

1 Friday, 6 December 2024

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome to the last day this
4 week of our hearings in relation to Chapter 11 of
5 Phase 6.

6 I think we move to a witness in person now,
7 Mr MacAulay, who is ready for us, is that right?

8 MR MACAULAY: Yes, my Lady, that is correct. The next
9 witness is Mark MacMillan.

10 LADY SMITH: Thank you.

11 Mark MacMillan (sworn)

12 LADY SMITH: Good morning, Mark.

13 A. Morning.

14 LADY SMITH: Mark, do sit down and make yourself
15 comfortable.

16 A. Thank you.

17 LADY SMITH: Mark, thank you for coming along this morning
18 to help us with the evidence you can provide in relation
19 to the services of the Kibble group. You will know that
20 we have been looking at some evidence in relation to
21 Kibble, just in the last day or two.

22 In the red folder on the desk there, there are
23 documents that should be familiar to you, and we will
24 also bring up the parts that we want to specifically
25 discuss with you on the screen. But Mark, if at any

1 time you have any questions or you just want to break,
2 because I know it can get very tiring being pressed for
3 information in such detail about the matters we are
4 covering here, just let me know. If at any time there
5 is something you want to tell us that you think we
6 should be asking you and we haven't done, do volunteer
7 that, or any other queries, just speak up.

8 A. Okay.

9 LADY SMITH: Is that all right?

10 A. Thank you.

11 LADY SMITH: If you are ready, I will hand over to
12 Mr MacAulay and he will take it from there, thank you.

13 MR MACAULAY: My Lady.

14 Questions from Mr MacAulay

15 MR MACAULAY: Yes, good morning, Mark.

16 A. Good morning.

17 Q. You have come here today to represent Kibble, and in
18 particular to address the responses that Kibble have
19 made to questions posed by the Inquiry.

20 A. Yes.

21 Q. I think in the red folder you should find these
22 responses in print. But before I look at any of that,
23 can I just confirm the year of your birth, I don't need
24 your date of birth, but the year of your birth?

25 A. 1971.

1 Q. You are the Director of Corporate Services for the
2 Kibble group?

3 A. Yes.

4 Q. For how long have you held that particular position?

5 A. Two years.

6 Q. When did you first join Kibble?

7 A. 2007.

8 Q. What role did you have at that time?

9 A. I had a funding officer role within the communications
10 team.

11 Q. And looking at your present position as the Director of
12 Corporate Services, can you give me a thumbnail sketch
13 as to what that involves?

14 A. I look after the services, the non-care side of the
15 Kibble group. So from HR to domestic services,
16 catering, the estates team, all the services that
17 provide the functions that allow the care side of the
18 business to operate properly.

19 Q. I think you tell us that your background is in politics;
20 is that right?

21 A. Yeah, it was.

22 Q. Can you just tell me a little bit about that?

23 A. 1999, I became an elected member of Renfrewshire
24 Council. Prior to that, I had worked for members of
25 parliament and within the Labour Party.

1 Q. Recently you, and by that I mean Kibble, but I think it
2 is signed by you, have produced a precognition,
3 a detailed precognition, setting out quite a number of
4 matters relating to Kibble, and, can I say, that's
5 extremely helpful, it is working its way on to our
6 document system, but I certainly have had regard to what
7 you say in your precognition.

8 In particular, what you do in the precognition is
9 you, apart from looking at some of the historical
10 matters which we can look at under reference to the
11 previous responses, you cover in some detail Kibble now,
12 is that right?

13 A. Yes.

14 Q. In particular, you look at structure and governance,
15 safeguarding, the way complaints are handled, scrutiny
16 and risk, external scrutiny, and what you call young
17 workforce development, amongst other things. But these
18 are all matters that relate to Kibble as it is now, and
19 you have covered that in your precognition?

20 A. Yes.

21 Q. The impression I get from that is that Kibble is a very
22 large organisation?

23 A. Yes.

24 Q. Apart from the campus that we have seen photographs of,
25 does Kibble have a presence in other places?

1 A. Yes, it does. Yesterday I listened to the evidence that
2 was given, and you did talk about the Paisley campus,
3 which was the original site of Kibble, going back
4 160 years. But now, from the last number of years,
5 Kibble has grown, grown in terms of it's workforce, it
6 now has around 800 employees. There is the Paisley
7 campus, there are also houses on other properties in the
8 community, both in the Paisley and Renfrewshire area.
9 In Ayrshire we have a fostering service, one of the
10 bases is in Hamilton, in the town of Hamilton.

11 There is also a primary school, which we opened two
12 or three years ago, in Lochwinnoch, which is in
13 Renfrewshire as well, and that primary school is for
14 primary age kids but it also has the services to look
15 after young people on that campus, it is called
16 Forest View.

17 We also have -- you mention what we describe as
18 young workforce development.

19 Q. Yes.

20 A. We have a large facility in the Hillington Park
21 industrial estate, just on the edge of Glasgow, which is
22 a training centre for young people. That training
23 centre provides training in different trades and also in
24 catering, so Kibble's -- the kitchen facility that
25 provides food for all of Kibble's campuses and homes is

1 in that facility in Hillington.

2 We also now in the last five years have had

3 a partnership with St Mirren Football Club, which is

4 a key part of our young workforce development, because

5 it allows our young people to find training and

6 employment within St Mirren's facility, whether that be

7 its stadium in Paisley or the first team training centre

8 on the outskirts of Paisley. We also provide food for

9 them and our young people are involved in preparation of

10 that food.

11 At every stage young people are learning different

12 trades and being involved in different things.

13 LADY SMITH: Mark, can you just give me the number of

14 employees again?

15 A. It's between 750 and 800.

16 LADY SMITH: Thank you and that's over all these --

17 A. Yes.

18 LADY SMITH: -- activities.

19 Part-time and full-time?

20 A. Yes.

21 LADY SMITH: Thank you.

22 MR MACAULAY: The link, of course, with St Mirren is

23 St Mirren are a Paisley club?

24 A. Yes. Almost the same age as Kibble as an organisation,

25 and two anchor --

1 Q. I think that description you have provided to us of
2 Kibble is perhaps in marked contrast to the Kibble that
3 we had some evidence of in relation to the 1960s and
4 1970s?

