

1 Thursday, 31 October 2024

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome back to our evidence
4 in Chapter 10 of this case study looking into schools
5 where children were kept in secure conditions and
6 similar places. Now, we have a witness in person ready
7 to give evidence.

8 MR SHELTON: We have a witness in person, my Lady,
9 Sara Reid.

10 LADY SMITH: Thank you very much.

11 Sara Reid (affirmed)

12 LADY SMITH: Sara, do sit down and make yourself
13 comfortable.

14 A. Thank you.

15 LADY SMITH: Sara, thank you for coming along this morning
16 to engage with us to provide oral evidence, in addition
17 to the very helpful written evidence that you have
18 already provided. It has been really good that I have
19 been able to study that in advance, as I am sure you
20 understand. We are not going to go through it all word
21 for word with you. There are some particular aspects
22 that we would like to explore, if we may, if that's all
23 right with you.

24 Your written statement is in the red folder on the
25 desk in the front of you and we will also bring it up on

1 the screen, you might find that helpful, too.

2 Sara, if at any time you have any questions, don't

3 hesitate to speak up. It is really important that

4 I know if anything is worrying you. The key is you help

5 me to help you to give your evidence as comfortably as

6 you can and as fully as you can. I say that when I know

7 these aren't easy circumstances in which to give

8 evidence, not just because you are giving evidence in

9 a public forum, but we are taking you back decades to

10 ask you about things that happened a long time ago.

11 I do understand that that can just become upsetting as

12 you go back there and you are asked to talk about it or

13 it may just be difficult. You may want a break. If you

14 do, just say. It is not a problem; all right?

15 A. Yes.

16 LADY SMITH: If you are ready, I will hand over to

17 Mr Sheldon and he will take it from there.

18 A. Thank you.

19 Questions by Mr Sheldon

20 MR SHELTON: Thank you, my Lady. Good morning, Sara.

21 A. Morning.

22 Q. Sara, I think you were born in 1966; is that right?

23 A. Correct.

24 Q. If I can go through a couple of formalities with you,

25 first of all, before we go to your evidence. I need to

1 read in the statement reference to our record. Your
2 statement is WIT.001.003.0704. As Lady Smith said, the
3 statement is in the red folder in front of you. Perhaps
4 you could open that for me, please.

5 A. Mm-hm.

6 Q. If you could turn, first of all, just to the end of your
7 statement, at page 20.

8 A. Yes.

9 Q. Is that your signature?

10 A. It is.

11 Q. And you say there:

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

16 A. Yes.

17 Q. Is that still the case?

18 A. That is.

19 Q. You have dated it there in 2019.

20 So, Sara, you tell us that you were born in Dundee
21 and that your mother and father, they were living and
22 working there at that time. You tell us, in paragraph 2
23 of your statement, that they worked within various
24 social work establishments for most of your life.
25 I suppose, really, would that be most of your younger

1 life?

2 A. Yes, yeah.

3 Q. You tell us then that your dad was working at a List D

4 school in Dundee; that the family then moved to

5 an assessment centre, that was Calder House in Blantyre;

6 is that right?

7 A. Yes.

8 Q. Do you remember how old you were when they were working

9 there?

10 A. I was 5 and 6.

11 Q. So you would be starting to go to school there at that

12 point?

13 A. Yes, that's right.

14 Q. Okay. You say, when you were about 7, your parents were

15 offered jobs at Brimmond Assessment Centre in Aberdeen;

16 was that, as it were, as [REDACTED] SNR [REDACTED] of

17 that --

18 A. Yes.

19 Q. -- establishment?

20 You tell us, also, that you lived on-site; can you

21 just tell us about how that worked? Where on-site were

22 you living?

23 A. So the main part of the building, there were 20 boys and

24 five girls that lived in the establishment. So that was

25 a large locked establishment. And our house was

1 linked -- SNR [REDACTED]'s and our house were
2 both linked to the main house, but not locked. So there
3 was a locked door in between us and them, but things
4 like meals and so on were served in the building.

5 Q. All right. But you obviously had free access to the
6 outside world from your house?

7 A. Yes.

8 Q. All right. Whereas the children were behind locked
9 doors in the centre?

10 A. Yes.

11 Q. I will come back to that in a moment or two, Sara. But
12 you tell us, in paragraph 5, that you were involved in
13 many of the activities with children staying there and,
14 really, it became an integral part of your childhood
15 life; is that how it felt?

16 A. Yes, absolutely. My parents were very immersed in their
17 jobs. I think they kind of just drew us into whatever
18 activities were taking place. Erm, so, if the children
19 were being taken out to go swimming or taken up into the
20 hills to go walking, or anything like that, we would
21 tend to get involved. There were also activities on
22 site outwith the kind of schooling hours that would
23 be -- you know, there was an assault course and
24 a five-a-side field and we would play rounders, and so
25 on. So myself and particularly my brothers, not

1 particularly my older sister, but we were quite often
2 involved in those.

3 Q. All right. Just going to paragraph 8 of your statement,
4 you have told us already that there were 25 children, 20
5 boys and five girls; were they, as it were, mixed in the
6 centre or were they kept separate?

7 A. The sleeping areas were cut off by a locked door. So
8 there would generally be a member of staff with the
9 girls in their unit and a -- mixed members of staff down
10 in the boys' unit, which was obviously much bigger. But
11 there was sort of a gym hall and a communal eating area
12 and that kind of thing.

13 So for things like during the day for sports or for
14 teaching, there was a woodwork room, that kind of thing.
15 Eating and things outwith the kind of sleeping
16 arrangements were often mixed.

17 Q. All right. Was that the case throughout your time at
18 Brimmond?

19 A. Yes.

20 Q. All right. And I should have asked you this: I think
21 you went there when you were about 7, so about 1973 or
22 so?

23 A. Yeah. Probably earlier. I think I was 6 when -- I had
24 my 7th birthday there, so ...

25 Q. Right. You may not remember this, but when you first

1 arrived were there children there as well --

2 A. No.

3 Q. -- or was it just -- oh, right.

4 A. We were there as it opened.

5 Q. And I should have asked you this before: how long were

6 you there in total?

7 A. I think we moved away from there kind of at the end of

8 my schooling, so maybe when I was about sort of 17,

9 something around there.

10 Q. Right. So about 1983; would that be right?

11 A. Something like that, yes.

12 Q. And you and your parents -- the family all moved

13 together, did you?

14 A. We all moved at the same time, yeah.

15 Q. All right.

16 And where did you move to after that?

17 A. We -- my mother continued working for social work

18 establishments, but not on-site. So we had our own

19 house. My grandmother, at that point, needed to have

20 more care, so we moved into a joint house with her.

21 Q. Right.

22 A. Rather than living on-site.

23 Q. Okay, thank you. Still looking at paragraph 8 -- there

24 is a lot in there -- you tell us that the children were

25 all secondary school age children and, in the main, you

1 tell us that they were educated on-site; can you tell us
2 what the arrangements were for that? Was there
3 a classroom? Were there classrooms? How did that work?
4 A. There were various classrooms and they would tend to
5 school -- to be schooled in quite small groups. And
6 some of it would be things like metalwork or woodwork,
7 erm, things that weren't kind of necessarily formal
8 education. There were quite a lot of the children that
9 hadn't been coping particularly well in the school
10 environment and there had been problems with attendance
11 or behaviour. Erm, and so there was quite a lot of the
12 practical stuff, like art and woodwork and so on. But
13 there was kind of teaching that was things like reading
14 and writing and arithmetic and so on, but that was done
15 in smallish rooms.
16 Q. Were the rooms all within the main part of the
17 building --
18 A. Yes.
19 Q. -- or were there portacabins or something like that,
20 outwith that?
21 A. No, they were done in the main building.
22 Q. All right.
23 I think you went out to school, to a mainstream
24 school, in Aberdeen?
25 A. Yes.

1 Q. In the Aberdeen area. So it might be difficult for you
2 to answer this, but do you have any impression how
3 much -- how many hours a day the typical child at
4 Brimmond might get?

5 A. Erm, I would often hear my parents discussing things.
6 And I think my impression of it was -- as a child, was
7 that it had to be geared towards the child's needs and
8 ability, that some of them had an inability to cope with
9 focusing on what might be seen as formal education and
10 would then need a break from that and have to go and let
11 off steam playing football for a while, or go and do
12 something with their hands or something. Whereas other
13 children, you know, were coping very well and they would
14 have sustained tasks and sustained education.

15 But it would certainly be the availability of
16 education in the morning and the afternoon. And then
17 sometimes there was a transition back into mainstream
18 schooling, so sometimes they would maybe start attending
19 the local school with us.

20 Q. Were there children who perhaps didn't fit into that
21 pattern and who really -- well, let me ask you that
22 question in a slightly different way.

23 You tell us a little later in your statement that
24 Brimmond was an assessment centre.

25 A. (Nods).

1 Q. What did you understand that to mean?

2 A. They were supposed -- I believe that the initial concept
3 of the establishment was that children came to us for
4 21 days' assessment, where reports would be done.
5 I know that kind of educational psychologists and so on
6 would be involved. And there would be monitoring and
7 various reports, and then there would be children's
8 hearings and so on, on the back of that, where
9 a decision would be made about where they were supposed
10 to go at the end of that date.

11 But I think the 21 days thing didn't seem to happen
12 very often. There were lots of children who were there
13 for very extended periods. There was one boy who was
14 there, I think, for six years.

15 Q. We have heard some evidence about such a person; might
16 it have been four years that they were there?

17 A. Oh, it could well have been. It's certainly one of
18 these ones that it just seemed that he was just
19 constantly part of my childhood, was that he was there
20 for an extended period.

21 Q. All right.

22 A. Yeah.

23 Q. I might come back to that, Sara. But just thinking for
24 the moment about the issue of assessment and education;
25 was it your impression that some children had been

1 assessed or were assessed as not being suitable for
2 education, perhaps, at all?

3 A. Erm, I certainly perceived that there were some children
4 that they accepted it wouldn't be appropriate for them
5 to go back into mainstream schooling at that point.

6 Q. But your understanding was that those children would get
7 some education within Brimmond?

8 A. Yes.

9 Q. All right. At paragraph 11, you say that:

10 'Brimmond was a locked establishment. It would have
11 been described [...] as a place for juvenile
12 delinquents.'

13 Perhaps can I just ask you this way: where did you
14 gain that understanding, the understanding that this was
15 a place for juvenile delinquents?

16 A. That seemed to be the accepted terminology of the day,
17 because if I ever heard my parents speaking to people --
18 because people would say, 'What's the position there?
19 Why are the doors locked?', and so on. That seemed to
20 be the terminology that was utilised to describe what
21 they were at the time. Erm, and I think my parents
22 tended to use that official terminology and then would
23 say to people; so, in general, that would mean that
24 maybe they are not coping in a normal social environment
25 or not coping so well in a school environment, need

1 a bit of support through that.

2 So I think they always tried to soften it. I think
3 even then there was a kind of perception that perhaps,
4 you know, that was a kind of cover-all terminology that
5 wasn't particularly useful.

6 Q. Thank you. And you say that there were no outside
7 activities for the children unless they were supervised.
8 So the children couldn't just come and go, and go out
9 for a game of football if they fancied a game of
10 football or rounders, or whatever?

11 A. No, I mean, they would be allowed out and depending --
12 so, like, the child that was there for an extended
13 period would have probably more -- would have definitely
14 had more freedom than some other -- or other children.
15 But it would always have to be agreed with a member of
16 staff that somebody would be allowed outside or if, you
17 know, a couple of them wanted to go outside and play
18 football, that they would be taken out and sort of the
19 door would have to be unlocked to let them out there and
20 give them the goalposts and the ball. And they would go
21 out there and then there would be a member of staff that
22 would have been close by, erm, not always standing there
23 with them, but I would say, by and large, there was
24 always supervision. But there would have been occasions
25 when, perhaps, the member of staff was, you know, inside

1 within a room, usually with the door open, listening,
2 but certainly close at hand.

3 Q. All right, keeping an eye, but not necessarily right
4 there?

5 A. Right there on them. And it would depend -- it would
6 depend very much on which children were present and
7 whether there was -- I don't know -- a flight risk,
8 'cause some of them would try to run if they were out on
9 their own.

10 Q. All right. So some children had been identified, you
11 thought, as people that needed extra supervision; is
12 that the right way to put it?

13 A. Yes. There were some that had maybe been there quite
14 a long time or were quite settled or, you know, they
15 were in a good place. And it was clear to me that
16 sometimes, you know, children would maybe have had
17 a family visit or something at the home and they would
18 be kind of upset by that, and then the staff would
19 respond to that by potentially, you know, going and
20 having a discussion with them or keeping more of an eye
21 on them at that point, because, you know, they would be
22 more likely to be upset.

23 Q. You've talked about a child who was there for really
24 quite a long time; we think about four years in this
25 case. I don't need his name.

1 A. Yeah.

2 Q. But did you get to know him?

3 A. Yes, yeah.

4 Q. And did you talk to him?

5 A. Yes, yes. We would play together quite regularly and he

6 would be allowed out to play, mostly with me, kind of --

7 I think he must have been more my age than my brother's

8 age; they were older than me. Erm, and so he would have

9 been more inclined to go out and play with me in the

10 grounds, but it would generally be on the grounds --

11 Q. All right.

12 A. -- because we had quite large grounds.

13 Q. Would he tell you anything about how he was feeling,

14 being at Brimmond?

15 A. Erm, I suspect he would do if, you know -- but,

16 generally, I think from my memory, it was kind of

17 business as usual for him. I don't think there was kind

18 of a suggestion that he was going elsewhere and he was

19 kind of -- there was -- he never brought anything up

20 with me or raised any concerns about things that had

21 been -- anything that was concerning him. He always

22 just acted as if that was where he stayed.

23 Q. Yes, you used the expression 'Business as usual'; what

24 did you mean by that?

25 A. As a -- I suppose, erm ... that if that is the

1 environment that you are used to and that's how you get
2 fed and that's how you get educated, and those are the
3 people that you see on a regular basis, there was
4 a sense that that was his world. Probably more so than
5 me, who was a similar age. I would go outside of that
6 environment and I would see different people outwith the
7 home and I would go and -- you know, go into town or go
8 out to school on a daily basis. Whereas most of his
9 world was in that environment.

10 Q. You move on in the statement, Sara, to talk about --
11 a bit more about the centre itself. You have told us
12 a bit about that in your evidence today.

13 I just wanted to ask you a bit about meals and meal
14 times. I think you mentioned that everyone, as it were,
15 came together for meals?

16 A. Yes.

17 Q. Girls and boys?

18 A. Yes.

19 Q. And staff, too?

20 A. There were always staff in the dining hall when that was
21 being prepared and served. But there was a staffroom
22 where -- so there would be people supervising the meal
23 and the other staff would go and have their meal. And
24 then there would be a swap over, so the other ones could
25 have their meal.

1 Q. Okay. Did staff just eat the same food as the children?
2 A. Yes.
3 Q. And you, too, I guess, at least sometimes; is that
4 right?
5 A. Yes, all the time.
6 Q. Okay. How was the food?
7 A. The food was absolutely fine. No complaints. It was
8 kind of -- I suppose it was the kind of food that you
9 would expect in a school dinners kind of style. They
10 were traditional cooks that were in the kitchen and they
11 served up kind of hearty meals and, you know, your
12 roly-poly and custard, that kind of meal.
13 Erm, there were certain meals that people looked
14 forward to. I know, kind of, you would get to a weekend
15 and it would be hot dog night and that tended to be the
16 favourite of the week, that kind of thing. Because some
17 children would get out at the weekend, but the ones who
18 remained there, they tried to make it -- kind of
19 improved the experience, as it were, by saying: right,
20 what do you want for tea? And it was always hot dogs.
21 Q. What was the atmosphere like during meals? Was it
22 quiet? Was it boisterous? Was it --
23 A. It wouldn't have been boisterous, but, er, you wouldn't
24 have had to have sat silently or anything, you would be
25 -- there was a sort of serving hatch that the food would

1 come through. The food was put down for everyone and
2 everybody would start eating. But no -- I'm guessing
3 what you would expect round a table in your own house
4 with your own children, you would talk to each other at
5 the tables.

6 Q. Right. You then go on to tell us about a thing that you
7 describe as a 'cell'. This is paragraph 18 of your
8 statement.

9 A. Mm-hm.

10 Q. Perhaps you can just tell us about the cell and what it
11 was like?

12 A. It was on the upper corridor of the centre. It was kind
13 of on the same floor as the bedrooms and, kind of -- and
14 toilets up on the, kind of, sleeping floor. Erm, and it
15 was a single room that had a kind of entrance way that
16 you unlocked and went in and there was a toilet there.
17 And then there was a separate room that had very basic
18 furniture that you couldn't move around.

19 I was -- it had unbreakable glass on the window,
20 erm, and I was aware of that being used for short
21 periods of time for children -- my -- it was described
22 as: for when children are at risk of harming mostly
23 themselves, but possibly others.

24 So it would tend to be when a child had lost their
25 temper and was at the point where they were -- I don't

1 know. We had them kind of trying to escape and kind of
2 breaking windows or throwing things about, like throwing
3 chairs through windows and breaking glass and things
4 like that. Erm, and they were taken up there and there
5 was nothing that could be thrown about in there. There
6 was a bed, but it was attached to the floor.

7 Q. All right. Tell us about the bed, if you would, please.
8 I mean, was it something like a camp bed with legs that
9 were then attached to the floor or was it a platform?

10 A. My recollection is it was more of a sort of base that
11 was attached to the floor.

12 Q. Right.

13 A. Erm, like a sort of wooden bed that wasn't one that you
14 could pick up and move around. It wasn't a -- it was
15 more of an attachment, so built into the room, as
16 opposed to one that could be moved about.

17 MR SHELTON: Almost like a -- sorry, my Lady.

18 LADY SMITH: Yes, I was going to ask what height off the
19 floor was it?

20 A. Kind of normal bed height.

21 LADY SMITH: Okay.

22 A. Sort of like a divan height.

23 LADY SMITH: All right, thank you.

24 A. Yeah, yeah.

25 LADY SMITH: But no mattress?

1 A. No, because the mattress, I'm supposing, could be thrown
2 about. I wasn't aware of children ever spending the
3 night there, that I was aware of.

4 LADY SMITH: But I suppose you wouldn't be there overnight.

5 A. Er, I would sometimes be there later in the evening.
6 You know, I would hear staff and my parents talking
7 about these things and there would always be that
8 perception that once the child had kind of lost steam,
9 that they had vented and had run out of steam and were
10 then calming down, that they would then be taken out.
11 Erm, but I ... there was no suggestion that they would
12 remain there overnight.

13 LADY SMITH: You see, the reason I am asking you, Sara, is
14 I have heard quite clear evidence about some people
15 being kept overnight in the cell. But I don't suppose
16 you would be in a position to contradict that?

17 A. No, I wouldn't. I kind of -- under general
18 circumstances, I was aware that it would be there. And
19 you would hear -- you would hear children banging on the
20 unbreakable glass, because it was kind of that kind of
21 Flexiglass. It would be bang, bang, bang and scream,
22 scream, scream. And as soon as that started calming
23 down, then somebody would go and take them out and go,
24 'Right, let's have a talk about it'.
25 So that was the only bit that I saw. So that was

1 probably day time activity that I would see, erm, but --

2 LADY SMITH: Mm-hm.

3 MR SHELTON: And, of course, you would be at school during

4 the day --

5 A. That's right.

6 Q. -- mostly during the week?

7 A. Yes, that's right.

8 Q. And, you know, in the 1970s, probably off to bed at,

9 what, 8 o'clock, something like that?

10 A. Yes. I think that would be right. Erm, you know, my

11 actual experience of being there when that was happening

12 would probably be kind of in holidays or at weekends, or

13 during the early evenings. If something like that

14 kicked off, then, erm, then somebody would be put in the

15 cell and you would usually hear them. And then when you

16 didn't hear them, that is generally because somebody had

17 taken them out and was trying to kind of speak to them

18 about what had happened.

19 Q. Okay.

20 You talk about, I think -- did you call it the

21 Flexiglass that was in the window of the cell?

22 A. Yeah.

23 Q. And you could hear people banging on that?

24 A. Yeah.

25 Q. And I suppose it would be helpful if it was plastic,

1 because otherwise it might break?

2 A. Yes.

3 Q. But you tell us, in paragraph 19 of your statement, that

4 it was scratched and written on. You could see through

5 it, but it wasn't very clear. This may strike you as

6 an odd question, but how scratched was it?

7 A. Um, there were -- it was quite scratched. There were

8 various lewd comments and generally foul language

9 scratched on it, erm, and people's names, that kind of

10 thing.

11 Q. You tell us that you could see through it but, at least

12 from a distance, would it have a kind of foggy

13 appearance?

14 A. Yes, yes.

15 Q. You tell us that there was a buzzer; the kids could buzz

16 if they needed to speak to someone?

17 A. Mm-hm.

18 Q. And someone would have to come and get them if they

19 wanted to go to the toilet, even though the toilet was,

20 as it were, in the same suite?

21 A. It was in the same suite. So there was a door in

22 between the toilet and the actual room.

23 MR SHELTON: All right.

24 LADY SMITH: Oh, right.

25 MR SHELTON: But those doors were usually kept locked?

1 A. Those doors were locked.

2 Q. Okay. You tell us a bit about the staff at the centre
3 in the next few paragraphs. You have already told us
4 that your family stayed in SNR ' house.
5 You tell us that there was quite a high staff to child
6 ratio; can you give us an idea of what that ratio was?

7 A. Erm, there would always be at least one person, like,
8 for the girls. So there were only five girls, so that
9 would have been a five to one.

10 Downstairs, with the 20 boys, I would have --
11 I wouldn't kind of be able to swear to it, but my
12 perception, maybe, about four or five staff there. And
13 then there was also the domestic and catering staff, who
14 were also on hand. But the actual childcare staff,
15 I would think about that amount.

16 Obviously less overnight. There would be the night
17 watchman, who had his office in between the boys'
18 sleeping area and the girls' sleeping area, so he was
19 aware of both. And then there were some staff that
20 stayed on-site.

21 Q. Okay, thank you. You name a few of the staff, at
22 paragraph 26. At 27, you say you felt there was some
23 really caring members of staff at Brimmond and you tell
24 us about children who would come in. I think you say,
25 very fairly, that this would be a very unnerving and

1 unsettling situation for children and you remember
2 seeing children coming in and being very upset.

3 How did the staff that you encountered, that you
4 knew -- how did they treat such children? How did they
5 treat them?

6 A. Generally -- in fact, I can think of very few situations
7 in which staff weren't very caring. A lot of the --
8 there was usually a discussion with the child when they
9 first came in and, by and large, that would get done by
10 my mother or -- I think it was more often than not my
11 mother. And she would have a discussion with them and
12 I remember her explaining to me why she would ask them
13 certain things and why she asked them that. Erm, she
14 said that when they came in, she would speak to them
15 about whether they -- when they were at home whether
16 they slept in a room with somebody else or whether they
17 slept in a room on their own. And she said because, if
18 you can imagine going away from home, if you are used to
19 sharing a bedroom with your sister, then it would be
20 difficult for you to go and find yourself sleeping in
21 a room on your own. So we would always try and put
22 people where they are most comfortable.

23 She also explained that some children might prefer
24 to sleep on their own because they might wet the bed and
25 she said sometimes that can happen if, you know,

1 children are kind of feel nervous or unsettled or out of
2 their environment and that that can be a bit
3 embarrassing. And so, you know, they were trying to try
4 and offer them that.

5 Erm, she would ask them if they had a toy that they
6 liked to sleep with and encouraged them to, you know, if
7 they had something like that, that that would be
8 something that they could have in their room.

9 My mother was very motherly, erm, and I always saw
10 her speaking to children in a way that I thought that's
11 kind of what -- she would treat us like that. So I got
12 the feeling that she was kind of there to try and make
13 them feel at their ease, and she would speak to them in
14 a way to try and do that. And I think that culture, by
15 and large, was what I saw other staff doing.

16 Most people seemed to have -- you know, they were in
17 there because they wanted to improve the situation for
18 the children, erm, and that was the way that they
19 appeared to deal with them.

20 Q. I should have asked you this, I think, earlier, but
21 could you just tell us about the sleeping arrangements
22 for the children? I think -- am I right in saying that
23 some of them, at least, slept in dormitories of more
24 than one?

25 A. Yes, yeah.

1 Q. Possibly three children to a room; is that right?

2 A. I think so. It was kind of -- if anything, it might

3 have been three or four. But there was a mix of rooms.

4 There were single rooms. There were rooms that were

5 shared.

