in your records. So
15 ultimately it was her --
16 A. Yes.
17 Q. -- decision really that you ended up back in Balrossie.
18 Then you say when you went back to Balrossie, you were
19 given the belt, as they treated you as an absconder?
20 A. Yes, that's correct.
21 Q. I think this is the part that you were going to tell us
22 about, 'Robert' --
23 A. Yes.
24 Q. -- in relation to what happened when you went back?
25 A. Yeah, that's what I'm saying, I went back and they --

1 they said to me -- well, as I'm saying this, GSY, er
2 -- GSY come down and took me back on a plane to
3 Glasgow Airport. Then we got a taxi back to Balrossie
4 and I was taken into SNR office and I was
5 handed a pair of gym shorts and says, 'Put them on', and
6 I was held over the table and beaten with a belt and
7 I was told it was because of my behaviour when I was in
8 Bognor Regis.

9 Can I just explain, when I was in Bognor Regis, my
10 mother was an alcoholic, she was a drug taker, she asked
11 me to go to the doctors and get her Dexedrine and
12 sleeping pills and this is what caused all the arguments
13 and all that, and at night I had to sleep on the floor
14 while she slept in a bed and, er, she had a man that
15 would come and share occasionally, and that was a lot of
16 the problems.

17 So nothing had really changed since I was a kid 'til
18 then, it was -- nothing had changed.

19 Q. I think, 'Robert', we can see from the records that we
20 have, that that seemed to be something that they
21 acknowledged down there, that it wasn't your fault --

22 A. Yes.

23 Q. -- it was your mother's behaviour and her lifestyle that
24 was meaning that you were not going to school?

25 A. Yes, exactly.

1 Q. And her lifestyle that was causing the arguments really?

2 A. Correct.

3 Q. I think you tell us, after you went back then, 'Robert',

4 that you weren't somebody who would run away because you

5 had nowhere to go?

6 A. Exactly, yes.

7 Q. But there were boys who did?

8 A. Abscond, yes.

9 Q. Then when they were brought back they would receive

10 punishment, and that was the belt --

11 A. Yes.

12 Q. -- six of the belt I think you say?

13 A. Yes.

14 Q. Then the question of points as well?

15 A. Yes, they'd get nine points and they also got six weeks'

16 detention, where they weren't allowed home over that --

17 they had no home visits or anything like that 'til the

18 six-week period was up.

19 Q. So home leave would be removed for a period of six

20 weeks?

21 A. Yes, yes, it would, yes.

22 Q. In relation to discipline, 'Robert', you tell us that

23 for minor issues you had done wrong, you would find that

24 Mr GPN might give you a kick up the backside or he

25 would hit you on the ear with his hand?

1 A. Yes.

2 Q. Was that something that you experienced?

3 A. Yes.

4 Q. Did you see other boys receiving the same treatment?

5 A. Yes, yes, yes, yes.

6 Q. You have mentioned this points system and that was the
7 other method of punishment, the points system?

8 A. Yeah.

9 Q. I think you tell us about that. I think you have
10 explained it a little bit differently, but it doesn't
11 matter, than what's in your statement --

12 A. Yeah.

13 Q. -- but in any event points, would be added or deducted
14 and that would have an effect on --

15 A. Yeah, you had minus points and plus points.

16 LADY SMITH: 'Robert', can I just check one thing with you.

17 A. Yes, Lady Smith.

18 LADY SMITH: A few minutes ago, you were talking about
19 getting back to Balrossie, being taken into SNR
20 SNR office, this is after Bognor Regis --

21 A. Yes.

22 LADY SMITH: -- and being handed a pair of gym shorts.

23 A. Yes.

24 LADY SMITH: Tell me about the gym shorts?

25 A. They were, er, gym shorts, they were, er, purple and you

1 had to take your trousers and your underwear off and put
2 the gym shorts on, which were very thin. Then you were
3 held over the table and the gym shorts were -- the
4 teacher that was holding you down would pull the gym
5 shorts as tight, so as much as your backside was bare as
6 not, and then you would get six of the belt over the
7 backside.

8 LADY SMITH: They were made of thin cotton, were they?

9 A. Yes, yes.

10 LADY SMITH: Otherwise you would have been wearing, did you
11 say trousers by that age?

12 A. Yes, and underwear, yeah.

13 LADY SMITH: Thank you.

14 A. Excuse me, can I take this, please?

15 LADY SMITH: Absolutely, please do. Just take your time.

16 A. Thank you. (Pause)

17 Thank you, Lady Smith. Thank you.

18 MS FORBES: 'Robert', I think you tell us that you could
19 lose privileges as a result of minor issues.

20 A. Misdemeanours, yes.

21 Q. You tell us that some of these things, minor
22 indiscretions, would be somebody caught talking in bed
23 at night or if you were late for parade before class?

24 A. Yeah.

25 Q. That type of thing?

1 A. Yes.

2 Q. That the points system for boys would be read out at
3 assembly on the Friday morning and you would also have
4 to wear a different colour of band?

5 A. Yes, like a netball band, you know, that the girls wear
6 at school when they're doing netball just to recognise
7 different teams, yeah.

8 LADY SMITH: Yes.

9 MS FORBES: So would you have to wear a certain colour of
10 band --

11 A. Yeah, a red one.

12 Q. -- all the time?

13 A. Yes, I mean you were -- you had a red band that you wore
14 on top of your clothes all the time, yes.

15 Q. If you had a points level that meant you were required
16 to wear a red band, that's what you would wear?

17 A. Yes.

18 Q. But if your points were okay, then you were fine?

19 A. Yeah, you just wore your normal clothes.

20 Q. The band was really to single out those boys who had low
21 points, or high points?

22 A. High points, yes.

23 Q. I think you tell us that you don't think that this
24 system was applied consistently and you feel it was
25 quite random actually?

1 A. Yes.

2 Q. It depended on whether a teacher liked you or not or
3 what mood the teacher was in, is that right?

4 A. Correct, yeah.

5 Q. You say that this was something that was written down
6 and I think I have mentioned there is a record of that.

7 You tell us, 'Robert', that you were not someone who
8 followed the rules at times, and sometimes Mr GPN
9 would say to you there was no point in using the
10 punishment points system with you, and he would revert
11 to giving you the belt instead?

12 A. No, he wasnae allowed to belt you -- I mean belt you --
13 he'd slap you. No, only SNR and SNR
14 SNR was allowed to use the belt.

15 LADY SMITH: He might send you to get the belt?

16 A. Yeah, he would send you to the office.

17 MS FORBES: I think you go on to tell us there were three
18 different belts that could be used, depending on the
19 severity of --

20 A. Your punishment, yes.

21 Q. You mention at paragraph 68, 'Robert', that this was two
22 belts with different thickness were used for the hand --

23 A. Yes.

24 Q. -- and then there was this last one that was called 'the
25 snake'?

1 A. Yes, that he had to manipulate, because it was in a coil
2 and he had to manipulate it to get it straight.
3 LADY SMITH: What was it made of?
4 A. Leather.
5 LADY SMITH: Were they all made of leather?
6 A. Yes, they were all made o' leather, yes.
7 MS FORBES: You say that there was two belts that could be
8 used for the hand and then you say the last one was
9 called 'the snake', what was 'the snake' used for?
10 A. For your backside.
11 Q. The two belts with the different thicknesses were only
12 for the hand?
13 A. Yeah, minor punishment.
14 Q. This 'snake' was for the backside?
15 A. Yes, your -- yes.
16 Q. I think you mentioned that the gym shorts, and you might
17 talk about that again in a later paragraph, after
18 an incident, but would it always be the gym shorts that
19 you were asked to change into?
20 A. Yes, yes. Yeah, they were wine coloured, I've got the
21 colour now, they were wine coloured, yes.
22 Q. That was the routine?
23 A. That was when you were getting punished on the backside,
24 but on the hands, you just held out your hands.
25 Q. There was never an occasion where they would just let

1 you wear your shorts or, when you were a bit older, your
2 trousers?

3 A. No, no, no. No.

4 Q. You do tell us, 'Robert', that Mr GPN was never shy
5 about hitting you or other boys and sometimes, if he was
6 angry, he would punch you on the thigh and give you
7 a dead leg?

8 A. Yeah, yeah.

9 Q. Other times it was a slap on the side of the head?

10 A. Yeah.

11 Q. You say more often than not, this was for no reason?

12 A. Yeah.

13 Q. You tell us that there was many occasions when he
14 slapped you?

15 A. Once I was picking ma nose or -- I was picking ma nose,
16 my finger was up ma nose and he slapped me on the face
17 and then ma nose started bleeding and all that, and that
18 was when we were watching television, so that would be
19 between 6.00 and 8.00 at night in the winter, and he
20 sent me to my bed and gave me two points.

21 Q. That is a time you remember?

22 A. Yes.

23 Q. You say that when he did this to you, on those
24 occasions, there would be other teachers who would see
25 it?

1 A. Oh, yes.

2 Q. But they didn't do anything to stop it?

3 A. No, no.

4 Q. You mentioned, 'Robert', another punishment which was

5 the boiler house, and this needed to be fuelled by coal?

6 A. Yes.

7 Q. I think you tell us that one of the punishments then was

8 boys having to be used to move coal --

9 A. In a wheelbarrow.

10 Q. -- in a wheelbarrow?

11 A. Yes, that's correct.

12 Q. From the bunker to the cellar?

13 A. No, no' from the bunker, there was a tip halfway up the

14 hill where the coal came in and was tipped and you had

15 to barrow it, go up and fill the barrow wi' coal, take

16 it down to the boiler house and tip it into the chute,

17 so that it would go into the boiler house.

18 Q. I think you say, 'Robert', that it was usually two of

19 the older boys that would be told to do this?

20 A. Yes.

21 Q. But did that ever happen to you?

22 A. Yes.

23 Q. So you had to do that?

24 A. Yes.

25 Q. On more than one occasion?

1 A. Yes.

2 Q. What was the reason for that, what were you being
3 punished for? Do you recall?

4 A. No, not really. Just, well, as Lady Smith said,
5 I didn't always follow the rules.

6 LADY SMITH: I don't think I said that, 'Robert'.

7 A. Well, words to that effect.

8 LADY SMITH: I was just trying to find out.

9 Thank you.

10 MS FORBES: Was that for what you would consider to be minor
11 things?

12 A. Yeah, like talking when you weren't allowed to talk or
13 just being a boy, carryin' on, yeah, just --

14 Q. I think you say as well that once a day someone had to
15 take coal from wherever to SNR [REDACTED] house for
16 his coal fire?

17 A. Yes, yes, yes.

18 Q. That was GKS [REDACTED]?

19 A. Yes, GKS [REDACTED], yes, we had to take it from his
20 coal bunker, up his stairs and put it beside his fire.
21 That was during lunch hour.

22 Q. Okay.

23 A. During the lunch break.

24 Q. Did you have to do that often as well, 'Robert'?

25 A. I had to do that, yeah, but I will say, he gave you

1 a shilling once a week for doing it.

2 Q. Did you feel that was worth it?

3 No?

4 A. Didnae make any difference to me.

5 Q. 'Robert', you talk about suffering from wetting the bed

6 --

7 A. Yes.

8 Q. -- whilst you were there and you say that there was

9 a night watchman, Mr GKG --

10 A. Yeah.

11 Q. -- who would take -- you say: 'Drag us out of bed two or

12 three times a night'?

13 A. Pull the covers back, 'Right, get up and get to the

14 toilet', sorta, yeah.

15 Q. That was to try and stop you wetting the bed?

16 A. That would stop you wetting the bed, yes.

17 Q. You say you don't think that was abuse, it was just

18 an effort to stop you wetting the bed?

19 A. Yeah, yeah, yeah.

20 Q. But it would be two or three times a night you would be

21 woken?

22 A. Yes, exactly, yeah.

23 Q. This is despite the fact that if you were a bed wetter

24 you were not allowed to drink after a certain time at

25 night?

1 A. Yes, after tea time.

2 Q. You say that if someone tried to hide the fact they had
3 wet the bed and just made it in a normal manner, SNR
4 SNR wife, Mrs SNR, would go round and sniff
5 the beds to check?

6 A. Yes, and then when you go back to the room, your bed --
7 all your covers would be pulled down and everybody in
8 the bed and your room would see that your bed had been
9 stripped and everybody would know.

10 Q. What was the result of everybody knowing, did they say
11 things?

12 A. Just being kids, you know, and being --

13 Q. There would be some teasing about it?

14 A. Yes, they'd be teasing you, and she would also deduct
15 a point from you for that.

16 Q. You received a punishment for that from the points
17 system?

18 A. Yeah, on the points system you got deducted points.

19 Q. You say that boys would say things about this. What
20 about staff, how would they treat you in relation to
21 wetting the bed?

22 A. Well, they'd be -- if you sorta owned up in the morning
23 that you'd wet the bed, you were made to strip and go
24 walk along -- sorry -- walk along the corridor to the
25 showers naked and stand under the shower and, especially

1 if it was GPN, he would call you all the names
2 under the sun, 'You dirty little so and so, why can't
3 you bloody control yourself?' Things like that. Then he
4 would turn the showers as cold as possible.

5 And when you were out the shower, there was a big
6 sorta glass sink at the bottom of the wash hand basins,
7 you had to stand and wash your sheet in that.

8 Q. I think you mentioned this, 'Robert', at paragraph 74,
9 and would you have to wash that sheet whilst you were
10 still naked?

11 A. Yes, and yeah, well, you were still wet.

12 Q. Still wet?

13 A. Yes, outta cold shower, yes.

14 Q. You were not allowed to dry yourself until that had been
15 done?

16 A. No. That had been done, yes.

17 Q. You would have to dry yourself back in your room; is
18 that right?

19 A. Yeah, your towel would be left in the room. You had
20 a rail at the back of your locker where you put your
21 towel over, and that's where you stayed and you'd go
22 back to your room and get your towel and dry yourself
23 off.

24 Q. When you were going from the shower area or the place
25 where you washed the sheets --

1 A. Yeah.

2 Q. -- back to your room, were you still naked?

3 A. Yes.

4 Q. And you were still wet?

5 A. Yes.

6 Q. Would other boys see you?

7 A. Of course.

8 Q. What about members of staff, would they see you?

9 A. Yes, everyone that was there would see you.

10 Q. I think you said that happened to you on a regular

11 basis?

12 A. Well, quite a few times, yes.

13 Q. There were other boys as well?

14 A. Oh, yes, yes, I mean, there were persistent wet bedders

15 and the boys couldn't help it, they would sorta wet the

16 bed every night, basically, and that would happen to

17 them, some mornings were sort of three or four standing

18 under the showers in the morning.