5 A. Yes.

6 Q. It is quite a different animal these days?

7 A. Yes.

8 Q. You said you were here yesterday, and that means you
9 will have heard the evidence given by two former Kibble
10 residents, 'Iain', that was his pseudonym, and 'Graham',
11 the other former resident?

12 A. Yes.

13 Q. There are, as yet, two unread statements that will
14 probably be read today, and that's 'Connor' and 'Andy'.
15 Have you had a chance to read these statements?

16 A. Yes.

17 Q. Yesterday 'Robert' provided evidence, and covered areas
18 that may very well have been relevant to what you would
19 want to say. For example, the Kibble mission as set out
20 in Miss Kibble's last will and testament in 1840. You
21 can take it that 'Robert' has, as it were, stolen your
22 thunder to some extent on some areas. I think you
23 understand that?

24 A. Yes.

25 Q. I think you also are aware that Kibble's role in

1 migration, and in particular juvenile migration, has
2 been considered by the Inquiry already.

3 In total, I think that the Inquiry served six
4 Section 21 notices on Kibble. That includes the one
5 that focused on child migration.

6 There was one dated 17 March 2022, and that focused
7 on the school. The Kibble response to that was on
8 21 July 2022 with appendices.

9 Thereafter, there were supplementary responses where
10 I think Kibble wanted to provide some further
11 information because that information had come to hand?

12 A. Yes.

13 Q. I think there was also Section 21 notices enquiring
14 about particular individuals and their records?

15 A. Yes.

16 Q. What you say, certainly in your precognition, is that
17 Kibble has been committed to assisting the Inquiry
18 whenever possible?

19 A. Yes.

20 Q. In relation to records, have the requests for records
21 prompted an exercise in connection with records by
22 Kibble?

23 A. Yes, we --

24 Q. What is that?

25 A. The searching of the records led us to make improvements

1 in our team that does that, so we have employed extra
2 people. David Jamieson, one of our employees, looks
3 after that team and heads up the search for records.
4 But it has led us to, when we have embarked on providing
5 all the information that you required, we were more than
6 happy, of course, to do that. But we have made changes
7 to ensure that our records, our record keeping, and when
8 I mean record keeping I mean the keeping of the
9 historical records, and how we provide those records, we
10 have made improvements to that so that we are using best
11 practice from public sector, or other bodies.

12 Q. You mentioned a team that's managing this. I think you
13 say, in your precognition, that you have a team of about
14 eight people --

15 A. Yes.

16 Q. -- who are involved in this exercise, and only this
17 exercise?

18 A. Yes.

19 Q. Can we then begin by looking at the response that Kibble
20 made in July 2022. For the transcript, the reference is
21 KIB-000000002. You probably have that in front of you,
22 and it will also go on the screen.

23 Now, you begin by setting out how Kibble evolved,
24 that Kibble School was founded in July 1859, and I will
25 look to the background of that in a moment. But do

1 I take it that what we had then in the 1850s and beyond
2 was a single building that represented the school?
3 A. Yeah, that's my understanding, yeah. A single site,
4 yeah, definitely, yes.
5 Q. That original building is no longer there?
6 A. No.
7 LADY SMITH: Was that the site that we have been seeing in
8 the photograph?
9 A. Yeah, the campus in Paisley that was referred to
10 yesterday, yes.
11 LADY SMITH: Thank you.
12 MR MACAULAY: We have touched upon Miss Elizabeth Kibble's
13 trust deed, and if you turn to page 2 of this document,
14 towards the bottom, do you set out there the particular
15 provision that guides the work of Kibble, even to this
16 day?
17 A. Yes.
18 Q. It is:
19 'To carry on in Paisley, or elsewhere,
20 an institution to provide for the education, care and
21 development of troubled and disadvantaged young people
22 and the reclamation of youthful offenders against the
23 law and the doing of all such other things as are
24 incidental or conducive to the attainment of that
25 object.'

1 A. Yes.

2 Q. That's your mission?

3 A. It is. If I may, an interesting part to that, the
4 trustees, and the board of Kibble Education and Care
5 Centre are looking at the moment of updating that and
6 have applied to OSCR to create a SCIO, so as we have
7 an updated position of what is Kibble's mission that
8 will still mirror that. It won't be as specific, for
9 instance, the first sentence, 'To carry on in Paisley',
10 so rather than being geographically narrow, it will be
11 wider as we go forward.

12 LADY SMITH: What do you mean when you say to create
13 a scale?

14 A. SCIO.

15 LADY SMITH: SCIO?

16 A. Scottish Charity, I can't remember, S-C-I-O. SCIO,
17 sorry.

18 LADY SMITH: That's a variation of those provisions to make
19 the scheme, the objective of the charity, are you saying
20 wider than what it is at the moment?

21 A. Modern, more modern, fit for purpose.

22 LADY SMITH: Thank you.

23 A. In the modern sense.

24 MR MACAULAY: In fairness to Miss Kibble, what she says is,
25 'To carry on in Paisley or elsewhere'.

1 A. Yes.

2 Q. So it is a broader church than just being located in
3 Paisley. But you mentioned the primary school, which is
4 not in Paisley.

5 A. Yes.

6 Q. Is that directed towards the care and development of
7 troubled and disadvantaged young people as well, or is
8 it something different?

9 A. They are troubled and disadvantaged.

10 Q. Yes.

11 A. But to a degree it's not maybe the same as how this was
12 framed at the time, where it was more, you know, going
13 towards the youthful offenders, the young people -- most
14 of the young people that Kibble are looking after have
15 not offended, they are being looked after by Kibble as
16 a place of safety for themselves, rather than because
17 they have done something.

18 Q. You mentioned the workforce and the numbers in the
19 workforce, what about those being cared for by Kibble?
20 Do you have a figure for how many young people are in
21 the care --

22 A. Any given day there's between 160 and 170 young people
23 being looked after.

24 Q. Is that in a residential context?

25 A. That can range from the safe centre, the secure

1 facility, residential services to fostering services,
2 the young workforce development, and we have only
3 recently embarked -- we don't have any young people at
4 the moment -- we have recently embarked on an adoption
5 service to be part of an intensive fostering/adoption.
6 Interestingly, I think I reference this, that's the
7 first adoption service to be registered in Scotland in
8 the last 15 years.

9 Q. If we go towards the top part of this page, I think, and
10 we heard this from 'Robert' yesterday, that 1995 was
11 something of a watershed. Can you just explain that for
12 me again?