6 Q. All right. Incidentally, there is one member of staff

7 that you named, a IFH [REDACTED] -- I think in your

8 statement IFH [REDACTED], but might it have been

9 IFH [REDACTED]?

10 A. Yes, uh-huh.

11 Q. How long was he there for when you were at Brimmond?

12 A. It seems like a long period of time. He seemed to be

13 one of these people that I had seen for quite a long

14 time, but I can't actually remember.

15 Q. Right. Did he leave at some point? Do you recall that?

16 A. I don't.

17 Q. All right, okay. That's fine. And I think you mention

18 GJO-GJP [REDACTED], who were SNR [REDACTED] --

19 A. Yes.

20 Q. And were they there throughout the time you were there?

21 A. Yes.

22 Q. All right. At paragraph 32, you talk about -- this is

23 page 6 now. You remember children going to children's

24 panels during their time at Brimmond and you have told

25 us a little bit about that already. But I think we know

1 that you got to know at least some of the children,
2 particularly during your later years at Brimmond; did
3 they ever speak to you about their experiences at the
4 children's panel?

5 A. No.

6 Q. What it was like? No?

7 A. No, I don't remember ever talking to them about that.

8 Q. All right. You talk from paragraph 36 about your own
9 daily routine and we have touched on that already. And
10 you have also spoken about your mother greeting children
11 and you deal with that at paragraph 37 of your
12 statement.

13 You tell us then, at paragraph 38 -- and, again, we
14 have talked about the sleeping arrangements a bit, but
15 you tell us that there were some occasions where you
16 would sleep in the centre alongside the children. First
17 of all: how often did that happen?

18 A. Not very often. I mean, one occasion when I remember it
19 happening, for example, was when, I think, we had my
20 cousin staying. So our house only had the two bedrooms
21 for four children. Erm, so I think at that point there
22 was a spare room across in the sleeping corridor, so
23 myself and one of my cousins had slept in that room.

24 Q. Right.

25 A. So that was just an additional sleeping area.

1 Q. Okay. So you and your cousin had a room to yourselves,
2 as it were?

3 A. Mm-hm, yeah.

4 Q. Right. What was that like? How did it feel being in
5 the centre overnight?

6 A. Erm, absolutely fine. I was very used to the doors
7 automatically locking behind me, so that wasn't
8 an issue. As I say, that corridor would have had -- the
9 night watchman would have been there overnight, someone
10 that I would have been -- felt very comfortable with as
11 a child. So, if there had been any issue, then I would
12 have been able to go and ask for assistance or
13 something.

14 Q. All right.

15 A. It wasn't -- it certainly didn't feel -- it didn't feel
16 scary to me.

17 Q. Thank you. Again, you have talked quite a bit about the
18 food and the meals in the centre and you have told us
19 that, from your point of view, the food was good and it
20 was eaten by both the children and the staff.

21 You tell us, paragraph 50 -- jumping forward
22 a bit -- this is page 9 -- and you have touched on this
23 already: you quite often took part in activities with
24 the children in the centre?

25 A. Mm-hm.

1 Q. And how was that? How did you get on with the other
2 kids in the place?

3 A. Erm, generally, absolutely fine. I don't remember
4 particular incidents. I think, like children of any
5 age, there were probably some of them that I got on
6 better with and some, you know, I preferred not to
7 particularly spend time with. There were some children
8 who -- you know -- children were often in there for, as
9 I say, an extended period and for a variety of reasons.
10 And sometimes for children that kind of, by no fault of
11 their own, had found themselves in Brimmond, just
12 because they needed somewhere for them to stay, you
13 know, my mother would say, 'Right, if you are going into
14 town and you are going to go to the swimming baths; can
15 you just take this particular child along with you?',
16 and she would give me money for them to get into the
17 swimming. So she would try and kind of integrate them
18 into activities that we were perhaps doing outside the
19 house, if she felt that that was appropriate.

20 I wasn't always, erm, massively enthusiastic as
21 a child, but my mother assured me that I was in a very
22 privileged position and that actually it might be
23 a kindly thing to take somebody with me, because they
24 didn't have the same privileges that I had. So they
25 would -- you know, they were sometimes activities that

1 would happen outside, sometimes a child would come with
2 me to go to the swimming or go to the cinema, or if
3 I was going into town to go shopping with a friend or
4 something, then they would come along.

5 Q. Okay. So these were, as it were, particular children or
6 small groups of children that would go -- I mean, for
7 example the swimming baths; how many of you would go in
8 that sort of situation?

9 A. In that situation, when I was going to the swimming pool
10 on my own, erm, it was a particular girl that liked
11 going swimming and my mother encouraged me to take her
12 along with me when I went swimming, and she used to go
13 with me every weekend when I went. There were -- we
14 would get taken swimming as a group. Perhaps not the
15 full group, it would depend what the behaviour had been
16 like or if there was a risk of a child kind of not
17 coping being out kind of in the general environment. We
18 would be taken to one of the swimming pools. We either
19 went to -- there was one in Aberdeenshire and there was
20 one in Aberdeen City, where there was a public session
21 and the children would be taken along in the minibus.
22 So I'm guessing that meant that maybe there would have
23 been about -- however many of you fitted in that
24 minibus; maybe 12 or 15 or something?

25 Q. Okay. And you also mention trips away. You talk, for

1 example, about going to an outdoor centre at Edzell.

2 I think that's near Brechin; is that right?

3 A. That's correct.

4 Q. Again, would it be all the children in the centre or

5 would there just be a group, a particular group of

6 children that went on those outings?

7 A. So those ones -- what I'm thinking with those ones is

8 that they might have been weekend activities, and so

9 children who were -- you know, they were maybe working

10 towards reestablishing them being back in their own

11 home. Erm, they would get home for weekend visits. And

12 so it might have been the children more likely who had

13 been -- who were remaining in for the weekend who would

14 be taken along.

15 Q. Okay. At paragraph 56, you talk about being with the

16 young people and that now and again, as with any group,

17 there might be some bickering. You can't remember

18 seeing anything particularly negative directed towards

19 you; what about the children as between each other?

20 Were there any behaviours that you wouldn't have liked

21 if they had been directed at you?

22 A. Erm, I think I was more aware of it with the girls

23 rather than the boys. I think, in general, the girls

24 tended to do a bit more 'bitching' -- for want of

25 a better word -- erm, about relationships and they were

1 sometimes a bit more conflicting than with the boys.

2 The boys tended to kind of -- I don't know, be
3 playing football and have a bit of a -- you know, words
4 were thrown at each other. Sometimes there would be --
5 you know, little fights broke out or something, but it
6 wasn't something that I felt was -- kind of happened
7 a lot.

8 Q. Sure.

9 A. As with any group of children, there were children that
10 were certainly more of the alpha males. There were ones
11 who were more of the stronger characters and then there
12 would maybe be younger children that -- you know, you
13 would get the feeling that, left to their own devices,
14 that some of them might have been -- might have been
15 fairly heavy-handed, if they had got their way.

16 Q. Okay. Paragraph 57, you tell us that you made many
17 friends because the kids at Brimmond were increasingly
18 close to your age.

19 A. Mm-hm.

20 Q. And you name a few of them. So these were kids who had
21 been placed in Brimmond?

22 A. Yes.

23 Q. And how was that? Did they talk about being in
24 Brimmond? Did they talk about their experiences in
25 Brimmond?

1 A. Erm, I don't -- I don't remember ever having discussions
2 with them about their situations, perhaps just because
3 I was so used to it. It would tend to be that we would
4 do things together. Like, you would go and you would,
5 you know, you would play snooker or you would go to the
6 gym hall. Or, you know, you would be going out on
7 a group walk and you would get chatting. But it would
8 tend to be more about things that you would, erm -- you
9 know, that you would be inclined to speak about with
10 friends of your own age; what was on the telly or boys
11 that you fancied or whatever.

12 There was certainly -- you know, there were some of
13 those children, kind of looking there, that kind of
14 afterwards, once they had left -- because many of them
15 lived in Aberdeen City -- that you would maybe meet them
16 in the street or something. And they were always -- you
17 know, they were always very kind of friendly and chatty
18 and would come across -- and, probably, kind of as
19 I grew older, if I bumped into anyone I would be more
20 inclined to say, 'How are things going?', and kind of
21 talk with them about, you know, what was occurring with
22 them and how they were getting on. But, when we were
23 young, it stuck to the safe topics of conversation,
24 I think.

25 Q. All right, okay.

1 You go on to talk about school. Again, we have
2 touched on that a bit already. But I just wanted to ask
3 you about paragraphs 60 and 61 in your statement. You
4 talk about -- you use the expression 'generic teaching
5 regime' and you say the words 'generic teachers' who
6 came in and taught on-site; can you just explain what
7 you mean by that, please?

8 A. My -- so, you know, I was used to going to school and --
9 you know, at secondary school age, and having a French
10 teacher and an English teacher and a maths teacher. And
11 I would have a different classroom and a different
12 teacher for those subjects. Whereas, in the -- in
13 Brimmond, they tended to have teaching staff who would
14 do a bit of reading and a bit of maths and, you know,
15 whatever else they were covering, rather than having
16 a whole squad of teachers.

17 They did have, erm, I remember, an art teacher.
18 And, you know, you had -- I remember, kind of, there
19 were certain men who would do woodwork with them. So
20 there were some of them that seemed to be kind of
21 specialist kind of stuff, but the actual academic
22 teaching, my perception was that it was kind of one or
23 two people who would be doing all of the subjects,
24 whatever it was that they were doing.

25 But I would not have been in a classroom environment

1 with them, really, at any point. So I kind of wasn't
2 particularly aware of what went on.

3 Q. Okay, all right, thank you. Moving on, then, again, you
4 talk a bit about healthcare on the next page, page 11.
5 I just want to ask you about an incident that you
6 describe at paragraph 67. This is in the context that
7 there was an injury. You say it was the only big injury
8 with blood that you can remember. This boy had thrown
9 a chair through a window --

10 A. Mm-hm.

11 Q. -- and landed on the glass. He was trying to run away,
12 you say. Did you gain any understanding why he was
13 trying to run away?

14 A. Erm, once again, it kind of -- my perception of it -- or
15 from hearing discussions that staff would have
16 afterwards or in connection with these incidents was
17 that often it was because, you know, the child was
18 particularly homesick or, indeed, had -- you know,
19 a children's panel or a home visit, or something had
20 unsettled them and, you know, they were trying to get
21 away.

22 I think they were young teenagers and, I think, they
23 potentially kind of got to the stage where they wanted
24 to go and see their mum or their dad, or their friends
25 or a girlfriend, or something like that. So, you know,

1 those would tend to be issues, you know, that would
2 result in them maybe trying to flee.

3 LADY SMITH: Sara, did you see the incident that you
4 describe in paragraph 67?

5 A. Er, no. No.

6 LADY SMITH: But you tell us it was the sort of thing that
7 did happen at times; is that right?

8 A. The running away was certainly -- was certainly
9 something that happened occasionally, erm, and because
10 they were generally supervised when they were out, then
11 it would either happen that, for example, they would be
12 playing sport or playing in the grounds. There wasn't
13 a fence round about or anything, other than just
14 a normal, you know, fence on to the next field, because
15 it was kind of in the country. So they would tend to
16 just jump over that.

17 But, if they were in the building at the time, then
18 there was a couple of times when windows were smashed in
19 order to get out; a chair would be thrown through.

20 LADY SMITH: So you are talking generally about the
21 occurrence of damaging incidents, the cause of which was
22 the child wanted to get away; is that right?

23 A. Well, I don't know if it would have been a regular thing
24 that they were injured during such a thing.

25 LADY SMITH: No, but property might have been injured,

1 something was damaged.

2 A. Yes. Absolutely, yes.

3 LADY SMITH: Just because you said 'these incidents'.

4 A. Yes. So incidents when a child -- so which part is it?

5 LADY SMITH: It is not. It was something you said a few

6 moments ago. You said your perception --

7 A. Something I said, okay. No, incidents --

8 LADY SMITH: Hang on, I will remind you what you said.

9 You said your perception in connection with these

10 incidents was that it was very often because a child was

11 homesick or had been to a panel or on a home visit, or

12 something had unsettled them.

13 A. Sure.

14 LADY SMITH: And they were maybe trying to get away; is that

15 it?

16 A. No. To clarify; the incidents of children trying to run

17 away, not necessarily being injured while trying to run

18 away, but there would have been more than one incident

19 where a window was smashed --

20 LADY SMITH: Okay.

21 A. -- definitely.

22 LADY SMITH: Thank you.

23 MR SHELDON: Thank you, my Lady.

24 And any other property that was damaged from time to

25 time?

1 A. I think kind of loss of temper sometimes, I think, would
2 have resulted in a wall being punched. There were --
3 I certainly remember times when somebody had written on
4 the wall and they were trying to establish who had done
5 that.

6 Q. Moving on to paragraph 70/71, at page 12, you talk there
7 about chores. I don't want to go through all of that,
8 but it is just to ask you: did children ever refuse to
9 do chores?

10 A. Erm, yes. I think, probably, there was -- there were
11 certainly children that had never had to kind of do
12 cleaning and tidying, I think, at home. I recall them
13 kind of being shown how to do certain kinds of cleaning
14 and tidying up, and them feeling that they didn't think
15 it was their responsibility to do such a thing.

16 Q. What happened, if anything, to children that did refuse
17 to do chores?

18 A. Erm, I'm not particularly aware of specific things.
19 I think, in general, because everybody had certain jobs
20 that they were expected to do on rotation, then I think
21 probably most of them got to the stage where they felt
22 that that would be something that they would do;
23 everybody else was seen to be doing the same thing.

24 Erm, there would also be -- I think a lot of the
25 repercussions for not following the guidance or the

1 requests of the staff would be that, you know, if other
2 people were getting out to go swimming or go out and
3 play football that night, that, you know, you would lose
4 that privilege of being allowed to do that thing; that
5 you would have to stay inside or not go down to the gym
6 hall to play snooker that evening or something. It was
7 more that kind of thing, that there would be removal of
8 a treat, as it were.

9 Q. Right. And I should have asked you this a moment ago
10 when we were talking about kids running away or trying
11 to run away. You tell us, in paragraph 82, that
12 sometimes the kids would just take off and you remember
13 the police bringing kids back. Again, were there any
14 sanctions, any form of discipline for children that did
15 that?

16 A. Once again, that would probably be a case where it would
17 be that they wouldn't be able to participate in
18 activities that were seen as a treat. So, if people
19 were going swimming or being taken up into the hills to
20 go walking or something like that, which they tended to
21 enjoy, that they would lose the chance of that, erm,
22 based on the fact that they had run off last time they
23 were out in the open.

24 Q. Yes, you tell us, at paragraph 80, about visits and
25 children getting home for a couple of hours or at

1 weekends; were they ever stopped from going home at
2 weekends?

3 A. I would -- yes, that would be more likely if -- the
4 going home for weekends tended to be something that was
5 part of the -- there always seemed to be a drive
6 towards -- that was the -- if that was what was defined
7 as their route out of being in a locked environment,
8 that they -- being transitioned back into their home
9 environment and school was generally, I think, for most
10 of the children, that was the ultimate goal that people
11 were aiming for. And so that would be based on the fact
12 that the behaviours looked like that was progressing
13 appropriately.

14 Q. Okay. But on any given weekend; would there be a number
15 of children who weren't going home?

16 A. Yes.

17 Q. Okay. Can you give us any estimate? I suppose it
18 varied from time to time, but can you give us
19 an estimate of how many would still be in the centre at
20 weekends?

21 A. I don't remember numbers, I have to say.

22 Q. Okay, that's all right.

23 You have talked a little bit about bedwetting and
24 you talked about your mum talking to you about it; did
25 you know anyone at the centre who wet the bed?

1 A. I wouldn't have been aware of which ones it was
2 happening to. The -- my -- in the morning -- they
3 tended to have a kind of rubber sheeting to protect the
4 mattresses of children that were maybe more likely to
5 wet their bed. And, in the morning, they were
6 encouraged to strip their bed and leave them in the
7 corridors, so they could be picked up and taken down to
8 the laundry room to be cleaned.

9 Q. Thank you. Just going back to the question of the cell,
10 at paragraph 95, you tell us a bit more about that; that
11 children would be in there until they had calmed down.

12 You talk in paragraph 94 -- and you have already
13 said to us -- that children would sometimes be banging
14 and banging on the glass. It certainly sounds, at least
15 at that time, as if they were in some distress; is that
16 the impression that you had?

17 A. Erm, I suppose it -- yes, I would have thought yes,
18 distress. And I suppose it depends on -- that could be
19 seen as 'I'm distressed because I'm in a locked room'.
20 If you did that as a punishment, for example -- I would
21 be distressed if somebody took me away now and put me in
22 a locked room. Erm, and I think what I saw was children
23 being taken to the cell because they were in distress
24 and that was manifesting itself in, maybe, aggressive
25 behaviour or trying to kind of throw furniture against

1 windows or, you know, attacking somebody or trying to
2 hurt themselves.

3 Q. Okay.

4 LADY SMITH: Sara, you say, in paragraph 95, that you don't
5 think putting a child in a cell was punishment as such;
6 might it have seemed like that to the child at the time?

7 A. Absolutely, yes. Yes.

8 LADY SMITH: Do you think you would have felt it was
9 punishment if it had happened to you?

10 A. Oh, undoubtedly, I would have been highly indignant and
11 it would have made me, for the initial period, probably
12 even more furious than when I had been put in --

13 LADY SMITH: Yes.

14 A. Do you know? And my parents would say to me if I, you
15 know, threw a tantrum, they would have said, 'Go up to
16 your room', and I would have been furious at them.
17 I wouldn't have liked it.

18 Erm, I think I saw the other end of the process --
19 'cause I always thought: that's an unpleasant thing to
20 happen to anyone. But I saw the other end of the
21 process, which was generally where a member of staff
22 would sit down and try and talk about coping mechanisms
23 and if there was a better way that they could have dealt
24 with how they felt at the time. So I saw -- I kind of
25 saw what happened as a result of that incident. And

1 I don't think, erm, you know, that scenario is
2 unpleasant and uncomfortable to even imagine. But, on
3 the other hand, they -- I think people tried to find
4 a different solution for the child to have if that
5 situation would be repeated again.

6 MR SHELDON: If I can just ask you one other thing about
7 paragraph 95. You tell us that you would have thought
8 that most staff could have put a kid in a cell as it
9 would have been reactive and then SNR or
10 SNR would need to be informed.

11 First of all, what do you mean by saying that it
12 would be 'reactive'?

13 A. Erm, yes, so that's probably terrible use of language on
14 my part and I do apologise.

15 Q. No, it is just we are curious to know.

16 A. What I mean is they would be reacting or responding to
17 the situation. So they wouldn't have a child who was
18 throwing furniture around or attacking another child or
19 a member of staff and say, 'Right, I'm going to go and
20 find, you know, SNR who's maybe in
21 a meeting at a different part of the building'.

22 They would kind of deal with the child first and,
23 erm, then go and get somebody in to
24 explain what the situation was. So it would be
25 escalated, but perhaps deal with the child first, rather

1 than the other way around.

2 Q. Did you see that happening or did someone tell you that

3 that was the procedure, as it were?

4 A. I was -- well, I kind -- I'm aware of that happening, so

5 I'm thinking I must have seen somebody coming and saying

6 to my parents or one of the other seniors, at some

7 point, that there had been an incident and they've had

8 to take one of the children up to the cell.

9 Q. Okay. Did you ever see a member of staff or members of

10 staff taking hold of a child who was acting up, acting

11 out, to try to calm them down to stop them hurting

12 themselves or someone else?

13 A. Yeah, there were kind of restraints -- like, I mean, not

14 as in, kind of like, handcuffs or something. I mean

15 like physically restraining a child. Erm, I certainly

16 saw children being pulled away from each other if they

17 were fighting. I didn't see anybody being kind of, as

18 it were, pinned down.

19 Q. When you saw this happening; how did the staff hold the

20 children then?

21 A. Certainly, I've seen children starting fighting and two

22 of the staff coming across and pulling them away from

23 each other. So maybe holding them round the upper part

24 of their body and pulling them back and away from each

25 other to stop them actually physically being able to be

1 in contact with each other. And then potentially kind
2 of holding the upper body, like that with the arms, to
3 stop them getting there until they calmed down.

4 I think they generally -- in those situations they
5 would be removed to different rooms. So, you know, most
6 of the rooms had locks on the door, so there would
7 always be an opportunity to unlock a room, get a child
8 in a separate environment, and then allow them just to
9 kind of have a chat with that member of staff.

10 Q. Okay. When the staff were doing that; were they always
11 standing up or were they ever on the ground with the
12 child?

13 A. I don't remember anybody being on the ground.

14 Q. Okay. Can I then take you on to paragraph 101, where
15 you start to talk about a negative incident which you
16 did see?

17 A. Mm-hm.

18 Q. You tell us there was a group of children out playing on
19 the football pitch and that one of the children, who you
20 name, kicked the football hard and it smacked against
21 the window. The window didn't break?

22 A. It just hit the window.

23 Q. Okay. And a member of staff, KEF, came on the
24 scene at that point. Perhaps you can just take over at
25 that point and tell us what happened or tell us what you

1 saw?

2 A. So the five-a-side football pitch was enclosed on three
3 sides by the building and the other side just looked
4 out. But one of the sides had the dining hall, which
5 had a large glass window along the length of it. The
6 door into the dining hall was open because KEF and,
7 potentially, another couple of members of staff were
8 inside discussing. So it was one of these situations
9 that I've explained earlier, where they would have set
10 up a group of children playing and then there would be
11 somebody close by in case something happened.

12 So KEF had clearly heard the ball hitting the
13 window and he came out of that door and approached the
14 children who were playing, erm, and I was playing
15 football at the time as well, and he said, 'What was
16 that?', and the child in question said, 'It was the
17 ball'. Erm, and KEF kind of responded in a very
18 aggressive manner by saying, 'I know it was the ball',
19 and punched him with a closed fist in the face and burst
20 his lip. And I remember, at the time, thinking that was
21 the answer I would have given was it was the ball. And
22 I remember being kind of quite astounded that an adult
23 had hit a child.

24 Q. You felt it was just a natural thing to say?

25 A. I felt it was completely in order. It was the response

1 that I would have given if I'd been asked.

2 Q. And, in any event, the response was to punch this boy?

3 A. Yes.

4 Q. And in your statement, at paragraph 103, you say it was

5 a full punch?

6 A. Yes.

7 Q. With a clenched fist?

8 A. Yes.

9 Q. And it burst the boy's lip. Did the boy fall over?

10 A. No.

11 Q. All right. How old would he, the boy, have been at that

12 point?

13 A. I'm assuming he might have been about 12 or 13, but he

14 was a small child.

15 Q. Okay.

16 A. He was not a big, strong boy. He wasn't a big teenager,

17 he was a small boy.

18 Q. Okay. Well, perhaps you can tell us about KEF ,

19 then. First of all: what was his role at Brimmond?

20 A. He was one of the childcare staff.

21 Q. And how long had he been there by the time this incident

22 happened?

23 A. I don't actually remember.

24 Q. All right. Do you remember roughly when the incident

25 happened? How old were you at the time?

1 A. I think I might have been about the same kind of age as
2 the child, maybe about 11/12, something like that. But
3 I am guessing.
4 Q. So late 1970s, something like that?
5 A. I think so.
6 Q. All right. How often did you come into contact with
7 KEF ?
8 A. Quite regularly.
9 Q. All right. He was just around the centre, I guess --
10 A. Yes.
11 Q. -- if he was a member of the childcare --
12 A. Yes, he lived on-site.
13 Q. All right.
14 A. He had one of the rooms in the upper floor.
15 Q. Okay, so he lived on-site as well?
16 A. Yeah.
17 Q. All right. You tell us, paragraph 106, you weren't
18 particularly comfortable with him:
19 'I found him to be a bully.'
20 Can you explain for us why you felt that? How you
21 gained that feeling or that impression?
22 A. He was quite, erm, aggressive in his tone, I felt. And
23 he was somebody who -- he spoke about having a military
24 background and he seemed to be very enthusiastic about
25 the children who had -- who were the kind of more

1 sporty, physical ones. Erm, he enjoyed -- he liked
2 sports and outdoor things, and he was kind of very
3 positive and encouraging with some children and not
4 positive and encouraging with other children. And this
5 child that the incident was connected to was one of the
6 ones who would have been not sporty and not particularly
7 outgoing, or a strong character, erm, and so wouldn't
8 have been one of the ones that got much encouragement
9 from KEF. And potentially I'm basing my idea of him
10 being a bully on the fact that I saw him doing that.
11 But it seemed to me that there was a difference in the
12 way he dealt with some children as to the way he dealt
13 with other children, which was not what I was used to
14 seeing. I tended to see people, by and large, being
15 dealt with very consistently and I saw that that was not
16 the case with him.