19 Q. When you had to do that, 'Robert', how did that make you

20 feel?

21 A. Degraded. Especially as you got older and you get --

22 you were embarrassed about your body.

23 Q. So as your body was changing?

24 A. Yes, it was more embarrassing, yeah.

25 Q. 'Robert', I am just going to go on to talk about some

1 things particularly you tell us that happened while you
2 were at Balrossie. At paragraph 75, you talk about
3 Mr GPN, who had a room at the end of the building --
4 A. Yes.
5 Q. -- where he would cut some of the boys' hair?
6 A. Yes, he was -- yes.
7 Q. You mention a particular occasion where you were about
8 13 or 14, and you were told that it was time for you to
9 get your hair cut?
10 A. Yes.
11 Q. You had to go to that room; is that right?
12 A. Yes. That's correct, yes.
13 Q. But this time you were the only boy there?
14 A. Yes.
15 Q. Can you tell us what happened when you went to the room?
16 A. Well, when I went in, he would say, 'Right, on the
17 chair', and he put the thing around your neck and
18 started cutting my hair and then, when he was finished,
19 he says, 'Right, lock the door', and I looked at 'im, he
20 said, 'Lock the door', and I locked the door, and he
21 said, 'Right, into the corner there and face the wall',
22 and I just went ballistic and I started shoutin' and
23 swearin' and there was no way I was doing that, and
24 then, when he realised I was serious, he opened the door
25 and wallop, out, and I was put out again, but, I mean,

1 it was obvious what he was wantin' to do.

2 Q. What did you think he was wanting to do?

3 A. I think he was wanting to sexually abuse me.

4 Q. When you were getting your hair cut, and before he said

5 to lock the door, had anything happened about --

6 A. No, no, there was no lead up or anythin', it was just

7 sorta just come outta the blue.

8 Q. I think you tell us, 'Robert', that when he came near

9 you on that occasion, you started shouting at him and

10 you were fighting to keep him off you?

11 A. Yes.

12 Q. Did he try to take hold of you?

13 A. He sorta grabbed ma arms, ma upper arms -- sorry --

14 tried to turn around and, er, I was shoutin' and

15 swearin' and looking over his shoulder to see if I could

16 see anything that I could use to defend myself with.

17 Q. You say when he was doing that, he was trying to get you

18 up against the wall?

19 A. Yes, tried to get me into the corner.

20 Q. But it was clear to you at that time that his intention

21 was in relation to a sexual assault --

22 A. Yes.

23 Q. -- of some kind?

24 A. Yes.

25 Q. I take it this is the first time --

1 A. That had ever happened to me, yes. Yes, that was the
2 first time, yeah.

3 Q. You tell us, 'Robert', that after that, you ran out of
4 the room and you didn't tell anyone to begin with
5 because you were scared?

6 A. No, no, yes, exactly, yes, I was terrified.

7 Q. You say that you did tell some of the boys eventually?

8 A. Yeah.

9 Q. When you told them, what was their response?

10 A. It was just, 'You're not the first it happened to'.

11 Q. Did you get information at that time about --

12 A. Yeah, that information, yeah. That he was to be
13 watched. The boys says, 'Oh, do you think you're the
14 only one?'. Yeah.

15 I mean, it seemed to be boys that were just
16 progressing just -- sorry -- into puberty, it seemed to
17 be that sorta age limit.

18 Q. So boys who were just reaching puberty at that period?

19 A. Yeah, yes.

20 Q. But your impression at the time was that this was
21 something that he perhaps was trying with other boys?

22 A. Yeah, at the time I thought it was only me. But until
23 once other boys had started saying that I wasn't the
24 only one, it had happened to other boys, yeah, then
25 I knew. But up until that point, I thought it was only

1 me.

2 Q. You also tell us, 'Robert', that there were times when

3 Mr GKF or Mr GPN would search the boys?

4 A. Yes, that was especially if you were on home leave and

5 you were coming back or -- because you used to get the

6 local bus from Kilmacolm into Paisley or Glasgow, and

7 the bus back in the evening, and they would start sorta

8 searching people, when they come back, to see if they

9 were trying to smuggle anything into the school.

10 Q. When they carried out these searches, I think you tell

11 us a little bit more about what they would do?

12 A. Yeah, he would, er, sorta search you and the inside of

13 your legs and your buttocks, and that, and he would

14 sorta linger there for longer than necessary, to make

15 sure that you weren't carrying anything.

16 Q. You say they lingered there for longer than was

17 necessary?

18 A. Yes.

19 Q. Was that both of them that would do that?

20 A. No, just GKF.

21 Q. Just GKF?

22 A. Yeah.

23 Q. So not Mr GPN?

24 A. No, he wouldn't -- he wouldn't search you when you come

25 back, no. No.

1 Q. Again, what did you think about why he was doing that?

2 A. To see if you were -- 'cos you weren't allowed to smoke,
3 to see if you were taking any cigarettes or anything
4 like that in, and that's what was the talk of the
5 school, that is why it was done, in case you were trying
6 to smuggle in any tobacco or cigarettes or anythin' in.

7 Q. In relation to lingering longer than was necessary --

8 A. Yeah.

9 Q. -- at the areas you have mentioned, the groin and on
10 your backside --

11 A. Yeah.

12 Q. -- what did you think he was doing with that?

13 A. Well, me personally, I tried to pull away and, you know,
14 he would sorta cut it short, if you know what I mean,
15 but other boys, you would see, I mean, there would be
16 five, maybe six boys got off the bus at the same time,
17 and he would maybe choose one or two and he would start
18 doin' and -- he was just sort of lingered longer than he
19 needed to.

20 Q. Did you feel that that was in some way motivated by some
21 kind of sexual reason?

22 A. Yes, yes. Yeah.

23 Q. Okay. That's the impression you had of what he was
24 doing?

25 A. That's the impression I had, yes, yes.

1 Q. Was this something that boys talked about amongst
2 themselves as well?
3 A. Not really, no. No.
4 Q. You tell us, 'Robert', that there was a really bad
5 winter whilst you were at Balrossie?
6 A. '62/'63.
7 Q. You say that a member of staff wanted you to shovel the
8 snow from the driveway each day?
9 A. Yeah, HHK .
10 Q. That was to let the cars get in?
11 A. Yes.
12 Q. But you would have to do that wearing the shorts?
13 A. Yeah, the khaki shorts, yes.
14 Q. You mentioned that this is something you remember,
15 because you were frozen --
16 A. Yeah.
17 Q. -- and you were crying from the pain of the cold?
18 A. Yeah, yes.
19 Q. And you would ask to go inside to get warm --
20 A. Yeah.
21 Q. -- but he would refuse?
22 A. No, he refused. Just refused. That was especially
23 around SNR house -- SNR had and
24 SNR had a house and it was to make
25 sure that their driveways and all that were clear for

1 their cars to get in and out all the time.

2 Q. These were houses on the grounds at Balrossie, within

3 the grounds?

4 A. Yes. Yes. Yes.

5 Q. You go on, 'Robert', to tell us about a holiday one time

6 when you were supposed to be going to Buxton --

7 A. Bucksburn.

8 Q. Sorry, it's maybe not correct in the statement.

9 LADY SMITH: Bucksburn in Aberdeenshire --

10 A. Bucksburn in Aberdeenshire, yes.

11 LADY SMITH: Not Buxton in Derbyshire.

12 A. Yeah, Bucksburn in Aberdeenshire.

13 MS FORBES: Quite a different distance, but there was

14 a holiday.

15 A. Sorry, I'm saying -- the reason we went to Stranraer one

16 year was because there was a corned beef --

17 LADY SMITH: Scandal?

18 A. Yeah, then, and we couldn't go to Bucksburn that year,

19 because of the breakout in Aberdeen, so we went to

20 Stranraer that year.

21 LADY SMITH: Of course, yes. Yes.

22 A. But it was usually Bucksburn that we went to.

23 LADY SMITH: What you are remembering is when canned corned

24 beef had become contaminated in the canning process --

25 A. Yes, yes, yes.

1 LADY SMITH: -- it was coming from abroad, and it made
2 people very ill.
3 A. Yes, exactly. That was the period, yes.
4 MS FORBES: I think, instead of going on the holiday, you
5 were allowed to go to Paisley to stay with your mum's
6 friend?
7 A. Yes.
8 Q. I think we see from your records that she was somebody
9 that sometimes would take you in and she would be given
10 an allowance to look after you --
11 A. Yes, yeah.
12 Q. -- whilst you were there but instead of going there,
13 I think you name some boys that you went to Camelon
14 with?
15 A. Camelon, sorry.
16 MS FORBES: I always pronounce it in the wrong way.
17 LADY SMITH: That is Camelon, Falkirk.
18 A. Yes, Camelon, Falkirk.
19 MS FORBES: This became known, the police were involved --
20 A. Yeah.
21 Q. -- and they turned up and you were taken to the police
22 station and put into a cell?
23 A. Yes, and then --
24 Q. Then you say that SNR [REDACTED], GKS [REDACTED] --
25 A. Yeah.

1 Q. -- this is at paragraph 79, arrived along with his wife
2 to take you back?
3 A. Yeah, and beat me up.
4 Q. You were in a cell at this point, is that right?
5 A. He beat me up and then the police officers were just
6 standin' watching him.
7 Q. You say he gave you 'a kicking', that's how you put it?
8 A. Yeah. He didn't half. Yeah, he was punching me and
9 kicking me and cursin' me upside down and all that,
10 calling me a thief.
11 Q. Where was he punching you, 'Robert'?
12 A. In the face, and in the head, and all that. I mean,
13 I just sorta -- as you do, I just sorta curled up and
14 kicked and punched, and all that, and then there was
15 a police constable just standin' there watching him.
16 Q. You say his wife was there too?
17 A. And his wife, yes.
18 Q. SNR [REDACTED] wife?
19 A. Yeah.
20 Q. She didn't --
21 A. Never said a word. Never said a word.
22 Q. And neither did the police?
23 A. No.
24 Q. Then you were taken back to Balrossie, is that right?
25 A. Yes, and belted again.

1 Q. You were taken to SNR [REDACTED] room?

2 A. Yeah.

3 Q. And this was an occasion again where the gym shorts had

4 to be put on?

5 A. They come out, yeah.

6 Q. I think you tell us on this occasion you were held down

7 by another member of staff?

8 A. Yeah.

9 Q. Is that right? A Mr GKG [REDACTED]?

10 A. Yeah, that was the night watchman.

11 Q. You have described what happened on that occasion,

12 'Robert', and you say that Mr GKG [REDACTED] held you bent

13 over the table and your head was trapped between his

14 legs?

15 A. Between his legs, yeah.

16 Q. Then GKS [REDACTED] grabbed the thickest of the three belts he

17 kept --

18 A. Yeah.

19 Q. You referred to that as 'the snake'?

20 A. Yes.

21 Q. Then you were given six strokes of the belt over the

22 shorts?

23 A. Yes, yeah.

24 Q. On that occasion, you mention Mr GKG [REDACTED] being

25 involved in putting your head between his legs?

1 A. Yes.

2 Q. And was --

3 A. My head was down and sorta at his knee level, when I say
4 in between his legs, I wasn't meaning up, it was sorta
5 knee level and his knees were sorta on my ears, if you
6 know what I mean.

7 Q. Was that to stop you from getting away?

8 A. That was to stop me, yeah, from wrigglin' and, yeah.

9 Q. Would he normally be involved in this?

10 A. No, no, it was usually whatever teacher was available,
11 because I think that I found out in later years there
12 had to be another member of staff there when they belted
13 you on the backside. As far as I know, and that's what
14 I learned, but at the time, I didn't know that. That's
15 what I learned in later years.

16 Q. So there would be a member of staff, who wasn't carrying
17 out the punishment, who would be there?

18 A. Yeah, to hold you down.

19 Q. To hold you down?

20 A. Yeah.

21 Q. That's how you saw their role?

22 A. That was their role, yeah.

23 Q. That was their role, okay.

24 You tell us, 'Robert', that the others that you were
25 with didn't receive any punishment because they were

1 allowed to be where they were?

2 A. Yes, that's correct, they were at home.

3 Q. You tell us, again, that was not the only time you

4 received that punishment, and you tell us about a time

5 when you, I think this is at paragraph 82, I think you

6 say there was a time, and you name an individual --

7 A. Yes.

8 Q. -- a boy, I think, another boy at Balrossie was caught

9 taking some cigarette ends from the staff room --

10 A. Yeah.

11 Q. -- and you were sent to GKS office --

12 A. Yeah.

13 Q. -- and he told you that that boy had said that you

14 coerced him into getting the cigarettes ends --

15 A. Yes, that's correct, yes.

16 Q. To get the cigarette ends?

17 A. Yes. Which wasn't true.

18 Q. You didn't know anything about that?

19 A. Didn't know nothin'. I was in the playground.

20 Q. But it didn't make any difference to GKS?

21 A. No, that was the same week that I was taken from Camelon

22 back and belted. That was during the week, and then

23 I was belted again on the Saturday morning.

24 Q. I think you say that the situation was the same again --

25 A. Yeah, yeah.

1 Q. -- and this time was Mr GPN who --
2 A. Held me down.
3 Q. Who held you down? Who was it that gave you the --
4 A. GKS.
5 Q. GKS. You say, 'Robert', that was the second
6 occasion in four days that you received that?
7 A. Yeah.
8 Q. You say that he held you down by pressing his knuckles?
9 A. Into my kidneys, yes.
10 Q. That was GPN?
11 A. Yeah, that was GPN, so I wouldnae move.
12 Q. I think you tell us that each time you received that
13 punishment it was six strokes?
14 A. Yeah.
15 Q. And your backside would be covered in purple bruises?
16 A. Yeah.
17 Q. And that was very painful?
18 A. Very.
19 Q. You say it was so painful you had to sleep on your
20 stomach because of it?
21 A. Yes, that's correct, yeah.
22 LADY SMITH: Was it always just your backside, 'Robert'?
23 A. No, sometimes you got the belt on the hands.
24 LADY SMITH: No, I mean --
25 A. Yeah, it was always on the backside, yes.

1 LADY SMITH: Did he ever miss?
2 A. Occasionally you got it sorta just at the bottom of your
3 spine.
4 LADY SMITH: Thank you.
5 MS FORBES: You tell us, 'Robert', that if he got you on the
6 bottom of your spine, your lower back, that that meant
7 that your trousers would rub against that area --
8 A. Yes.
9 Q. -- and cause more pain --
10 A. Yeah.
11 Q. -- as well as having the bruising?
12 A. Yes, and you weren't given any medication to ease the
13 pain or anythin' like that, you just had to bear it,
14 basically.
15 Q. Other reasons to get the belt would be if you were
16 caught smoking --
17 A. Mm-hmm.
18 Q. And we have talked about if you had run away and
19 sometimes people would break into the canteen for extra
20 food?
21 A. Yeah, yeah.
22 Q. Was that something you were involved in?
23 A. No. No, no.
24 Q. You were aware that that was things that they would get
25 the belt for?