13 A. Yes, my understanding, clearly Strathclyde Region, there
14 was the changes in the local government structures in
15 Scotland, the regional councils were abolished and
16 replaced by the 32 unitary authorities. At that time,
17 Strathclyde Region had been the organisation that funded
18 what Kibble was at the time. And that was to change.

19 So it was -- the way -- the phrase that was used to
20 me in description of that was 'sink or swim' for the
21 organisation, because they then had to change themselves
22 into a charity, but a charity limited by guarantee, and
23 then creating a structure, a business structure, to
24 allow the work and the mission to continue.

25 Q. As you say here, the trustees established the

1 organisation that we know as the Kibble Education and
2 Care Centre, but as we heard yesterday, the trust
3 retained and continues to retain ownership of the Kibble
4 property?
5 A. Yes.
6 Q. On page 3, you provide us with a sort of bird's eye view
7 of the history of Kibble from 1930 onwards. As we know,
8 because of the changes in the law, it was a reformatory
9 school. It became an approved school. It was then
10 a List D school, as now, it is now the Kibble Education
11 and Care Centre?
12 A. Yes.
13 Q. I think this is mentioned, and you may have touched upon
14 this, Kibble now operates on a fee-paying basis?
15 A. Yes.
16 LADY SMITH: As we heard yesterday, that came about when the
17 block grant system stopped --
18 A. Yes.
19 LADY SMITH: -- and then it was an amount per capita --
20 A. Yes.
21 LADY SMITH: -- that was paid to the school.
22 A. One thing I reference, I think, in my affidavit, the
23 change that that allowed; Kibble up until 1995 had no
24 choice as to the young people that they looked after,
25 and following that, there was the choice, and so the

1 facilities and the expertise that we have, it's not
2 always the case that, you know, if young people or
3 councils are looking to refer to Kibble, it's not always
4 the case that we are the right location or the right
5 provider for that young person, and so that allows us to
6 direct -- either look after the young person or direct
7 -- hopefully direct councils or the Scottish Government
8 in another direction, to always make sure that the right
9 care is being given to the people that we are tasked to
10 be looking after.

11 Q. Towards the bottom of page 3, you are asked the
12 question, question D in the Section 21, request as to:

13 'The attitude to discipline, including restraint.'

14 We will look at restraint shortly.

15 Your response is:

16 'From our research, we have concluded that the
17 attitude to discipline at the establishment was in
18 keeping with the times.'

19 You make reference to certain documents, and, in
20 particular, the 2000 booklet. Do you have any
21 documentation prior to 2000 that would provide some
22 guidance on how discipline was being approached?

23 A. Other than what we have provided, you know, I don't have
24 anything else.

25 Q. What you --

1 LADY SMITH: When you go on there, are you referring --
2 because you go on and refer to the Kibble centenary
3 booklet, so is that quotation from an older document?
4 Do you see what I mean?
5 A. Yeah.
6 LADY SMITH: Rather than being a statement of the position
7 as at 2000, was it quoting from what previously, years
8 before, had been said?
9 A. Yes, it would have been a previous document. That
10 centenary booklet was a history, was put together as
11 a history of the organisation --
12 LADY SMITH: Yes.
13 A. -- so that would have been from previous documents --
14 MR MACAULAY: The centenary would have been about 1969, if
15 the school opened in 1859?
16 A. Yeah, but I think it would have been the 150th
17 anniversary, should be, rather than centenary.
18 LADY SMITH: Mm-hm. Well, the 2000 would be --
19 A. Yeah.
20 LADY SMITH: But what I was exploring with you was whether
21 the point of what was said there was to highlight that
22 at an early stage, there appears to have been
23 an enlightened attitude towards punishment.
24 A. It would seem so, from what we can find here, yes.
25 LADY SMITH: It wouldn't be the only place I have seen it,

1 I have seen elsewhere in relation to a boarding school,
2 an early statement, the first half of the 19th century,
3 that boys weren't to be severely punished, boys weren't
4 to be subjected to corporal punishment.

5 A. Yeah.

6 LADY SMITH: Things changed at that school later on --

7 A. Yes.

8 LADY SMITH: -- but there seems to have been some thinking
9 around, in the first half of the 19th century, that that
10 wasn't the way to treat children who were in residential
11 establishments of any sort.

12 A. Yes.

13 MR MACAULAY: You do point out on the following page
14 an extract from a headmaster's report from 1934 that
15 focused on, for example, at A:
16 'The restriction of adequate punishment.'
17 So there is a focus on the fact that punishment
18 should be controlled?

19 A. Yes.

20 Q. Then you also draw attention to the Children and Young
21 Person Approved School Rules 1961, which of course would
22 apply to all approved schools. But as you point out in
23 this report at page 6, what is clear from the 1961 rules
24 is that corporal punishment within approved schools was
25 viewed as a last resort?

1 A. Yes.

2 Q. Now, that was what the rules lay down. What happened in
3 reality may be a different matter, but at least that was
4 the rule?

5 A. Yeah.

6 Q. You draw attention to a note in the obituary of a former
7 headmaster, who had been the headmaster for 30 years,
8 that he was one of the first in residential care to ban
9 corporal punishment?

10 A. Yes.

11 Q. Now, you go on, on page 7, to talk about restraint.
12 Again we heard from 'Robert' yesterday how the approach
13 to restraint evolved at Kibble, and, as he said, this is
14 a difficult area. Is it still a difficult area?

15 A. Yes.

16 Q. Have matters moved on since the time when 'Robert' was
17 involved?

18 A. Yes, Kibble still operates under the safe crisis
19 management, which was mentioned yesterday, and the
20 change from TCI. I think it was referenced yesterday
21 that the change was partly born out of being able to
22 look at the data that is drawn and to look at the --
23 ensure best practice is always followed.

24 It is also the case with SCM that it is absolutely
25 the least restrictive, and, you know, restraint is only

1 used very much as a last resort.

2 LADY SMITH: I do remember the reference to reliance on data

3 yesterday. Do you know what these particular data

4 record?

5 A. All the different instances of restraints or any time,

6 any -- whenever SCM is used throughout the organisation.

7 LADY SMITH: How does that tell me that these data help to

8 guide decision making as to what type of restraint

9 practice there should continue to be or there should be

10 in the future, do you see what I mean?