17 Q. All right. So would it be fair to say then that he had
18 favourites?

19 A. I think he did.

20 Q. All right. You tell us, also, at paragraph 108, that he
21 did tend to rant. What do you mean by that?

22 A. If somebody did something wrong, then he would tend to
23 be -- you know, he would tend to be the kind of guy who
24 would raise his voice, he would present in a very
25 aggressive kind of way. And, in general, that wasn't

1 what the staff tended to be like. If something happened
2 they would go, 'That's not the way to do that. Come on,
3 we'll find another way', and they would tend to cajole
4 children along. Whereas he was more of a kind of
5 command and control member of staff, I think.

6 Q. All right. I know you tell us that you didn't see any
7 other incident, and I presume you mean any other violent
8 incident?

9 A. Mm-hm.

10 Q. But did it seem to you that when KEF was ranting in
11 that sort of way, that he was either losing his temper
12 or was about to lose his temper?

13 A. Erm, I would say that it was more my impression that
14 that was his personality trait, that that's the way he
15 chose to express himself, that he was one of these
16 people who was -- you know, owned the room and made it
17 very clear that he was the one in charge.

18 Q. He ruled the roost?

19 A. Yes.

20 Q. You tell us that you weren't comfortable with him
21 yourself; were you afraid of KEF ?

22 A. Erm, I did not feel physically threatened by him, but
23 I didn't -- I didn't enjoy his company.

24 Q. All right. You tell us, at paragraph 110, that you
25 didn't tell anyone about that incident?

1 A. No.

2 Q. Just thinking back -- and I know it may be difficult now
3 after this length of time, but can you remember why you
4 didn't report the incident?

5 A. No, I think -- I mean, clearly I totally regret that
6 now, erm, because, I mean, my father and mother would
7 not have stood for that at any cost. I mean, they would
8 have been horrified if they had known about it. But
9 there was that sense of not -- you know, you didn't
10 overstep the mark when it came to KEF. None of those
11 children were going to say anything. I fully imagine
12 that when they went inside and somebody said, 'Oh, how
13 did, you know, his lip get burst open?', that it would
14 be blamed on the football; that was kind of my
15 impression.

16 Q. Can I just stop you for a moment because you said, 'None
17 of those kids were going to say anything'; why do you
18 say that?

19 A. I think everybody felt that way with KEF.

20 Q. So they weren't -- well, can I just ask you what,
21 really, you are saying about the reason that they
22 wouldn't report it, because of the kids' relationship to
23 KEF?

24 A. I think so. It's -- to be honest, I'm saying, and that,
25 in reality, is an assumption of mine. Somebody may have

1 said something and I didn't know about it. But,
2 certainly, my feeling -- and I may be projecting on
3 other people here.

4 So my feeling is that I'm not saying anything here,
5 but that was kind of out of that -- I didn't want to
6 make an enemy of him. I'm guessing other people might
7 have felt that way or, indeed, the ones who did do well
8 with him and he did give encouragement to, and, erm, you
9 know, they would potentially not wanted to have come out
10 of that category.

11 Q. And the kids that weren't one of his favourites, might
12 they have been afraid of him?

13 A. I think so. I think so. And I'm saying that because
14 I felt that way. So that's perhaps unreasonable of me
15 to project onto other people, but that's certainly the
16 way that I felt.

17 Q. We are just interested in your views, Sara. Thank you.

18 A. Yeah.

19 Q. You tell us that he stayed on working there. So I think
20 your assumption was that this either hadn't come out or,
21 if it had, then it had been set aside, as it were?

22 A. Yeah, that it had been explained away. I mean, my --
23 I assumed that if, you know, it had gone in then, you
24 know, somebody coming back in with a bloody nose or
25 a burst lip from a game of football out on the pitch, it

1 wouldn't have been, you know, entirely out of the norm.
2 You know, that kind of thing would happen, so it could
3 be explained away.

4 Q. Had you seen people coming in from games of football
5 with blood before?

6 A. We did a lot of things. There was -- the kids enjoyed
7 playing rounders and, erm, you know, the army came and
8 built this big assault course and so on. So sometimes
9 people would, you know, fall or trip, or, you know, skin
10 their knee on the five-a-side pitch. It was a concrete
11 five-a-side pitch, so it happened.

12 Q. All right.

13 A. Yes.

14 Q. How long after this incident did KEF continue to
15 work at Brimmond? I mean, for example, was he still
16 there when you left? You tell us you left when you were
17 17; was he still there at that time?

18 A. I don't recall if he was there or not, at that stage.

19 Q. All right. Can you help us with how long you remember
20 him staying on at Brimmond after that incident?

21 A. I don't really recall, sorry.

22 Q. Okay. No, that's all right.

23 You have told us that you did leave, I think, really
24 when you finished school, so about 17. Or did you leave
25 school after fifth year or sixth year?

1 A. Sixth year. Yeah, so I was still at school when we
2 moved to our new house.

3 Q. You would have been about 17?

4 A. Yes, I think so.

5 Q. So this would be 1982/1983?

6 A. Something like that, yes.

7 Q. Probably about 1983; does that ring a bell?

8 A. Yeah, could be right.

9 Q. At paragraph 115, you say:

10 'Over the subsequent years I would say I didn't
11 particularly talk about Brimmond with my siblings or
12 with your mum and dad.'

13 Why was that do you think? It must have been quite
14 a big part of your life, I suppose?

15 A. It was a big part of my life. And it wasn't like it was
16 a banned topic of conversation or anything. You know,
17 my mum -- I mean, you could barely go into town with my
18 mother and she wouldn't bump into either the family of
19 some of the children who'd been there or some of the
20 young people themselves. They would always come up and
21 speak to her. Erm, and they were -- do you know, it was
22 always a very friendly and, you know, the interactions
23 were always very positive. So it wasn't something that
24 we spoke about a lot, but, on the other hand, neither
25 was it something that we avoided. She would say, 'Oh,

1 do you remember so and so? I bumped into them today' or
2 'I bumped into the mother'. You know, it certainly
3 wasn't avoided.

4 Q. Okay. You tell us a bit about what you did afterwards,
5 and your siblings did. Then, at paragraph 118, you talk
6 about your hopes for the Inquiry. You say very clearly
7 that, looking back, you probably would have wanted to
8 report the incident with the boy --

9 A. Yes.

10 Q. -- that you did see. The majority of things you saw
11 were all positive, you tell us in paragraph 119:
12 '... but there's no point in pretending that the
13 assault did not happen. It's one of those things where
14 you would like to hope that the positive interaction
15 that exists will continue and we would learn from that.'

16 Is there anything you would like to add to that in
17 terms of how that positive -- how positive interactions
18 can be encouraged and achieved in a setting where there
19 are children, such as the children that were in Brimmond
20 when you were there?

21 A. My perception of both having lived on-site in these
22 places -- and the kind of subsequent involvement that my
23 mother and also my brother and my sister and my
24 brother-in-law, all had working in -- generally, in
25 residential childcare. And then, afterwards, I was

1 working with the Child Protection Team as well, and
2 I was seeing this, erm, and seeing people that had
3 involvement with young people -- is that there's a huge
4 amount of good practice taking place, erm, and that it's
5 fantastic to see -- you know, I'm not one of these
6 people -- I wish I was, I wouldn't have the patience for
7 it -- but I see people with this endless patience who go
8 in and they can be passing on, you know, their learning
9 to other people because I see the long term impact that
10 good quality care can have on people. Erm, and I can
11 see, you know, the devastating effects that very poor
12 childcare can have on young people.

13 And so you think the more that it's discussed and
14 the more we highlight what we are getting right and what
15 we are getting wrong, that seems like a fantastic
16 opportunity that we should embrace.

17 MR SHELTON: Well, thank you, Sara. I don't have any more
18 questions. My Lady?

19 LADY SMITH: Sara, I have no more questions either. Thank
20 you so much for engaging with us as helpfully as you
21 have done this morning. It's been really good to hear
22 you add to your written evidence in the way you have
23 done. I am now able to let you go and wish you a safe
24 journey back home.

25 A. Thank you very much.

1 LADY SMITH: Thank you very much.

2 A. Thank you.

3 LADY SMITH: I will rise now for the morning break, but

4 before doing so, one name of a person who is not to be

5 identified as referred to in our evidence outside of

6 this room, and it was IFH . Thank you.

7 (11.26 am)

8 (A short break)

9 (11.45 am)

10 LADY SMITH: Well, I think the plan is for us to use the

11 time between now and the lunch break to read in some

12 evidence. The next witness in person should be ready at

13 2 o'clock; do I have that right?

14 MS FORBES: Yes, my Lady.

15 LADY SMITH: Thank you.

16 MS FORBES: Apologies, my Lady, I think it is a video link

17 this afternoon.

18 LADY SMITH: A video link, of course, but a live witness.

19 MS FORBES: But a live witness, yes.

20 LADY SMITH: By video link, yes.

21 MS FORBES: Yes. My Lady, the next statement to be read in

22 is from an applicant who is anonymous and is known as

23 'James'.

24

25

1 'James' (read)

2 MS FORBES: The reference for his statement is

3 WIT-1-000001263.

4 LADY SMITH: Thank you.

5 MS FORBES: 'James' tells us he was born in 1972 and talks

6 about life before going into care from paragraph 2. He

7 tells us he was brought up initially in the Linwood area

8 of Glasgow with his parents, two older siblings and

9 a younger sibling. He doesn't have a great memory of

10 when he was younger because they moved around a lot and

11 he doesn't know the exact dates or order. But he knows

12 that his parents separated when he was very young and he

13 was taken with his mum to live in Fife.

14 It is around this time that he has been told by his

15 mum that he was playing up and there were initial

16 dealings with the social work.

17 They then moved to Blairgowrie and his mother met

18 his stepfather who would always be going out and getting

19 drunk. He says that his mum never touched alcohol, but

20 is a very strong-willed woman.

21 They moved again and then back to Fife. Then moved

22 a few more times. And he says ultimately they went to

23 Old Meldrum near Aberdeen, and he was in either

24 Primary 5 or Primary 6 at that time.

25 He was then getting himself into trouble at school

1 and there was an incident with [REDACTED] that he
2 tells us about, at paragraph 7, where there was
3 an assault. And he talks about [REDACTED]
4 assaulting him and he assaulting [REDACTED]. The
5 social work then became involved. They went to a panel
6 and it was recommended he be sent to an assessment
7 centre. He says he thinks he was about 11 or 12 at that
8 time and he was sent to an assessment centre in Elgin.
9 He was told he was going there for six weeks, but ended
10 up spending six months there.

11 He talks about that time between paragraphs 11 and
12 27. He was admitted there, from the records that we
13 have, on [REDACTED] 1984, when he was aged 12. [REDACTED] Secondary Institu

14 [REDACTED] Secondary Institutions - to b

15 At the end, then -- if we go to paragraph 28 -- of
16 the period of six months, there was another panel to
17 decide what was to happen and he says that his father
18 objected to him going into another care home and said he
19 would take him to stay with him and his then partner.

20 So he went to stay with his dad back in Glasgow. At
21 that time, his dad worked as a long distance lorry
22 driver and was away a lot. His dad's partner had
23 an issue with drinking and she would spend the money his
24 dad would give her to buy him clothes on drink and then
25 buy him clothes from thrift shops to wear to school.

1 'James' tells us, at paragraph 32, that he wasn't
2 happy about this and he would leave for house for school
3 wearing the clothes, but then would go to garages and
4 change into others.

5 He says that there was a time then when his dad had
6 been doing sidecar racing and he had converted a single
7 decker bus into accommodation for the travel. He says
8 life wasn't great with his dad's partner and he decided
9 that he was going to take his dad's bus and drive to see
10 his gran. He then drove it from Glasgow to Perth and
11 got as far as Scone when a car pulled out and he swerved
12 and hit a parked car. The police were involved and he
13 ended up spending the night in Perth Prison in the
14 women's section. And he says that he knows from what
15 was said in the media he was only 13 at the time.

16 LADY SMITH: I was going to say, he would be very young when
17 he went on that driving expedition.

18 MS FORBES: 'James' tells us the next thing he can recall is
19 he was at the court and it was decided he was going to
20 a children's home. He talks about that experience
21 between paragraphs 37 and 46. I think we know from our
22 records that he was received into their care aged 14.

23 LADY SMITH: Yes.

24 MS FORBES: Then, going to paragraph 47, he tells us that he
25 was only at that children's home for about a month, but

1 had been running away and it was decided he would be
2 moved somewhere else. There was no panel; he was just
3 moved as part of the system. The decision was he was
4 being sent to Brimmond Assessment Centre.

5 He tells us about Brimmond from paragraph 48. He
6 says that his time there was very short and it turned
7 out -- he says he was only there for about a week. But
8 our records show that he was admitted on [REDACTED] 1985,
9 and that seems to be after running away from his
10 father's house, and he was there until
11 [REDACTED] 1985, so three weeks; a little bit longer
12 than he recalls.

13 He tells us thereafter about his time at Brimmond
14 and the routine and he says that there was some
15 schooling, but not everyone went to the classes and
16 there were no punishments if you didn't go. He didn't
17 see his family whilst he was there.

18 Then he talks about abuse at Brimmond from
19 paragraph 51, and he says:

20 'One time I had an issue with the staff and it may
21 have been because I had been caught by staff in
22 a cupboard and I was kissing a girl. I was having
23 a tantrum as a result. They decided to teach me
24 a lesson and I was locked into a dark cupboard. I was
25 kicking at the door trying to get out, but there were

1 two male members of staff -- I don't know their names --
2 leaning against the door, stopping me getting it open.
3 I had to stay there for a while until I had calmed down.
4 'Later that day, the same staff were still upset
5 with me and they decided they would lock me in the
6 weights room. This was a big room and had lots of
7 windows and there were other rooms at the side of the
8 gym area. I was angry with the staff and grabbed one of
9 the weight bars and used it to smash some of the
10 windows. As I was doing this, I saw there were two boys
11 locked in one of the other rooms. When I saw them, they
12 were looking scared and crying. I smashed the window to
13 the room and got them out of the room.
14 'I was aware that another boy had stolen
15 a motorcycle and he had hidden it in the woods nearby.
16 I got the two boys onto the bike and I drove us to my
17 mum's house. When we arrived at the house, mum was not
18 in. We all went up to my room. When mum came home, she
19 was initially upset and told me she would have to phone
20 the police again. I told her there was something wrong
21 and I thought something bad was happening to them. She
22 told me she was going to speak to someone about it and
23 she told us none of us would be going back there.'
24 Then he tells us he knows one of the boys' names,
25 because later in life his son was working in Aberdeen

1 and the van [REDACTED] on the side and a man
2 approached his son and asked if they were related. And
3 that man then told them he was grateful for being
4 rescued that day and told him, his son, that the staff
5 were sexually abusing him and his son told him that that
6 man was still in a bad way, as he was addicted to drugs
7 at that time. And then he tell us some more information
8 about his son knowing that man's daughter and she talked
9 about how the sexual abuse had affected him throughout
10 his life.

11 He then goes on, at paragraph 55, to say:

12 'I obviously told the police about the circumstances
13 of me running away from Brimmond, but I am not aware
14 what, if anything, was ever done about it. I was not
15 there long enough, probably just a week, to get know
16 anyone [I think that should be "to get to know anyone"]
17 and did not know the names of anyone that was abusing
18 those boys.

19 'After the police came to my house I was back in
20 front of a panel and it was agreed I should not go back
21 to Brimmond House and I was taken straight to Oakbank.'

22 He says he thinks Oakbank was chosen because he had
23 run away so often and it was a secure place, and he
24 thinks it was the police that took him there.

25 He then tells us about his time at Oakbank. That

1 was read in on 25 September.

2 I am sorry, that's incorrect. It was read in during
3 the chapter for Oakbank. I have put the date down
4 wrongly, but it was Day 475 and the transcript reference
5 is TRN-12-000000108.

6 Actually, my Lady, it would be the
7 25 September 2024. I don't know why I thought it was
8 a different part of the year.

9 I won't read that in again. But, in summary, he
10 tells us that during his time in Oakbank, there was
11 physical abuse by staff, emotional abuse, physical abuse
12 by other residents, and he witnessed sexual abuse.

13 Going forward, then, in his statement, he tells us
14 that he got into using drugs and he was getting into
15 bother after he left Oakbank and he was back with his
16 mum. Because he continued to get into trouble, he ended
17 up in court and was sent to Polmont for a short time
18 before going to Castle Huntly for a short time. Then,
19 after that, he was no longer under the social work
20 system.

21 LADY SMITH: Yes.

22 MS FORBES: Thereafter, he tells us about life after being
23 in care, between paragraphs 110 and 116. These have
24 already been read in.

25 In relation to impact, he talks about that between

1 paragraphs 117 and 122. Again, some of this has already
2 been read in previously.

3 But, at paragraph 117, he says:

4 'Being in the care system controlled all aspects of
5 my life with what they did, how they spoke to me. It
6 all impacted on how my life turned out. It led to my
7 life with drugs, trying to bury the memories. Now that
8 I have things under control, I don't want it affecting
9 my life with my son. As I grew up, I did not like
10 myself because of how I was reacting to the memories.'

11 He talks about being diagnosed as suffering from
12 PTSD as a result of being in care.

13 At paragraph 120, he says:

14 'One of the effects of being in care is I have
15 a fear of dark, cramped spaces after being locked in the
16 cupboard when I was at Brimmond House.'

17 My Lady, we do have some records relating to 'James'
18 and there are some records that talk about a cupboard.
19 They say that 'James' locked himself in those cupboards
20 along with others on at least two occasions and refused
21 to come out. So there is obviously a difference in what
22 has been recorded and what 'James' has told us.

23 LADY SMITH: Although a consistency is there were another
24 two boys shut up --

25 MS FORBES: Yes.

1 LADY SMITH: -- around the same place at the same time.

2 MS FORBES: Yes.

3 LADY SMITH: Yes.

4 MS FORBES: In relation to lessons to be learned, again,

5 this has been read in before from paragraph 125. He

6 talks about the harshness of the places he was in and

7 that children:

8 '... some of these children came from problem

9 families and needed to be looked after and given

10 psychological help.'

11 Again, he repeats that the children weren't listened

12 to and there wasn't time allowed for children's opinions

13 to come out.

14 He then makes the usual declaration and he has

15 signed that. It is dated 2 June 2023.

16 LADY SMITH: Thank you.

17 MS FORBES: My Lady, I think Mr Sheldon now has a --

18 LADY SMITH: Thank you.

19 MS FORBES: -- statement.

20 MR SHELDON: Yes, my Lady, this is the statement of

21 a witness who is anonymous and is known as 'Stuart',

22 S-T-U-A-R-T. The statement reference is

23 WIT.001.001.4952.

24

25

1 'Stuart' (read)

2 MR SHELDON: 'Stuart' was born in 1965. He grew up in
3 Aberdeen with his mother, father, and two younger
4 sisters. The family was poor. His upbringing was
5 difficult, to say the least. There was domestic
6 violence towards his mother, his father drank, and he
7 thinks that his mother may have been involved in sex
8 work. Ultimately, she left home and he says, at
9 paragraph 6, never came back.

10 His father came home from the sea -- he was
11 a fisherman -- and sold all the furniture and 'Stuart'
12 and his two sisters were put into care. They, first of
13 all, went to Aberdeen Children's Shelter.

14 Secondary Institutions - to be published later
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2 Taking it from paragraph 42, he says he was 9 when
3 he went to Brimmond.

4 'It's still classed as being in Aberdeen, but it is
5 right on the border of Aberdeenshire. I was there for
6 nearly two and a half years. It was a local authority
7 place.'

8 Reading short to 43, he says there were lots of
9 children there, probably almost 100.

10 I think we know, my Lady, it was almost certainly
11 less than that.

12 LADY SMITH: Yes.

13 MR SHELTON: But, aged 9, it may well have seemed bigger and
14 more intimidating.

15 LADY SMITH: So he was one of the younger ones?

16 MR SHELTON: It seems he was probably the youngest, my Lady.

17 I was going to take my Lady to this, but, just to say
18 now, the records bear out that he was the youngest,
19 I think. Indeed, there is a record of a phone call by
20 ERM to social work indicating that he felt
21 this boy was too young to be in Brimmond and suggesting
22 that he be put in a children's home. But that clearly
23 didn't happen, my Lady. The reference for that is

24 ABN-000003555.

25 LADY SMITH: Thank you.

1 MR SHELTON: So that's -- he says this or he talks about
2 this in his statement at paragraph 44:

3 'They didn't want to take me because they thought
4 a 9-year-old was too young for an approved school. [He
5 says] it was for anybody who didn't follow the norm. It
6 was secure. It had plastic windows. I tried to get
7 through them with screwdrivers, but couldn't.'

8 At paragraph 45:

9 'It was late when I arrived at Brimmond, probably
10 about 9 o'clock at night. Everybody was in bed. Two
11 police officers took me there. ERL-ERM were
12 waiting. I was quite intimidated by the place. It was
13 quite big. The corridors were long. But I didn't let
14 on that I was intimidated by it. I saw the staff with
15 bunches of keys. They were like jailors. I saw the
16 second door, then the third door. I was told, "Stand
17 there, boy". The social worker was there, but nobody
18 communicated with me.

19 'There was no abuse or anything. Nothing happened
20 the first night. I lay in my bed and thought, "This is
21 all right".

22 'Everything was locked up at night. The staff
23 looked like prison wardens, with keys hanging down.
24 Bedtime was about 8 or 9 o'clock at night, depending on
25 what members of staff were on. There were between four

1 and six people in a dorm.

2 'I was terrified because I still wet the bed.

3 I tried to stay up all night so I didn't wet the bed.

4 I kept on having really bad nightmares. You can't hide

5 the smell of urine after a while. I was embarrassed

6 about it, but I couldn't help it. I think I got slagged

7 off in front of everybody, "Smell that pish", stuff like

8 that, up and down the corridor. It wasn't always bad.

9 It depended which member of staff was on. Sometimes

10 they didn't mind, provided you changed your bed and you

11 went and got a shower.

12 'We would be woken up by a turnkey. A member of

13 staff would come round and bang on the doors, open all

14 the doors and the boys would come out first. The girls

15 would get up after us. They had a separate, highly

16 secure door. It was run like a jail. You would make

17 your bed, get washed, then breakfast, then work, then

18 lunch.

19 'You showered once a week, midweek, unless you had

20 a medical condition. You could probably have a shower

21 at the weekend as well, depending who was on. If you

22 had a good week, they would be all right with you.

23 'Boys and girls would eat together in one big dining

24 room. We used to get ready mixed tea, already made in a

25 big kettle. It had heaps of sugar and it was fine.

1 'I remember one lady, KPP. She was kitchen staff.
2 She would make your meals and they were really nice.
3 She was great. She was like the mum I never had. She
4 used to help me write a letter home because I couldn't
5 spell properly. She would bring home-baked cakes once
6 a month and things like that. She was quite religious,
7 so it paid to go to Bible class because you got a cookie
8 and a cup of tea.

9 'If you weren't academic, you got work. I was quite
10 happy with that. I always struggled at school. I got
11 words muddled up. I had no schooling at all. We used
12 to make things to sell, to make a profit for ERL-ERM

13 ERL-ERM If you were interested in school you got to
14 go to school. But, nine times out of ten, they tried to
15 get you to make things so they could sell them. My
16 project there was making forts because I was good at it.
17 I made forts with drawbridges for kids to play with.
18 I would get my own corner and keep myself to myself.
19 I used to carve totem poles as well; they were about
20 a metre high and I would carve faces on them. People
21 used to say that they were sullen and sombre. They had
22 wee moon faces with funny eyebrows. They used to get
23 good money for them. They always sold before anything
24 else because they were different from anything else.

25 'Back then my attitude stunk. The littlest dirty

1 look from somebody and I'd be straight across the table
2 fighting. I wasn't good academically, but I was good
3 with my hands. So woodwork kept me safe and I enjoyed
4 it. I loved carving. I could make them money, so I was
5 put to work. It was just my way of not kicking off. It
6 was my time. I was in my own little world, my own
7 little bubble.'

8 He talks about clothes, and says:

9 'We were given jeans and a jumper by the staff. The
10 girls wore pink and the boys wore blue. The punishment
11 uniform was shiny green shorts. You would be in bare
12 feet, so you couldn't run away. Aberdeen's that cold,
13 you wouldn't run away in bare feet wearing nothing but
14 a pair of shorts. That's what I wore for most of the
15 two years. I used to make an excuse to go to Bible
16 class because I'd get to wear a T-shirt and a pair of
17 flip flops.

18 'You worked until 4 or 5 o'clock and you got your
19 supper. After supper, you got a bit of recreation time.
20 If you were good, you got to watch TV. All the chairs
21 would be in a row, the tv was tiny. You only watched
22 what the members of staff wanted to watch. If
23 Coronation Street was on, you had to watch Coronation
24 Street.