1 A. Yeah.

2 Q. You tell us, 'Robert', there was an evening when you
3 were watching television when Mr GPN started arguing
4 with you --

5 A. That was when I told you when I was picking my nose.

6 Q. This is the occasion when he then hit you across the
7 face and caused your nose to bleed?

8 A. Yeah, that was the time I said he hit me.

9 Q. And you got the points as well and --

10 A. Yeah, and put to bed, yeah.

11 Q. You mentioned, 'Robert', and this is something that is
12 in your records, that you suffered from a lisp for --

13 A. A terrible lisp. That was (makes noise).
14 That's how I pronounced an 'S' in the days.

15 Q. Very difficult to pronounce an 'S'?

16 A. Yeah, I'd be (makes noise).

17 Q. You tell us your teacher thought it would be funny if he
18 got you to say --

19 A. GKR.

20 Q. This is when there was a particular date that would
21 cause that issue?

22 A. 6 June 1966.

23 Q. You had to do that out loud to everyone in the class?

24 A. To say the numbers, and I couldn't say 6 June, I had to
25 say 6/6/66 and the whole class were laughin' and bangin'

1 their desks, just as kids do, yeah.

2 Q. After that, did they call you a nickname?

3 A. Yeah, they called me GKD .

4 Q. That was after the .?

5 A. Yeah, the .

6 Q. You say that this extended to even when it was your

7 birthday and they would sing 'Happy Birthday', they

8 would --

9 A. And they would go (makes noise).

10 Q. They would mock you with the lisp?

11 A. Yeah, exactly, yeah.

12 Q. You tell us, 'Robert', that you were not able to show

13 how that upset you?

14 A. No, no, you couldn't show any weakness.

15 Q. But it was something that did upset you?

16 A. Yeah, it affected me quite badly but, I mean, you

17 couldn't sorta sit and cry and anything like that, if

18 you know what I mean. Yeah, you just had to accept it

19 and that was it, yes.

20 Q. You say -- the way you have put it, 'Robert', in your

21 statement is 'inside I was ripped to bits'?

22 A. Yes, exactly, yeah.

23 Q. 'Robert', you tell us about an incident, and I think

24 this incident is the main reason that you came forward

25 to the Inquiry, and that is about a particular boy that

1 you were in Balrossie with?

2 A. Yeah, who absconded, yeah.

3 Q. You say that it was during summer holiday, either 1965

4 or 1966?

5 A. Yes.

6 Q. There were students working at Balrossie; is that right?

7 A. Yeah, during the summer, the school summer holidays, the

8 main staff took their families on holiday and the school

9 used to employ students fae Glasgow University to come

10 over the school period to sorta cover for them and they

11 were there when we went to Bucksburn and things like

12 that, it would be students that took you rather than the

13 permanent staff.

14 Q. You say that one of the students had been talking with

15 this boy and another boy and he gave them a cigarette?

16 A. No, they coerced him into giving them a cigarette.

17 I cannae say that he offered them, they coerced him.

18 Q. Later that day, though, one of the staff smelled

19 cigarettes on them and they were given the belt?

20 A. Yeah, sent them to the office for the smell of smoke,

21 yes.

22 Q. And also the six weeks without privileges detention?

23 A. Detention, yeah.

24 Q. When you say detention, 'Robert', just so --

25 A. That means you were kept in the school grounds

1 basically, you were just kept in, you weren't allowed
2 any -- sorry, you weren't allowed any -- to go home or
3 anything like that, have visits from your family, you
4 were sorta -- no' isolated but just sort of kept there.
5 Q. That was summer time when this happened?
6 A. Yes, yes.
7 Q. You tell us that from what you recall, both of the boys
8 thought that punishment was not fair?
9 A. Severe, yeah.
10 Q. And they ran away?
11 A. Yeah.
12 Q. Then while they were away, something happened to [REDACTED]?
13 A. Yes.
14 Q. And he climbed onto the roof of a factory and fell
15 through it, and he sadly died from his injuries?
16 A. Yeah, yeah.
17 Sorry.
18 Q. I think we know, 'Robert', there is a record of
19 a 13-year-old boy with the name that you have given who
20 died in 1966?
21 A. Yeah.
22 Q. So that may accord with that summer?
23 A. Yes, it did, yes.
24 Q. You tell us then that you were all told about this in
25 the gym hall?

1 A. By Mr GKS, yeah, on the Saturday mornin'.
2 Q. That you then got hold of Mr GKS and told him what
3 had happened?
4 A. Yes, and the reason that they absconded, yeah.
5 Q. You say that he got hold of that student and told you to
6 repeat in his office what you had said?
7 A. And says to me, 'Are you willing to repeat this in
8 court?', and I said yes.
9 Q. Then you say a couple of days later, GKS and
10 Mr GKF took you to their office --
11 A. Well, can I just say, after I said that to Mr GKS,
12 I was sent away fae the office and the student was never
13 seen again. They just sorta disappeared off the face of
14 the earth, I mean, he just wasn't there anymore.
15 Q. He was not back at the school, you didn't see him again?
16 A. The last time I saw him, he was sittin' beside
17 Mr GKS and then, when I told Mr GKS what had
18 happened, and he said to me, 'Are you willing to repeat
19 this in court?', and I said yes, I was sent away and
20 that was the last that the student was seen at
21 Balrossie.
22 Q. I think you tell us, 'Robert', a few days later that
23 Mr GKS and Mr GKF had you in the office and they
24 were shouting and swearing at you?
25 A. Yeah.

1 Q. Telling you you weren't allowed to say anything about
2 what had happened?

3 A. Exactly, and my life wouldn't be worth living, I would
4 never see the light o' day again.

5 Q. You say that that was terrifying?

6 A. Yes.

7 Q. And they were right in your face?

8 A. Yeah, and saliva was coming -- spittle was coming, one
9 was there and one was there, and I was covered in
10 saliva.

11 Q. You say, 'Robert', that they told you if you were to
12 tell anyone like the police, you would be in serious
13 trouble?

14 A. Yeah.

15 Q. When they made these threats to you, did you believe
16 what they were saying?

17 A. Oh, yes. Oh, yeah. I was terrified, I was absolutely
18 terrified.

19 Q. Did that mean, 'Robert', that you didn't then go on to
20 tell anyone else about that?

21 A. That's correct.

22 Q. You kept that to yourself?

23 A. Yeah, yeah.

24 Q. That is something that has eaten away at you; is that
25 right?

1 A. Over the years, yes, and as I'm saying, that's the main
2 reason that I contacted you. It's never been about me,
3 what happened to me, happened to me. I would've took it
4 to my grave if it wasn't for [REDACTED].

5 Q. 'Robert', you tell us that you knew the punishment that
6 he received was wrong and, had he not been punished in
7 that manner, he wouldn't have absconded and he wouldn't
8 have fallen from the roof?

9 A. Yeah.

10 Q. You are not aware of any visits from the police coming
11 to the school?

12 A. No, none at all, none at all.

13 Q. I think you say that, although his parents may have
14 passed away now, that he might have siblings who would
15 want to know the background?

16 A. Yes, yes, and I actually was taken by Mr [REDACTED] to Linn
17 Crematorium in Glasgow where he was cremated and I was
18 actually at his cremation in Linn Crematorium in
19 Glasgow.

20 Q. 'Robert', I think we know, we talked earlier about the
21 stage that you were at, that really you should have been
22 released --

23 A. Yeah.

24 Q. -- but there was nowhere suitable, the short period with
25 your mother of a few months didn't work out, and you

1 were recalled because of her contacting the school?

2 A. Yeah.

3 Q. Then I think there came a time -- there were some other

4 things they tried to do, for example, have your older

5 brother, who was married, take you in --

6 A. Yeah.

7 Q. -- but again that fell through. I think we know from

8 your records they tried to have the Salvation Army at

9 Redheughs have a space for you, but again that never

10 materialised?

11 A. I never knew anything about that until I gave evidence.

12 I never knew anything about it until I saw some of my

13 records.

14 Q. Yes, but I think ultimately, 'Robert', all of that meant

15 that you stayed in Balrossie until [REDACTED] 1967, when

16 you were released to work and you went out to work at

17 a carpet manufacturer?

18 A. Yes, [REDACTED] in Elderslie.

19 Q. I think you go on to tell us about that later in your

20 statement. If we can go -- this is paragraph 98, it

21 starts, this was when you went to stay with the mum's

22 friend that we talked about earlier --

23 A. Yeah, yes.

24 Q. -- but really she was taking your wages?

25 A. Yes.

1 Q. And --

2 A. She wasn't buying me any clothes or anythin' like that,
3 that was it. I was getting the equivalent of 50p off my
4 wages every week and I had to pay my bus fares and all
5 that to and from work.

6 Q. So from your point of view, you weren't getting any
7 benefit from this?

8 A. No, none at all.

9 Q. Despite the fact you were working --

10 A. Yeah.

11 Q. -- and ultimately you -- I think it was about maybe six
12 or seven months you were with her --

13 A. Yeah.

14 Q. -- you decided that you had had enough and you went to
15 Bognor Regis, I think?

16 A. Yes, to see my mother.

17 Q. I think your brothers were working on the shows at that
18 time --

19 A. Yeah.

20 Q. -- and you went to see your mum but she didn't want
21 you at the house?

22 A. Yeah, she sent for the police to move me away from the
23 door.

24 Q. So then you had to come back to Paisley?

25 A. Yeah.

1 Q. You tell us then that there were times you were walking
2 the streets, picked up by the police, and you ended up
3 having to go back to Balrossie for a couple of months?
4 A. Yes.
5 Q. I think you tell us at that time nothing happened?
6 A. No, nothing happened, no.
7 Q. You then just tell us about --
8 A. Up until [REDACTED]. Yeah. Well, when I got took
9 back, I was too old for school, so I was made to do
10 menial jobs around the place, but I wasn't paid for
11 anythin' like that, I just had to do that, that was part
12 of what I had to do.
13 Q. To earn your keep back at Balrossie?
14 A. Yes, basically, yeah.
15 Q. 'Robert', you then go on to tell us about your life
16 after being in care, and you tell us about some of the
17 places you stayed, from paragraph 102 onwards, and some
18 of the jobs that you had, I think there was work at
19 cement works?
20 A. That was at Dunbar, yeah, I lived in -- I slept in the
21 Greyfriars Hotel down in the Grassmarket there at 15,
22 yeah, that's -- because on [REDACTED], I was called
23 into SNR [REDACTED] office and I was taken to
24 Kilmacolm railway station and handed a ticket to
25 Edinburgh and I ended up in Edinburgh, it was the

1 evening time, and that's why I remember the Waverley
2 steps, how -- I was amazed how steep they were and all
3 that and I was walkin' about Edinburgh wi' nowhere to go
4 and I went to the police station up the high street and
5 the police put me in a police cell overnight and gave me
6 a breakfast in the morning and says, 'Well, that's all
7 we can do for you', and I managed to get some casual
8 work at the cement works at Dunbar, which got me enough
9 money to buy a bed in the Greyfriars, and if I didnae
10 get any work, I didnae have any bed, so I was walking
11 the streets of Edinburgh.

12 Q. You were still young at this stage?

13 A. Yeah, I'd just turned 16.

14 Q. We can see that in your statement, 'Robert', and I am
15 not going to go through all of it, not that it is not
16 important, but we do have it there and we can read it --

17 A. Yes.

18 Q. -- so I don't want you to think that we are ignoring any
19 of it, because we are not. But I think you tell us you
20 would get a job with the shows?

21 A. Yes.

22 Q. I think it wasn't until you were about 19 or 20 that
23 really you got your own place?

24 A. Yeah.

25 Q. You met a girl, I think you had two children with her?

1 A. Yes.

2 Q. That didn't work out, that relationship?

3 A. No.

4 Q. But I think you later met another woman and had your
5 son?

6 A. Yes, that's my son there.

7 Q. And moved to Stranraer. I think that relationship broke
8 up. But after that you went to England and you have
9 lived in England --

10 A. No, no, I went -- I came to England with [REDACTED] mum
11 and when we were in England was when we broke up. That
12 was not in Scotland, that was down here -- no' down
13 here, sorry. Down in England. Sorry.

14 Q. Sorry, 'Robert', that is my fault.

15 A. Maybe I didn't make mysel' clear at the time.

16 Q. No, no, it's my fault, 'Robert'.

17 I think you say that -- you tell us about the
18 relationship with your brothers and how sad that has
19 turned out and we do have that there and what has
20 happened to them, 'Robert'.

21 A. Yeah, they're all dead.

22 Q. You tell us about that, that that was something that you
23 feel sad about, is that right?

24 A. Yes, especially my brother [REDACTED], who was in there with
25 me. I mean, he ended up a bachelor all his life,

1 a chronic alcoholic because of the place, and died at
2 55.

3 Q. I think you make the point, 'Robert', that throughout
4 your life you had never received any love and affection,
5 either from your mother or your father, but I think you
6 make the point quite firmly that you have your son now
7 and he knows how much he's loved?

8 A. Yes.

9 Q. You have a good relationship with him, is that right?

10 A. Yes.

11 Q. That's something that is very important to you, I think.

12 We know from what you tell us that once you got out
13 of Balrossie, you never went to prison or anything like
14 that --

15 A. No, no.

16 Q. -- you never got in trouble with the police after you
17 became an adult?

18 A. No.

19 Q. You tell us that there came a time when you were --
20 I think you say it wasn't until really you were working,
21 this is at paragraph 116, that you felt you had some
22 meaning to your life?

23 A. Yes.

24 Q. We talked about the fact that you played football at
25 a high level, but you say that even when you were

1 a goalkeeper, you felt different, because you had to
2 wear a different top from the rest of the team?

3 A. Yes, exactly.

4 Q. Just looking at lessons to be learned, 'Robert', at
5 paragraph 120, you say:

6 'In my opinion, the staff at Balrossie were judge,
7 jury and executioner. They had so much power as to who
8 you could go home to visit, how much treats you could
9 have and punish you in big ways for small things.'

10 A. Yes.

11 Q. You say that it was an article on Sky News that you saw
12 about the investigations being carried out by the
13 Inquiry that made you want to come forward and tell us,
14 particularly, as you have said, about the boy who died,
15 because he was a friend of yours?