11 A. Yeah.

12 LADY SMITH: You can record how many times a child is

13 restrained, and how many in a particular way --

14 A. It records --

15 LADY SMITH: -- but that doesn't tell you how appropriate or

16 effective it is.

17 A. So to record why --

18 LADY SMITH: Right.

19 A. -- you know, what was done, what happened beforehand,

20 you know, what led up to it. What was done immediately

21 afterwards, you know, life space interview with the

22 young people to be done as soon as possible, to continue

23 as far as possible with relationships with the young

24 person and the carers. So it's what happened before, to

25 understand, and to allow our staff to understand what

1 they are doing and how they are working together as
2 a team to prevent these things from happening in the
3 future and to inform for that individual that was
4 involved, how can we make sure that these things don't
5 happen in the same way that would just possibly lead to
6 a further restraint at some point in the future. So
7 developing their care plans as well.

8 LADY SMITH: So one should also be able to see from these
9 data whether there is a reduction in the number of
10 occasions when restraint --

11 A. Yes.

12 LADY SMITH: -- happens at all?

13 A. Yes.

14 LADY SMITH: Will they also track whether, in the case of
15 the individual child, there are further occasions?

16 A. Yes.

17 LADY SMITH: Right. Thank you. That helps me understand.
18 Mr MacAulay.

19 MR MACAULAY: I think we heard from 'Robert' yesterday that
20 this is certainly an area where young persons in the
21 past at least have complained about the manner in which
22 they have been restrained. Is that still something that
23 happens?

24 A. That can happen, yes.

25 Q. We heard certainly of two instances where one young

1 person had a broken wrist, I think, and another a broken
2 leg. Again, do children/young persons in the course of
3 restraints even now suffer injuries?

4 A. Fractures, thankfully, are very, very rare. There may
5 be some injuries, but all of that, you know, all of
6 that's recorded and taken into account to ensure that it
7 is the least restrictive method that is being used to
8 prevent these injuries, because in the first place, the
9 whole point of SCM is to prevent injury, further injury,
10 to the young person and to make sure that they are not
11 a danger to themselves or to others, and so it clearly
12 wouldn't be correct if, as a result of these things,
13 that young people are, you know, suffering injury.

14 Q. You were also asked about the numbers of children who
15 were cared for at the establishment over a period of
16 time, and I think you have told us what the position is
17 today. Did you mention the number of 160?

18 A. Yes.

19 Q. I am now looking at page 9, and you have produced
20 a document indicating over time what these numbers might
21 have been, and this is at KIB-000000122. That's now on
22 the screen. I will take just you through that. Do you
23 recognise the document?

24 A. Yes.

25 Q. How is this compiled, what --

1 A. By looking through the records that we have.

2 Q. You have covered the period, I think, from 1930 to,

3 I think, let me just get this. Yes, to 2014, because

4 I think that was the period you were asked about --

5 A. Yes.

6 Q. -- in the Section 21 request.

7 Can we see then that the fluctuation in numbers in

8 that particular period, that 35 would appear to have

9 been accommodated, for example, in 1930, and this would

10 have been the old school, if we can call it that. We

11 see the fluctuations over the years.

12 If we turn over to the next page, can we see that in

13 1976 the numbers are up to about 121. Again, would that

14 be in the old school?

15 A. Yeah, it would be.

16 Q. As we go through to more recent times, can we see that

17 into the 1990s, the late 1990s, we are into the hundreds

18 again?

19 A. Yes.

20 Q. The last, I think, number you give us is 102 for 2014?

21 A. Yes.

22 Q. Now, that number for 2014, would that be for residential

23 and secure care?

24 A. Yes. There would be fostering service at that point as

25 well, I think. But there would be, from what was

1 described yesterday, and I mentioned earlier, the
2 watershed moment of 1996 and the change in the
3 organisation.

4 Q. Yes.

5 A. Then moving into -- moving out of just the Paisley
6 campus, the original campus, into firstly the community
7 of Paisley with houses, and then further afield in the
8 west of Scotland.

9 LADY SMITH: When you said that would be fostering as well,
10 would that be the linked fostering that was referred
11 to --

12 A. Yeah, intensive fostering, yes.

13 I would need to check the exact date as to when the
14 fostering service started --

15 LADY SMITH: Okay.

16 A. -- it may have been after 2014.

17 LADY SMITH: If you were talking about linked fostering,
18 that meant that the child might be both fostered and in
19 the residential school, or what?

20 A. No, that's not my understanding. The fostering service
21 provides wrap-around care around the foster family, so
22 when the young person is placed, our fostering service
23 provide them with care. The way it was described
24 yesterday was almost akin to residential care.

25 LADY SMITH: Yes.

1 A. But it's more the young person is still staying, you
2 know, with that foster family, but if there's issues, if
3 there's problems, Kibble fostering staff can go and
4 provide support to the family and young person, provide
5 respite at times, but it's not -- it's not -- it's not
6 one day you're in residential and then the next you're
7 in foster, or vice-versa. It's providing the care that
8 we would be able to provide in a residential setting,
9 with a family.

10 LADY SMITH: Yes, so you have the back up of the whole
11 Kibble organisation --

12 A. Yes.

13 LADY SMITH: -- and if, as you say, for example, there is
14 a recognition that some respite is required, an option
15 might be that the child resides within Kibble --

16 A. With another foster family.

17 LADY SMITH: Or with another foster family?

18 A. Yes, yeah.

19 LADY SMITH: If you couldn't find another foster family,
20 would the child ever go into one of the Kibble places,
21 one of the Kibble buildings?

22 A. The possibility is there. I'm not aware of that
23 happening.

24 LADY SMITH: Okay, thank you.

25 MR MACAULAY: Thank you.

1 In that response at E on page 9, as I think we are
2 aware, the organisation solely cared for boys throughout
3 much of its existence. I think, at the very outset, it
4 was thought that it would be boys and girls, but in fact
5 it was only boys.

6 But then at 2011, you say girls were first admitted.
7 Now, were they admitted at that time into the secure
8 unit?

9 A. The residential school.

10 Q. And the residential?

11 A. No, just the residential.

12 Q. Just the residential?

13 A. I think so.

14 Q. The position now is that there is a mix of boys and
15 girls?

16 A. Yes.

17 Q. In relation to the placement of children with Kibble,
18 you are asked generally about that, and you provide
19 a historical account of how children were placed. For
20 example you tell us that the placement of young people
21 has followed the legislation that was in effect at that
22 particular period of time, and you draw attention to the
23 Children Act 1908, that placement between the periods of
24 1930 to 1934 were under the direction of the courts, the
25 children went to court and would then, as a result of

1 the court sentence, come to a place like Kibble?