25 'If you were lucky and there were enough staff, you

1 would get to play five-a-side football. I was always
2 put in the goal because I was good in the goals. You
3 could go to the gym. I used to go in there and train.
4 There were a couple of good boxers, so I just trained at
5 the boxing all the time. We had big medicine balls and
6 we would hit them all the time, back and forth. I liked
7 five-a-side football and the boxing, and I liked the
8 army fitness training in the gym. There was
9 an ex-special services boy who took the training, then
10 it was lock up time.

11 'The girls were kept separate from us, apart from at
12 meal times. You only got to see them at the gym or when
13 there was a disco. That was always good.

14 'We had a choice on Sunday: you could either go to
15 the church across the road or for a five-mile run up
16 a hill. I was a bit slow and I used to choose the
17 five-mile run. I liked to see how quick I could get up
18 the hill and back. Then I thought I should be going to
19 the church and to get a cookie and a cup of tea. I did
20 two years of running up the hill and then I decided to
21 go to church. You got to wear your dress clothes to go
22 to the church. What you had when you came in, if you
23 did have clothes, you could wear them. ERL-ERM
24 were elders in the church. They were really into the
25 church big time.

1 'Sometimes I got to go home. My dad and his
2 brothers came. When my uncles were home on leave from
3 Northern Ireland, they would come and pick me up in big
4 four-wheel drive things. We would go up to [REDACTED],
5 outside Fort George and stay with the family for the
6 summer holidays. I got to do all the army activities.
7 I used to get taken out shooting and camping. I learned
8 navigation. The family were really good with me.

9 'At Christmastime there was a tree, you pulled
10 a cracker and maybe got one present. You got a birthday
11 present. Back then, you got one present and that was
12 all you got. I got a football or a pair of goaly gloves
13 or a pair of boxing gloves. I was delighted. I was
14 happy with anything I got. [REDACTED] KPP made a chocolate cake
15 for my tenth birthday...'

16 Reading short:

17 'Mum came to visit once in 2.5 years. I never saw
18 my sisters at all. I wasn't worried about them, though,
19 as I knew they were okay. Dad came in with his brothers
20 on a few occasions. Once they kicked off when they came
21 in. It was the middle of summer and it was a heatwave,
22 the staff made me wear a Parka over my head and
23 a balaclava, so you could just see my eyes and mouth.
24 My uncle said, "Get that off your head". I had to strip
25 at the door. [REDACTED] ERL-ERM were there, every part of my

1 body was bust up, black and blue from head to toe. My
2 uncle said, "You get across here right now". They
3 threatened to get the police. I don't know if the
4 police were called or not.

5 'The next time, my uncle came up in an armoured
6 vehicle. He was a Colour Sergeant and he had just come
7 back from Northern Ireland. I was bust up again. My
8 face was all bust and I lifted up my t-shirt. I was
9 black and blue all over and there was one rib poking
10 out. He said, "What happened to you?"

11 'There was a female member of staff who did the
12 nursing. I saw a psychiatrist every now and again when
13 I was there. He said I was mentally disturbed,
14 a troublemaker and an instigator. You name it,
15 everything bad they could put against me, they would.
16 I wouldn't speak to him because I didn't like him. I
17 knew he was something to do with the head. I just
18 ignored him totally. I didn't see a doctor about my
19 physical health for the two and a half years that I was
20 there.'

21 Under the heading of 'Abuse at Brimmond' he says:

22 'ERL-ERM [REDACTED] really didn't know much about what
23 was going on. It was well known amongst us that Mrs
24 ERL [REDACTED] was having an affair with KEF [REDACTED], one of the
25 member of staff. He got away with murder. He was the

1 one you kept away from. I could stand up for myself,
2 but when KEF came at you, he came at you with
3 a baseball bat.

4 'If you go into an institution, sometimes mental
5 cruelty is worse than an actual physical hiding. If you
6 can't sleep at nighttime because you think somebody is
7 going to come in and try and stab you, that's worse than
8 somebody actually coming at you. You are not sure if it
9 is going to happen or if it's not going to happen, so it
10 is always in the back of your mind. I knew what game
11 KEF was playing quite quickly, so I said, "No, I'm not
12 doing it".

13 'Within the first two weeks of being there, KEF was
14 trying to be funny, so I told KEF to "fuck off".
15 I went into the TV room and he sent two boys in behind
16 me to give me a hiding. Two older boys did his dirty
17 work. They were 15 and quite hard. They had the run of
18 the place. They did all his beatings. They would bully
19 and steal people's cigarettes and sweeties, but they got
20 a shock when they came up against me. I was 9 and
21 I smashed the two of them. I'm not proud of what I did,
22 but I had no option back then. KEF was totally
23 disillusioned that his two main hit men got beaten up a
24 9-year-old boy.

25 'Then I got grabbed by the hair by a lady member of

1 staff, KEF and GJP. KEF laid into me with
2 a baseball bat. I got left in a pool of blood. I
3 remember them hitting into my neck, hitting into my
4 shoulders. The lady jumped on my private parts. She
5 seemed to be actually trying to kick them back in. KEF
6 was punching me and punching me. They must have laid
7 into me for about 20 minutes. I honestly thought I was
8 dead. I was in bits, I couldn't move. I remember when
9 I came to, I was looking at the cream walls and my blood
10 was right up the wall. They dragged me along the
11 corridor by the hair and the arms, still punching and
12 kicking me. Then I got put in the cell.

13 'They took all my clothes off me and I was naked in
14 a padded cell. There was a girl in the cell. The first
15 thing I did was cover my privates. She said, "Look at
16 the mess you're in. Were the bastards at it again?
17 What happened?" I said he was trying to get [and he
18 named two boys] to give me a hiding and it backfired.
19 I beat the two of them up, but then they jumped on me.

20 'They came in with a plastic mug of water, but I
21 never got anything to eat that night. They came in the
22 next morning and told me to get out of the cell. The
23 girl was told to stay in the cell. KEF said, "Get
24 against the wall, stand against that wall. Put your
25 hands behind your back, boy". So I was standing against

1 the wall, naked. The girls' door was just next to the
2 cell. He opened the door and he said to the girls,
3 "When you go past, look at his willy and make
4 a comment". It wasn't the girls' fault. If they didn't
5 do what he said they would get punished as well. They
6 went past and the young girls were all giggling.
7 I couldn't do anything because my hands were behind my
8 back...

9 'It was KEF and that other female [and he names
10 her. He says she] was also having an affair with KEF,
11 the girls would tell me about it. The woman was in
12 charge of the girls' wing. She was at the front of
13 them. She said, "Ha-ha, look at that". I just looked
14 straight ahead. I didn't smile' I didn't react. I got
15 put straight back in the cell again.

16 'Then I got taken out about an hour later. They
17 chucked me in a pair of green shorts. I got
18 a toothbrush and was made to scrub the floors with it
19 for three months. KEF said, "You better say sorry,
20 boy, for what you've done", I said, "Fuck off".
21 I shouldn't have said that. I was in bits. I was told
22 to scrub the toilets until I [was] sorry. I went
23 through about 30 toothbrushes in about three months.
24 I just sat there and scrubbed. He'd say, "Have you had
25 had enough yet?" and I just laughed. I kept on smiling;

1 I kept on scrubbing. I wouldn't look at him. I kept on
2 scrubbing the toilets and then the stairs. There were
3 about 30 of them. I had to sweep them with
4 a toothbrush, then wet them, then scrub them with the
5 toothbrush. I then had to dry them off and scrub them
6 again with the toothbrush. They were trying to see what
7 they could get away with. They had me down as
8 a troublemaker and a retard. They got that from the
9 Children's Shelter. They were told, "This guy will not
10 break", so they said, "Is that right? We'll see. Let's
11 try and break him".

12 'After I was picked on the first time, I was in the
13 padded cell for two weeks. Another girl was put in the
14 cell ... [and he names her]. She was naked, too.
15 I would say to her, "It's okay, I'm not looking at you".
16 I was hiding my privates. She had cuts across her arms
17 and chest. I had never seen that before. I asked her
18 what they were and she said that she had tried to kill
19 herself. It was like a cat had scratched her. I only
20 got out of the cell to clean the toilets. I didn't get
21 to socialise. My meals were dropped off at the cell
22 door.

23 'When I got out after two weeks, I went back to
24 doing woodwork. They weren't watching and I found
25 an old bit of steel. I filed myself a knife. I

1 sharpened it and tucked it down my trousers. I was
2 adamant that the next time I was in the cells, I was
3 going to stab KEF I was walking down the corridor and
4 GJO said something to me. I told him to fuck
5 off. I was beaten up again and stripped naked. When
6 they stripped me, they found the knife.

7 'I was probably in the cell for a couple of weeks
8 again. I was never out of the cells. I was in there at
9 least once a week every two months. Every time I was in
10 there, I was naked. They thought we wouldn't fight as
11 much if we were naked. The first year I was in there
12 a lot more. The only interaction I had with others was
13 when the girls would walk past me naked, with my hands
14 behind my back. I was given a bucket to do the toilet
15 in. It was exactly like a jail.

16 'The police came to have a word with me when I was
17 in the padded cells. I was naked. They came charging
18 in with their batons. The police came in from
19 Bucksburn. It happened twice over the first year, then
20 it never happened again. They came in with their
21 truncheons. There was a girl in with me, screaming. I
22 can't remember who it was. I managed to get three of
23 them before I went down. There were truncheons
24 everywhere and then I was left in a pool of blood.

25 'In my first year there, I was going along the

1 corridor and a fight broke out between me and another
2 boy. I won. The staff tried their best to intimidate
3 me. They dived in again. I think I was unconscious in
4 the hallway. I got taken to hospital. I had fractures,
5 bruising and concussion. I was covered in blood again.
6 My dad knew I was taken to hospital at the time, but
7 when I got my medical records there was nothing about it
8 in them.

9 'Sometimes they put me in the dark cupboard next to
10 the cell. I couldn't bend Secondary Institutions - to be published later
11 Secondary Inst They didn't know that the dark terrified me,
12 but it did. It was worse than facing somebody putting
13 a gun to your head. I was in there 20 or 30 times over
14 the two to three years I was there.

15 'That was just the way of life. It was either bully
16 or be bullied. For a time, I turned into a bully and
17 then I took a step back and stopped it. I would only
18 bully a boy who would give me a fight. For example, if
19 somebody came in who was harder than me, I would take
20 him on, win or lose. I tried my best to stick up for
21 the boys who were bullied. One of the boys [who he
22 names] was a diabetic and the other boys tried to pick
23 on him. He was just a skinny wee thing. I liked him.
24 He was funny. He could read books. I couldn't read, so
25 he would read me stories. I would be fascinated for

1 hours just by him reading a book. We didn't have much
2 entertainment. I had never had a story read to me in my
3 life, not even as a baby. These two boys were picking
4 on him and I said, "That's it, you're not picking on him
5 again". The next day, they picked on him. I went
6 straight up to them and knocked the two of them out.
7 I said, "Don't touch him again".

8 'There was no sexual abuse in Brimmond, just
9 beatings. It was part of every day life and you
10 accepted it. They were trying to make us into decent,
11 quiet citizens. They tried to get stuck into my head
12 that I was a bad person, dishonest and a thief. There
13 were always beatings and punishments. The frequency of
14 the beatings depended upon how many staff were working.
15 They wouldn't come at me if there were just two members
16 of staff. By the time I was 11 or 12, they would need
17 at least four or five members of staff because I was
18 quite big.

19 'If the baseball bat was used, it was KEF .
20 Mr GJO would use a walking stick, but he
21 wouldn't instigate it. KEF was in charge of the place
22 and would always instigate it. He could get away with
23 whatever he wanted because of his affair with
24 Mrs ERL . Mrs ERL didn't know what was going
25 on, but she was management, so the buck should have

1 stopped with her.

2 'I'm surprised nobody was killed. I was strong, but
3 some of the kids were small. They stamped on us. It
4 depended on their moods, but other children were beaten,
5 too. They were sadistic.

6 'Towards the end of my time a coloured boy arrived
7 at Brimmond. There was an uproar with the social
8 workers next to the dining room door. I remember ERL-ERM
9 ERL-ERM saying, "We're not having a nigger in this
10 institution". The social workers told them to give him
11 a try. He was about 15. He got in and KEF started
12 using him to do his beatings and punishments. The boy
13 threatened me in the workshop. He had a homemade knife
14 and he said, "You're getting it tonight". I was scared
15 of the guy. I couldn't admit it to anybody, but I was
16 terrified. When he said he was going to stab me that
17 night, I thought I was going to get stabbed. My head
18 was going round in circles thinking how I could get
19 an advantage over him.

20 'I was making tea, and KPP asked me what I was
21 doing. I told her I had a sore head...'

22 And he describes an incident where he injures this
23 other boy with boiling water as a distraction. He says:

24 'I was going to have him and KEF on my back, so
25 I knew I had to take this guy out quite quickly. He was

1 lying on his back. I gave him six punches and he was
2 finished. Next thing, I had KEF and loads of staff on
3 me. I got beaten, stripped naked, and put in the cell
4 again. I never got any hassle from the boy after that.

5 'When I got out of the cell, I said to my cousin
6 that I needed to kick off. I was sick of KEF. So
7 I started a riot in the upstairs bedroom. I started
8 throwing chairs and tables at the members of staff. The
9 police were called, so I lit a fire. I then went into
10 the dorm and barricaded the door. We set the place on
11 fire, but we were inside where the fire was. I was
12 trying to stop the staff getting in, but the fire
13 brigade were trying to break down the door.

14 'After that I was transferred to Monken Hadley
15 [school]. They found a place for me there about a week
16 after the fire.'

17 He then talks about his time in Monken Hadley, my
18 Lady, aged 11, nearly 12. He was there for a year and
19 a half Secondary Institutions - to be published later

20 Secondary Institutions - to be published later

21
22 Secondary Institutions - to be published later

23 I wanted to
24 realise my dream and join the army. My dad kept
25 complaining that I was put in Monken Hadley as
a punishment. They finally relented because they said

1 my behaviour was much better.'

2 He is then back in a children's centre in Aberdeen,

3 Craigielea. Secondary Institutions - to be published later

4 Secondary Institutions - to be published later

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7 He was there for six months.

8 If we then turn to page 26, he is placed in

9 Oakbank School. He moved there when he was 15 and
10 reports really having quite a good experience at

11 Oakbank. Indeed, at paragraph 115, he says:

12 'It was brilliant in there, with good food and good
13 staff.'

14 So, at paragraph 120, page 27, he talks about

15 Secondary Institutions - to be published later

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Paragraph 122:

'When I was in Brimmond, my uncle [who he has already mentioned] threatened to give them all a hiding because of the mess I was in. That happened two or three times. He was going to beat them up. My dad was going nuts. My uncle had the quickest temper in the world. He was going to beat them up, too. I told them at the time what was happening. Everybody knew what was happening to me, but I think they just accepted that was what happened in that day and age in an approved school. I don't know if the police were called when I was at Brimmond.

'I told social workers what happened, but there is nothing in my records. There were quite a few others that I told through the years.'

Paragraph 124.

'The whole family knows what happened to me. In those days, approved schools weren't just a slap on the wrist. There was no sexual abuse at Brimmond, just emotional and physical. I class that as a good school because there was no sexual abuse.'

And he goes on to say a bit more about

1 Monken Hadley.

2 At paragraph 125, he says:

3 'I tried to claim compensation in the civil courts
4 around 12 years ago. I got a letter back saying they
5 couldn't find any details of any negligence or abuse.
6 I've never reported my abuse to the police.'

7 And he then talks about life after care:

8 'Before I left Oakbank, the social worker said,
9 "That's it, on you go". I knew I was going a couple of
10 weeks beforehand. There was no offer of help or
11 a house, or anything like that.

12 'My head was really messed up when I came out of
13 care. I didn't want to live with my parents. I didn't
14 want anything to do with them. I wanted to keep away
15 from my mates as much as possible. At that point,
16 I realised I hadn't been accepted for the army. I was
17 gutted. I passed the medical, but failed the written
18 test.'

19 He talks about a particular member of staff who gave
20 him difficulty at Oakbank, but then goes on to say, at
21 paragraph 129, when he got out of approved school, he
22 got into some bad company and some trouble.

23 Reading short to paragraph 130, he says:

24 'Because I had turned 16 there were warrants out for
25 my arrest. I think they were for assault and theft.

1 I think they left it deliberately until I had left, so
2 they could move me. I was put in front of a female
3 judge [REDACTED] Secondary Institutions - to be published later
4 [REDACTED] Secondary Institutions - to be published later She put me
5 straight on remand.

6 'I knew lots of people in prison from approved
7 school. Prison was like a holiday camp compared to
8 Brimmond. I wasn't well educated, but I was more
9 educated than the rest of them. I got a job working in
10 the library. It was a great job. I used to go round
11 with the trolley. If somebody wanted something special,
12 I would charge a fag for it. If somebody wanted
13 an adult magazine, especially if it was a new one, that
14 would be two fags. I always had plenty of fags.
15 I could sell them for a Mars bar or a can of juice.

16 'I was in jail for nine days initially, then about
17 seven months on remand. When I came out of prison,
18 I slept rough at Aberdeen Beach. I couldn't cope with
19 things. I tried to stay away from my mates and stay
20 away from trouble. I slept rough for about a year.
21 I couldn't keep going, I couldn't keep living like
22 that.'

23 Taking paragraph 133 short, he ultimately got a job
24 on a fishing boat but says, towards the end of that
25 paragraph:

1 'I had a huge problem with alcohol for a lot
2 of years. I used to love to get drunk back then.'

3 And he says, at paragraph 134:

4 'I was on the boat for 12 years.'

5 Then he bought his own boat and worked on that
6 until, he says, at paragraph 135:

7 'Then the government came in with their fishing
8 quotas.'

9 He said that he had loved the fishing:

10 'But I left that and worked on another boat in
11 Aberdeen Harbour for three years.'

12 He ultimately left that and started his own business
13 and started off as a handyman. He has not been able to
14 work recently. He was diagnosed -- paragraph 136 -- two
15 years ago with ADHD and obsessive compulsive disorder.
16 I was supposed to go back to be tested for autism, but
17 I didn't go back because I knew I didn't have it. This
18 would explain why I struggled so much with paperwork.
19 If I see something once, I can normally do it. I watch
20 and try to do it a different way to make it better.

21 'I went to computer classes. I don't enjoy
22 computers, but [they] are the future. I've got to
23 learn. I had a website for my company.'

24 He then goes on to talk about his partner and her
25 children and the death of his uncle, which he found very

1 hard.

2 In relation to impact, paragraph 139:

3 'I never got a hug until I was 16. I didn't know
4 what a cuddle was until I was 16. I was at a family
5 party and my cousin hadn't seen me for a while. She
6 gave me a hug. Honestly, I shook. The kindness made me
7 think, 'What's going on here?'.
8 He said he had a lot of charges on his record for
9 offences committed when he was drunk and he says:

10 'The only way I knew how to react was with
11 violence.'

12 There was a particular incident in a pub which
13 resulted in some days in the cell and another court
14 appearance:

15 'The judge said it was my last chance or I was going
16 to get a serious sentence. I was sent to anger
17 management training through the court social work. It
18 was either that or the jail, because I had been ending
19 up in the cells every weekend.'

20 He says that he knew he had to try his best at the
21 anger management, but it was hard going. And reading:

22 'My attitude did stink. I sat with my arms folded
23 for threes months. I was going to get sent back to
24 court. Then I started opening up.'

25 Taking that short, he indicates that he really

1 struggles with rejection:

2 'That's messed me up since I left school.
3 I understand what the word means, but I can't get my
4 head around the fact that one simple word can mess you
5 up so much. Everything I do is because of rejection
6 I won't make a move if there's a chance of being
7 rejected. Unless there's a guarantee, I won't make
8 a move and nothing in this life is guaranteed. The
9 anger management was the best thing I have ever done.'

10 He goes on to talk about his relationship with his
11 former partner. Then, at paragraph 143, about his
12 parents and clearly the difficulties with that
13 relationship.

14 So reading short to paragraph 144, page 33, he says:

15 'Because of the beatings I had at a young age, my
16 bones started to deteriorate when I got older. When
17 I was younger, I had so much muscle I could tolerate it.
18 As I got older, the bones have started to crumble with
19 the damage that was done when I was younger.'

20 He says that his consultant surgeon thought:

21 'I must've been hit with baseball bats because of
22 the mess my body is in. He examined my neck at the
23 [...] Royal Infirmary and couldn't believe I was still
24 walking. He said the joints of my neck were all out of
25 place and my spinal cord is compressed...'

1 He says he:

2 '... didn't tell the surgeon that I was beaten in
3 approved school [and says] I'm not going to tell him
4 that because I'm ashamed.'

5 Reading short again, he talks about further
6 difficulties, medical difficulties, in getting
7 appropriate treatment, and says that Future Pathways,
8 paragraph 147, has assisted with that and about further
9 medical treatment which may be necessary.

10 So moving, my Lady, to paragraph 150, page 34, he
11 says:

12 'My time in care also affected me mentally. When
13 I left approved school, I had a terrible attitude and
14 a terrible temper. The only real skill I had was
15 fighting. I was totally ill-equipped for the world.
16 I have cut my nose off to spite my face so many times in
17 my life.

18 'I want to put this behind me and move on. My
19 psychiatrist has helped. I'm pushing myself to get out
20 now because I've been hiding myself away from everybody.
21 I have just been going out when it's necessary and then
22 going straight home, and that's not me...'

23 Reading short, he says:

24 'I don't go drinking. I don't go out on the town
25 because I don't get excited by people getting knocked

1 out, bouncers getting knocked out. That was my old
2 life. My new life is if somebody's decent with me, I'm
3 decent with them.'

4 He says he has had hypnotherapy which he has found
5 helpful, having found things hard to deal with.
6 Although that was hard, he felt that he had to go
7 through it. He says:

8 'It's the not knowing that I don't like, trying to
9 bring memories back.'

10 At paragraph 153, he says the hypnotherapist got
11 good bits of information. She also helped with trauma:

12 'Over the last couple of years I have received
13 treatment for the trauma of ...'

14 His uncle passing away and the break up of his
15 relationship. Paragraph 154:

16 'My youngest sister will say, "I love you to bits,
17 but you're so fucked up". Compared to other survivors,
18 I'm not that bad. I'm not looking to be any better than
19 anybody else, but at least I can go out to the shops.
20 Some of them hide behind doors and can't go out. Some
21 of them can't function without drink or drugs.
22 I'm maybe lucky. Many of my close friends from approved
23 school have committed suicide, died due to drug
24 overdoses or alcohol misuse. Out of ten close friends
25 I had at approved school, there are only two of us still

1 alive.'

2 He says he gets lots of nightmares and can't sleep
3 without the light on.

4 He talks about obtaining his records and says that,
5 reading through them, it was all negative:

6 'It was me doing something wrong and being made out
7 to have mental health problems.'

8 In relation to lessons learned, he says:

9 'I think there should be security checks and
10 everybody vetted very thoroughly. For example, there is
11 Disclosure Scotland. I've had a disclosure check and
12 anybody that's worked for me in the past has got that.
13 I turn a blind eye to somebody who has made a genuine
14 mistake, who's been drunk and in a fight or something
15 like that, but anything to do with child abuse and a
16 person shouldn't get near children.'

17 Reading short to paragraph 159, he says:

18 'Everything should be investigated, no matter how
19 minor. But if the person making the claim is found to
20 be lying, they should be severely punished, too. There
21 are people that cry wolf and nothing ever happens to
22 them.

23 'I never thought this would happen in my
24 lifetime ...'

25 I think he is talking about the Inquiry, my Lady.

1 LADY SMITH: Yes.

2 MR SHELDON: 'For all these years, nobody has ever believed
3 us. We weren't even believed by our own families. When
4 I look through my records, it's all negative. I get
5 100 per cent of the blame. There's a lot of people that
6 won't come and give statements. This hasn't got
7 anything to do with compensation. This has got to do
8 with the future. Secondary Institutions - to be published later
9 Secondary Institutions - to be published later
10 Secondary Institutions - No matter what mum and dad did, we should
11 have been shown an as normal as possible loving and
12 caring environment.

13 'In the future, I just hope that nothing happens to
14 any innocent people who end up in care through no fault
15 of their own. They should be cared for and looked
16 after. If they have any issues, they should get help to
17 get over them while they are young enough. If they have
18 behavioural problems, like they said I had, they should
19 have help to get over it. Instead, I was encouraged to
20 be more violent. The last thing they should have let me
21 do was martial arts and boxing. I should have been
22 doing jigsaws and things like that.

23 'The past is the past, the future is the future.
24 I just want to get on with it. I'm no angel. I'll take
25 my share of the blame, but we shouldn't have been

1 treated like this. Hopefully this doesn't happen to any
2 other kids again.'