16 A. Yes.

17 Q. I think one of the things you point out, 'Robert', is
18 that the Inquiry put you in touch with Future Pathways
19 and that they were helping you with some counselling --

20 A. Yeah.

21 Q. -- and I think you say, at the time of your statement
22 anyway, that that had been a great help to you?

23 A. It had, yes.

24 Q. Is that something that continues?

25 A. No, no.

1 Q. It is finished now?

2 A. Yes.

3 Q. But you feel it has helped you?

4 A. Yeah, it has helped me a lot, yeah.

5 Q. 'Robert', that is all the questions I want to ask you

6 today.

7 A. Okay, thank you.

8 Q. So thank you very much. Is there anything you want to

9 say that you have not had a chance to say?

10 A. No, no' really, no, I think you have covered most

11 things, yes.

12 MS FORBES: Thank you very much.

13 LADY SMITH: 'Robert', let me add --

14 A. Sorry, can I just say this?

15 LADY SMITH: Go on.

16 A. KRN was the woodwork teacher and one o' his

17 tricks was, he had a can of chloroform and he used to

18 put it on a rag and come up behind one o' the boys and

19 bang on and the next thing, the boy was down and

20 everybody would start laughin' and enjoying it and all

21 that. I forgot to add that to my statement.

22 MS FORBES: That is something that you remember happening.

23 A. Yes.

24 Q. Did that happen often?

25 A. Pretty regular, yeah.

1 Q. Did it happen to you?

2 A. No, no.

3 Q. You saw it happening to other boys?

4 A. Yes, I saw it, and it didn't happen to me, no, no.

5 MS FORBES: Thank you for telling us about that.

6 A. Sorry, Lady Smith.

7 LADY SMITH: 'Robert', no need to apologise, I just wanted

8 to thank you again for all of the information you have

9 given us in your frank evidence. You obviously cared

10 a lot about making sure we understood everything that

11 you could assist us with, not just about yourself but

12 about other people as well, and I appreciate that.

13 A. I'm very grateful that I was able to come and be called

14 and I would just like to do a special thanks to [REDACTED],

15 who has looked after me all through this.

16 LADY SMITH: I am sure she has and she will make sure you

17 are looked after all the way out of the building and you

18 are safe on your way back home.

19 Safe journey, 'Robert', thank you for coming.

20 A. Thanks. Thanks, Lady Smith, thank you. Thank you.

21 LADY SMITH: I am going to rise now for the lunch break and

22 I will sit again shortly after 2.00 pm.

23 Rather than leave it to this afternoon, names.

24 A number of people's names have been used this morning

25 whose identities are protected by my General Restriction

1 Order. The names may appear again, but I want to clear
2 these ones now; GKF [REDACTED], LWH [REDACTED],
3 Mr GKS [REDACTED], Mr GPN [REDACTED], HHK [REDACTED], Mr GKG [REDACTED],
4 GKR [REDACTED] and then a boy called [REDACTED] and the witness's
5 brother called [REDACTED], none of them are to be identified
6 as referred to in our evidence outside this room.

7 Thank you very much.

8 (1.14 pm)

9 (The Luncheon Adjournment)

10 (2.00 pm)

11 LADY SMITH: Good afternoon.

12 We are going to move now to reading in some
13 statements. We don't have any more evidence in person
14 today, but we will get through a number of statements,
15 hopefully, this afternoon of some important evidence
16 that we would like to cover.

17 Ms Forbes.

18 'Jessica' (read)

19 MS FORBES: Good afternoon, my Lady.

20 The next statement is from a witness who is
21 anonymous and is known as 'Jessica'. The reference for
22 her statement is WIT.001.002.4603.

23 'Jessica' was born in 1972, and that was in
24 Edinburgh. She says her father was in the army and her
25 parents were married for 13 years. She tells us

1 a little bit about her siblings. She says that she
2 travelled the world with her parents when her dad was in
3 the army and she saw a number of countries, and she
4 names them at paragraph 3, but when her dad left the
5 army and she realised her mother was an alcoholic, she
6 couldn't care for her and she was an unfit mother. Her
7 parents divorced when her dad left the army and she
8 stayed with her mum for a year after that. Her mum was
9 drinking, going off the rails, and 'Jessica' was skiving
10 off school and hanging about the skate park.

11 We know from our records, my Lady, that she was
12 placed on a home supervision order in April 1986 and she
13 was 13 years old at that time, and she had been
14 truanting since August 1984.

15 She tells us she thinks she was in care by the time
16 she was 13 or 14, she remembers going to hearings,
17 children's hearings, in Livingston, and then her mum
18 moved to Edinburgh, and then she said it was when she
19 was in Edinburgh that she was taken into care.

20 She then talks about a children's home that she went
21 into, and this is from paragraph 6, and the records that
22 we have show that she was placed there in [REDACTED] 1987.

23 LADY SMITH: Thank you.

24 MS FORBES: Then she was transferred to another children's
25 home in [REDACTED] 1987, so she was aged 14 years by the time

1 she was in the second home.

2 The first home she was there for only six to eight
3 weeks, it was an assessment centre [REDACTED] Secondary Institutions - to be pub

4 [REDACTED] Secondary Institutions - to be published later

5 Then the second home, she was there from [REDACTED] 1987
6 to, from our records, [REDACTED] 1988, when she was 15
7 years old. I think she thought she was between 12 and
8 14, but we know she was 14 and then turned 15 while she
9 was there. I think she thought she was only there
10 a matter of months, but it was almost a year, so she
11 tells us about that [REDACTED] Secondary Institutions - to be published later

12 [REDACTED] Secondary Institutions - to be published later

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19 [REDACTED] Secondary Institutions - to be published later

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she was told she was
going to Balnacraig.

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27

She was admitted to Balnacraig from our records in
[REDACTED] 1988, when she was 15 years old and she stayed
there until --

LADY SMITH: 1988, she was admitted, according to our
records, was it?

MS FORBES: Sorry, my Lady, yes, [REDACTED] 1988 she was

1 admitted, and she was discharged from there on
2 [REDACTED] 1988, when she had turned 16 by then, so she
3 was there for a period of 10 months.

4 She tells us about Balnacraig from paragraph 40
5 onwards and she describes it as being a very impressive
6 old Victorian building with big grounds. She talks
7 about being met by Mr SGQ [REDACTED], SNR [REDACTED], when she
8 arrived at paragraph 50, and he and, Mr GHG [REDACTED], is the
9 way she has described him, but I think we know that is
10 Mr GHG [REDACTED], showed her where she would be sleeping and
11 where various rooms were. Her mum had dinner with her
12 there and then she left.

13 She then tells us about the layout of Balnacraig and
14 the fact that the dining room was always laid out
15 perfectly. She says she was not told how long she would
16 be there and she thinks she was there for about two
17 years but, as we know from the records, it was less than
18 that. She talks about sharing bedrooms whilst there and
19 she shared a room with three other girls and then tells
20 us about the routine and some of it we have heard
21 before, although she says that everything was run by
22 a member of staff striking a gong, telling you when to
23 do everything.

24 She talks about washing and bathing in particular at
25 paragraph 59, and said that she didn't shower much as

1 there were no doors on the front of the showers for
2 privacy. There was curtains, staff could open them up
3 as they walked by, even the male members of staff, and
4 it was the same with the toilets. She says because of
5 that she says, she wasn't very clean when she was there
6 and would just get dressed under her duvet.

7 She talks about having two different uniforms, blue
8 and grey, on alternate weeks, and that schooling was in
9 Balnacraig and if ever they went out, they were escorted
10 by staff and the front door was always locked and people
11 were schooled together, regardless of age.

12 'Jessica' talks about the fact she didn't get to do
13 any exams at Balnacraig and she says she had to do them
14 at college after she left. She says she started doing
15 an art course there, she was allowed into the grounds
16 but wasn't allowed out of the grounds of the school and
17 she would draw there to escape from the school.

18 We do have in our records, my Lady, a letter from
19 the headmaster at Balnacraig to the career's office
20 indicating that 'Jessica' had been offered
21 an opportunity to complete her education at Balnacraig
22 and remain there until May 1989, but she declined. That
23 letter is in January 1989 and she was studying Standard
24 Grade English, maths, social studies, social and
25 vocational skills and O-Level art.

1 However, there is a later record that we have that
2 says that as a result of her failing to return from
3 a home leave to Balnacraig, the school then decided that
4 she would not have this option even if she decided to
5 take it up.

6 LADY SMITH: Okay.

7 MS FORBES: She talks about chores if there was
8 misbehaviour, and that would be doing the dishes,
9 setting the table and things like that, but if you
10 behaved, you didn't have to do chores.

11 'Jessica' says they helped out at an old people's
12 home and there was things organised in the evenings,
13 and, going forward, she says they had horse riding and
14 that would be something that could be withdrawn as
15 a punishment.

16 Going down to paragraph 74, 'Jessica' says that
17 during this time at Balnacraig, she would attend
18 children's panels and she should have got home leave
19 every weekend, but she didn't get to go every weekend
20 and that her mum only visited her once at Balnacraig.

21 She says there was always a member of staff with you
22 when you saw the social worker, but she says she did
23 manage to tell a social worker about abuse at
24 Balnacraig.

25 At paragraph 76, she says the social worker said:

1 '... not to be stupid, that it was all in my head.'

2 She talks about the fact that her wrist was broken
3 and she says that there was an occasion when she went on
4 the contraceptive pill when she was 16 and there was
5 a meeting at Balnacraig about her being on the pill and
6 they searched her bag and found it and they took the
7 prescription off of her and she says that they wanted to
8 control the administration of drugs.

9 She says she was always known as a runner and any
10 chance she got, she would go back to Edinburgh. When
11 she went home on visits, she would run away as well.
12 And the police would come looking for her when she
13 didn't come back to Balnacraig.

14 In relation to bed wetting, at paragraph 83 she says
15 that she didn't suffer from that but there was a girl
16 who was a bed wetter and staff ridiculed her, although
17 she says 'they ridiculed all of us' and she says at
18 paragraph 83:

19 'We would know when she had done it, because the
20 staff would say that she had pished the bed. She was
21 a girl with special needs, she shouldn't have been in
22 there. She needed extra support that wasn't there.

23 'We would try to protect her, we would change her
24 bed and let her run to the kitchen staff to get a wash.
25 She got put in "The torture room", I think it was for

1 bed wetting.'

2 She then talks about abuse at Balnacraig and she
3 said at paragraph 86:

4 'Mr SGQ, SNR, was sly, he would hit us
5 and tell us we were no good.

6 'Mr SGQ would call you into his office for
7 a chat. When you went to Mr SGQ office, you
8 weren't alone. There would be four or five girls at
9 a time. We would all have to sit on his knee or on his
10 lap. He would have his hands down our skirts or inside
11 our blouses. He would put his hand down the back of
12 your skirt. I think that is why the skirts were
13 elasticated, to make it easier for him to do that. We
14 were not allowed to wear tight-fitting tops, they had to
15 be loose blouses, which again I think was deliberate to
16 let him feel us up. He would touch your breasts under
17 your bra.

18 'He would make horrible comments like, "You're on
19 your period, why do you want to go home and bleed?"
20 "You're a devil's child, you're on your period, you're
21 not getting to go home." And saying things like,
22 "Bitch, stand up".'

23 She talks about meetings on a Wednesday to decide if
24 pupils were going home and sometimes he would just
25 refuse to let you go.

1 At paragraph 90, she says:

2 'When I was 16 I was allowed to get calls from my
3 boyfriend. Mr SGQ would listen into the calls.
4 I don't like eggs and one weekend I got eggs for all of
5 my meals. I told my mum about this in a phone call.
6 Mr SGQ or another member of staff had listened in on
7 my call. Mr SGQ slapped me across the face and told
8 me not to say that. Another member of staff put a wet
9 towel on my face to ease the pain.

10 'At night time, where my bed was, I was facing
11 a window. I didn't usually get undressed until the last
12 minute. I didn't want to go round in my underwear
13 because there were a lot of male members of staff. We
14 all wore short nightdresses to bed. When the staff came
15 into the room at night, I would just freeze and shut my
16 eyes, because I knew I was going to be abused.

17 'There were male and female members of staff who
18 would put their hands inside your underwear, they would
19 spread your legs and insert their fingers inside you.
20 I can't be sure who was doing it because I always froze
21 with my eyes closed.

22 'The other girls and I talked about the abuse but
23 it's difficult to remember all the details. I do have
24 some other recollections of abuse at Balnacraig, but
25 I am still trying to process it all. I have had bad

1 dreams about it. I'm trying to separate what happened
2 to me and what happened to other girls.

3 'It has been difficult for me to deal with, because
4 one of my abusers lived in the same village as me.'

5 Then she talks about the fact that he was one of the
6 weekend staff:

7 'He would come into the dormitory, fondle you and
8 hit you. He used to punch you in the kidneys or on the
9 upper arm, because the sleeve of your uniform would
10 cover any bruises. He would say things like, "You're
11 stupid, you're not worth anything", or, "Your family
12 didn't want you, that's why you are here'. I heard him
13 verbally abusing other girls with the same comments.
14 This was something that I remember being discussed
15 amongst the girls.

16 'I got put in the room we called "The Torture Room".
17 This was where you were put as a punishment for
18 misbehaving. The staff did have an official name for
19 it, but I can't remember what that was. It wasn't quite
20 a broom cupboard but there was no window in The Torture
21 Room. You would be locked in there all day with a staff
22 member. You didn't get to interact with any of the
23 other children. At meal times, you would have your food
24 brought through to you.


25 'The staff member would hit you, they would hit with

1 you a ruler or stab you with pens and pencils. I have
2 scars on my legs from being stabbed with a pencil. They
3 would slap you about the head, because that wouldn't
4 cause a bruise.'

5 She says:

6 'A member of staff broke my wrist in The Torture
7 Room, I can't remember his name. I got taken to
8 Perth Royal Infirmary to have it set in plaster. I had
9 been told to say that I had fallen down the stairs.
10 That is what I told the hospital staff, because I wanted
11 to get home the next weekend.'

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18 LADY SMITH: Could be.

19 MS FORBES: Thereafter, she says, in relation to reporting
20 abuse, at 101:

21 'I told the police loads of times about the abuse
22 I was suffering at Balnacraig, if they were nice police
23 officers. I remember one who said, "It happens a lot in
24 these institutions", it was as if there was nothing they
25 could do or would do about it.'

1 She says she told her social worker about the abuse
2 she was suffering on more than one occasion. She told
3 her she was being hit, but she didn't believe her and
4 she downplayed it. She says, in relation to leaving
5 Balnacraig, that the minute she turned 16, things
6 changed, staff would say that she was an adult now and
7 she could decide things for herself and she told them
8 she was getting married. She had been in a relationship
9 since she was 12 and she said her boyfriend ended up
10 joining the army and he was in Berlin. She said that
11 she would see him when he was on leave back in
12 Edinburgh.