2 A. Yes.

3 Q. You draw attention to an admission record of a boy who

4 was sentenced at Kilmarnock Court on [REDACTED] --

5 LADY SMITH: Which year?

6 MR MACAULAY: I was about -- yes, do we have it? The year

7 is probably in the appendix.

8 LADY SMITH: Which I don't have.

9 MR MACAULAY: Certainly it is within the period 1930 to

10 1934. Can you help on that?

11 A. I presume it's within that period, yes.

12 Q. Okay.

13 LADY SMITH: Right, okay, we will find it.

14 MR MACAULAY: We will find that.

15 This boy, according to what I have looked at, was

16 convicted on two charges of theft and he was sentenced

17 to three years. So the records do bear out that that

18 was the way matters were dealt with at that particular

19 time?

20 A. Yeah.

21 Q. You go on on the following page to explain how the

22 Scottish Education Department were involved in placing

23 children and you draw attention to particular instances

24 that you have drawn from your records, and then you say:

25 'Following on from the introduction of the Social

1 Work (Scotland) Act 1968, Kibble became a List D school,
2 following ...'

3 LADY SMITH: This is on page 10.

4 MR MACAULAY: This is on page 10.

5 LADY SMITH: Yes.

6 MR MACAULAY: '... following implementation of this Act.

7 A key feature of this transition was a shift in power
8 from approved schools headmasters to the newly created
9 Children's Hearing System.'

10 As we know, this resulted in placements falling
11 under the direction of the Children's Hearing System.

12 You say:

13 'Significantly, there was a significant period from
14 1971 onwards where Strathclyde Regional Council and
15 Glasgow City Council were using Kibble as one of their
16 single service providers, with placements being directed
17 by these respective organisations.'

18 And that meant that these councils had exclusive use
19 of Kibble's services, is that correct?

20 A. That's my understanding, yes.

21 Q. Do I take it from that that there were not any
22 placements that came through other local authorities?

23 A. I don't think so at that time, yeah.

24 Q. You have told us already about the formation of the
25 Kibble Education and Care Centre 1995 and you say in the

1 final paragraph there:

2 'From 1999 onwards, under the Children (Scotland)
3 Act 1995, the placement of children within Kibble has
4 rested with the UK local authorities and sentenced
5 secure placements through the Scottish Government.'

6 A. Yes.

7 Q. 'Importantly, from 1995 onwards, Kibble Education and
8 Care Centre has been able to refuse and/or terminate
9 child placements, which was not open to them prior to
10 this date.'

11 You have touched upon that already. Can you give me
12 some sense as to in what situations would you refuse to
13 allow a child to come to Kibble, when a local authority
14 wanted to place the child there?

15 A. We are generally seen -- it was referenced yesterday as
16 well, but we are generally seen as a place that has the
17 ability to provide a high level of care and support for
18 young people. But there are times that, whatever
19 particular issues the young people have that might be
20 coming, that we are not able to cater for that. We will
21 say we are not the best place for whatever issue.

22 One possible example in the past, which is something
23 that we have taken steps and continue to do to allow us
24 to look after more young people is young people that
25 have autism. So we are embarking on a large piece of

1 work in training staff to make sure that we become
2 a registered centre to look after young people in that
3 circumstance. Previously that would have been a reason
4 for Kibble to say we could, but we probably are not the
5 best place to look after that young person.

6 LADY SMITH: What happens if the circumstances include that
7 for Kibble's finances, it would be helpful to take the
8 young person, because that's another lot of fees coming
9 in?

10 A. That's never a factor. You might think I would say
11 that, but it's absolutely never the case.

12 LADY SMITH: Well, you know it was covered yesterday.

13 A. Yes.

14 LADY SMITH: And, of course, as you rightly anticipate, you
15 would say that, but what do you do to ensure that that's
16 not the way people think? People in the organisation.

17 A. (Inaudible).

18 LADY SMITH: Yes.

19 A. The way we operate is to provide the best possible care
20 for all the young people that we have, and to provide
21 the best possible services. In my experience, that has
22 meant that Kibble is looking after a lot of young
23 people, and any circumstances that it would be a case
24 of, you know, we are going to take a young person
25 because of the place and the fee is necessary, never

1 enters into the thought process of any part of the
2 organisation. It is always, going back to that original
3 mission of, you know, Miss Kibble, it truly is
4 a mission-led organisation.

5 LADY SMITH: Mr MacAulay.

6 MR MACAULAY: I think, as you are presenting it, and I fully
7 understand what you are saying, Kibble, you say, is like
8 the Rolls-Royce involved in the care of children, that's
9 your position --

10 A. Yes.

11 Q. -- because you say you are top of the tree, so to speak?

12 A. Yes.

13 Q. Now, if you were to refuse a child to come to Kibble,
14 with all its expertise, because you took the view it
15 wasn't an appropriate placement, would there be a risk
16 of that child being placed in a more inferior placement?

17 A. We would hope not, because of the support that we would
18 give to that placing organisation. But if we cannot, in
19 all conscience, provide the best care we know that we --
20 and this is in a very, very limited number -- if we know
21 that we don't have the care necessary, it wouldn't be
22 right to just take and look after that young person.

23 Q. Well, you go on to talk about, this is at G on page 10,
24 in response to the question:

25 'What provision was made for contact between

1 children and their families whilst children were at the
2 establishment?'

3 You say:

4 'That contact was a significant priority, but
5 specific records for the period prior to the creation of
6 the Kibble Education and Care Centre in 1995 supporting
7 this in practice are not available.'

8 So you have records that indicate how this has been
9 managed since then, but not before then?

10 A. Yeah.

11 Q. What you point out are the provisions of the 1961 Act
12 that do specify that pupils should be encouraged to stay
13 in contact with their families?

14 A. Yeah. I mean, I listened to the evidence on Wednesday
15 and one of the applicants mentioned about going home at
16 the weekend, and that was explained to me, you know, and
17 now a lot of times young people are not always at home
18 at the weekend, because of the circumstances from their
19 home life, but previous to that, home leave was -- going
20 back to home at the weekends was fairly regular.