3 My Lady, he has made the usual declaration and
4 signed his statement.

5 LADY SMITH: Thank you.

6 MR SHELTON: My Lady, there are a number of other read-ins
7 to do.

8 LADY SMITH: Yes. What's the plan?

9 MR SHELTON: I think the one that might fit best in the
10 time, my Lady, is the statement of Morag Morrell --

11 LADY SMITH: Yes.

12 MR SHELTON: -- who we have heard something of already.

13 LADY SMITH: Of course, because we referred Mr Simpson to
14 that on Tuesday, didn't we?

15 MR SHELTON: Yes, and I can take it relatively short because
16 she talks about other establishments that we are not
17 dealing with here.

18 LADY SMITH: Of course. Let's do that.

19 Morag Morrell (read)

20 MR SHELTON: So, my Lady, this is the statement of
21 Morag Morrell. The reference is WIT.001.002.7576. My
22 Lady, there's also a letter which Ms Morrell wrote to
23 you as Chair of the inquiry.

24 LADY SMITH: Yes.

25 MR SHELTON: The reference for that is WIT.003.002.1191.

1 LADY SMITH: Thank you.

2 MR SHELDON: And also a set of correspondence, which is
3 interesting and helpful. That's WIT-3-000000499.

4 My Lady, Ms Morrell was born in 1932. She tells us
5 at paragraph 2:

6 'I served on the children's panel for nine years,
7 from 1971 to 1979. It's a voluntary post. I don't have
8 any professional qualifications, but I had five children
9 of my own. When I left the panel, I didn't leave
10 voluntarily. New blood was being brought in and they
11 wanted rid of the original panel members. I heard that
12 the reason was I took things too seriously. I took that
13 as a plaudit. We had three directors of social work
14 during my time on the panel and I was a thorn in their
15 side. After I left the panel, I was a regional and,
16 subsequently, district councillor.

17 'I read newspaper articles about a new system of
18 juvenile justice, the Children's Hearing System.
19 I thought it sounded interesting. A friend and I went
20 to a public meeting and got talking to Bob Hughes who
21 was an Aberdeen City councillor and was on the
22 Children's Panel Advisory Committee. Bob said I should
23 apply for the children's panel.'

24 Reading short to paragraph 4, she says:

25 'I did apply in 1970. I went through a series of

1 interviews and get together. I had a concern about
2 children. It was quite clear, when you were growing up,
3 that some children got a rotten deal. My mother had
4 been on a committee to do with truancy and all that had
5 an influence on me.

6 'I was amongst the first appointments to the
7 children's panel. I was 38 years old. It was quite
8 a rigorous process. I wrote a letter, then I was
9 invited to interview. A lot of people were invited to
10 interview and some were fished out. Then, the real
11 selection started, and then the training started. From
12 start to finish, it took the best part of a year. We
13 were all lay people, more or less.'

14 And she names some of the people who ran the
15 training process, one of whom was involved in nursing
16 training, another who was a sociologist:

17 'The first training event was taken by Aberdeen
18 City's town clerk. He talked about the legalities of
19 the Children's Hearings System. The town clerk came
20 back at the end of our training and reinforced the
21 legalities.'

22 LADY SMITH: And that was in the era when the town clerk
23 would have had to be a qualified lawyer --

24 MR SHELDON: Yes.

25 LADY SMITH: -- the way the local authority systems worked

1 at that time.

2 MR SHELDON: Yes, my Lady.

3 'Bob Hughes and Professor Seed were there, too. The
4 director of social work in Aberdeen City came to
5 a training event. Social work was changing a lot at
6 that time. It was becoming more of a professionalism.

7 'In our early training on the children's panel, we
8 had lectures from Professor Seed. He had tremendous
9 breadth of knowledge and information and did a lot of
10 research. Apart from the formal lectures, the training
11 was pretty informal. After each training session there
12 were questions. Then the people who were to be members
13 of the children's panel got together and had a talk
14 amongst themselves. We talked about what we thought we
15 had heard and whether we could have heard better
16 information. We were encouraged to sort out what we
17 thought the issues were. Later, some panel members,
18 including me, were involved in the training.

19 'Towards the end of the panel members' training, the
20 children's reporters were appointed. The reporter is
21 the person who keeps the panel right on the legalities
22 at the hearing and ensures that the decision is made
23 legal. Some areas had former social workers as their
24 reporter. Aberdeen had a lawyer. The reporter decides
25 if a child and their family is going to come to

1 a hearing or whether the child can be dealt with in
2 other ways.

3 'The Children's Panel Advisory Committee selected
4 panel members. The committee had a session where they
5 interviewed a lot of people. A handful of panel members
6 would be invited along to serve coffee and make the
7 people feel at home. We would feed in at the end when
8 the committee was making its decision.

9 'The panel could deal with children from newborn
10 babies to young adults aged 16. If you had a child who
11 was in care, you could keep tabs on him up until he was
12 18 years old. Lord Kilbrandon spelt it out in the
13 Kilbrandon Report which influenced the establishment of
14 the Children's Hearing System. Kilbrandon said the
15 child who was offending was very often the child who was
16 offended against. That was often what you found. Part
17 of my problem with the hearing system was that the
18 middle class children who committed offences got passed
19 over. The middle classes got lawyers, their teachers
20 would speak up for them and they didn't come in front of
21 the hearings system. It might have been of more help to
22 those children if they had.

23 'Some children would come before the panel because
24 they had stolen something, they had fought or they had
25 vandalised school property. Some crimes were petty and

1 some were not. Other children came before the panel
2 because they were in need of care and protection.
3 Social work or the police would report a case to the
4 reporter, who would decide what was most appropriate for
5 the child. The reporter would try something informal to
6 begin with, like a social worker to supervise the
7 family, unless it was something hair raising, when it
8 would be brought before the panel.

9 'If a child were in need of care and protection,
10 either the legal rights to that child had to be taken
11 over, so that the child could live in a place of safety,
12 or the Panel had to make sure that the parents
13 understood they had responsibilities to the child.
14 There was a lot of help around for parents that we could
15 help organise. Sometimes that worked, sometimes it
16 didn't.

17 'The hearing met on a Tuesday, Wednesday, Thursday
18 and sometimes on a Friday. The hearing was supposed to
19 sit mornings, afternoons or evenings. Social workers
20 practically never told parents they could have the
21 hearing in the evening, which would help parents who
22 were working. You could have an emergency hearing on
23 a Saturday. That could be for a child who suddenly had
24 serious injuries or something like that. You might have
25 three cases at a typical sitting, with 45 minutes to

1 an hour for each.

2 'There were three people on the panel at a hearing,
3 a man, a woman and one other. The Panel was a very
4 mixed group. There were people like me, an architect,
5 a fireman, a teacher and a panel beater. There was
6 a chair person. In the early days of the panel, in
7 Scotland as a whole, the chair was almost always
8 a minister or an ex-minister. Our panel was not
9 a minister, but his family were all Church of England.
10 There was a rota system to sit on a hearing.

11 'At the hearing, the reporter was there, the child
12 and the child's family. The child's social worker would
13 come along. If the child was in care, the reporter
14 might invite along someone along from the school, if it
15 was a school problem. A lot of children were not doing
16 well at school. That was all right to begin with.
17 Later on, we had a lot of teacher members of the panel.
18 By and large, if it were a school problem, the teacher
19 would take the school's point of view, instead of
20 listening to the children. The child and his family
21 could also bring a friend along. Social workers did not
22 insist that parents understood that they could bring
23 someone with them.

24 'You had to legally apprise the child of why he was
25 at a hearing and make sure they understood. You had to

1 be informal, you were dealing with children, most of
2 whom had difficulties in following a formal situation.
3 Sometimes there were members of the panel who could not
4 speak to children in a way that the child could
5 understand. You need people on the panel who can
6 communicate with and listen to children.

7 'The panel was independent. Social workers thought
8 that the panel should rubber stamp what they wanted to
9 do. Some social workers thought the panel was intruding
10 on their turf. Director of Social Work, Douglas Grant,
11 was a lot more receptive to the panel. Fred Edwards,
12 another director, would listen and you could get him to
13 do something.'

14 LADY SMITH: Fred Edwards is the man that we also have
15 evidence about in relation to when he moved to
16 Strathclyde Regional Council.

17 MR SHELTON: Indeed, my Lady, yes.

18 LADY SMITH: And was very prominent in this area.

19 MR SHELTON: Very much so, my Lady, yes:

20 'A lot of senior social workers weren't receptive.
21 The message was that the panel didn't understand social
22 worker's problems and should back off. It took a long
23 time before social workers understood that it was
24 a legal situation and they were required to implement
25 the decision of the panel; that was their role. Some

1 never learned. That caused a lot of trouble. Some
2 social workers did not carry out the instructions of the
3 panel. We just wanted the children to have a positive
4 experience in care. You maybe wouldn't find out that
5 your instructions hadn't been carried out until the next
6 year, if you were on the panel at the hearing for that
7 child again.

8 'At the hearing, you would do your best to get the
9 child to say something, even if it was "Get lost". You
10 ask the child if he accepts what he is alleged to have
11 done or what has been done to him. Most of the children
12 were boys, that's why I use the word "him". Some of the
13 children didn't think what they had done was serious.

14 'One of the schools we had thought that any child
15 who was in trouble was a "hanging offence". That was
16 difficult. The headteacher always came to the hearing.
17 You had to throw him out. The school had no right to be
18 at the hearing, unless they were invited. Schools did
19 not always understand that. The guidance system came
20 along halfway through the second year of the children's
21 hearings. Then you got guidance teachers coming along
22 to hearings.

23 'You had to explain to the child and the parents
24 what the panel's decision was. You hoped they
25 understood and would ask questions if you hadn't got it

1 right. The reporter was effectively the legal adviser
2 to the panel, most were lawyers. Most of the time the
3 panel came together on what was the most likely
4 solution. There was no casting vote for the chair. If
5 we differed, we just had to differ. We could dismiss
6 the case or tell social work to implement our decision.

7 'We would expect social work to supervise the child
8 and see the family regularly, until they felt things had
9 stabilised. We might say the child needed to go into
10 residential care. Some children might need to go to
11 a List D school. The panel might say they would have
12 another hearing in a few months. The child had to be
13 reviewed within a year. You reviewed how the children
14 and the family were doing.

15 'If the social worker had not implemented the
16 panel's decision, you would expect the social worker to
17 come back to a hearing a lot quicker and say that they
18 couldn't or wouldn't implement the decision. Then the
19 child would be discharged or supervision would continue.
20 Very few children were held in the Children's Hearings
21 System for a long time. Those that were, were children
22 taken into the care system. If children in care were
23 being reviewed regularly, the hearings system should be
24 picking up on what else could be done for those
25 children. Placements in residential care were often

1 about where there was a spare bed at time. That was
2 quite shocking.

3 'As new panel members came through and social work
4 calmed down a bit, there was a better relationship.
5 I think now there's a better conduit for raising issues.
6 We had all just started. We didn't know anything about
7 social work. It was easy to say: this is where we are
8 and this is where your place is. The reporter was good.
9 He kept the panel in line occasionally. Everyone was
10 finding their feet, which made difficulties for
11 everybody, except for people like me who thought that
12 was wrong and shouldn't be happening.

13 'New panel members would come in thinking they were
14 going to sort out the children. One such member was
15 a changed man after he had had done one or two hearings.
16 Once he recognised it wasn't just about the children,
17 but about the families and schools too, he was a useful
18 panel member.

19 'On [...] 1971, the panel decided to set up
20 a resources group with a remit to identify gaps in
21 resources available to the children's panel and to press
22 for those resources. The resources group discussed
23 a number of topics, including the need to have
24 volunteers to be an intermediary between social work and
25 children and their parents.

1 'One of the panel members, Bill Knight, introduced
2 a system to do that in the early 1970s. The panel had
3 no money, so the panel members paid for the advertising
4 and recruitment. They recruited all sorts of people who
5 were trained to act as intermediaries. It was very
6 successful. Social workers didn't have the time to
7 spend on each individual child in their caseload. The
8 system has now turned into Befriend a Child. The
9 Americans had a system like that, as did the Dutch. The
10 Dutch were quite well advanced in their concepts of
11 child welfare.'

12 She then goes on to talk about personal concerns at
13 the time. Firstly, about parental responsibility
14 assumed by the social work department.

15 LADY SMITH: Yes.

16 MR SHELTON: 'In the beginning, children who were taken into
17 care under the auspices of social work had no rights at
18 all. I was shocked. There were hundreds or thousands
19 of children in care who hadn't done anything wrong. The
20 only people who had any responsibility to oversee these
21 children was a social worker. These children could be
22 moved around the whole care system throughout Scotland
23 and sometimes into England. The Children's Hearing
24 didn't necessarily know, nor did their parents, for
25 instance, where social work took children into care

1 because they said the parents were not good parents.

2 'Social work had taken over the parents' parental

3 rights. Social work would have gone before a sheriff in

4 court and said they needed to take the child into care

5 because their parents couldn't cope. A lot of traveller

6 children were taken into care, in Aberdeenshire, mainly

7 for that reason. That is shocking. As far as I am

8 aware, it happened because [REDACTED]

9 at the time, Miss FSG [REDACTED], thought that traveller

10 parents couldn't or weren't looking after their

11 children.

12 'There were a couple of girls who were traveller

13 children who ran away to London. Their father drank.

14 They had two older sisters who had houses in Aberdeen.

15 They were brought to the hearing as being in need of

16 care and protection. They were great children. The

17 sisters wanted to take the children. Social work

18 wouldn't pay a foster allowance, they wanted to take

19 them into care. The girls didn't need to go into the

20 care system. They were perfectly well-adjusted and were

21 better with their own folk than being put in

22 a children's home. Eventually, social work decided that

23 they wouldn't pay a full foster care allowance, but

24 would pay some money to keep the girls in their sisters'

25 homes.

1 'At a hearing, the panel met a child who was
2 fostered in Shetland. The child was primary school age.
3 The child alleged at the hearing that he had been
4 interfered with by his foster father. The foster
5 parents were both at the hearing, but not the child's
6 parents. The social worker jumped in and said the child
7 told lies. She seemed quite convinced about that.

8 This was the first time I had had a child complain
9 about the situation they were in. We didn't challenge
10 the social worker. The panel asked the reporter,
11 Graeme Pearson, to investigate the matter. I never
12 found out what happened because the child did not come
13 back to a panel that I was sitting on.

14 'I wrote a few newspaper articles about social work
15 taking over parental rights and the children having no
16 rights. I went to a Labour Party meeting where
17 Donald Dewar was speaking. I asked what the party was
18 going to do about these "parental rights children".
19 Donald Dewar said to me to produce a paper and the party
20 would take it from there.

21 'Legislation went to Parliament on [REDACTED] in
22 1983. The effect was that all the children over whom
23 the social work department had held parental rights had
24 to have their cases seen by a children's hearing to
25 ensure that things were right. All children in foster

1 care in Grampian were put before a children's panel at
2 that point. I don't know if that happened again.'

3 She then talks about unruly certificates, my Lady.

4 LADY SMITH: Mm-hm.

5 MR SHELTON: 'Some children who ran away from Brimmond
6 Assessment Centre were allowed back. Other children
7 were never going to be taken back by Brimmond. The way
8 to get rid of them was to get them into Craiginches
9 Prison, in Aberdeen. A policeman, I think of the rank
10 of inspector, had to sign the unruly certificate to get
11 the child into prison. There wasn't a pattern about
12 unruly certificates that I could make out. The system
13 was arbitrary. I discussed unruly certificates with the
14 prison. The prison didn't want the children; they were
15 children, after all. I wasn't aware of other children
16 in other establishments in Aberdeenshire who were
17 subjected to unruly certificates.

18 'It was worse for the girls. There was a very small
19 female unit at Craiginches Prison, so they had to share
20 with an adult woman. The boys were kept together.
21 There would be two or three boys at Craiginches at
22 a time.

23 'Children weren't educated in List D schools. That
24 was awful. You would ask the staff if the children sat
25 O Grades and the staff said that they did. I never met

1 a child who sat an exam in a List D school. There was
2 a List D school near Paisley, I think it was Geilsland,
3 where the headmaster was forward thinking and did
4 provide education for the children. By the time I left
5 the panel, a number of the old headmasters of the List D
6 schools had retired.

7 'I have provided a letter [...] from George Keith,
8 headteacher at Brimmond, to the Inquiry.'

9 I say, my Lady, we haven't been able to locate that
10 letter, I don't think. We will continue to do so, but
11 it doesn't appear to be with other papers that
12 Ms Morrell has submitted.

13 LADY SMITH: Yes. Yet she has a date for it.

14 MR SHELDON: Yes.

15 LADY SMITH: She must have had it at the time she was giving
16 this statement.

17 MR SHELDON: Presumably so, my Lady.

18 LADY SMITH: We can perhaps check.

19 MR SHELDON: We will check it, my Lady, yes.

20 LADY SMITH: Yes.

21 MR SHELDON: 'The letter is in response to a request which
22 I made to Mr ERM and goes into the educational
23 provision at Brimmond. The letter says that Brimmond
24 has had three full time and four part-time teachers. My
25 understanding was that in theory the teachers came from

1 Bankhead Academy when requested. The teachers from
2 Bankhead didn't like to go to Brimmond. They couldn't
3 be forced to go. I had disagreements with the
4 headteacher on the subject. I believed the children at
5 Brimmond were entitled to an education. Ian Calderwood
6 was the Deputy Director of Education responsible for
7 education at Brimmond. He was also determined that the
8 children there would have an education. George Keith
9 resigned not long after he sent me the letter. He
10 couldn't get his job done.'

11 My Lady, she then goes on to talk about the use of
12 foster care. Perhaps I can --

13 LADY SMITH: Yes.

14 MR SHELDON: -- read short over that for the moment.

15 LADY SMITH: Certainly.

16 MR SHELDON: And she goes on to talk about visits to
17 children's homes and institutions.

18 My Lady, I am conscious of the time. I apologise,
19 I thought I would be able to get this done fairly
20 comfortably before the lunch hour.

21 LADY SMITH: We can maybe resume at 2 o'clock sharp. It
22 probably won't take that much longer.

23 MR SHELDON: We have this WebEx link at 2.00. Might it be
24 possible to do it --

25 LADY SMITH: Before 2.00? Or indeed after? Maybe rather

1 than pressure --

2 MR SHELTON: The witness should be relatively short, my

3 Lady, I think.

4 LADY SMITH: Yes, very well. I would be happy to do that,

5 then --

6 MR SHELTON: If that's a convenient point, then --

7 LADY SMITH: -- the witness is taken at the time -- at the

8 moment she is expecting to start.

9 MR SHELTON: Yes.

10 LADY SMITH: Let's do that. I will rise now, sit at 2.00.

11 We will connect with, hopefully successfully, with the

12 witness over the WebEx. We can finish this off

13 afterwards, because although we have touched upon the

14 Brimmond part, you may want to take some of the detail

15 for the read in purposes.

16 MR SHELTON: Yes.

17 LADY SMITH: Very well. Oh, before I rise, some names.

18 Unsurprisingly, ERL-ERM . I have mentioned them

19 already; they are protected by my General Restriction

20 Order. I should have mentioned KEF earlier as

21 well. I think I mentioned him yesterday, but he is not

22 to be identified outside of this room either. Thank

23 you.

24 (1.00 pm)

25 (The luncheon adjournment)

1 (2.00 pm)

2 LADY SMITH: Good afternoon.

3 Now, Mr Sheldon.

4 MR SHELTON: Yes, my Lady, we have another witness who is

5 now on the screen. This is Frances Smith. She will be

6 giving evidence in relation to her statement, which

7 I can take you to just in a moment.

8 LADY SMITH: Thank you very much.

9 Frances Smith (affirmed)

10 (All evidence via video link)

11 LADY SMITH: Good afternoon. Is it all right if I address

12 you as Frances or would you prefer --

13 A. Yes, certainly.

14 LADY SMITH: Frances, thank you for joining us over the

15 video link this afternoon. I am Lady Smith and I chair

16 the Scottish Child Abuse Inquiry here in Edinburgh.

17 Now, just before we move to your evidence, I know

18 you have a copy of your written statement available to

19 you this afternoon. I want to thank you for providing

20 that in advance. It has been really helpful to me to be

21 able to study it before moving to your oral evidence.

22 Thank you for being prepared to do that.

23 Of course, we won't go through your statement word

24 for word, but there are some particular aspects of it we

25 would like to explore with you in a little more detail,

1 if that's okay.

2 A. Okay.

3 LADY SMITH: If you have any questions at any time, please

4 don't hesitate to ask.

5 A. Uh-huh.

6 LADY SMITH: If you are finding it a bit difficult and you

7 want a breather or a break, that's absolutely fine, you

8 just say. Really, the key is anything I can do to help

9 you to give your evidence as comfortably as you can,

10 I want to do so, so help me with that if anything occurs

11 to you, will you?

12 A. Yeah. Thank you.

13 LADY SMITH: If you are ready, I will hand over to

14 Mr Sheldon and he will take it from there.

15 A. Okay, thank you.

16 LADY SMITH: Mr Sheldon.

17 Questions by Mr Sheldon

18 MR SHELTON: Thank you, my Lady.

19 Well, good afternoon, Frances. Frances, there are

20 just a couple of formalities that we need to go through.

21 This is just for our purposes and you don't need to

22 worry about it. But I think you have a statement, you

23 should have your statement in front of you, I think; is

24 that right?

25 A. Yeah.

1 Q. And the statement's reference number for our records is
2 WIT-1-000000552.

3 A. Yeah.

4 Q. Frances, if you can just look at the back page of it for
5 me, that's page 12 -- it should be page 12 on your copy.

6 A. Uh-huh.

7 Q. Is that your signature?

8 A. It is.

9 Q. I think you have dated it, a date in 2020?

10 A. 2 December '20.

11 Q. Thank you. And you say, at paragraph 54, that you have
12 no objection to your witness statement being published
13 as part of the evidence to the Inquiry:

14 'I believe the facts stated in this witness
15 statement are true.'

16 Is that right?

17 A. Yes, yes.

18 Q. Thank you. Frances, you can turn back to the start of
19 your statement now. As Lady Smith has said, we are not
20 going to go through it line by line, but we would just
21 like to ask you about some aspects of it and get,
22 perhaps, some more detail and colour about your time at
23 Brimmond.

24 A. Okay.

25 Q. So you start off by telling us something about your

1 early life. You were, I think, born in Aberdeen, in
2 1953; is that right?

3 A. Yes.

4 Q. You tell us, in paragraph 2, about your primary school
5 and that you left school when you were almost 15; is
6 that right?

7 A. I did, yeah, yeah.

8 Q. This would have been about 1968 or so; is that right?

9 A. I left [REDACTED] 1968.

10 Q. All right, thank you.

11 A. And I was 15 on the [REDACTED], so I got to leave school in
12 the summer holidays and go and get a job.

13 Q. Right. And I think you really wanted to be
14 a hairdresser, but you say your mum wouldn't let do you
15 that?

16 A. Aye, no, no (Inaudible).

17 Q. Not well paid enough?

18 A. No. No.

19 Q. So you tell us that you got a job at Grandholm Mill, and
20 I think was that your first job after you left school,
21 Grandholm Mill?

22 A. Yes, I was an invisible mender, a trainee.

23 Q. It was a cloth mill; is that right? Was it Crombies?

24 A. Yeah.

25 Q. And that was in the Tillydrone area of Aberdeen?

1 A. Yeah, it was actually called JJ Crombie.

2 Q. Yes. And then you say you went from Grandholm Mill,
3 into the fish trade?

4 A. Correct.

5 Q. And you were doing, actually, two jobs at that time; is
6 that right?

7 A. Yeah.

8 Q. To make some extra money?

9 A. Yeah.

10 Q. And you then left the fish industry and went to work for
11 Aberdeen City Council as a home help. What did that
12 involve, Frances?

13 A. It involved going into old ladies' houses and doing,
14 like, cleaning for them and shopping and that. At the
15 time, we didn't do personal care. It was just a case of
16 going and getting their shopping and making sure they
17 were okay, and collecting their pension and making sure
18 they'd food and that.

19 Q. Sure.

20 A. Not the personal -- sorry.

21 Q. No, no, sorry, I didn't mean to cut across you.

22 A. It's okay.

23 Q. You say there was no training, but I guess it must have
24 been quite a demanding, quite a caring role; is that
25 right?

1 A. It was, it was. But if you were a level-headed person
2 you knew what they wanted. You always went above and
3 beyond for those people.

4 Q. In the early 1980s, you say, you were offered a job at
5 Brimmond Remand Home. I think you tell us that you
6 can't remember how you found the job -- that's
7 paragraph 5 in your statement -- but at all events you
8 applied for the role of part time cook there?

9 A. Correct, yeah.

10 Q. What made you want to make that move; do you recall?

11 A. Well, I stayed across the park from Brimmond Home, and
12 the hours suited me fine, because I had three young
13 children then.