13 She talks about life after being in care from
14 paragraph 106, and she talks about not being able to
15 apply for college when she wanted to. She says that
16 after she left care, that there was no support, no
17 social worker, and talks about her last children's panel
18 hearing being the day after her 16th birthday.

19 She says that she left her mum's house the following
20 January and she had started drinking and taking drugs in
21 Balnacraig. Her mum couldn't cope with her being
22 an alcoholic.

23 Sorry:

24 'I couldn't cope with my mum being an alcoholic.'

25 Is what she says.

1 She then says she got married very young, she says
2 too young, at 16. She had five children, and she
3 separated from her husband in 1996. He had been in the
4 army and she joined too and she was in the army for
5 three years. She talks about it being an abusive
6 relationship and three of her children ended up in care.

7 She talks about having to care for her mother who
8 had motor neurone disease, as well as her children, at
9 different times.

10 She says at paragraph 111 she has done loads of jobs
11 but finds it difficult to hold down a job and she does
12 seasonal work for a security company every year and she
13 likes the feeling of freedom it gives her. She says
14 that when she is at home, she always has the windows
15 open in the house.

16 In relation to impact, 'Jessica' says at
17 paragraph 112:

18 'I had a brilliant childhood until I went into
19 care.'

20 But she talks about the fact that she shut family
21 out over the last 30 years and they didn't believe her
22 about the abuse that she suffered.

23 She says at paragraph 116 her mental health has
24 suffered as a result of her time in care and she suffers
25 from anxiety, depression and panic attacks. She also

1 has chronic migraines Secondary Institutions - to be published later

2 Secondary Institutions - to be published later She

3 says that she has been on antidepressants for some
4 years.

5 She says she did go back to the outside of
6 Balnacraig previously, but she couldn't step over the
7 threshold, over the gateway.

8 In relation to 'Lessons to be learned', she says at
9 paragraph 125:

10 'Kids who are in care should be listened to. I know
11 that kids can and do lie but they might be telling the
12 truth. If kids do act up or misbehave, it might be
13 because of their treatment in care.'

14 She says if people had listened to her, they could
15 have tried moving her to another place, rather than
16 leaving her to be abused.

17 She has signed her statement and it is dated
18 14 March 2019.

19 'Peter' (read)

20 MS FORBES: My Lady, the next statement is from an applicant
21 who is anonymous and is known as 'Peter'.

22 LADY SMITH: Thank you.

23 MS FORBES: The reference for 'Peter's' statement is

24 WIT.001.001.6317.

25 'Peter' tells us -- I will wait until that one is on

1 the screen. (Pause)

2 LADY SMITH: Thank you.

3 MS FORBES: 'Peter' was born in 1952, and he tells us about
4 his life before going into care from paragraph 2
5 onwards.

6 He says that he ended up in care as a young child
7 and he doesn't know how long he was in a children's home
8 for, but he must have been returned back to his mother
9 at some point. But circumstances with his mother at
10 home were dreadful. There were a lot of problems,
11 evictions from houses, because of her antisocial
12 behaviour and he says that he was in a dozen different
13 houses at one point. He says he was the second child
14 and had an older brother and three younger siblings.

15 He knows that at least three of his siblings were
16 taken into care on a permanent basis and were fostered
17 and then adopted. He remembers going to only two
18 schools in his life and he says that on one occasion at
19 school, he tried to eat glue, thinking it was icing, and
20 was violently sick and had to be sent home.

21 He remembers going home to a boy's house at
22 lunchtime and seeing carpet on the floor and a kitchen
23 with food in it and a living room with furniture and
24 a television. He says that's when the penny dropped
25 that not everyone lived the way that he and his family

1 lived.

2 He talks about knowing from his records that he went
3 to other schools as well. He says that recommendations
4 were made for him to be taken into care permanently. He
5 says that he was put into a children's home and talks
6 about this from paragraph 11 to 26. He was in two
7 children's homes and he doesn't know how old he was when
8 he was put there or if he was there multiple times. He
9 has read that he was nine when he went there. Secondary Institution

10 Secondary Institutions - to be published later
11
12

13 He thinks that he was about ten years old when he
14 went back, he thinks to live with his mother. He talks
15 about life back home from paragraph 26. He then says he
16 was involved in stealing things from cars. He had
17 a fascination for bicycles and would just take a shot of
18 one if he saw it. He didn't see it as stealing, he
19 would just have a ride and he talks about an occasion
20 where his mother was in a police car and ended up
21 travelling behind him riding a stolen bicycle.

22 He talks about other thefts as well in the following
23 paragraphs and he says that all of these things were due
24 to a lack of parental control and that he and his
25 brother were quite feral. They had no father, or even

1 a father figure, and his mother had a group of friends,
2 who he says were ladies of the night, and he says that
3 in his records, his mother was accused of being one as
4 well, although they couldn't prove that.

5 He ended up in juvenile court, he says, and he tells
6 us then he was put to a remand home prior to being
7 sentenced. He tells us about that from paragraph 32.
8 He says he was considered a high risk of absconding,
9 because he kept running away and it was decided he would
10 be sent to Balrossie.

11 He does talk a little bit about the remand home and

12 Secondary Institutions - to be published later
13

14 'Peter' then talks about his time at Balrossie from
15 paragraph 40 onwards. There is a record that we have of
16 a boy with the same first name and date of birth but
17 a different surname who was admitted to Balrossie in
18 1963, and it seems that this is probably 'Peter'.

19 LADY SMITH: Okay, thank you.

20 MS FORBES: He was of the view that it was just before his
21 11th birthday, [REDACTED], and that would accord with the
22 records we have.

23 LADY SMITH: Yes.

24 MS FORBES: He says that Balrossie were on a holiday in
25 Bucksburn -- we have heard about --

1 LADY SMITH: Of course we heard about that, not Buxton.

2 MS FORBES: Yes.

3 That he joined them there before heading up to
4 Balrossie proper. He says at paragraph 41 that boys had
5 different accents and he had a Doric Aberdonian accent
6 and was ridiculed and picked on for being the oddball.

7 In paragraph 44, he says life in Balrossie was mixed
8 and varied. There was a regime of fear. It was stable
9 but it was not a nice place to be. Even if you were
10 physically or sexually abused, it was still stable.

11 He then tells us about some of the staff members at
12 paragraph 45. At paragraph 46 he says:

13 'There was no real affection from anyone. You
14 weren't encouraged to talk to the staff.'

15 He talks about uniforms being provided by the school
16 at paragraph 48, which included grey shorts, which were
17 changed once a week. He talks about playing on the
18 football pitch within the grounds and that there were
19 boundaries and if you overstepped the boundaries, you
20 were considered to have absconded and the punishment for
21 that was severe.

22 He remembers being given the task of working in the
23 kitchen, he doesn't know if that was his chore. He then
24 goes on to talk about the fact that there was
25 a television outside of the dormitory and at

1 paragraph 54, he says:

2 'I had never had a television before, so it was
3 fantastic. We used to get to watch Top of the Pops.
4 That's where I got my love for The Beatles, The Dave
5 Clark Five and people like that.'

6 There was also a tennis court he talks about that
7 they were allowed on occasionally and there was
8 an outbuilding beside the tennis court which housed
9 bicycles which he liked, and he says you had to be very,
10 very privileged to be allowed to take a bicycle and ride
11 down to the village:

12 'I was never, ever, allowed to do that.'

13 There was an outdoor swimming pool at the bottom of
14 the football pitch, which he says may have been for
15 boats, and he says that one of the teachers used to run
16 a camera club in the tower at the school.

17 At 59, he says they had boy scouts:

18 '... which I asked to join but the school refused.
19 I was very hurt about that.'

20 He talks about getting pocket money, and he talks
21 about a trip on a ferry from Stranraer to Larne for
22 a day trip, where they stayed in an old army camp type
23 building. He says at paragraph 63:

24 'I don't remember if I enjoyed myself, because
25 nothing in there was enjoyable. The place was run by

1 fear and we just did what we were told.'

2 At paragraph 64, he says:

3 'I think the staff had a free hand to do whatever
4 they wanted to do. They had nobody to answer to.'

5 He says his circumstances meant he had to stay at
6 school over Christmas and there were a handful of other
7 boys who also stayed. At paragraph 66 he says:

8 'One Christmas we were given a treat and taken for
9 a visit to the Holy Loch on the Firth of Clyde, in
10 an American Polaris submarine. It was wonderful. We
11 had a Christmas party there and I got a present.'

12 And he talks about that gift.

13 He talks about having to write the same letter in
14 the classroom over and over again, and being the extent
15 of his education. There were no books to read in the
16 school. There was no reading or writing and he couldn't
17 write. He would just copy the shapes of the letters
18 from the blackboard.

19 There was a woodwork class and a wood shop, which he
20 enjoyed because it didn't involve reading or writing.

21 In relation to discipline and punishment,
22 paragraph 71, he says:

23 'Staff would walk about between the tables during
24 meal time. You knew you could be assaulted at any time
25 for anything. You could be smacked for putting your

1 elbows on the table or talking. They could do what they
2 wanted to you.

3 'If you were caught absconding, you would be
4 punished by being hit on the backside by a leather belt.
5 This happened to me. I don't recall absconding but
6 I used to play at the boundary. It would have been easy
7 for any teacher to say that I was out of bounds. There
8 were two or three staff involved. I was dragged into
9 the first available room. I don't remember having any
10 clothes on, but they said I was allowed to keep my
11 underpants on. I was held down by a few members of
12 staff. As many as it took to hold me down. I don't
13 know what happened after that, or if I blacked out.

14 'I remember looking in the mirrors in the toilet the
15 next morning. I thought I was looking at somebody
16 else's bottom, but it was mine. It was bruised, had
17 welt marks and was bleeding. I didn't get any medical
18 attention for my injuries. I didn't tell anyone or go
19 to anybody for help. I would probably have got hit for
20 complaining if I had. I don't think the matron cared.
21 I think I still have small scars on my bottom from that
22 incident.'

23 He then says from paragraph 77 that he was sent
24 somewhere else to live. It was a home of some sort but
25 it was definitely in the area of Kilmacolm. There were

1 a few boys in there and maybe some girls as well. He
2 thinks he was younger than 14, because he says he was
3 back with his mother by the time he was 14, but he was
4 sent to a farm to work.

5 He tells us about that and that he would do whatever
6 the farmer asked him to do on the farm. His meals would
7 be served outside by the farmer's wife and he didn't
8 receive any money, but he got meals on the farm and back
9 at the house and he thinks that any money must have been
10 paid straight to the house he was staying at, or at
11 least a percentage of it.

12 He doesn't know how long he was there for, but he
13 thinks it was a while. He also went for an interview at
14 a painter and decorators.

15 He went back to Balrossie after staying at this
16 house and working on the farm.

17 Then he talks about abuse at Balrossie from
18 paragraph 84 and says:

19 'There was no affection. Nobody would speak to you
20 or hold your hand. Nobody would pick you up if you
21 fell. I don't know how they thought that was
22 acceptable.

23 'There was a spiral staircase going up to one of the
24 towers. I was sexually abused up there by a teacher.
25 I remember him telling me there were toys up there.

1 I don't recall who did it, but it was not Mr GKF .
2 I probably knew it wasn't right at the time but I didn't
3 know what the alternative was. That was the only time
4 I was taken up to the tower.

5 'I remember GKF , SNR , because he
6 had started to befriend me when I went into the school.
7 He would sit on my bed and talk to me. I now know that
8 is called "grooming". Boys like me would have
9 befriended Jack the Ripper, because we knew no better.

10 'Mr GKF used to come to your bed at night. He
11 would tell you to look at his face and into his eyes.
12 He would go around and do that to other boys. It was
13 the same routine all the time. I don't know if it was
14 weeks or months before he started touching your legs
15 over the blanket. It progressed from there to hands
16 under the blanket. This was a frequent occurrence.
17 I had no feelings by this point. You used to hear
18 somebody walking along in the dark and hope that he
19 wasn't coming to you. Sometimes he would pass you and
20 go to another bed. Maybe when someone new came in, or
21 when he got bored of someone.

22 'Life was focused on the abuse, whether it was
23 during the day or hearing screams at night. It is
24 difficult to explain to people the fear you felt in
25 there. I was not able to be a ten year old boy. I was

1 frightened to go to bed every night, frightened to
2 sleep, and frightened of the noises. I am surprised
3 I didn't wet the bed every night. He might not have
4 come near me at night if I had.

5 'The sexual abuse became less frequent. I don't
6 know if it's because I objected to it. I like to think
7 that I would have objected to it. Maybe that is when
8 the violence started, because the abuse became more
9 about violence after that. If you looked at a member of
10 staff and they thought it was insolent or whatever,
11 you'd get a clip around the ear. They would also punch
12 you on the back of your head, in your stomach or
13 wherever they wanted to punch you.

14 'I was so terrified by the physical aspect of the
15 abuse. If they said "boo" to me, I probably would have
16 fallen over. I only remember the names of Mr HPQ
17 and Mr GKF, but other teachers would physically abuse
18 you too. If they asked you a question and you didn't
19 know the answer, you could be assaulted for that.
20 I wouldn't call that discipline. We were youngsters and
21 didn't have a hope in hell of defending ourselves.

22 'They just did what they wanted. I had no feelings
23 by this point. I didn't get upset then, I didn't care.
24 There was nobody to tell anyway.

25 'There was a teacher who loved his golf. He liked

1 human targets. I saw first-hand a boy next to me being
2 hit in the head with a ball. It had been deliberate.
3 I was right next to the boy and I heard it hit him. The
4 lump came up under his head instantly. It was like the
5 ball was under his skin. I didn't know the teacher
6 then, but I found out later that his name was
7 Mr GJF . I think he was the physical education
8 teacher.

9 'I must have gone back to Balrossie after this other
10 house and working on the farm. I know this was the case
11 because it was from Balrossie that I was released back
12 to the care of my mother.'

13 Then he says he had been ordered to stay at school
14 until he was 18, but he left when he was 14.

15 He then talks about life back at home from
16 paragraph 95 and he thinks he had a small period of
17 stability back home and that he went to school. This
18 was a secondary school, which he went to for about
19 a year or so and it was lovely. But they had an annex
20 for people who were either disruptive or couldn't do the
21 work and he fell into the couldn't-do-the-work category,
22 because he had no education and there was a separate
23 queue for children going into that annex, so he was
24 segregated in the playground and says he was stigmatised
25 straight away.

1 He talks about stealing food from the bakers in the
2 morning because he wasn't getting fed at home and he
3 says he was still feral and had no respect for himself
4 or anybody else.