21 Q. What you tell us on page 12, at (iii) is that certainly
22 since 1966, great emphasis has been placed on family
23 contact and home leave, regular telephone calls and
24 visits and so on.

25 What if there is a young person who does not have

1 family back up, what happens then?

2 A. They are looked after by the care staff at Kibble.

3 Q. Are there such persons?

4 A. Oh yeah, yeah. Kibble, I think it was mentioned

5 yesterday, Kibble has never closed its doors since the

6 day it opened and that remains to be the case.

7 Q. If we perhaps look at page 14, and the issue of

8 aftercare, the question at L is:

9 'The process for a child leaving the establishment

10 and the extent to which aftercare was provided.'

11 What you say there is:

12 'From the available records [this is the second

13 paragraph] we are of the view that aftercare was seen as

14 a crucial aspect of the placement of the child.'

15 You have pointed to some examples historically of

16 that being the case; is that correct?

17 A. Yes.

18 Q. Moving on, then, to page 15, and there you set out some

19 further examples of continual contact with Kibble, after

20 the child has left Kibble, you provide three examples,

21 but then you say:

22 'Following the introduction of the Children's

23 Hearing System in April 1971, local authorities played

24 a significant factor in the length of stay and the after

25 care of the child as they funded the placements in the

1 establishments and were the case managers for the child.
2 The movement of children within the care system invoked
3 the need for local authorities to be the primary case
4 managers as opposed to the establishments themselves.'

5 Are you saying there that after the introduction of
6 the Children's Hearings System, and after the 1968 Act,
7 and the duties that were placed on local authorities by
8 that Act, that really the onus for aftercare rested with
9 local authorities?

10 A. Yes.

11 Q. As far as Kibble was concerned then, were they off the
12 scene, so to speak?

13 A. Yes, that's my understanding. You may go on to this, it
14 is markedly different today in terms of how Kibble keeps
15 in contact with --

16 Q. Well, that's the post-1995 situation?

17 A. Yeah.

18 Q. But prior to that, the onus was on local authorities --

19 A. Yeah.

20 Q. -- through no doubt to the social work departments, to
21 keep in contact --

22 A. Yes.

23 Q. -- with children who had been placed in places like
24 Kibble?

25 A. Yes.

1 Q. We have heard evidence, broadly, that children would
2 leave a List D school, go back to their home
3 circumstances and fall by the wayside because there was
4 no support?

5 A. Yeah. That's partly, again from yesterday you heard in
6 evidence about the wish to make those changes, and, post
7 1996, to make sure that connections with young people,
8 or support as they grow older and grow out of the care
9 system, it's something that Kibble put in place.

10 Q. I think you say, certainly in your precognition, that
11 post 1996, Kibble acquired properties in Paisley to
12 support children --

13 A. Yeah.

14 Q. -- to prepare for life in the community?

15 A. Yes.

16 Q. That's the position nowadays?

17 A. Yes, and it is now the largest part of the organisation
18 and the work that Kibble does with young people while
19 they are in the community, rather than in secure or
20 residential.

21 Q. Do you have a sense as to how successful Kibble is being
22 in preparing young persons for the community and that
23 preparation bearing fruit?

24 A. It can be difficult. The young people we look after
25 have, you know, challenges, and backgrounds, traumatic

1 backgrounds, that they come from create the issues. We
2 -- again, yesterday, the description of the array of
3 services that Kibble has from the safe centre, which is
4 the secure unit, to our young workforce development,
5 and, as I mentioned, our connection with St Mirren
6 Football Club.

7 So you can have a young person that first of all is
8 looked after by Kibble in the secure unit, and then can
9 move to different parts of the organisation from
10 potentially residential, and then in a house in the
11 community, and then job training, and then a job, and
12 then being able to be given a tenancy, whether that's
13 within the local area, Renfrewshire, or greater
14 Renfrewshire area, or back to where they were from.

15 Our aim is from as far as possible we can -- the
16 staff that they encounter on day 1 can follow that young
17 person going through the different iterations of the
18 support that the Kibble provides.

19 That is sometimes difficult to do, just from
20 a staffing structure, but that is the aim of the
21 organisation; that they will have the same support, the
22 same people, the levels of support they require and the
23 training that they require to then get them to the point
24 that they have a stable home life, tenancy and a job.

25 Q. What I am asking is -- I fully understand the steps that

1 Kibble have been taking -- are there instances where,
2 notwithstanding all these efforts, the young person, if
3 I can put it this way, falls by the wayside, for example
4 commits a crime?

5 A. Yes, there will be, yes.

6 Q. Do you have data on that, or is that simply anecdotal?

7 A. Anecdotal, because it is difficult to -- it is difficult
8 for Kibble to track the young people. We do, as far as
9 possible, in terms of using social media and keeping in
10 contact, but that is down to whether the young person
11 wants to keep in contact with the organisation --

12 Q. Yes.

13 A. -- rather than us being able to follow them through the
14 different points of their life.

15 Q. I suppose the short point is there is only so much you
16 can do?

17 A. Yes.

18 Q. You are asked a question on page 15 about the numbers of
19 staff employed with responsibility for residential care
20 services for children at the establishment, and the
21 experience/qualifications held by such staff.

22 You are focusing here on the period between 1996 and
23 2014, and you identified 319 staff over that period.
24 You have given us a much updated figure now in relation
25 to that. But what you say is:

1 'From the available records, it is difficult to
2 ascertain the exact qualifications and experience of all
3 staff. However, records reflect that the qualifications
4 of the staff included ...'

5 You provide us with the qualifications. But there
6 are you looking at staff post 1995/1996?

7 A. Yes.

8 Q. You don't have any records to indicate --

9 A. Prior to that.

10 Q. -- what qualifications, if any, the staff had prior to
11 that?

12 A. Yes.

13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 Q. You provided the names and the dates, for example, [REDACTED]

19 [REDACTED] SNR

20 SNR [REDACTED] in the 1960s, [REDACTED]

21 [REDACTED] -- SNR [REDACTED] for

22 [REDACTED] years?

23 A. Yeah.

24 Q. Have you read the statement that has been provided by

25 'Connor'?