14 Q. Right.

15 A. And it suited me perfect.

16 Q. Okay.

17 A. I think -- I think I saw the job advertised in the paper
18 shop in Bucksburn.

19 Q. Right.

20 A. I think that's where I saw it, yeah.

21 Q. And that's just down the hill from Brimmond?

22 A. Yeah, yeah, just down on the left-hand side.

23 Q. Okay. And I think you tell us a bit later in your
24 statement that you would drive to Brimmond. It had
25 a car park, is that right?

1 A. Correct, yeah.

2 Q. At that time; was there a bus up the hill as well or
3 could you only get to it by car?

4 A. Only by car. Yeah.

5 Q. Okay. And how far is that?

6 A. Oh --

7 Q. I mean, from Brimmond main street -- from Bucksburn main
8 street, I mean.

9 A. I'd say about a mile and a half where I lived.
10 I couldn't go across the park. Yeah, but (Inaudible).

11 Q. All right, thank you.

12 You say it is the early 1980s. This is looking at
13 paragraph 4 of your statement. You think from about
14 1980 until 1983 or 1984; is that your best recollection?
15 Could it have been earlier than 1980 or --

16 A. I think I was there -- I think I was there the late
17 '70s.

18 Q. Right.

19 A. Because I was lying in my bed, thinking about this, and
20 I'm sure it was about '75 onwards.

21 Q. How old would you have been when you got that job?

22 A. Erm, nae really sure.

23 LADY SMITH: If you are right about it being 1983/1984,
24 I suppose you would have been in your late 20s or
25 30-odd, would you?

1 A. Well, I'm 71 now.

2 LADY SMITH: Right. And how old were your children when you
3 went to work at Brimmond?

4 A. Erm, well, I used to take some of the kids out. I used
5 to take some of the kids --

6 LADY SMITH: Sorry, no, your children. So your children.

7 A. Er, I think -- I think [REDACTED] was about 10.

8 LADY SMITH: Okay. When was she born?

9 A. So it must've been -- '72.

10 LADY SMITH: Okay. So it would be early 1980s you were
11 there, then?

12 A. Yeah.

13 MR SHELTON: Okay.

14 LADY SMITH: And you were about 30 or so?

15 A. Yeah.

16 LADY SMITH: Okay.

17 A. Late 30s.

18 MR SHELTON: All right, thank you.

19 But 1980 until 1983 was your original thought; is
20 that right?

21 A. I think so.

22 Q. Okay. You tell us, at paragraph 5, that you had applied
23 for the role, you went for an interview, and you were
24 interviewed by the matron, who you say was called
25 Mrs [REDACTED] ERL; is that right?

1 A. Yes.

2 Q. I think before we came on this call, your support
3 officer may have shown you a photograph of a couple; was
4 that Mr and Mrs ERL-ERM ?

5 A. Yeah.

6 Q. All right.

7 A. That's definitely them.

8 Q. Okay. This is the photograph from the newspaper
9 clipping, my Lady, WIT.003.002.1175.

10 LADY SMITH: Yes.

11 MR SHELTON: There's an interview. It sounds like a fairly
12 brief interview. She asks you if you could cook and you
13 said you were a good cook. And was that really it or
14 did she ask you anything else?

15 A. It wasn't much of nothing. It was just -- she just told
16 me that I was to get paid and asked if I could cook.
17 And she says when could I start, I told her when I could
18 start, and that was it.

19 Q. Okay.

20 A. I got the job, yeah.

21 Q. What were your first impressions of the place?

22 A. Well, I didn't get to see the place.

23 Q. Okay, all right.

24 A. When I went to work, I used to take my car round to the
25 back of the building, because there was a side door

1 I had to go in. I wasn't allowed to come in the main
2 front door. I had to go to the side door, where they do
3 the deliveries and that.

4 Q. Right. Did Mrs ERL tell you anything about what
5 Brimmond was and what it did?

6 A. No, no, no.

7 Q. You were just told --

8 A. Nothing.

9 Q. You were just told you had to come in and cook. Were
10 you told, even, that you had to cook for children?

11 A. I knew I had to cook for children, because I actually
12 went and spent a morning with the young cook that was
13 there, Jane McPhee.

14 Q. Okay.

15 A. And she told me the basics and she told me about the
16 ordering of the stock and that, and that was it. It was
17 all left up to the other cook.

18 Q. Okay. Was Jane younger than you then --

19 A. Yeah.

20 Q. -- or were you about ages --

21 A. No, she was a lot younger.

22 Q. Right, okay.

23 You tell us, in paragraph 6, about some of the staff
24 at Brimmond; that Mrs ERL was the matron and her
25 husband was there, too, you say. But you don't know

1 what he did. We might come back to him in a wee minute.
2 But, in the meantime, you say that their children were
3 staying there with them and you name some of the
4 houseparents, Winnie Tough, KEF and a couple of
5 others.
6 A. Yeah.
7 Q. There is one, KPP who you say was arrogant and cruel
8 to the girls. First of all: what did KPP do? Was she
9 another houseparent?
10 A. She was very, very friendly with Mrs ERL.
11 Q. Right.
12 A. And she was a houseparent, yeah.
13 Q. Sorry, she was?
14 A. She was a houseparent.
15 Q. She was a houseparent.
16 A. Yes.
17 Q. And you say she was arrogant and cruel to the girls?
18 A. She was.
19 Q. What makes you say that?
20 A. Well, I used to stand and watch her, and she used to
21 bawl and shout at them. And I've seen her pushing them,
22 as well, when they were going into the dining room. But
23 I used to stand in the kitchen and look through the
24 little window and watch 'em coming down the corridor.
25 She just -- she had her -- she had her favourites and

1 she picked on some of them that she didn't like.

2 Q. Right.

3 A. Some of them that backchatted her and that.

4 Q. Was that mostly girls or mostly boys, or both?

5 A. No, she didn't deal with the boys, she dealt with the

6 girls.

7 Q. Right, okay. So she was a houseparent for the girls?

8 A. Yes. But what she did was, if she'd a problem with

9 a boy, she got a hold of the likes of Mr ERM or

10 KEF and told them and they sorted them out.

11 Q. When you say they sorted them out; what do you mean?

12 A. Well, sometimes Mr ERM had a bunch of keys in his

13 hand and if he got chat back he used to rattle his keys

14 off the side of their head, or the back of their arm or

15 whatever --

16 Q. Okay.

17 A. -- and put them out the dining room.

18 Q. Right.

19 A. I never saw further -- I never saw further from the

20 corridor up to the dining room for the staff. I never

21 saw further than that.

22 Q. All right.

23 A. I could see up the corridor, but I couldn't see any

24 further than that.

25 Q. Okay, your area was the kitchen and the dining room?

1 A. Uh-huh. My area was very restricted.

2 Q. Okay, all right.

3 You tell us a little bit more about some of the

4 staff at paragraph 7. You talked about another lassie

5 who worked in the laundry and that she took up with

6 KEF [REDACTED], who you just mentioned. You say you think

7 KEF [REDACTED] was with her and the matron?

8 A. Yeah.

9 Q. I think we understand what that means, but perhaps you

10 can spell it out for us, please?

11 A. Well, he was seeing two of them at one time.

12 Q. Okay.

13 A. Just put it in a nutshell.

14 Q. You say that KEF [REDACTED] and Mrs ERL [REDACTED] would go into

15 a staffroom and close the door and that that went on for

16 a long time?

17 A. Yes.

18 Q. Do you mean them doing that from time to time --

19 A. I don't know.

20 Q. -- went on for a long time --

21 A. Yeah.

22 Q. -- or that these meetings in the staffroom went on for

23 a long time?

24 A. Well, it was just the matron and KEF [REDACTED] in the

25 staffroom, so you put two and two together.

1 Q. Okay.

2 A. Any other meetings, they held it in the dining room,
3 ie in our dining room, or further up. I don't know,
4 I don't know.

5 Q. Okay. Paragraph 8, you say that you didn't see
6 Mr ERM very often. What did you understand to be
7 his role? What did you understand him to do around the
8 house?

9 A. I didn't know what he did, really. I just thought that
10 he over -- well, he took -- he sometimes took the boys
11 down to the dining room when they were short staffed and
12 that, because there, erm, was IFH, KEF,
13 and -- there was only three males there. And if
14 KEF wasn't there or IFH, I think he
15 used to step in and take the boys down for their evening
16 meal.

17 Q. Right, but that didn't happen very often; is that right?

18 A. No.

19 Q. Okay.

20 A. You hardly saw him.

21 Q. Right. You tell us that KEF stayed on the
22 premises. You then go on to talk about the complaints
23 process and that if you had any complaints:
24 'Then I had to go to the matron and going to her
25 would have been a waste of time.'

1 Why do you say that?

2 A. Because she just used to let it go over her head. She

3 never dealt with nothing. Nothing.

4 Q. You felt she didn't?

5 A. I never, ever, really complained. The only person

6 I complained about was the young cook that was there,

7 the way she was treating the kids.

8 Q. Right. This is Jane McPhee that you mentioned earlier

9 on; is that right?

10 A. Yeah.

11 Q. Okay. You go on to say that you felt the staff were

12 under Mrs ERL's thumb and they were frightened of

13 her; perhaps you can tell us a bit more about that?

14 A. Well, they just used to say, 'Oh, never mind, just leave

15 it, just leave it'. KPP, she was, like,

16 Mrs ERL's best friend and she used to clype and

17 tell stories on other members of staff and that. And

18 then the other ones, they'd be as nicey-nice to

19 Mrs ERL, but they used to call her from heaven to

20 hell behind her back. They just didn't like her.

21 Q. Do you have an impression of -- or any idea of what the

22 children thought of her?

23 A. Oh, they hated her.

24 Q. How do you know that?

25 A. Because they used to speak to me. They used to come up

1 into the -- well, there was a hatch where the kids got
2 fed and they used to tell you things. Or else if they
3 had been -- well, it wasnae the girls who got put down
4 to kitchen to scrub floors and that. It was the boys
5 and they'd tell you a lot. They used to tell you things
6 that was going on.

7 Q. What kind of things, Frances?

8 A. Well, that they were getting bullied by the likes of
9 KEF, or else they had got a thump in the back.
10 Or else -- there was one -- he was -- I'm nae very sure
11 if I put this in my statement -- he got put into the
12 cell. They were always putting into cell or out in the
13 other bits, if they misbehaved.

14 Q. Mm-hm.

15 A. But they used to -- what I used to do was, when they
16 were put down to the kitchen -- I know I shouldn't have
17 done it, but I did it, because I've got three kids of my
18 own and I'm a bit of a softy. Erm, I used to say to
19 them, 'Right, come down. Go into that cupboard, help
20 yourself to a can of juice and take a biscuit or a bag
21 of crisps. And if you hear me coughing, come out and
22 get back down on your hands and knees because there will
23 be a member of staff coming down into the kitchen'.
24 That's what I used to do with them.

25 Q. I was about to ask you: why would they be on their hands

1 and knees in the kitchen at all?

2 A. Because that was a punishment exercise.

3 Q. Right.

4 A. Sorry, sorry.

5 Q. No, it's all right. Do you know what they had been told

6 to do as a punishment?

7 A. Just get on their hands and knees and scrub the floor.

8 Q. Okay. What kinds of things did they use to scrub the

9 floor?

10 A. A toothbrush.

11 Q. Right.

12 A. They used to have to clean all the grouting out.

13 Q. Where did they get the toothbrush?

14 A. It was kept in a cupboard and I had to supply it.

15 Q. Right, okay. But --

16 A. I was just told to get that -- get that little -- well,

17 they used to say, 'Get that little scrub down there and

18 get him to get that floor cleaned'.

19 That's what they used to call them.

20 Q. Okay, who used to say things like that?

21 A. KEF [REDACTED].

22 Q. Right, anyone else?

23 A. Yeah. I never had much dealings with IFH [REDACTED] -- IFH [REDACTED] --

24 IFH [REDACTED] -- what's -- IFH [REDACTED]. He was more times away in

25 the minibus. I don't know where he was, because he

1 lived not far from the home either.

2 MR SHELDON: Okay.

3 LADY SMITH: Frances, a few moments ago you were talking

4 about children getting bullied by the likes of

5 KEF and you weren't very sure if you put it in

6 your statement, but a child got put into the cell. They

7 were always putting them into the cell. And you said

8 'or out in the other bits'; was there anywhere else the

9 children were being put, other than the cell?

10 A. Seemingly, they got put into a classroom down in the

11 basement, but I never, ever saw that. It was never told

12 to us who they were putting in there.

13 LADY SMITH: Okay.

14 A. There was one of them, I got told, they were out in the

15 playing field and he was -- he was getting really

16 bullied by some of the houseparents. I took it it was

17 KEF again. And, er, he tried to hang heself.

18 MR SHELDON: The boy did?

19 A. Yeah. Yeah.

20 Q. In Brimmond?

21 A. Yeah. That was [REDACTED]. But he actually tried

22 to slash his wrists as well, because he got put into the

23 cell [REDACTED] -- it happened twice. [REDACTED]

24 [REDACTED]

25 and he did slash his wrists, but I never heard any more

1 about that, because I left just after that.

2 Q. Okay. Can we just break that down a little bit,

3 Frances?

4 A. Yes.

5 Q. This boy, you say, was getting really bullied by, you

6 think, KEF ?

7 A. Yeah, yeah.

8 Q. And when you say 'bullied'; what are we talking about?

9 Do you know?

10 A. Oh, he was just calling him names and that, and trying

11 to wind him up to get him to retaliate back to him. And

12 then when he retaliated back, he was either put

13 elsewhere or else down into the kitchen to scrub floors

14 and that.

15 Q. Okay, okay.

16 You talked about some people being thumped in the

17 back.

18 A. Yeah.

19 Q. Again, is that something that you saw or is that

20 something you were told?

21 A. Yeah, I saw that.

22 Q. Okay.

23 A. That happened in the dining room when they were having

24 their meal. If they started laughing or speaking back,

25 they got, like, a thump in the back or else, if they

1 spoke back, the likes of Mr ERM -- I saw it
2 a couple of times -- he had a great big wad of keys on
3 his side and he just rattled them down the side of their
4 head.

5 Q. And who were the people that would thump the children in
6 the back?

7 A. That was Mr ERM and KEF .

8 Q. Okay.

9 A. But there was -- Sorry, on you go.

10 Q. No, on you go.

11 A. There was a wee boy that came in and he was from some
12 home out at [REDACTED] and the guys, the laddies was
13 trying to get him to kind of be cheeky to the likes of
14 the houseparent, and he was. And that is a child that
15 should have never, ever been in there because he had
16 learning disabilities and he was getting egged on by the
17 older boys. And he gave that laddie a bang in the side
18 of the head wi' a set of keys as well, Mr ERM .

19 Q. Right.

20 A. I always remember his name was [REDACTED], and he was only
21 about 8/9-year-old.

22 Q. Right.

23 A. Which I thought was shocking.

24 Q. Can you remember roughly when that was, Frances?

25 A. I cannae remember, just when I was working there.

1 Q. Okay. In paragraph 13, you talk about Brimmond and what
2 you understood Brimmond to be. You said you know that
3 it was a remand home, a remand centre, rather, and the
4 kids were in there because they had committed a crime.
5 Some of them would tell you what they had done, like
6 shoplifting or running away from home.

7 First of all: who told you that it was a remand
8 centre and that kids there had committed a crime?

9 A. I knew it was a remand home, because I stayed just
10 across the field from it.

11 Q. Yes, sure, okay. But I suppose a kid running away from
12 home isn't committing a crime?

13 A. I don't know. I didnae really get told a lot that went
14 on, because, erm, sometimes you saw the police coming in
15 with them and you saw up the corridor, you just got
16 a quick glimpse of the police and that.

17 Q. Sure.

18 A. It could have been other things. But, then again,
19 sometimes the kids would tell you what they were in for.

20 Q. Mm-hm.

21 A. But, erm, they wouldn't tell you the whole truth.

22 Q. Mm-hm.

23 A. But I didnae really go into detail with none of the
24 kids; I just used to speak away to them. I didn't
25 divulge into the likes of why are they in there or that.

1 Q. Sure.

2 A. I used to like it when -- at a weekend, the parents used
3 to come and see their children. That was sad.

4 Q. Why was it sad?

5 A. Well, you just felt sorry for the parents and the
6 children. You just don't know the circumstances.

7 Q. Coming back to the kids being told to go and scrub the
8 kitchen floor; is that right?

9 A. Yeah, yeah.

10 Q. With a toothbrush. I think you said to us earlier on
11 that sometimes if someone came, if a member of staff
12 came --

13 A. I coughed. I coughed.

14 Q. -- you would tell them to get back on their hands and
15 knees?

16 A. No, I didn't tell them. I just coughed.

17 Q. Right, okay.

18 A. Because they knew that meant there was someone in the
19 corridor. That was my sign.

20 Q. Do we understand, then, that really you were allowing
21 them not to do that?

22 A. They were doing their work. They were doing their work,
23 but it was a shame to have them on their hands and knees
24 scrubbing a floor that had already been scrubbed,
25 because the place was spotless.

1 Q. And would it be fair to say that you felt kind of sorry
2 for them?

3 A. Yeah, that's what I said. I'm a softy. I've got
4 children of my own.

5 Q. You tell us, paragraph 15, that you didn't really know
6 the inside of the building. You describe the door in
7 front of you as you went into the building and the
8 kitchen and a long corridor. But I think you told us
9 earlier that was really all you could see of the home.
10 You didn't see into the offices --

11 A. No.

12 Q. -- or the bedrooms or anything like that?

13 A. No, no.

14 Q. And were you ever inside what you have described as 'the
15 cell'?

16 A. No, no. That was up the stair.

17 Q. Okay. Did the children -- you told us that children
18 were put into the cell, sometimes quite often. Did they
19 tell you what the cell was like? Did any of the
20 children speak about the cell?

21 A. No. No.

22 Q. They just told you that was what was happening to them?

23 A. Aye, they were put in the cell. I didn't really ask any
24 information from the kids. I just did my job and tried
25 to do it as best as I could, to my ability, and I didnae

1 get involved in anything.

2 When they used to come down into the dining room, it

3 used to be the boys first and then the girls after that,

4 and it was female and male houseparents.

5 Q. Sure, okay.

6 A. And some of them used to pop their head in the hatch and

7 they used to say, 'Oh good, it's Frances that's on

8 today', because they didnae like the other cook, because

9 they used to get -- for their -- well, we used to make

10 them something before they went their bed and the other

11 cook used to give them a loaf and jam. Well, the jam

12 had soaked right in before they got it. I used to

13 always bake for the kids. And I just thought: well,

14 give them something nice when they are in bed.

15 Q. So you were their favourite?

16 A. I was there.

17 Q. Okay. So is that how it worked at the eating times?

18 The kids would come and pick up a plate of food from the

19 hatch of the kitchen; is that right?

20 A. No, their houseparents used to come down and get their

21 tray of food. Either tray or (indistinct) bakery or

22 something and take it up to wherever, and give it to

23 them before they had their night cap.

24 Q. Okay.

25 A. Yeah.

1 Q. Okay. So, again, just to unpick that a bit, Frances,
2 you told us that the boys came down and then the girls
3 came down.
4 A. Yeah.
5 Q. So were they eating separately?
6 A. They sat at one side of the dining room and the girls
7 sat at the other side.
8 Q. Okay, all right. And were members of staff eating with
9 them?
10 A. Staff never ate with them.
11 Q. Okay. But they were there at the time?
12 A. Yeah, they stood and watched them eating their meals.
13 Q. Okay. And you told us that sometimes people were hit in
14 the back or something of that sort?
15 A. Yes.
16 Q. Struck with keys.
17 A. Mm-hm.
18 Q. What made that, what caused that to happen? What were
19 they doing that --
20 A. Well, if they started laughing or speaking while they
21 were eating their meal, that was it, look out.
22 Q. Okay. So you had to be --
23 A. Look out.
24 Q. You had to eat in the quiet?
25 A. Mm-hm.

1 Q. In total silence or were they allowed to chat a wee bit?

2 A. Total silence.

3 Q. Okay. And the staff, you say, ate at a different time?

4 A. Yeah.

5 Q. Did they eat the same food or was it different food?

6 A. No, they ate the same food.

7 Q. Okay. And you also talked about going for a night cap;

8 what did you mean by that?

9 A. Well, they got -- well, whenever cook was on, she gave

10 them bread and jam for their last --

11 Q. Sorry, this is the kids, and that was their night cap,

12 the bread and jam?

13 A. Yeah, sorry. And then if I did baking, they'd come down

14 and get the tray of baking later on. I used to leave it

15 covered up and that was for their last piece at night.

16 Q. Moving on in your statement a bit, Frances. At

17 paragraph 18, on your first day you were speaking to

18 Jane McPhee, the other cook, and you were told by Jane

19 that you had to keep everything under lock and key, had

20 to keep the back door shut, couldn't leave keys lying

21 around and knives had to be locked up. Were you given

22 a reason why that should be the case?

23 A. No, I was just told to keep everything under lock and

24 key. But, reading between the lines, I knew myself.

25 It's a remand home. You don't know what they're there

1 for, so you had to keep all your knives under lock and
2 key as well. And keep the back door locked, in case
3 they tried to abscond.

4 Q. Okay.

5 A. Yeah.

6 Q. So your understanding was it was a remand home; it was
7 for kids in trouble?

8 A. Yeah, yeah.

9 Q. Okay. Kids in trouble with the law; that was your
10 understanding?

11 A. I wasnae, again, blamed for anything, so I just did what
12 I thought was right.

13 Q. Okay. This is not a criticism of you at all, Frances,
14 I'm just trying to get an understanding of what you knew
15 at the time about the set up of the place.

16 A. I was just -- I was told very little about the home.

17 Q. You tell us, paragraph 21, that you never saw into the
18 dining room -- sorry, that you did see into the dining
19 room, but never went in. And you have told us a little
20 bit about the meal times, that there had to be quiet and
21 that there might be punishment if you weren't quiet?

22 A. Correct.

23 Q. You tell us that -- and the phrase you use in
24 paragraph 21 is:

25 'The dining room was very regimental.'

1 A. It was.

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

3 A. Well, what they used to do was, I wasn't allowed to go
4 up into the dining room, it was the members of staff
5 that used to come down and collect their meal and take
6 it up. And it just felt really regimental. You just
7 weren't allowed to, like, go into the dining room.
8 I don't know why. But I just used to say, 'Right, your
9 meal -- your food's ready; can someone come down and
10 collect it?', and they used to come down and get it to
11 take it up.

12 Q. And that was a member of staff that did that?

13 A. Yeah.

14 Q. Okay.

15 A. Two of them.

16 Q. Okay. Because you tell us, in paragraph 21:
17 'The way that the children were marched in and out
18 of the dining room was very regimental.'

19 A. Yes, that was, that was.

20 Q. What do you mean by that?

21 A. Well, they had to walk in twos.

22 Q. Right.

23 A. They weren't allowed to just kind of go right in, like,
24 know in a school playground the kids all just push up to
25 get in a door? Not them. Two by two.

1 Q. And you saw them doing that?

2 A. Pardon?

3 Q. You saw them doing that?

4 A. Yeah, they did that every time. Meal times, yeah, yeah.

5 Q. Okay.

6 A. Yes.

7 Q. So you could see into the dining room from the kitchen?

8 A. Well, I looked through the hatch into the dining room,

9 because I had a hole.

10 Q. Okay.

11 A. I got the whole scope of the dining room.

12 Q. Right, right.

13 You tell us about the food that you made for the

14 children at paragraph 22 and say that you tried to give

15 them things that everyone would like.

16 A. Mm-hm.

17 Q. Paragraph 23:

18 'I told the houseparents that if the kids wanted

19 a second helping then they could have it, but they never

20 allowed that.'

21 That's the houseparents never allowed that?

22 A. No.

23 Q. Do you know --

24 A. We didn't give them seconds.

25 Q. Do you know why that was?

1 A. Pardon?

2 Q. Do you know why that was?

3 A. No. No. It was a shame just to waste it, because,

4 well, if the kids wanted seconds, I would have gave them

5 seconds.

6 Q. You tell us a bit more about Jane McPhee in

7 paragraph 24. You have told us a bit about her already

8 and about the staff's arrangements for eating.

9 You say, at paragraph 27, you used to take the kids

10 out at the weekends along with your own three kids and

11 --

12 A. There was a couple of girls in there, and they were

13 really nice kids. So I actually requested to take them

14 out for, aye, an afternoon/evening time. I requested

15 that through the matron and she actually let me take

16 them out.

17 Q. Did she let -- sorry go, on?

18 A. Sorry?

19 Q. No, go on, sorry.

20 A. It was [REDACTED] and her sister. They were really

21 nice kids, so she authorised that I take them out. So

22 ... but I didn't make a habit of it.