5 He then talks about ending up in Polmont when he was
6 17 and a half or 18 from paragraph 98, and that was read
7 in on 3 November 2023, Day 384. He talks about assault
8 and solitary confinement and he says he was 19 years old
9 when he left borstal.

10 He then talks about life after care from
11 paragraph 111. He says he continued to offend after
12 borstal. He wanted to join the army and even went to
13 the Royal Marines, but he had no education, so he
14 couldn't sit the test. They told him to come back when
15 he was older.

16 He met his wife when he was about 19 and he got
17 married and became a dad soon after. He says he had
18 a stint of being a professional poacher for a while and
19 ended up on indictment and was given a six-month prison
20 sentence and went to Craiginches.

21 LADY SMITH: A professional poacher?

22 MS FORBES: Yes.

23 LADY SMITH: That's an interesting description, very frank.

24 MS FORBES: Yes.

25 He went from Craiginches, I think to Saughton and

1 then on to Perth Prison. He says that that was in
2 relation what he says was a wrongful conviction for
3 poaching and he thought that that could happen in a more
4 serious charge, so he stopped his offending and he says
5 if it had not been for his wife, he would have been
6 a repeat offender in and out of prison.

7 He said he had three daughters and did everything
8 with them and he has never once lifted his hand to them.
9 He joined the Parachute Regiment through the Territorial
10 Army when he was 24 years old, he became a [REDACTED]
11 [REDACTED] with them and he tells us about
12 being invited to a Buckingham Palace Garden Party and he
13 says that he later joined the Special Air Service.

14 He says his wife died in 1998 and she had done all
15 the paperwork for them and after that, he decided he
16 would educate himself and he went to college and did
17 an HNC in television, operations and production and that
18 was a big thing for him.

19 He tells us about his family and he says he has
20 a lovely family and it is nice to have a family when you
21 have grown up without one.

22 There was an incident involving neighbours that he
23 tells us about, which got him into trouble with the
24 court.

25 He says at paragraph 124 that he went back to visit

1 Balrossie and other places as an adult and he spoke to
2 a member of staff in Balrossie. He tells us a bit about
3 that and his conversations with the staff there, and one
4 in particular, a lady in the village, who worked in the
5 kitchen at Balrossie, who wasn't there when he was
6 there. He says he told her about the treatment that
7 they got there with the belt and the regime and she
8 reacted by saying at least it was done behind closed
9 doors. 'Peter' says:

10 'I bit my tongue and walked away. I was totally
11 gobsmacked that an adult could turn around and say
12 that.'

13 He talks about making a [REDACTED] video when he came
14 back and he says that many people who went to Balrossie
15 have commented on it and that someone commented with
16 a link to a statement made by GKF [REDACTED] on a teacher's
17 forum, and that on that forum, GKF [REDACTED] talks about
18 the use of the belt being enjoyed by the children and
19 that they needed it. And he wrote about how one of the
20 children messed themselves as the belt was being
21 administered and ran away and that he and other people
22 holding the boy down found it amusing.

23 He says he had a printout of that and he gave it to
24 the National Confidential Forum. He says he has done
25 and achieved things in his life despite the abuse and he

1 talks about instances where he has been involved in
2 saving people's lives. He says he tries to keep himself
3 busy and he has three children and six grandchildren and
4 a new partner.

5 In relation to impact, he thinks he was at Balrossie
6 for two years and he says that his experiences in
7 institutional care have wrecked his life. He says he
8 didn't know what was right or wrong, because nobody ever
9 sat him down and explained what he had done wrong.

10 At paragraph 131, 'Peter' says:

11 'When I left school I couldn't even write my name.
12 I wanted to join the army but I couldn't because I had
13 no education. I ended up offending instead.'

14 He says at paragraph 132:

15 'The one thing I wish I had in my life was
16 an education. I didn't realise until I was about
17 40-years old that I actually had a brain.'

18 He says that after his wife died, his childhood
19 memories were coming back to him, he was having a tough
20 time and he started to self-harm. He says at this time
21 he talked to his GP and he was waiting to see
22 a psychologist and he talks about the scars he says he
23 still has on his bottom from being held down by members
24 of staff in Balrossie and assaulted.

25 He says at paragraph 136:

1 'The abuse in care wasn't just physical, it was
2 sexual and also mental. They had a control over you.
3 If I hear a noise outside or behind me, I feel fear. It
4 didn't just go away when I left care. It has stayed
5 with me.'

6 He talks about some health problems that he has had
7 and he tells us about that.

8 Then in 'Final Thoughts', paragraph 144, he says:

9 'I will hopefully live long enough to learn that
10 some good has come out of me giving my statement to the
11 Inquiry. I would like to learn that some law has been
12 changed somewhere to make things better. Unannounced
13 checks would be an ideal way to check on these
14 institutions. The children also need somebody they can
15 trust who they can talk to.'

16 He says that he wants to leave something that his
17 children can read after he has gone and is that is why
18 he wanted to talk to the Inquiry.

19 'Peter' has signed that and it is dated
20 12 June 2017.

21 LADY SMITH: Thank you.

22 'Scott' (read)

23 MS FORBES: My Lady, the next statement is from an applicant
24 who is anonymous and is known as 'Scott', and the
25 reference for his statement is WIT.001.002.1102.

1 My Lady, 'Scott' was born in 1956 and talks about
2 his life before care between paragraphs 3 and 9. He was
3 brought up in Maryhill in Glasgow. He remembers all the
4 places he was in, but not the detail. He lived with his
5 parents and three siblings in a tenement flat.

6 Life there was horrendous, his mother and father
7 were never there. His father drank and gambled, there
8 was money issues and he was made to break into coal
9 bunkers to steal coal. He was sent into a church to
10 steal candles and he would come home from school and
11 nobody would be at home and he would be roaming the
12 streets starving and he remembers breaking into school
13 to get something to eat from the dining hall. His mum
14 would be away for weeks or months and then come back
15 full of drink. She would bring back fancy men. He
16 witnessed violence between his parents and arguments and
17 he talks about an assault perpetrated on him by his
18 mother when he was about seven or eight that led to
19 police and social work becoming involved. He was taken
20 away from the family home at that point.

21 He was then in a children's home and he thinks he
22 was there twice and he tells us about that between
23 paragraphs 10 and 31. Secondary Institutions - to be published later

24 Secondary Institutions - to be published later
25

1 he says that when he was about nine or ten, he was sent
2 to Larchgrove Remand Home. He tells about Larchgrove
3 from paragraphs 34 to 43, that evidence was read in on
4 22 March 2024, Day 427.

5 He was there maybe five or eight weeks for
6 assessment and he says there wasn't anything good at
7 Larchgrove, there was sexual abuse by staff, physical
8 abuse and he talks about a resident being murdered by
9 another resident when he was there.

10 He then tells us about Balrossie, and this is from
11 paragraph 45 of his statement. We know that he was
12 admitted -- from our records that we have recovered, he
13 was admitted there on [REDACTED] 1967, aged 11, and then
14 he -- in the following paragraphs he talks about going
15 to Thornly Park and then Balgowan, but that order is
16 incorrect.

17 As I go through, my Lady, I will tell you the dates
18 from our records.

19 LADY SMITH: Thank you.

20 MS FORBES: He tells us about Balrossie and talks about the
21 staff there, Mr GKF being SNR [REDACTED] and Mr GSY
22 SNR [REDACTED].

23 He talks about night watchmen being there, but that
24 they were never there at night and they weren't
25 interested in what was going on.

1 He says on his first day, this is at paragraph 48,
2 something not nice happened in the shower room and he
3 tells us about that in more detail later. He was put
4 into a dorm downstairs, where he stayed for a couple of
5 days. He says he thinks he was in that dorm for between
6 a couple of days and a week before being moved upstairs
7 and then he was moved to one of the other dorms.

8 He talks about shower cubicles being all open --
9 sorry, a row of 12 shower heads and no shower cubicles
10 and it being all open.

11 At paragraph 51, 'Scott' says:

12 'The abuse I suffered made me run away. I ran away
13 a lot. I was running away through fear of the bullies,
14 I didn't know where I was going when I ran away.
15 I would run over fields and across rivers. I remember
16 climbing hills, crossing railway lines and walking into
17 Bridge of Weir.'

18 He says he sometimes went back to the family house,
19 and sometimes, if he did that, his mother would hide
20 him, but if his father was there, he wouldn't take him
21 in. He says his father did on one occasion harbour him
22 and he was prosecuted for that.

23 He says that as soon as he would be collected or
24 taken back to Balrossie, the abuse would continue. Then
25 he talks about abuse from paragraph 55. He says:

1 'When I went into the shower room on my first day,
2 there was no member of staff in there. No one stayed in
3 the shower room to supervise. There was a guy in there
4 who was another resident. I would later learn that his
5 name was ...'

6 I will just call him boy A.

7 LADY SMITH: Thank you.

8 MS FORBES: 'Boy A came from Paisley, his family came from
9 there. That was his territory. He was dark haired and
10 hairy. He had black hair and a hairy chest. He was
11 under the shower. He came over to me swinging his
12 private parts about. He said things to me. He told me
13 to do this and that with his private parts. He then
14 imposed himself on me. There was nobody there to stop
15 him doing what he did to me.

16 'I later on got moved upstairs to a dorm. Boy A was
17 in a different dorm. I had to meet boy A at night in
18 the toilet. I had to give him wanks and gobbles. He
19 would make me turn up at a certain time of night and
20 make me do that. Boy A had a hold over me. Part of his
21 hold over me was he said he would tell the bullies what
22 I was doing to him if I didn't carry on doing it. I was
23 terrified of him.

24 'The residents were jumping in and out of each
25 other's beds and dorms. I saw what was going on. Older

1 kids were taking younger kids. They were bullies.
2 I got bullied in Balrossie. The bullies were
3 horrendous. I know their names, but I don't want to
4 mention them. The older boys bullied the younger boys.
5 A group of them would hit me. I wasn't liked for some
6 reason. The abuse continued right through my time at
7 Balrossie.

8 'The first two or three times that I ran away and
9 got brought back I got the belt on both hands. Mr GKF
10 did that. I remember him asking me why I was running
11 away. He wanted to know why I was doing that. I didn't
12 tell him what boy A and the rest of the bullies were
13 doing to me. I was scared what might happen to me if
14 I did.

15 'The next time I ran away, I was again caught and
16 taken back to Mr GKF office. Mr GSY was there.
17 Mr GSY told me to take all of my clothes off. I was
18 naked. I was made to bend over a stool. Mr GSY put
19 my head between his thighs, underneath his privates. He
20 pressed down on me while Mr GKF gave me the belt on
21 the back, buttocks and thighs. I was squealing blue
22 murder.

23 'When they were finished with me, they manhandled me
24 across to a wee room opposite Mr GKF office. The
25 room was away from everybody. They opened the door and

1 slung me in. They then threw a pair of pyjamas into the
2 room. In that room was a metal hospital-style bed,
3 a locker and a white ceramic thing to go to the toilet
4 in. I'm quite sure there was a wee slat on the door
5 with a glass window. The door was locked. I was kept
6 in the room until my injuries cleared up. I would have
7 been in there for days.

8 'Later on still, I was caught again, after running
9 away. I was taken again into Mr GKF office.
10 Mr GKF, Mr GSY and Mr GJF were all in there.
11 They went through the same procedure. I was stripped
12 naked and bent over a stool. I was held down over
13 a stool by Mr GSY and Mr GJF. I was given the
14 belt again on my back, buttocks and legs. I was then
15 slung into the same wee room again. I couldn't do
16 anything about it. I reckon that I was in that room for
17 maybe a fortnight.'

18 He says that after the first time he was locked in
19 the room, he ran away, and then the marks were still
20 visible from the beating he had been given and he got
21 back to his mother's and she said that she was taking
22 him back to Balrossie and when they got off the train in
23 Kilmacolm, they went straight to the police station and
24 his mother turned him round for the police officer to
25 show him the injuries, pulled his trousers down and

1 lifted his shirt right up, showed them the marks and the
2 police didn't want to know. And he remembers his mother
3 shouting she was going to take things further when
4 nothing was done. His mother then took him to Balrossie
5 in a taxi and she then showed his injuries to Mr GKF
6 and she tried to get Mr GKF to say how he had got them
7 and Mr GKF apologised and she told him that she was
8 going to take matters further, but he was then left in
9 Balrossie and he says nothing changed in Balrossie after
10 my mother -- and his sister was there too -- after his
11 sister left.

12 He continued to run away, because of what was
13 happening. Mr GKF was trying to work out why he was
14 running away, he wanted answers but 'Scott' says he was
15 too frightened to tell him what was happening with boy A
16 and the bullies. A psychiatrist got involved but again,
17 he didn't tell him about what was going on with the
18 staff, boy A or the bullies. But he says that after
19 that, he thinks he was moved away to Thornly Park, but
20 he was actually admitted to Balgowan in 1969,
21 on transfer from Balrossie. He was admitted to
22 Thornly Park in 1970, and he was aged 14.

23 He was at Thornly Park, which I will talk about now,
24 even though it is out of order.

25 LADY SMITH: Okay.

1 MS FORBES: He was there between [REDACTED] 1970 and [REDACTED] 1970,
2 and so he was there for perhaps a little longer than he
3 thought, which he thought was only a couple of months
4 but says there was nothing that he can remember that was
5 good there. When he arrived there, he just started
6 running away again because of the abuse he was
7 suffering. There was fear again, and he remembers even
8 smashing a window to escape.

9 He says that he got the belt on the hands, but there
10 was nothing like what happened in Balrossie.

11 In relation to abuse at paragraph 71, 'Scott' says:

12 'I didn't know boy A had been moved to Thornly Park
13 before I was moved there. When I arrived, I discovered
14 that I was to be put in beside boy A. As soon as
15 I clapped eyes on him, I knew that that would be me
16 running away again. I dreaded my time at Thornly Park
17 because of boy A, the same things started up again with
18 him. He started his "carry on". It started as soon as
19 I arrived. It was just him doing these things to me at
20 Thornly Park.'

21 He was then admitted to Balgowan -- so this was
22 before Thornly Park -- from Balrossie, he was 12, almost
23 13 at that point, and he was at Balgowan for just under
24 15 months according to our records and that evidence was
25 read in on 14 February 2024, Day 417.

1 LADY SMITH: Thank you.

2 MS FORBES: In relation to Balgowan, again he ran away
3 because of things that were happening in the dorm.
4 There was sexual abuse by a member of staff, he saw
5 sexual abuse between other boys and there were 'hardcore
6 bullies' in there and there was physical abuse by staff.
7 He then, this would have been after Thornly Park,
8 ended up in Barlinnie in Longriggend. This was read in
9 during the Scottish Prison Service chapter, on
10 8 November 2023, Day 386.