1 A. Yes.

2 Q. It's entirely a matter for Lady Smith to assess that,
3 but 'Connor', who was in Kibble in the mid 1960s, he
4 said that he was sexually abused by SNR [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 A. Yes.

9 Q. And I think he was also abused by another staff member.
10 But clearly SNR [REDACTED], even 'Robert' who gave
11 evidence, they clearly devoted significant periods of
12 time to that particular [REDACTED]?

13 A. Yes.

14 Q. Can I then move on to questions that focus on whether
15 there is information or records available in relation to
16 allegations of abuse. If we turn to page 22, this is
17 question S:

18 'The nature of abuse and/or alleged abuse of
19 children cared for at the establishment during the
20 relevant period for example, sexual abuse, physical
21 abuse, emotional abuse.'

22 What you say there is:

23 'The available records have identified that there
24 are 33 instances where an internal investigation was
25 carried out into allegations of abuse over the relevant

1 time period.'

2 Am I right in thinking that in subsequent responses,
3 you have clarified that to indicate there are probably
4 about 35?

5 A. Yes.

6 Q. We needn't look at these. Then you go on to say:

7 'The nature of those records are such that we are
8 unable to identify the source of those allegations. We
9 have collated the available information being; the date
10 of the allegation, the staff member against whom it was
11 made, the nature of the allegation, into a spreadsheet.'

12 I think also that spreadsheet has been updated to
13 reflect the change.

14 Are you able to say what the outcomes of these
15 internal investigations were?

16 A. Not in detail at the moment, because some of the
17 information was lacking, or incomplete.

18 Q. If I could look at this document, I think you produced
19 as appendix 55, it is KIB-000002689. Is this the
20 spreadsheet that you have produced -- clearly names have
21 been blocked out, but do you set out on the right-hand
22 side the nature of the allegation that was being made?

23 A. Yes.

24 Q. For example, are you able to read the first couple of
25 references?

1 A. Yes.

2 Q. Do we read the first reference, November 2007,
3 allegation of young person feeling threatened?

4 A. Yes.

5 Q. Again, at March 2008, allegation of assault by a young
6 person.

7 Am I right in thinking, leaving aside, I think,
8 perhaps a couple of entries, that these allegations
9 relate to the period, really, post 2000?

10 A. Yes.

11 Q. We can see that the third entry down, 1973 to 1976, and
12 then the following entry, 1985, but I think, apart from
13 those entries over the next few pages -- and there are
14 a number of pages -- these are much more recent --

15 A. Yes.

16 Q. -- allegations. Would each of these allegations be
17 investigated?

18 A. I would hope they would have been, yes.

19 Q. Yes, but would you have a record, as I asked earlier, of
20 what the outcome was?

21 A. I'm not aware of that at the moment. As to whether or
22 not the records were as complete as providing that
23 outcome, or whether sometimes the outcome would have
24 been that the investigation took place, and sometimes
25 allegations are withdrawn, and if they aren't, they

1 should have been then dealt with appropriately.

2 Q. Are you able to tell me if any allegation was upheld?

3 A. Right here now I can't speak to that, no.

4 Q. Is that something --

5 A. From my memory.

6 Q. Pardon?

7 A. From my memory at the moment.

8 Q. But from records -- I wouldn't expect your memory to do

9 that, but from records, I think you tell me, you are not

10 in a position to be able to tell me now what that was.

11 Is that something that you can perhaps go and think

12 about?

13 A. Yes, yes.

14 LADY SMITH: You have also mentioned the possibility of

15 an allegation having been withdrawn. Are you able to

16 say whether there was a practice of recording the reason

17 for any such withdrawal of allegations?

18 A. Yeah, as far as possible, if that reason is given, yeah,

19 I would hope that, certainly something that happens now,

20 that that reason for it being withdrawn is recorded,

21 yes.

22 LADY SMITH: Would it be explored?

23 A. It should have been.

24 LADY SMITH: The young person might have been put under

25 pressure, for example.

1 Thank you.

2 MR MACAULAY: Just to be clear then, as far as the answer to

3 question S is concerned, you have identified 35 internal

4 investigations carried out into allegations. If you

5 look at question T in relation to:

6 'The number of children who have made complaints (at

7 any time) ...'

8 The number you have there is 33, but have you

9 updated that in fact to 77, following upon further

10 information?

11 A. Yes.

12 Q. Do I take it that out of the 77 complaints, that there

13 have been these 35 investigations, or do I have that

14 wrong?

15 A. There would have been investigations into the remaining

16 40 or so. There would have been investigations.

17 Q. There would have been?

18 A. Yes.

19 Q. Again, if I could then ask you to consider and reflect

20 on, in relation to these complaints and the subsequent

21 investigations, what the outcomes may have been?

22 A. Again, it could be that, as I said, complaint is

23 possibly withdrawn, or hopefully, as Lady Smith said,

24 that that is in itself recorded, and looked at, and

25 reflected upon, or action, appropriate action, is taken.

1 Q. We did hear yesterday from 'Robert' of some examples of
2 complaints being made. I assume these complaints will
3 be covered by this information. One example, for
4 example, was complaints being made against three members
5 of staff who were subject to a police investigation,
6 a prosecution and were exonerated?

7 A. Yes.

8 Q. That's one example of the outcome. I think we would be
9 interested to see what the outcomes of other examples
10 might be.

11 A. Yeah, okay, I will endeavour to provide that.

12 Q. But at least we are seeing here that in the 2000s that
13 children are complaining?

14 A. Yes, and being heard.

15 Q. I'm sorry?

16 A. And being heard.

17 Q. Yes. Whereas perhaps in the past, certainly from
18 evidence that the Inquiry has heard, that may not have
19 been the position. I think we have heard evidence that
20 children tended not to complain because they did not
21 expect to be heard.

22 The other area you cover -- I am not going to look
23 at this in any particular detail -- is the response that
24 Kibble have made to the framework document. Were you
25 involved in that response, or at least have you

1 considered what the response is?

2 A. Yes.

3 Q. I will put the framework, I will put that on the screen,
4 just -- I don't propose to dwell on it, but just so we
5 can see how careful you have been in responding to that
6 document. That's at KIB-000002599.

7 LADY SMITH: Mr MacAulay, just for the transcript, we should
8 perhaps record the framework document is an Inquiry
9 document --

10 MR MACAULAY: It is, yes.

11 LADY SMITH: -- setting out what the Inquiry had before
12 these hearings identified as some essential features of
13 the history of provision at Kibble.