23 Q. Okay. Were any of the other kids allowed out in that

24 sort of way? Did other members of staff take kids out?

25 A. No. No. The only time they got out was by the minibus

1 and it was IFH . I don't know where they used
2 to go. I never got told, so...

3 Q. Right. Okay.

4 At the foot of page 6, you start to talk about
5 schooling and you say, paragraph 29, that you were told
6 there were classrooms in the basement.

7 A. Yeah.

8 Q. And you say:

9 'I don't think they were really taught anything.'

10 Now, how did you gain that understanding?

11 A. You never saw any of them going out to school. Ken, you
12 could see right up the corridor and it took you right
13 out the front door. But you never saw none of the kids
14 going out for school.

15 Q. Mm-hm.

16 A. I think they got schooled in the unit, in Brimmond.

17 Q. All right. Did any of the children ever speak to you
18 about that?

19 A. No.

20 Q. No?

21 A. No.

22 Q. Did any of the staff talk to you about that?

23 A. No, no.

24 Q. And did you meet or speak to anyone who seemed to be
25 a teacher?

1 A. I think Winnie Tough actually had a bit to do with the
2 girls and their schooling.
3 Q. Right.
4 A. I'm nae very sure. But I think she had something to do
5 with it.
6 Q. But I suppose that was outside the area that you were
7 working in?
8 A. Yes, well out. It was down in the basement, seemingly,
9 the classes were.
10 There was some that went into school, I know that.
11 Q. Mm-hm.
12 A. I think it was only about three of them. Three,
13 [REDACTED] and [REDACTED] --
14 Q. We don't need their names, Frances. Thank you.
15 A. Sorry.
16 Q. You think it was only three girls?
17 A. How they went to school, I don't know. I don't know.
18 Q. Okay.
19 A. They were actually really friendly with the matron as
20 well, I know that.
21 Q. Okay. But they were the only ones you were aware of --
22 A. Yeah.
23 Q. -- that went out to school from Brimmond?
24 A. Yeah.
25 Q. Okay. You have told us that parents used to visit the

1 kids and you felt sad about that and the situation they
2 were in?

3 A. Mm-hm.

4 Q. You say:

5 'None of the kids got home at weekends and some of
6 them never saw their parents.'

7 A. That's right.

8 Q. Was that your understanding; that nobody got out at the
9 weekend?

10 A. Nobody got out. Nobody got out at the weekend.

11 Q. And I presume you would sometimes be cooking at
12 weekends; is that right? Would you do a weekend shift
13 sometimes?

14 A. Yeah, I did a lot of weekends.

15 Q. So, just thinking about the number of children who were
16 there during the week and the number at the weekends;
17 was there any difference? Were there fewer children at
18 the weekends?

19 A. There was the same amount. Same.

20 Q. Okay. At paragraph 33, you start to talk about abuse,
21 and you've told us a bit about that already. And
22 particularly with reference to KEF [REDACTED], who would
23 bring children to the kitchen quite a lot. And you say
24 he would say things like, 'Get that little bastard on
25 his hands and knees'; is that what you remember him

1 saying?

2 A. Yeah, yeah.

3 Q. Okay. And you have told us about the toothbrush.

4 A. Yeah.

5 Q. And that he would leave the kids with you for two to

6 four hours and come back to see how they were getting

7 on. He would ask you if it had been done, and you said

8 it had, but really you had just wet the floor with a mop

9 and let him think that they'd scrubbed it; is that what

10 you did?

11 A. No. Well, we did a bit of wetting the floor, because

12 the floor was spotless. It was scrubbed and scrubbed

13 and scrubbed, so we did wet it a bit wi' the mop and he

14 used to sit in the cupboard and have his juice and his

15 packet of crisps.

16 Q. Okay.

17 A. Yes.

18 Q. So you had taken pity on these kids?

19 A. Aye. I couldnae be a matron in Brimmond.

20 Q. Well, I'll come back to that in a moment or two.

21 But, just going back to your statement,

22 paragraph 35, KEF [REDACTED], you say, was the only one who

23 used to bring children to the kitchen to be punished; is

24 that right or was there anyone else?

25 A. That's correct, yeah. Yeah.

1 Q. Okay. You name some of the children who were being told
2 to scrub the floor. You tell us that these were kids
3 who may have been giving him cheek and that's why he
4 brought them to the kitchen. You used to hear them
5 laughing in the dining room and then 'KEF' would go
6 mental'. What happened when 'KEF' went mental, as you
7 put it?

8 A. He just started bawling and shouting or else he'd go in
9 about and threat, aye, just hit them right, or give 'em
10 a thump and tell 'em to shut up. But, if they
11 continued, he dealt with them when he took 'em out the
12 dining room. And if it was an evening, you never saw
13 the kid again.

14 Q. Mm-hm.

15 A. You never saw 'em.

16 Q. What do you think happened to them?

17 A. They got put down into the basement or something, or put
18 up in the cell.

19 Q. Okay. You have told us about the incident with this boy
20 who you thought was brain damaged and was very young,
21 and the incident with Mr 'ERM' and the keys. So I am
22 not going to ask you any more about that.

23 You have told us, also, about the child that was put
24 into a cell and tried to, or did, slit his wrists. What
25 happened to him? You say there were ambulance staff

1 coming, but do you know what happened to him after that?

2 A. Yes, what actually happened was he got taken -- I will
3 always remember, it was a Saturday morning and
4 I remember his name, his first name. I don't know his
5 last name. And I know where he came from. And,
6 seemingly, there was big boys who'd actually laid him
7 down, got him down on the ground, and poured glue down
8 his throat, and he was screaming out at them and gasping
9 for breath. And they took him -- he was only 8 or
10 9 year-old -- and they put him in the cell. And what he
11 did was, [REDACTED]
12 [REDACTED] he actually tried to commit suicide. And
13 I never heard any more after that.

14 Q. Okay. Can I just stop you for a minute, Frances? In
15 paragraphs 40 and 41, you talk about -- well, you use
16 two different names -- again, we don't need the names of
17 the boys concerned. But, in paragraph 40, you talk
18 about a particular boy who was put in a cell --

19 A. Yeah.

20 Q. -- and who slit his wrists.

21 A. Yes.

22 Q. In paragraph --

23 A. That was the second --

24 Q. -- 41, another boy who was, you think, only 8 and he
25 had had glue poured down his throat. So is that right?

1 Were these two different incidents --

2 A. Yeah, yeah.

3 Q. -- with two different boys?

4 A. Yeah.

5 Q. Okay.

6 A. Yeah, yeah.

7 Q. And what happened to the second boy, the one who had had

8 the glue --

9 A. That's what I'm saying. I don't know what happened to

10 him after that, 'cause he did slit his wrists.

11 Q. Okay.

12 A. His name is down there.

13 MR SHELTON: Right.

14 LADY SMITH: Yes. And what about the one who had glue

15 poured down his throat? Do you know what happened?

16 A. That's the one I am speaking about. Erm, number 41,

17 right. That's the second one.

18 LADY SMITH: Yes.

19 A. That's the one who came in with the glue.

20 LADY SMITH: Yes.

21 A. He actually slit his wrists. But I didn't see him after

22 that, because after that happened, I actually resigned

23 from the post because I just couldn't put up with it.

24 LADY SMITH: Okay. If you can just bear with us, we are

25 probably being a bit slow about this Frances.

1 A. That's okay.

2 LADY SMITH: Were there two different boys who slit their
3 wrists?

4 A. Yeah.

5 LADY SMITH: One, the boy in paragraph 40, [REDACTED]
6 [REDACTED]?

7 A. Yeah.

8 LADY SMITH: And then another, the boy mentioned in 41, and
9 that was a reaction to him having glue poured down his
10 throat?

11 A. Yeah.

12 LADY SMITH: I see. Thank you.

13 A. Sorry, I'm getting you mixed up.

14 LADY SMITH: No, I think it is our fault. We are being
15 a bit slow on the uptake.

16 Mr Sheldon.

17 MR SHELTON: And certainly, in paragraph 41, you say that in
18 relation to this second boy, that you could hear him
19 screaming; is that right?

20 A. He was screaming for help, yeah. And that was through
21 heavy fire doors.

22 Q. Right.

23 A. He must have been screaming at the top of his voice.
24 I'm not aware where the cell was, but it's a fire door
25 into the kitchen and it is a fire door as you go through

1 the hallway, in Brimmond, to the front door, and I heard
2 it.

3 Q. Okay. You say, in the third last line of paragraph 41:
4 'That was the last I saw of that kid, so I don't
5 know what happened.'

6 A. Uh-huh. I don't know.

7 Q. Did you hear later he had cut his wrists?

8 A. Somebody told me, and I didn't ask. I didn't want to
9 know, because I just thought it was a shame, what was
10 going on.

11 Q. Okay.

12 A. I didnae want to get involved, to be honest with you.
13 I just -- I resigned the post after that.

14 Q. Yes. You tell us from paragraph 43 that you -- well,
15 you say you left Brimmond in 1984 because:
16 'I was offered a better job with better money.'
17 But I think you just said that after these incidents
18 with the boys and the cell, that you had had enough and
19 that's why you resigned; is that right?

20 A. I got offered another job in between and I thought about
21 it and I thought about it, and I thought, 'Well, I'm
22 going to take it', so ...

23 And then I resigned because I had just had enough of
24 Brimmond.

25 Q. You tell us that you gave Mrs ERL a week's notice.

1 A. Uh-huh.

2 Q. And you say that she asked you why you were leaving, and
3 you said it was for a better job with better hours and
4 so on.

5 A. Yes.

6 Q. Did she make any comment about that? Did she say
7 anything else?

8 A. No.

9 Q. You also say in that paragraph that some of the
10 houseparents -- and you name them -- that you got on all
11 right with asked you why you were leaving?

12 A. Yeah.

13 Q. And you told them you had a better job and they said
14 they didn't blame you for leaving.

15 A. That's right.

16 Q. Do you know what they meant by that?

17 A. Well, they were a bit like myself, they just looked and
18 said nothing.

19 Q. You go on then to tell us a bit more about your own life
20 and what happened to you. We have that and it's
21 evidence that we have. I don't mean any disrespect when
22 I skip over that.

23 Just going to paragraph 47, you tell us that what
24 was happening in Brimmond wasn't right and should have
25 been dealt with, but you didn't want to rock the boat

1 and you didn't report anything.

2 Looking back on that, Frances; do you know why you

3 decided not to report anything?

4 A. I just went in and did my job and kept my mouth shut,

5 because -- well, you know yourselves nowadays, you've

6 just gotta go there, do your job and go home. If you

7 start complaining you can end up getting bullied out the

8 post, or anything, so ...

9 Q. Frances, if you had reported what was happening, first

10 of all, do you know who you would have reported it to?

11 A. I was just going to ask you that question. I didn't

12 know where to go to report it, because, well, I only

13 dealt wi' ERL-ERM.

14 Q. Okay.

15 A. Where do you go before that? It's like I wasn't even --

16 well, nowadays you get police checked for a job. In

17 that day and age, none of us was checked by the police

18 to work in a remand home.

19 Q. And I think you weren't even asked for references before

20 you got that job; is that right?

21 A. No. That's right, yeah.

22 Q. If you had reported it to someone, anyone; what would

23 you have said?

24 A. I would have told them what was going on. But who do

25 I report it to? I never, ever saw anyone. I never saw

1 social workers. I never saw anyone.

2 Q. If you could sum it up in a line or two; what would you
3 have said was happening?

4 A. Well, I would have just said that the kids were being
5 abused and there was kids trying to take their own life
6 as well. But would they have believed me? Because
7 Mrs ERL [REDACTED]'s son was a policeman.

8 Q. At the time you were working at Brimmond?

9 A. Yeah.

10 Q. Okay.

11 You go on to say -- this is paragraph 48:
12 'I think the way that Brimmond was run was a total
13 disaster and I would never have put ERL-ERM [REDACTED] in
14 charge for a start.'

15 A. No.

16 Q. Again, perhaps you can just explain that a wee bit for
17 us, that how it was run was a total disaster; what do
18 you mean by that?

19 A. Well, you never really saw him or her. And she just --

20 Q. ERL-ERM [REDACTED]? Mr and Mrs ERL-ERM [REDACTED], you mean?

21 A. Yeah, sorry. Yeah, you never saw Mrs ERL [REDACTED] and
22 Mr ERM [REDACTED], really. And, to be honest with you, ken,
23 she didnae have a good working relationship, she would
24 never come and say, 'How's things? How are you getting
25 on?' Blah, blah, blah.

1 The only time you ever saw Mrs ERL and her
2 family was when they were coming down to raid the
3 cupboard for food. That was the only time you saw them.
4 Because they used to come and take quite a bit of food
5 out of the larders that was in the kitchen. But,
6 erm, don't know.

7 Q. Mm-hm.

8 A. They didnae hae like a good working relationship --
9 well, I was staff. I just kept myself to myself,
10 really.

11 Q. Sure. If you didn't see Mr and Mrs ERL-ERM much; did
12 you have any idea -- did you have any impression of who
13 was [REDACTED]; who was SNR ?

14 A. I knew she was SNR, yeah.

15 Q. Right, okay.

16 A. I didn't know if Mr ERM -- if he was SNR, if
17 it was -- whatever. I don't know. I don't know what he
18 really did.

19 Q. You say, at paragraph 49, that you didn't see anyone
20 inspecting Brimmond.

21 A. No.

22 Q. So you weren't aware of anyone coming round even to look
23 at the kitchen and inspect the --

24 A. No.

25 Q. -- state of that?

1 A. No, no.

2 Q. Okay.

3 A. We didn't even keep, like, the temperatures of fridges,
4 freezers or nothing. And I was left to order all the,
5 like, the bakery and food and that.

6 Q. Okay.

7 A. There was never, ever anything checked.

8 Q. Okay.

9 Paragraph 50, you say:

10 'I think everyone knew what was going on in
11 Brimmond. All the staff knew, but they were petrified
12 of Mrs ERL.'

13 What makes you think that everyone knew what was
14 going on?

15 A. They were scared of her. Well, they saw it with their
16 own eyes. They saw what was going on up above. But
17 they just -- I don't know.

18 Ken, they just were nicey-nicey to her face, but
19 they did stick knives in her back when it was stirring.
20 But I just didnae listen, because, well, there was a lot
21 of back stabbing went on in there and I just didnae want
22 to be involved.

23 At the time I needed my job, but then I got offered
24 a better job with better money and better hours, so
25 I took it 'cause I just had had enough.

1 Q. Again, if I can ask you -- and this is really the last
2 thing I will ask you, Frances. Can I ask you to think
3 back to that time and the concerns that you had and the
4 feeling you had that there was no one to report to?
5 What would have made it easier for you to share the
6 concerns that you had and to try to improve things for
7 the children in Brimmond?

8 A. Well, I would have got ERL-ERM out of there for
9 a start. It would have been better if we got ERL-ERM
10 ERL-ERM, KPP and IFH-GJX out of there.
11 And KEF. A lot better type of staff in there,
12 who could run a home, because it was just a total
13 shambles.

14 Q. Okay.

15 A. It's a shame. But, honestly, I feel bad because
16 I didn't know where to turn and I came out of there at
17 5 o'clock some nights and I used to go home. And, er,
18 I had nobody to turn to -- well, I never -- again, due
19 to the Data Protection Act, really, I would never
20 discuss anything that went on in Brimmond. I just come
21 out the door at 5 o'clock and I left that behind me.

22 Q. If there had been someone, Frances, a manager or someone
23 coming in -- or a childcare worker coming in from
24 outside the home who visited regularly; do you think you
25 might have been able to tell them what you felt was

1 going on, what was wrong with the place?

2 A. If I could have trusted them, I would of.

3 Q. And what would have helped you to trust them?

4 A. Well, I'd speak to them a couple of times and then have

5 my own views, but I'd follow my gut.

6 Q. Okay.

7 A. Normally, if I follow my gut, it's normally right. If

8 they seem okay, I would tell them.

9 Q. Okay.

10 A. I would say. But I would have said, 'Right, can you

11 meet me away from the home? I don't want to be here,

12 discussing it in here'. Because you just didn't know

13 what was going on.

14 Q. If you had known there was somewhere you could go --

15 A. Yeah.

16 Q. -- to be able to have a conversation in private --

17 A. Yeah.

18 Q. -- in confidence, then you might have done that?

19 A. Yeah, yeah.

20 Q. Okay.

21 A. I would have even invited them down to my own home,

22 because, well, I'd stayed not far from it. My house, my

23 own house, looks onto the home.

24 Q. Okay. Well, Frances, I have nothing further to ask you.

25 Thank you for answering the questions I have had and

1 being so patient.

2 A. That's okay.

3 MR SHELDON: My Lady.

4 LADY SMITH: Thank you. Frances, let me add my thanks. It
5 has been really good to hear from you in person. It has
6 brought your evidence alive, that I already had, but you
7 have added to it considerably and added to the value of
8 the learning that I have been able to gain from you.

9 A. Yes.

10 LADY SMITH: I am really grateful to you for being so frank
11 and straightforward. I am now able to let you go. We
12 will switch off the link and I hope you have a restful
13 afternoon, what's left of it, before it gets dark.
14 Thank you.

15 A. Okay, thank you very much. Take care, bye.

16 LADY SMITH: Thank you.

17 Now, we will get back to finishing that read-in, but
18 I think we will take the afternoon break just now first
19 of all, Mr Sheldon.

20 MR SHELDON: Thank you.

21 LADY SMITH: Thank you.

22 (3.01 pm)

23 (A short break)

24 (3.15 pm)

25 LADY SMITH: Some names, before we return to the read-in.

1 In the course of her evidence, Frances mentioned some
2 children at Brimmond; [REDACTED], [REDACTED],
3 [REDACTED] and [REDACTED]. They are, of course,
4 people who have their identities protected by my
5 General Restriction Order and they are not to be
6 identified as referred to in our evidence outside this
7 room.

8 Now, if we can return to Morag Morrell.

9 MR SHELTON: My Lady, just matters of housekeeping. The
10 first is that over the lunch break we were able to
11 locate the letter that Ms Morrell talks about at
12 paragraph 39 of her statement.

13 LADY SMITH: Thank you.

14 MR SHELTON: A letter from George Keith, who was the
15 headteacher. For that I have to thank the expert
16 assistance of our very diligent paralegals.

17 LADY SMITH: Thank you.

18 MR SHELTON: I haven't had the opportunity to read that yet,
19 my Lady, so what I propose to do is put it to Mr Simpson
20 when he returns tomorrow.

21 LADY SMITH: Yes, that would be helpful.

22 MR SHELTON: There is also a document which I was unable to
23 locate on Tuesday, which is a note by Mr ERM [REDACTED] about
24 education at Brimmond. So it may make sense to wrap
25 those two pieces of evidence up together. The letter

1 from Mr Keith is 1978.

2 LADY SMITH: Thank you.

3 MR SHELTON: The ERM note or letter is 1974, so it

4 might give us a better picture of what's going on, at

5 least at that time.

6 LADY SMITH: Mm-hm. Thank you.

7 Morag Morrell (read-in continued)

8 MR SHELTON: So, returning to Ms Morrell's statement, my

9 Lady. We were at paragraph 41 and she starts to talk

10 there about visits to children's homes and institutions.

11 She says:

12 'As members of the panel, we could visit children's

13 homes and other institutions. We had a book of

14 children's homes in Scotland. If there were any

15 Aberdeen children in a home, we would write to the

16 institution and ask if we could visit. There was

17 a small group of four women whose job it was to carry

18 out the visits. Obviously, the institutions put on

19 their best face. Some just ran as they were, some would

20 tell us what they thought we needed to know, sometimes

21 that was obvious. The visit would usually be in the

22 afternoon, for two or three hours.

23 'We would ask to visit on a specific date. We had

24 four people to organise. Institutions would sometimes

25 say, 'Sorry we can't fit you in on that date. It's

1 a shame you can't come on this other date'. We would
2 get a look round the place. Sometimes we got to talk to
3 children. It could be one-to-one or in a group. The
4 children knew what they were supposed to say. No
5 children complained to us about their treatment.
6 I wouldn't have pressed children in that situation. You
7 had to pick things up as best you could.

8 'We would ask where the children in the home come
9 from and how many children were from the Aberdeen area,
10 what the education was like, what did the children get
11 to do, what was the home like? We wanted to know what
12 were the links with the community outside. We asked
13 questions as we went along. If we weren't happy with
14 the answers, we would take it up with the director of
15 social work and say they had to take it in hand. It
16 wasn't our responsibility to say the home couldn't do
17 something. Sometimes social work did something,
18 sometimes they didn't. Sometimes the director would say
19 we didn't understand what was going on. That was
20 a standard response.

21 'Where a child had to go into residential care, you
22 had to be happy with where they were going. Some of the
23 places even social workers hadn't seen. Placing
24 children was about where there was a spare bed. That's
25 not a way to place children.

1 'We were welcomed to most children's homes. We
2 visited all the homes in Aberdeen. Aberdeen had quite
3 a lot of homes at that time. We visited List D schools.
4 We visited one private children's home. We visited
5 a school in Glasgow which was awful, it smelt of stale
6 urine.

7 'We visited a co-educational List D school in
8 England. According to the teacher, the boys behaved
9 much better when the girls arrived.

10 'We never visited Dr Guthrie's. I did want to see
11 it, but it was never practicable. They had girls from
12 Aberdeen there. Dr Guthrie's never welcomed people.

13 'After a visit, we wrote a report up for the Panel
14 news letter. The report was for panel members. If
15 there was anything negative in the report, we would
16 report that to social work and expect them to do
17 something or we would not send children to the
18 institution anymore.'

19 She moves on to talk about Brimmond specifically:

20 'I visited Brimmond, both as a member of the panel
21 and as a councillor. I thought people should see
22 Brimmond, so I took a party of sheriffs around and new
23 panel members. I went there every two or three months
24 over a six or seven-year period. Brimmond was built as
25 an assessment centre. Before that, a children's home

1 was converted into an assessment centre.

2 Assessment centres were the way to go at that time, it

3 was said. Whether you should take children away from

4 home to assess them, when their problems are at home and

5 you should perhaps assess them there, is another thing.

6 Aberdeen City Council built Brimmond and Aberdeenshire

7 Council provided the staff.

8 'The theory was that children would go to Brimmond

9 for two or three weeks whilst it was decided where they

10 should go on to. That didn't happen. Children could

11 stay at Brimmond for weeks, months or years.

12 Theoretically Brimmond housed children from age 11 to

13 16. I met a primary school aged child there, over whom

14 parental rights had been granted to the social work

15 department. I thought he was a young child to be in

16 Brimmond. I was told he wasn't doing very well in his

17 children's home, so he was at Brimmond and had settled

18 down very well. Many children at Brimmond were scary

19 children, especially to children who could be

20 victimised.'

21 LADY SMITH: And we know from other evidence that there were

22 children younger than 11, and also that they didn't just

23 stay for two or three weeks.

24 MR SHELTON: Indeed, my Lady.

25 LADY SMITH: Yes.

1 MR SHELDON: 'There were around 20 children in Brimmond,
2 mostly boys with a handful of girls. There were
3 a couple of rooms upstairs with four or six beds in;
4 that's where the boys were. I don't recollect seeing
5 where the girls slept. The walls at Brimmond were bare.
6 I took up some movie posters which were donated by
7 someone I knew. Mr ERM said no, they didn't want
8 the posters, the children would tear them up.
9 Mr ERM was SNR .
10 'The first time I saw Brimmond it was nicely
11 decorated. The bedding was nice and modern with duvets.
12 There was at least one school room. I thought it was
13 fine. I think Miss FSG was then.
14 'The next time I went to Brimmond, Mr and
15 Mrs ERL-ERM had been appointed Brimmond. Any
16 colour had been stripped away and they had a cell.
17 Before that, the cell was a quiet room. There was
18 a bathroom on the landing next to the cell. The
19 children couldn't access the bathroom, although that was
20 the intention when Brimmond was built. ERL-ERM
21 response was that the children would tear the bathroom
22 up. If a child needed to use the toilet, they had to
23 ring a bell and hope somebody would turn up. At one
24 point, I was taking people around Brimmond and there was
25 an infant's potty in the cell. There was a peephole

1 above the bed. ERL-ERM said that was to keep
2 an eye on the child in the cell.

3 'The cell looked across the main runway at Aberdeen
4 Airport. There was nothing to look at. The cell had
5 the windows whitened out. The walls were white and all
6 the bedding was white. There was a wash-hand basin
7 which was white. That was the conversion that ERL-ERM
8 ERL-ERM did when they started at Brimmond. In
9 Vietnam, they use all white rooms to get people's minds
10 confused. When a room is all white, you can't see
11 anything. Mr ERM was supposed to be
12 a psychologist. He converted this isolation room into
13 that. It was quite shocking.