11 He says he was very young when he was there, between
12 12 and 14, he was the youngest boy in Scotland, and he
13 talks about the abuse which has been already read in.

14 Then he was sent to Oakbank in Aberdeen and he talks
15 about that from paragraphs 92 to 96. He says that he
16 was sent there because he had been running away. He
17 says that the bullying at Oakbank was horrendous, but
18 that was all that was happening, there were no problems
19 with staff or sexual abuse. He talks about running away
20 and leaving Oakbank in paragraphs 94 to 96.

21 He says that this ended up being given the choice of
22 being sent to the closed block at Rossie Farm or being
23 kept at Oakbank and he chose to go to Rossie and took
24 the option, he says, of being sent to a more secure
25 place.

1 We know from the records we have that he was in
2 Rossie between [REDACTED] 1970 and [REDACTED] 1971, so he was aged
3 14 and 15. Then after that, he returned to Oakbank for
4 a period.

5 He talks about Rossie from paragraph 97. He talks
6 about punishment cells, and again boy A, who had been
7 abusing him sexually from Balrossie, was there and he
8 was sexually abused again and he saw people, another boy
9 being assaulted by staff.

10 Then talks about going back to Oakbank at
11 paragraph 107, 108. He was back there for a short time
12 after Rossie, he doesn't know how old he was, but it was
13 different the second time, no abuse and the place felt
14 different and then he was released home after Oakbank,
15 he thinks he was about 15, went back to his parents, but
16 it was horrendous, his mother and father were still the
17 same. He says he had never been around his family and
18 he had missed out on family life and felt
19 institutionalised. He ran around with older boys and
20 was involved in crime. He was then in Larchgrove for
21 a short period of time and then Geilsland.

22 He talks about Geilsland between paragraphs 114 and
23 129. The resident who had been abusing him before was
24 now at Geilsland, boy A, sexually abusing him again and
25 he was running away because of that. He says he ended

1 up breaking into a bingo hall when he was out on leave
2 and ended up at Glasgow Sheriff Court and was sent to
3 Polmont.

4 He was 16 or 17 when he went to Polmont and he was
5 there for about nine months and that evidence was read
6 in during the Scottish Prison Service chapter on
7 8 November 2023, Day 386. That is between paragraphs
8 130 and 139.

9 He talks about his life after care from
10 paragraph 145. He says he was in and out of Barlinnie
11 up until 21, then he was mainstream prison. He got
12 married in 1981 and was allowed to leave Perth Prison to
13 go to his wedding. He had three children, later got
14 divorced, and he says he was never there for his
15 children and has no contact with them now. He had two
16 daughters to a woman and they were both placed in care
17 and then later had a daughter and a son to another
18 woman, who he was with for a long time. He said that
19 she then kept him out of jail and he had a 'great wee
20 life' and he still sees both of those children.

21 He talks about the impact from paragraph 152 to 161.
22 A lot of that has been read in already, but essentially
23 he says his life has been ruined from his time in care
24 and he has been bullied all his life by people in his
25 family.

1 He says at 'Lessons to be learned' between
2 paragraph 174 and 177 these places were not nice, sexual
3 abuse was rife and if they had cut out the bullying in
4 these places it might have been easier to report things.

5 He has signed his statement and it is dated
6 5 September 2018.

7 LADY SMITH: Thank you very much.

8 It is just after 3.00 pm. I think we will have
9 a short break now and then resume with some further
10 read-ins after that.

11 Thank you.

12 (3.04 pm)

13 (A short break)

14 (3.15 pm)

15 LADY SMITH: Ms Forbes.

16 'Aaron' (read)

17 MS FORBES: My Lady, the next witness is anonymous and is
18 known as 'Aaron', the reference is WIT-1-000000019.

19 LADY SMITH: Thank you.

20 MS FORBES: 'Aaron' was born in 1958, he was born and
21 brought up in Glasgow, and has four siblings, of whom he
22 was the oldest, his father was in prison and his parents
23 separated when he was young, his mother became
24 an alcoholic, and he started running away to stay with
25 his father and was going backwards and forwards.

1 He talks about sexual abuse by his father on one
2 occasion and things changed and he started running away
3 to be on his own. From the age of nine, 'Aaron'
4 describes himself as basically being on his own and his
5 parents didn't care where he was and he ended up being
6 put into care.

7 He was at a children's home in Fife and he says he
8 was at least nine when he went there. He talks about
9 that from paragraph 10 and he says that he was there for
10 about eight months or so and two of his siblings were
11 with him there **Secondary Institutions - to be publish**. He went back to
12 stay with his mother in Glasgow, he says when he was
13 roughly about ten. The windows were all boarded up at
14 the house, his mother and stepfather were drunk, and he
15 just left and ran away. He lived in various places. He
16 walked the streets or lived in squats, and he was caught
17 by the police stealing something and he was classed from
18 that day on, he says, as a delinquent and he was
19 stealing to survive. He was taken straight to
20 Larchgrove from court.

21 He talks about Larchgrove from paragraph 49 to 100,
22 this evidence was read in on 22 March 2024.

23 LADY SMITH: Yes.

24 MS FORBES: Day 427. He was nine or ten, he thinks, when he
25 first went there. He was there a second time, but he is

1 not sure when, but there was an eight-month gap between
2 the first and the second and each time was for about
3 three and six weeks before he says he -- before being
4 remanded and there was physical assaults by staff,
5 bullying by bigger boys.

6 He was taken to a court hearing and 'sentenced to
7 Balrossie' is the way he puts it. He says he was nine
8 or ten years old at the time, but we know from records
9 that he was admitted on [REDACTED] 1970, his birthday was
10 not until [REDACTED], so he was aged 11, nearly 12 and he
11 was there from between, he says, eight months and
12 a year.

13 He talks about Balrossie from paragraphs 102 to 149,
14 he says there were some general chores but it was not
15 like Larchgrove where you would be scrubbing and
16 cleaning all day. Kids who wet the bed were shunned,
17 shouted at by staff and called names. Staff made them
18 wear wet sheets wrapped around them. He wasn't sexually
19 abused, but that went on there.

20 He says that sexual abuse occurred by staff, boys
21 were taken out of dorms at night. There was physical
22 assaults by staff and the same sort of physical abuse
23 that he got in Larchgrove. There was inappropriate
24 touching by staff. One boy was severely beaten by staff
25 and they all saw the beatings. There was bullying by

1 boys towards other boys and he says he took part in that
2 to avoid being bullied himself.

3 He talks in particular about staff grooming you in
4 there. This is at paragraph 138. This is where he
5 talks about boys being taken out of dorms at night.

6 In relation to physical abuse at paragraph 139, he
7 says:

8 'The staff were strict and brutal. They were
9 deliberate with their brutality ...'.

10 And that he was physically abused by staff when he
11 was in there. He talks about it being the same sort of
12 physical abuse that he received in Larchgrove. Everyone
13 was hit, always with their hands and they could hit you
14 anywhere and there was also keys, the same as
15 Larchgrove, that the staff would use to hit you and
16 slaps were a daily occurrence.

17 He talks about a gym instructor at paragraph 141 who
18 used to bang you in the face with a medicine ball whilst
19 you played a game called 'Murderball' and you had to
20 stand there and take it.

21 He then talks about someone called Mr GBR in
22 paragraph 142. He says:

23 'One man in particular comes to mind when I think
24 about the abuse that went on in Balrossie. His name was
25 Mr GBR. He was always polite and that sort of thing.

1 However, at the same time he controlled you. He was
2 sinister. There was something about him that wasn't
3 quite right. He was one of those people who you kind of
4 knew wasn't right. However, he never went far enough
5 for you to do something about him. It was as if the
6 intent was always there but he never followed through
7 with his actions. He was just too nice compared to the
8 other staff and what I was used to.

9 'Mr GBR was always touching you and cuddling you.
10 I would see him touch other kids in an inappropriate
11 way. He would inappropriately touch me. He never
12 physically hurt me, but he did do that. The way he
13 would touch you would just be cuddling or he would touch
14 your legs. He came across as gentle but there was
15 definitely something amiss.

16 'Mr GBR was always one of the ones who was
17 involved with instigating taking children out. I would
18 say that I was taken out by him, alongside other
19 children, two or three times every week whilst I was
20 there. It was usually to go out and go to Boys'
21 Brigade. There was one occasion when he took me out on
22 my own. He was supposed to be taking me to the Boys'
23 Brigade but he never did that. He took me to a pub in
24 Montrose instead. He bought me an ice cream sundae.

25 I have never understood why I was taken separately

1 and put under his care. I don't think he should have
2 been allowed to do that.'

3 He talks about a particular boy who was in there who
4 was his best pal, and he says that he remembers him
5 being beaten severely by staff and they all saw the
6 beatings that he would get and that he would always
7 retaliate and that at one time after a beating, he was
8 away for six months and they were told he had taken
9 unwell and when he came back, they were told he had
10 cancer. He was taken to hospital and when he came back,
11 he had [REDACTED] due to cancer and he died not long
12 after that and he was about ten.

13 He said that all happened during the time he was
14 there and he gives his own view about what he says he
15 thinks the cancer was caused by.

16 He says in relation to bullying:

17 'They were bullies, they taught me how to bully
18 boys.'

19 That was in relation to twins, who were the main
20 bullies.

21 He says he left Balrossie because his time was up.
22 This is from paragraph 150. He is not sure how old he
23 was at the time. He didn't end up staying with his mum,
24 which he was supposed to do, he stayed, he says, with
25 'toerag pals', he was running here, there and

1 everywhere, became 'a wee ned', he says. He started to
2 get regularly into trouble, he would be recognised by
3 the police and when they picked him up he was called
4 a 'delinquent' and 'unruly' and he ended up in trouble
5 and he was before the court. He was sent for
6 a three-week assessment at Howdenhall.

7 He talks about that between paragraph 154 to 200.
8 He thinks he was 10 or 11 when he was there. He was
9 there three times. The first two times were for short
10 periods and a lot of the abuse comes from the third time
11 he was there. By the time he was there, he decided
12 nobody was going to hurt him and he was a bully and he
13 stayed that way, he says, in all the places after
14 Balrossie.

15 After he left, he got done for breaking into
16 a barber shop. He was 11 he says. He went back
17 a second time and he was in with his brother the second
18 time who was only, he says, about seven years old. He
19 says that there was an instance where he attacked the
20 social worker in the car on the way back home and made
21 her stop the car and he escaped. He didn't want to go
22 back to an alcoholic household. He was caught and taken
23 back and then he was taken to an unknown home in the
24 west of Scotland, he doesn't know why, he was there for
25 a matter of weeks. He says there was no abuse there and

1 he was taken to Thornly Park and he talks about
2 Thornly Park from paragraph 221 of his statement.

3 He says he was about 13 when he went there and he
4 was there for about a year. He gives us information
5 about the layout of Thornly Park in the following
6 paragraphs and the staff. He says that he recognised
7 boys there from his time in Larchgrove, Balrossie and
8 Howdenhall and he says the place was work-orientated.
9 They were supposed to be self-sufficient and they worked
10 in the gardens.

11 He says that they were kept active as much as they
12 could be, and this is in relation to leisure time from
13 paragraph 244. He says at 246:

14 'Mr Davis was in charge of the cycling. I had to
15 prove to him that I really wanted to be involved. To
16 begin with I had to learn to strip the bikes down and
17 clean them. Everything had to be shining. I had to do
18 all of that before I was allowed to go out on the bikes.
19 When you got taken out, you got taken out by Mr Davis.
20 I was taken out cycling every day with other boys who
21 were involved. He took us cycling all around Paisley.
22 We did about a couple of hours every night.

23 'We eventually got to cycle right the way round
24 Scotland on two occasions. Mr Davis was the only one
25 who supervised us on those trips. About 12 of us went.

1 It took a couple of weeks on each occasion. We would
2 either stay in youth hostels along the way or camp in
3 the fields. I loved it, it was good and it felt like
4 freedom.'

5 He says he ran away twice whilst there and he was
6 caught the same day, and he talks about while he was
7 there, two boys committed suicide. That is at
8 paragraph 256.

9 He then talks about abuse at Thornly Park from 258:

10 'It wasn't as regimented as Larchgrove but you still
11 had to do the things that they wanted you to do and how
12 they wanted you to do them. It didn't matter if you
13 were right. It made no difference. You still had to do
14 it their way. I think I just accepted the way I was
15 treated, because I thought I was bad and had clamped up.
16 It was a way of defending myself.

17 'The staff were all bullies. I think most of the
18 staff had come from a military background. I think they
19 all had that sort of training. I think that's part of
20 why they were all strict. They were trying to instill
21 a military way of thinking in us all. Some kids took to
22 it and other kids didn't. I remember times when boys
23 tried to get other boys to keep quiet and shut up. That
24 ended up causing arguments amongst the boys. I think
25 the boys who didn't keep quiet, and answered the staff

1 back, just didn't know how it all worked. They hadn't
2 worked it all out yet. Looking back, I know the way the
3 staff acted wasn't right.

4 'Some of the staff were more aggressive with it than
5 others. I think they had to show their authority. The
6 discipline was mostly done verbally. You weren't
7 allowed to step out of line. You were a delinquent and
8 a degenerate according to them. Mr Davis was verbally
9 quite bad. The first matron could give you a row. Even
10 she was quite bad. She was a big strong woman. You
11 would shut up when she came your way. She wasn't
12 physical, but she was strict.

13 'There was physical discipline, it was all the same
14 as the other places. There were beatings. The staff
15 would punch you, kick you or throw things at you. If
16 you never got slapped, it was a good day. When you got
17 hit, it wouldn't necessarily be for doing anything
18 wrong. It could be for something petty like having your
19 hands in your pocket or carrying something you weren't
20 supposed to. If you spoke back, you would be slapped.
21 It was just unacceptable to speak back. If the staff
22 saw that you were down or crying, you would probably get
23 given a slap and told to "move your arse". You weren't
24 treated sympathetically. You were treated by getting
25 a kick or a slap and getting shouted at. A lot of the

1 physical discipline was for stupid things. Sometimes it
2 could be for nothing.'

3 He says that by the time he left Thornly Park, he
4 was more wild and aggressive and his life started
5 getting out of control. He was back home but he was
6 involved in more serious crime and by that time he was
7 13 and he was supposed to be living with his dad and his
8 stepmother but he didn't do that, he got in trouble with
9 the police a lot. He was in the cells every week and he
10 was caught with his cousin and was sent to Liberton for
11 a three-week assessment, and that was the third time.

12 He talks about that from paragraphs 266 to 279.
13 This was a much longer time, five months or longer, that
14 he was there and he says he ran away but was caught the
15 same night, put in a cell, there was excessive corporal
16 punishment, and he was taken to Rossie Farm.

17 He talks about Rossie between paragraphs 282 and
18 339. He was there at some point between the ages of 14
19 and 15. For about eight months, or maybe as long as
20 a year, a lot of the discipline was verbal, emotional
21 abuse, but there was sexual abuse towards boys by
22 a member of female staff, who was in a relationship with
23 one of the boys. He talks about that.

24 He says he was 15 by the time he left and he went
25 back to his dad's, got into more trouble and he got

1 sentenced to one to three years in Polmont. That was
2 only four weeks after leaving Rossie, he ended up in
3 Polmont, he would have been 16.

4 He talks about Polmont between paragraphs 342 and
5 388. He says he did between nine months and a year,
6 a strict regime, verbal abuse, physical abuse from
7 staff, segregation, and bullying from other inmates.

8 He talks about life after care, between paragraphs
9 395 and 402. He got married a couple of months after
10 leaving Polmont. He moved to England, got a job, had
11 two children but was in and out of prison, the marriage
12 didn't last, and he didn't have contact with the
13 children after. He managed to stop getting in trouble,
14 came back to Scotland with a girl who had four kids,
15 treated them like his own, and he says they waited five
16 years before they had children together. They were
17 together 35 years but then split up and it was amicable.

18 He met someone else and some of what he tells us
19 about his father, and the attempted prosecution of his
20 father, has been read in before.

21 LADY SMITH: Yes.

22 MS FORBES: Between paragraphs 403 and 436, he talks a lot
23 about his entire time in care and his family background
24 and I won't rehearse that again.

25 In relation to 'Hopes for the Inquiry' at

1 paragraph 437, he says:

2 'Speaking to the Inquiry is probably one of most
3 important things that I have done. I have been hanging
4 on for 30 years to speak about what happened in my
5 life.'

6 He, unfortunately, died before he was able to sign
7 his statement but his statement has been read in
8 according to the usual process, which is that those who
9 took his statement have indicated that that was his
10 position.

11 LADY SMITH: Thank you.

12 'Nick' (read)

13 MS FORBES: There is another statement from an applicant who
14 is anonymous and is known as 'Nick'. His evidence has
15 been read in on three occasions before. The reference
16 for his statement is WIT-1-000000822.

17 'Nick' tells us he was born in 1984, he lived in
18 Glasgow with his parents and brother, and he says from
19 the age of five he was sexually abused by a family
20 member, his mum took him and left his dad, little
21 contact with his father after that.

22 His mum then had a bit of a breakdown and he was put
23 into respite care and he was put into a children's home
24 aged seven. He talks about his experience in the
25 children's home between paragraphs 10 and 33

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He was moved to Newfield Assessment Centre in 1993, aged eight, and he talks about that from paragraph 34. He was there for about six weeks the first time, but he says he was there a couple of times for short periods. After the first time, he went back to his parents for a month and then he was put back into Newfield by the panel. He found Newfield [REDACTED] traumatising [REDACTED] Secondary Institu

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He thinks he went then to Balrossie [REDACTED] 1993, or [REDACTED] of 1994, aged nine, but our records show he was a bit younger, he was admitted on [REDACTED] 1992, when he was eight-years old, and he does talk at paragraph 48 about being one of the youngest and certainly --

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LADY SMITH: That sounds quite young compared to most of what we have heard of, doesn't it?

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At paragraph 49, 'Nick' says:
'I was taken straight into [REDACTED] SNR [REDACTED] office and he was intimidating as well. His name was [REDACTED] LWH [REDACTED]. He was a big man with a bald head.

1 The way he spoke was quite brash. He came across as
2 dead intimidating. His wife was a teacher at the school
3 too.'

4 He talks about Balrossie having horses in the field
5 in front and there was goats and sheep up the back, as
6 well as a big football park.

7 His first visit to Balrossie, he says, gave him
8 a false impression. It was a castle, it seemed magical,
9 but when he went there to stay, it was a completely
10 different experience. He says that being quiet and
11 withdrawn, people took advantage of that in a big way.
12 He talks about there being dormitories with three beds,
13 and he shared with boys who were older than him.

14 Paragraph 53, he says that the shower area in the
15 morning was when boys would fight with one another.
16 There was a lot of violence in Balrossie, to see who
17 would be top boy of each unit.

18 In relation to leisure time at paragraph 58, he
19 says:

20 'We played football but the bullying was on my mind
21 constantly. It was always on my mind and I was stuck
22 there. It was horrible.'

23 And he talks about being taken fishing and ice
24 skating, paragraph 60, and also a holiday to Cannes in
25 France and to Arran. That they were some good memories.

1 He says he loved the horses there and even though he
2 didn't have permission, he would ride the horses and the
3 horses ended up becoming a big part of his life. He
4 says he got home visits for a while, but then he was
5 told a new baby had arrived and the home visits were
6 stopped. He was beaten up by the older boys and there
7 was physical abuse by a member of staff.

8 If we can go to paragraph 74, he says in relation to
9 running away:

10 'The one and only time I tried to run away was with
11 two other boys. I was quite young. We hid in a barn
12 and I remember one of the boys got stung by a wasp. He
13 went back to Balrossie, we weren't far. He must have
14 told them where we were. We had built a den in the hay
15 bales and I looked down and LWH, SNR
16 SNR, was there saying, "Come out, I know you are
17 there". We did get some punishment for running away,
18 but I can't remember what it was.'

19 He says:

20 'There were lots of rules at Balrossie. If you
21 broke the rules, you got punished, usually by being
22 locked in your room and told to stay there. If you were
23 fighting with somebody else or kicking off, you could
24 end up with four or five members of staff sitting on top
25 of you. That happened quite regularly, it happened to

1 me about two or three times a week. I don't know if
2 they recorded it when they restrained a child. It
3 wasn't normal restraints they used, they would twist
4 your arms up your back and they did the same in
5 St Philip's. It was quite frightening as a child and
6 the pain was unbelievable. You couldn't breathe when
7 you had four or five of them sitting on your back. It
8 was particular members of staff who did that, like
9 KSP [REDACTED], but I can't remember the others' names.
10 If you didn't get out of bed in the morning,
11 KSP [REDACTED] would tip you out of bed and use restraints
12 on you.'

13 'Nick' then speaks about abuse from paragraph 76:

14 'I used to get terrorised in Balrossie when I was in
15 school, boys would be waiting on me. It would be older
16 boys from the unit, but I can't remember their names.
17 I would tell the English teacher but she would just tell
18 me to get out. I can't remember her name, she was
19 really old, her name might have been Mrs Clark. When
20 I went out, I would get beaten really badly. Boys would
21 be stamping on my head. This was happening every day or
22 every other day. It was always when staff weren't
23 there. The psychological abuse I was going through was
24 unbelievable. It traumatised the life out of me.

25 'Some members of staff were fine, some were

1 bastards. The one that always sticks in my head was
2 KSP. He abused me physically, mentally and
3 psychologically. If I did anything wrong at all, he
4 used to drag me up to the tower of the castle and lock
5 me in. I was eight years old and he was me telling
6 horror stories of ghosts being in the tower. He would
7 lock me in there for hours at a time, and there was no
8 window, it was just an empty dark room. There was no
9 food or water, and I didn't know how long I was going to
10 be in there. KSP did that to me a few times.
11 Other staff knew it was happening, but they didn't take
12 any action.

13 KSP's abuse usually happened at the
14 weekend or at night when the place was quieter. He used
15 to batter me, really batter me. That took place in my
16 bedroom. He would batter me for being bad, which could
17 be anything, such as coming out of class early or
18 swearing at a teacher. He used to throw his keys at me,
19 he threw me off a wall, but he wouldn't hit me in the
20 face, only on the body. I had bruises all over me, but
21 KSP would just say that I had fallen off my
22 bike again. Other staff, like the nurses, must have
23 noticed my bruises.

24 KSP used to abuse me regularly. It
25 happened any time that I did something wrong in his

1 eyes. That continued throughout my time at Balrossie
2 and I was there for years.

3 'The two boys I shared a dormitory with [he names
4 them] were bullies. I woke up one morning [and he names
5 the boy] was trying to stick his penis in my mouth. He
6 had tried it many times before that. He and other boys
7 would hold me down and pretend they were going to do
8 that. Mostly I fought them off, but I had seen what
9 they had done to other boys.'

10 He names two boys again and says:

11 'They were like predators, but [he names one
12 particular boy] was the worst. What they would try and
13 do to other boys was they would make a lot of dens in
14 the bedrooms and elsewhere. They would make them out of
15 sofa cushions, quilts and things. They used to go into
16 these dens and touch each other. They did it to me as
17 well. [He names one boy] would get you into a den and
18 dare you to do things like pull your willy out and touch
19 it. I didn't understand, I thought it was a game they
20 were playing.

21 'Staff would be around when they were using these
22 dens, but either they didn't see what was going on or
23 they didn't want to see. There were only a couple of
24 good staff. Most didn't care.'

25 He says then in relation to reporting that, he was

1 too young to understand what those boys were doing to
2 other boys, but when one boy tried to stick his penis in
3 his mouth and he told a member of staff, the whole unit
4 went mental, and then he understood it was a bad thing.

5 He tells us about reporting that and that he was
6 discouraged from telling his mum and dad but he did
7 telephone his dad and tell him and he says that they had
8 to keep a member of staff with him all the time, because
9 the boy in particular was trying to get him again and he
10 could hear him all the time and that went on all day
11 until his parents arrived that night. He remembers
12 seeing his dad's car and he ran out the fire exit, ran
13 round the unit and into the main building and walked
14 into SNR [REDACTED] office. His dad was there with
15 two of his mates and SNR [REDACTED], LWH [REDACTED],
16 said the best thing to do would be for them to take him
17 home that night and they would figure things out from
18 there and that is what happened.

19 My Lady, we do have quite a lot of records from
20 'Nick' and there is reference to this sexual incident
21 involving this other boy and it being reported to his
22 father and, indeed, it being reported to the police.

23 LADY SMITH: Thank you.

24 MS FORBES: 'Nick' then says that when he went home from
25 Balrossie with his dad, he was home for four weeks and

1 he says that there was then a panel after he left in
2 1997 and the panel wanted him to stay with his mum and
3 dad, but his dad said 'no chance' so he went back into
4 care. He says he was gutted when his dad said that and
5 he went from a children's panel straight back to
6 Newfield Assessment Centre, and he was there for
7 three months before being sent to South Annan, Fairley
8 and then Seafield, Ardrossan, run by the Quarriers. He
9 was then there for three years -- I think this is 1995
10 to 1997.

11 He talks about that between paragraphs 88 and 116.
12 I think by those dates he would have been 10 and then
13 10/11 by then. 'Nick' says that they didn't use
14 restraints there, but there was sexual and physical
15 abuse from other boys. There was sexual abuse by
16 a gymnastics teacher at a sports centre and his
17 behaviour got worse, he was running away, picking on
18 other boys and rebelling. He think he was moved at
19 about 12 and he was moved from Seafield to St Philip's
20 in 1997.

21 In relation to St Philip's, his evidence was read in
22 on 15 August 2024, Day 469.

23 LADY SMITH: Thank you.

24 MS FORBES: He talks about that between paragraphs 117 and
25 140. There was physical abuse there and he says then,

1 from paragraph 144, because of absconding, he was sent
2 to Rossie Farm in around 1999. His records tell us he
3 was sent there on [REDACTED] 1999.

4 He tells us about Rossie between 143 and 154, so he
5 says he was there for about around 11 months, he says
6 Rossie was good, structured, he got an education and
7 there was no abuse.

8 He was then in Cardross a couple of times, for a few
9 weeks each time, and that was around 2000, and he was 15
10 years old. He talks about Cardross between paragraphs
11 155 and 163. That evidence was read in on 12 July 2024,
12 Day 462. There was a lot of bullying from other boys,
13 a lot of violence and mental abuse.

14 He ran away and he was taken to Kerelaw in 2000 and
15 he talks about Kerelaw from paragraphs 164 to 169.

16 In relation to Kerelaw, that evidence wasn't read in
17 in that chapter, but he talks about bullying by other
18 boys, restraints by staff being bad. He says he was
19 just turning 16 at that time and he absconded and was
20 away for six months and managed to live with his aunt.
21 He managed to stay out of trouble for six months but he
22 then became involved with drink and drugs and was
23 stealing cars and he phoned Kerelaw one day because he
24 wanted to go back and they said they didn't have a bed
25 for him anymore.

1 He was sentenced to 30 days in Polmont for theft.

2 Then he was then in Kibble for about three months,
3 when he was 16.

4 He talks about Polmont between paragraphs 178 and
5 187. Parts about Polmont were read in on
6 6 December 2023, Day 394. He talks about physical abuse
7 from staff, restraint, and segregation.

8 From paragraph 189 onward, he talks about being
9 involved in a serious car crash in 2003. He got
10 a fractured skull. He says his life has been
11 a revolving door into prison.

12 He talks about being in Barlinnie when he was over
13 18 from paragraph 190 and he says that he was addicted
14 to heroin by the time he went into Barlinnie and he has
15 done 17 years in jail since he was 16. He has about 250
16 convictions, but he says he has a partner now, a house
17 and a dog waiting for him when he gets out, and he has
18 been clean and he has been setting up a security company
19 to run when he gets out. He started writing a book as
20 well.

21 'Nick' has made the usual declaration at
22 paragraph 205 and he has signed his statement and it is
23 dated 28 September 2021.

24 LADY SMITH: Thank you very much.

25 MS FORBES: There is one more, I don't know if I would

1 finish it by 4.00 pm, but I could try.

2 LADY SMITH: I think we had better leave that one, because
3 of -- yes, it is now nearly 3.50 pm and I can't go much
4 past 4 pm today. We have made good progress, thank you
5 very much for that.

6 Tomorrow do we start with a video-link, am I right
7 about that?

8 MS FORBES: Yes, the witness is at 10.00 am via Webex.

9 LADY SMITH: Very well. Thank you.

10 I will rise now, when I have given you some fresh
11 names. Just to finish off, people whose identities are
12 protected by my General Restriction Order, but whose
13 names we have used this afternoon; Mr SGQ ,
14 Mr GHG , Mr HPQ , Mr GJF , Mr GSY ,
15 Mr GBR , and KSP -- 'KSP' may not be the
16 right name actually, it may be a slightly different name
17 like , but I think quite a lot of people call it
18 'KSP' -- they are not to be identified as referred to
19 in our evidence outside this room.

20 Thank you all very much. Until 10.00 am tomorrow
21 morning.

22 (3.50 pm)

23 (The Inquiry adjourned until 10.00 am on Thursday, 10
24 October 2024)

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