14 'I think the main form of discipline was that
15 a child would be locked in the cell. Anything could get
16 a child shut in the cell, such as they had upset Mr or
17 Mrs ERL-ERM, they hadn't eaten their tea or they had
18 run away. ERL-ERM told us that when they showed
19 us round. We didn't have access to any children to ask
20 them. I don't think the children got beaten up, that
21 wasn't my impression. In my opinion, there was mental
22 torture.

23 'The staff at Brimmond varied. Some were very good,
24 but the very good staff just left. They had a member of
25 staff who was just out of the army. He had been in the

1 Special Air Service, the SAS. How do you get a job in
2 a children's home when you are just out of the army?
3 What qualifications did he have? He always seemed civil
4 enough. Not long before Brimmond closed, I saw a member
5 of staff who was very dirty.

6 'Education was the responsibility of the city
7 council to begin with, then the whole thing became
8 regional. Ian Calderwood fought an ongoing battle over
9 the provision of education. Nothing ever happened. The
10 department could appoint teachers, but they couldn't
11 keep them because of the atmosphere in Brimmond and the
12 lack of children allowed to go to school. Mr ERM
13 said which children could and couldn't go to school in
14 the morning. I don't know if there was any reason why
15 a child wouldn't be allowed to go to school.

16 'I think Brimmond was a dull place to be. Some of
17 the children were taken down to the community centre
18 from time to time. There was a football pitch. There
19 was a television in the dining room.

20 'I only spoke to children from Brimmond if they had
21 a Children's Hearing. Often ERL-ERM would be
22 there. I would ask ERL-ERM to leave. They had no
23 right to be at the hearing. The children were scared.
24 They weren't going to tell you anything about Brimmond.

25 'I was told that any riots happened at meal times.

1 I don't know why rows happened at that time. I think
2 the standard of the food was all right. However, at
3 every children's home I visited, I was concerned that
4 the children did not get enough milk or fresh fruit.

5 'When the children had home leave, they would come
6 back and get the bus as far as it would go. They had to
7 walk to Brimmond up a dark road, with no lights. They
8 were city children. It wasn't a good thing for them to
9 do. There had been a couple of murders where stuff had
10 been found around about Brimmond, although the murders
11 were nothing to do with Brimmond. I said Brimmond had
12 a bus, couldn't the children be picked up? The response
13 was that the children wouldn't be there at the right
14 time and it was good for them. It was back to the
15 concept that children have to be responsible for their
16 own actions. I couldn't believe it.

17 'Once I became a councillor I took to the Social
18 Work Committee that Brimmond needed a serious review.
19 A number of families in the area I represented, which
20 was one of the most deprived areas in Grampian, would
21 talk to me about Brimmond. The families would say
22 Brimmond was a terrible place, there was always rows and
23 children ran away from Brimmond regularly.

24 'Miss FSG, who by then was
25 in Grampian Region, said there was

1 nothing wrong with Brimmond. That went on for years.

2 'Mr ERM said that the boys who ran away from

3 Brimmond went to a place in Holburn Street, Aberdeen,

4 where they were quite safe. I heard him say that two or

5 three times. A social worker told me that the place was

6 a male brothel. I took it up with the police who said

7 there was no such thing as a male brothel in Aberdeen.

8 You have to be naive to think that an old seaport such

9 as Aberdeen would not have, amongst all the other

10 brothels, a male brothel. By that time, one of

11 Mr ERM's sons had joined the police force.

12 Aberdeen can be a very tight community at times. If

13 children ran away too often, Mr ERM would take them

14 to the police who would then sign the child off on an

15 unruly certificate to go to jail.

16 'One night I had a phone call from someone I knew

17 who ran the community centre in Bucksburn. I can't

18 remember his name. He said he had a child from Brimmond

19 at the community centre who had run away. The child was

20 saying that he would go back to Brimmond, but the staff

21 at Brimmond would not let him see his social worker.

22 The child agreed to hand himself in to the police.

23 I spoke to Bill Adam and arranged that the child would

24 go to the police and be allowed to see his social

25 worker. Bill Adam was the chief superintendent at

1 Bucksburn Police Station. Policemen would tell you that
2 when they took a child back to Brimmond, they wouldn't
3 necessarily be let across the door. Social workers
4 would say the same.

5 'Suddenly, Mr and Mrs ERL-ERM found themselves out
6 of a job. I don't know why. Mr ERM got a part
7 time job at Oakbank [...] as a swimming instructor.
8 I was told he kicked a boy into the swimming pool and
9 was right out the door. Bill Rose, who was on the board
10 at Oakbank, told me. He has passed away now.'

11 It is perhaps not clear whether she means

12 Mr ERM or Bill Rose, my Lady.

13 LADY SMITH: Yes.

14 MR SHELDON: She goes on to talk about Oakbank and Rossie.

15 Would my Lady wish me to read in those parts or shall we
16 leave it there?

17 LADY SMITH: We can probably leave that there, and also the
18 St Joseph's, and St Ninian's.

19 MR SHELDON: Yes.

20 LADY SMITH: Longriggend. Do we need anything from

21 Longriggend or Geilsland? I don't think so, do we?

22 MR SHELDON: I don't think so, my Lady.

23 LADY SMITH: No.

24 MR SHELDON: There is not a great deal of great substance in
25 those passages in any event, my Lady.

1 LADY SMITH: No.

2 MR SHELDON: And I think --

3 LADY SMITH: Yes, and I don't think anything about Balgay
4 adds to the evidence we have already got, does it?

5 MR SHELDON: No, I don't think so, my Lady. So just to
6 round that off, she comes to 'Lessons and hopes', at
7 page 20.

8 LADY SMITH: Thank you. Mm-hm.

9 MR SHELDON: She says:

10 'You will get people with an unwholesome interest in
11 children applying to join the panel and other
12 institutions for children. You must have some system of
13 weeding these people out.

14 'People from outside the system should come into
15 closed establishments where children are and recognise
16 what they see.

17 'I hope that out of the Inquiry will come a more
18 enlightened system of dealing with children with
19 difficulties. That will take a long time and a lot of
20 money. Some people see children as enemies to be dealt
21 with. People don't want to think about how children got
22 to where they are. People only think about what they
23 can do with children and getting the children out of the
24 way. I would like to see a change in people's
25 thinking.'

1 And she has made the usual declaration and signed
2 the statement, as she did in 2019, my Lady.
3 LADY SMITH: Thank you very much indeed.
4 MR SHELTON: I think Ms Forbes now has another read-in.
5 LADY SMITH: Thank you.
6 MS FORBES: My Lady, the next statement is from someone who
7 has given a statement on behalf of her deceased son --
8 LADY SMITH: Yes.
9 MS FORBES: -- who was in care. She is anonymous and is
10 known as 'Jeannie', with two Ns --
11 LADY SMITH: Thank you.
12 MS FORBES: -- I-E.
13 'Jeannie' (read)
14 MS FORBES: The reference for her statement is
15 WIT.001.002.6738.
16 My Lady, 'Jeannie' tells us she was born in 1946.
17 But she wants to tell us about her son, who was born in
18 1972, but passed away in 2001.
19 LADY SMITH: Yes.
20 MS FORBES: He was in care in both Brimmond, she says, for
21 20 weeks in 1985, and Oakbank between 1985 and 1988.
22 'Jeannie' tells us she kept a journal of her son's
23 life until his death in 2001. She is using that, along
24 with what her son told her, to provide an insight on his
25 time in care and the impact -- she says the devastating

1 impact it had on his personal and family life.

2 She talks about her son's life before going into
3 care from paragraph 4. She says that he was born in
4 Aberdeen and he was the only child of her and her
5 husband. Her husband worked offshore on oil rigs and
6 he, too, passed away in 2011. She tells us about
7 a difficult birth, but he seemed to be a normal child
8 and attended nursery, but then there were some signs of
9 hyperactivity as a child. But the only behavioural
10 problems that were highlighted at that time were that he
11 had poor concentration.

12 She describes him going through junior school and
13 everything appearing to be fine. Then he went on to
14 senior school in Aberdeen. It was when he became
15 13 years of age she started to notice changes in his
16 behaviour which she would describe as risky. He was
17 truanting, mixing with the wrong crowd and she says she
18 tried to keep a stricter control on him at that time.

19 She then says there was issues between two local
20 high schools with boys fighting with one another from
21 each. She says there was one occasion where there were
22 over 100 boys fighting and petrol bombs had been thrown.
23 This was a serious incident and the police became
24 involved. She and her husband were asked to come to the
25 school to be interviewed by police. A social worker was

1 also involved. She says it was obvious that the police
2 and school staff thought that their son's behaviour was
3 a concern. She tells us that, looking back, she
4 appreciates that this was serious, but she didn't think
5 that things had got out of hand. She was told then that
6 things would be going in front of a children's panel.

7 She went to the children's panel and describes that
8 at paragraph 11. She says:

9 'I duly went to the meeting with the children's
10 panel and found the whole thing to be very intimidating.
11 My husband and I were being judged on our parenting.
12 Our son was very much in the background. It was really
13 the start of his behavioural problems. One of the panel
14 looked our son up and down and said that he was a smart
15 child. I don't think that they thought we were the type
16 of family that usually appeared before the panel.'

17 She says then that when the panel considered --
18 retired from the room to consider what to do, they came
19 back and said that they wanted her son to be seen by
20 a psychologist, and he was then seen. He had four or
21 five sessions with the psychologist, who reported that
22 he was above average intelligence and there were signs
23 that he was slightly hyperactive.

24 They then went back to the children's panel with the
25 report and one of the panel members asked her why she

1 was burying her head in the sand and ignoring her son's
2 behaviour. That made her angry. She didn't agree with
3 the lady. She was in favour of her son getting help,
4 but she thought the people on the panel were talking
5 down to her and found that upsetting, and she felt her
6 husband and her were on trial.

7 At that panel hearing, the panel decided that her
8 son was to go into care. She says at that time her son
9 had not been charged by the police. Her understanding
10 was that his role in what had happened was that he just
11 went along with everyone else; there was no indication
12 that he was the ringleader or a danger to himself or the
13 public.

14 At paragraph 16, 'Jeannie' says:

15 'I was astounded. They said that he would go to
16 Brimmond Assessment Centre where his behavioural issues
17 would be monitored. I was shocked and asked how they
18 could send him to a place where he didn't know anyone
19 from a house where he was loved by his family. How was
20 that going to help him?

21 'They told me that the staff at Brimmond were
22 trained to deal with children who had behavioural
23 problems and they would be able to help [him].
24 I couldn't understand how this was happening. I had no
25 control over what they were doing to [him].'

1 She said that they went back home from the
2 children's panel and they were given a date in a week's
3 time when they were to take their son to Brimmond. She
4 says that he understood what was happening, but he
5 didn't show his feelings and he didn't speak about what
6 was happening. She didn't want it to happen and she got
7 the impression that the authorities felt that her son
8 couldn't go into normal education.

9 He was 13 at that time. It was 1985. She tells us,
10 at paragraph 19, that she and her husband took her son
11 to Brimmond and she says there:

12 'I have never had such a feeling of abandonment.
13 I don't know how [my son] was feeling. We were never
14 given a time limit for his stay at Brimmond.'

15 And then she tells us about Brimmond from
16 paragraph 20, and she talks about the first day. She
17 says:

18 'I remember the first day I went into Brimmond.
19 When I entered the place for the first time there was
20 a tension. There were doors banging and children
21 screaming. It was a horrible atmosphere and I felt
22 awful because I was going to have to leave [my son]
23 there. All the rooms were locked. It felt more like
24 a prison and he was going to be punished instead of
25 helped with his behavioural problems.'

1 She says she doesn't know the names of the people at
2 Brimmond and recalls being met by a man who took them up
3 to her son's room. He had a suitcase of clothes with
4 him, a TV for his room, and they were there for most of
5 the morning and left before lunch. She says she hated
6 the thought of leaving her son there.

7 She talks about the building -- at paragraph 22 --
8 being two storeys set in large grounds and being quite
9 a long building. She says that her son had his own room
10 and his window looked out on the airport. She remembers
11 her husband saying to her son that when he was returning
12 from the oil rigs, their son could look out and see the
13 plane landing.

14 She thinks that there must have been about 100
15 children at Brimmond of mixed sexes. But I think we
16 have heard that the capacity was probably a lot less
17 than that.

18 She goes on to say, at paragraph 24:

19 'This was the start of all of [our son's] problems.
20 He was to spend most of his time absconding. I have no
21 idea how he got away from the place as easily as he
22 did.'

23 She doesn't know anything about the daily routine or
24 any treatments that her son received for any of his
25 behavioural issues. She goes on to say, at paragraph

1 26:

2 'I do not think that any of the staff at Brimmond
3 had any of the experience in dealing with children in
4 the way that we were led to believe by the children's
5 panel. They were more like prison officers.'

6 She says her son was being punished and not helped:

7 'I never got to know any of the staff, despite the
8 fact that I visited most days. I think that the only
9 time that I was contacted by the staff at Brimmond was
10 to tell me that [he] had been caught glue sniffing.'

11 She says it was actually the social worker who
12 contacted her.

13 She doesn't remember where her son went to school
14 and she doesn't know if there was a school attached to
15 Brimmond. She goes on, at paragraph 29, to say:

16 'I went to visit [him] every evening after work.
17 Sometimes he wasn't there because he had absconded.
18 I was never told when he did run away, but turned up to
19 visit anyway. You could just turn up. The visit was
20 spent in [his] room. I don't think that there was
21 a review of [his] placement in all the time he was
22 there. If [he] saw his social worker, he didn't tell
23 me.'

24 She then describes that very early on in his stay at
25 Brimmond her son ran away. On the first occasion, he

1 had only been there a week and was gone overnight. She
2 comments that this was a 13-year old who had never been
3 out after 10.00 at night. She wasn't contacted by
4 Brimmond to let her know, but she recalls the police
5 coming to the house and they told her. She comments
6 that all the times he ran away, he never came back to
7 his family home. He used to go to his friend's house
8 and his friend's mother would sit and give him hot
9 chocolate and speak to him and tell him that he would
10 need to go back.

11 She says, at paragraph 32:

12 'When I questioned [him] about running away, all he
13 ever said was that he couldn't stay at Brimmond. He
14 never told me what was going on, despite the fact
15 I asked him lots of questions. I just knew he was very
16 unhappy to be at Brimmond.'

17 She then goes on to talk about abuse at
18 paragraph 33, and says:

19 'My husband and I went to visit one of the days, all
20 of the staff, who were male and female, and the children
21 were on the grass outside. Two of the boys were
22 fighting and they were knocking the living daylights out
23 of each other while being encouraged by the staff. My
24 husband and I went to a staff member to complain and get
25 them to stop the fight as we didn't think this was

1 right. They were bare fist fighting. It was ridiculous
2 and the staff encouraged it.'

3 She says then her son had been at Brimmond for eight
4 or nine weeks when allegations of sexual abuse appeared
5 in the press. She thinks that there was an Inquiry and
6 that the allegations were found to be proven and that
7 led to Brimmond being closed down. She says she wasn't
8 surprised, because she could sense the physical and
9 mental abuse that was going on. She says she could
10 detect this from her son's behaviour that things were
11 not right. He was the kind of child that kept things to
12 himself and didn't discuss anything with her.

13 She says at paragraph 34:

14 'I don't know if he was sexually abused, although he
15 strongly denied it.'

16 She says that her son's social worker got in touch
17 to say that he would be coming home and that he was
18 being removed from Brimmond and that his stay at home
19 would only be until they found another placement for
20 him. She thinks that because of the allegations of
21 abuse at Brimmond and the Inquiry, that Brimmond was
22 closed and the residents there found alternative
23 placements. She doesn't think her son received any help
24 with his behavioural problems when he was there and she
25 doesn't know anything about any type of schooling that

1 might have taken place.

2 LADY SMITH: Can we just pause and think about the dates

3 here?

4 MS FORBES: Yes.

5 LADY SMITH: Her memory is that her son was about 13.

6 MS FORBES: Yes.

7 LADY SMITH: Which would be about 1985.

8 MS FORBES: Yes.

9 LADY SMITH: Brimmond ceased being an assessment centre in

10 1990 -- the 1990s, wasn't it?

11 MS FORBES: Yes, I think my Lady --

12 LADY SMITH: 1993?

13 MS FORBES: Yes, from the framework document, I think we

14 have said that the dates -- I am just going to that part

15 of it.

16 LADY SMITH: I had in my head that it had operated for

17 a little over 20 years.

18 MS FORBES: I think we have a response from Aberdeen City

19 Council that indicates it operated from 1973 to 1994.

20 LADY SMITH: Yes, yes.

21 MS FORBES: I think that's the range that we were given by

22 them.

23 LADY SMITH: By the council?

24 MS FORBES: Yes.

25 LADY SMITH: So she can't be right about Brimmond closing

1 down within a very short time of her son going in at the
2 age of 13.

3 MS FORBES: No.

4 LADY SMITH: This being perhaps conflated -- she remembers
5 there being something in the press around the time he
6 was there and she also remembers it being closed, but
7 there is a gap.

8 MS FORBES: Yes.

9 LADY SMITH: Would that be right?

10 MS FORBES: It seems that's the position, my Lady.

11 LADY SMITH: Yes, thank you.

12 MS FORBES: She says that her recollection is that her son
13 might have gone to a local school from Brimmond, but she
14 just can't remember and she thinks that he was there for
15 about 20 weeks in total. She says, at paragraph 38:

16 'I realised that after he left Brimmond he was
17 traumatised with what had happened there. He was
18 displaying signs of anger and frustration. He was not
19 attending school and my parents were helping to look
20 after him.'

21 Then she talks about an incident where her son got
22 angry with her parents and barricaded himself in the
23 room. She says that he couldn't cope with the two weeks
24 that he was at home, knowing that he was going to be
25 placed in another children's home and he was seeking out

1 what she describes as 'undesirable company' from other
2 children. On several occasions she had to go and find
3 him and bring him home.

4 She thinks that he thought he had been treated like
5 a criminal when he was in Brimmond and this was the
6 reaction. She tells us that he was smoking cannabis and
7 also glue sniffing at that time.

8 My Lady, she then goes on to tell us about her son's
9 time at Oakbank. She says he was there between 1985 and
10 1988. And that was a decision by the authorities, and
11 she thinks at that time it might have been a List D
12 school, and it was a well-known place in Aberdeen, where
13 she said the bad boys went. But she was not part of the
14 decision-making process, but she knows that her son
15 didn't want to go there, and she and her husband wanted
16 him home.

17 She goes on. I won't read out the parts that relate
18 to Oakbank in any detail, my Lady, but she does talk
19 about taking her son to Oakbank with her husband and
20 being told by HMY [REDACTED], who she says SNR [REDACTED],
21 that he was going to be there until he was 16 and that
22 was a complete shock to her. She remembers the man
23 being SNR [REDACTED], [REDACTED] as being
24 LIL [REDACTED]. But she does comment that she didn't have
25 the same feeling that she had when she went in to

1 Brimmond.

2 She says at paragraph 44:

3 'There was not the same feeling of tension.'

4 Then she goes on to tell us a little bit about his
5 time there. But she says that whilst he was there, he
6 never had a holiday at home or was allowed to come home
7 at the weekends. A lot of the time he was absconding
8 and running away, she says, at every opportunity.

9 We have heard into evidence already the incident
10 where she says she visited and he came into the visiting
11 area in pyjamas, with his ankles tied together with
12 rope. I think that was something put to LIL in
13 his evidence.

14 LADY SMITH: Yes.

15 MS FORBES: She does talk about noticing bruises on her son
16 whilst he was there, but he didn't tell her what was
17 going on. But she formed the impression that he was
18 being physically abused by staff.

19 She does talk about a hospital incident where he had
20 to get stitches in a wound to his face after something
21 that happened at Oakbank. The staff just told her it
22 was boys being boys.

23 She then talks, at paragraph 61, about him coming
24 out of Oakbank when he was 16. She says he was mentally
25 scarred and had very low self-esteem. He was stealing,

1 he was glue sniffing, various scrapes with police. She
2 describes him as just being a lost boy and that the
3 regime had destroyed him.

4 She then goes on to tell us more about his life
5 after care. At paragraph 64, she says that she had
6 14 years of his problems. He became a heroin addict,
7 spent time in Polmont. She talks about trying to get
8 a meeting with authorities after he came out of Oakbank
9 and about making complaints to the local authority.

10 Life after care. From paragraph 65, she says that
11 her son had no life skills when he came out and seemed
12 to be bewildered with what was going on. She talks
13 about his life taking a different path from what his
14 father wanted and what she wanted.

15 She talks about him serving a sentence in Polmont
16 and not being able to cope when he came out.

17 Then, when he was 22, he committed a robbery with
18 a knife. She says he was slashed by drug dealers and
19 was so desperate in relation to a drug debt that he
20 committed an armed robbery at a local shop using
21 a knife. He got a six-year sentence and was at Shotts.

22 She talks about him coming out of prison after that
23 and being on a methadone script, trying to be clear of
24 drugs. He was for a period, but had a girlfriend that
25 he lived with who was smoking heroin. One day, she had

1 a phone call from his girlfriend to say that he had
2 collapsed. When she arrived at the location, she
3 started to do CPR on him and told bystanders to phone
4 an ambulance. She later learned that he had collapsed
5 in a dealer's house and had been carried out on to the
6 street. The ambulance came, but he was pronounced dead
7 at the hospital.

8 She comments in relation to impact, at paragraph 72:

9 'It is interesting to note that all of the kids [her
10 son] was in care with all died young. They were all
11 damaged and unable to cope with life out of care. They
12 were not prepared for living a normal life.'

13 She remarks that her son was a clever boy and
14 an avid reader, but he drifted into a life of crime and
15 was stealing and breaking into houses. When he was 18,
16 he was addicted to heroin.

17 She comments, at paragraph 75, that she thinks that
18 her son actually committed suicide and she feels that he
19 knew [REDACTED] would be fatal.

20 She says at paragraph 75:

21 'I just think that he couldn't cope with life any
22 more and had made up his mind. He couldn't fight
23 authority anymore.'

24 She talks about the impact on her and the family,
25 and how that has been huge from paragraph 76. That she

1 has been alienated from friends because her whole life
2 revolved around her son; she would visit him every day
3 after she finished work.

4 She talks about having to carry her valuables with
5 her at all times in case he stole them to buy drugs.
6 She would wonder, starting off the day, what was going
7 to happen, whether the police were going to call at her
8 door.

9 When her husband was home from the oil rigs, he
10 would spend time with her son and she knew then he would
11 be safe, but when he was on his own she would be worried
12 all the time.

13 She talks then about the difficulties she has had
14 with her family and their relationship with her son and
15 her own counselling, and the fact she feels like she is
16 an anxious person as a result of her experiences.

17 She tells us, at paragraph 83, that her son never
18 reported what had happened to him to any authority.

19 In relation to lessons to be learned, she says at
20 paragraph 85:

21 'There should be more support for the families and
22 families should be more involved in the decision
23 process. I feel that I was excluded and unable to have
24 a say in what happened to my child. There should be
25 more information given to the families. I didn't know

1 what was happening to [my son] when he was in care. It
2 felt like there was a closed door and I was not being
3 allowed in. Communication was very poor.

4 'The social work department have one thought in mind
5 and that is they can't go outside their guidelines.
6 They should think outside the box as everyone is
7 different. I think that they are very judgemental and
8 I felt that I was on trial all the time.

9 'I think that on reflection [my son] suffered from
10 ADHD, which was not really known about at that time.
11 I was never informed what they were doing to help [my
12 son] so I realise on reflection all they were doing were
13 punishing him. His real troubles all started when he
14 was put into care.'

15 Then she tells about some support groups that she is
16 a member of. We can see that from paragraph 88, the
17 different types of organisations that she is involved
18 in. She mentions at paragraph 90 that she is a Nalaxone
19 peer educator, trying to educate people how administer
20 that drug if someone takes an overdose because it is a
21 potential lifesaver. Then she talks about her work with
22 that.

23 'Jeannie' has then made the usual declaration and
24 signed her statement. It's dated 18 June 2019.

25 LADY SMITH: Thank you very much. I don't think we have

1 time for another one this afternoon.

2 MS FORBES: I don't think so, my Lady.

3 LADY SMITH: That will be it for evidence today. We will
4 return tomorrow morning and the first witness will be
5 a live witness here in person.

6 MS FORBES: It is via WebEx, my Lady. At 10 o'clock.

7 LADY SMITH: It is another WebEx, of course. At 10 o'clock.

8 Before I rise, in case anyone has forgotten the
9 names I mentioned during Oakbank, we have used two
10 names, [REDACTED] and [REDACTED], whose identities are
11 protected by my general restriction order. They are not
12 to be identified as referred to in our evidence outside
13 this room.

14 (3.55 pm)

15 (The Inquiry adjourned until 10.00 am on Friday, 1 November
16 2024)

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