14 MR MACAULAY: Yes.

15 LADY SMITH: If I can put it that way.

16 MR MACAULAY: That, can I say, Mark, is important. The
17 framework document is not a set of findings, it's
18 information that the Inquiry has gathered from
19 information supplied to it, and we are not in any way
20 guaranteeing the absolute accuracy of what's set out in
21 the framework document. Just to take the example you
22 give at paragraph 2 on the first page of the response,
23 in the framework document there's a sentence which says:
24 'In 1996 it became the Kibble Education and Care
25 Centre, which includes residential, secure and

1 specialist services.'

2 You point out, as we have heard in evidence, in fact

3 that was in 1995.

4 LADY SMITH: Yes.

5 MR MACAULAY: What you have invited the Inquiry to do is to

6 amend the framework document. Can I say, that's not the

7 purpose of the framework document. We don't amend it.

8 We ingather the information and then when Lady Smith

9 comes to make her findings, if the response you have

10 made to the framework document is accepted, then clearly

11 that will impact upon the findings. I just wanted to be

12 clear --

13 A. Okay.

14 Q. -- that that's the way that that works.

15 Can I finally, actually, turn to evidence that the

16 Inquiry has heard, and clearly we do not have

17 an applicant who is relevant, essentially, to the

18 post-1995 era. But you will have been present when

19 'Iain' gave evidence yesterday?

20 LADY SMITH: I think it was two days ago, wasn't it?

21 MR MACAULAY: It was two days ago.

22 A. It was.

23 LADY SMITH: Yes.

24 MR MACAULAY: Were you present then?

25 A. Yes.

1 Q. You were. And also 'Graham', and I think --
2 LADY SMITH: That was the same day.
3 MR MACAULAY: That was the same day.
4 A. Yes.
5 Q. I think it is right to say 'Iain' covered the period
6 from the 1960s and 'Graham', perhaps, into the 1970s.
7 'Iain' talked about the fact of how there was
8 physical abuse by boys, particularly in the gymnasium,
9 ignored by staff, you will recollect that evidence?
10 A. (Nods)
11 Q. There was, in particular, sexual peer abuse that he was
12 made to witness, that he says that staff would have
13 known about, and he also described a gang culture at
14 Kibble.
15 'Graham', he said he was sexually abused by staff,
16 he was physically abused and there was a culture of
17 physical abuse generally.
18 You haven't heard, but you have read, that
19 'Connor's' evidence, who in the mid 1960s was sexually
20 abused by SNR and another staff member, and
21 also sexually abused outwith Kibble on a grouse beating
22 event.
23 'Andy', who was in the 1970s I think -- no, sorry,
24 it was 1990, he talked about physical and psychological
25 abuse.

1 Of course, it is entirely for Lady Smith to make of
2 that evidence what she will, but if that is accurate,
3 and it is a snapshot, but, for example, 'Iain' and
4 'Graham' are talking not only about themselves, but
5 about other children, what's your reaction to that, if
6 it is accepted?

7 A. It's appalling. The chance I had to listen to those two
8 gentlemen was humbling, erm, and listening to the detail
9 that they were able to give, and the harrowing evidence
10 that they provided, it's something that should never
11 have happened and it's the reason why, hopefully, we do
12 what we do now to prevent anything like that happening
13 to young people now and into the future.

14 Q. If we go back, then, to the original response to the
15 Section 21 Notice, that's at KIB-000000002, page 23,
16 towards the bottom there.

17 Yes, if you just go up a little bit, please. Thank
18 you. A bit further. Yes, to the question. The
19 question AA, you are asked:

20 'The extent to which there were systemic failures to
21 protect children cared for at the establishment during
22 the period of the organisation's involvement, the basis
23 for such assessment and the explanation for such
24 failures.'

25 The response is:

1 'From the available records and research carried out
2 to complete both this and the previous Section 21
3 response, it is difficult to identify any systemic
4 failures to protect children cared for within the
5 establishment.'

6 That contention has been in the context, of course,
7 of what you looked at and what was available to you, but
8 if you look at the picture that was presented, has been
9 presented by these applicants, covering quite a period
10 of time, if that's a correct picture, would that suggest
11 to you that, at least in the past, there must have been
12 systemic failures?

13 A. There were certainly failures when you listen to those
14 two gentlemen, or you read the other evidence that has
15 been provided to the Inquiry, there was clearly
16 failures, yes.

17 Q. Would you say these were failures in system? By that
18 I mean the systems weren't there to protect children in
19 various obvious situations?

20 A. It clearly failed to protect, from the evidence that's
21 provided. The other parts that, when we look at the
22 records that we have, whether that's to do with corporal
23 punishment, or, you know, the limited use of and
24 adhering to the rules of the time and the time period,
25 then it would suggest that systems were in place to

1 prevent such things, but clearly these men have given
2 testimony, powerful testimony, that shows that they were
3 certainly failed, and the system should have been more
4 robust to prevent that from taking place.

5 Q. One of the allegations being made is indeed against [REDACTED]
6 [REDACTED]?

7 A. Yes.

8 Q. SNR [REDACTED].

9 That's not -- if I may say so, that's not an unusual
10 finding, findings within this Inquiry, that it's the
11 people [REDACTED] that set the culture.

12 What you say in your precognition, Mark, and we
13 don't have it yet on the system, but I will just read
14 this out, it is paragraph 22.4:

15 'Kibble would like to express its deepest sympathies
16 to all those who have been affected by abuse of children
17 in care in Scotland, including those who the Inquiry has
18 heard and will hear evidence from. We recognise that
19 the giving of evidence is likely to be both challenging
20 and emotional in equal measure and Kibble acknowledges
21 immediately the very considerable courage which will
22 have been required.'

23 Do you extend that apology to those who were abused
24 when in the care of Kibble?

25 A. Of course, yes.

1 MR MACAULAY: Very well, Mark, you have answered all my
2 questions, thank you very much indeed for that.

3 Is there anything else you would like to say
4 yourself?

5 A. The one thing I would like to say is to extend thanks
6 from Kibble, from myself and from Kibble, to allow us to
7 provide, as far as possible, the information that we
8 have given to the Inquiry, and to recommit to Kibble as
9 an organisation helping to support the work of the
10 Inquiry, and any findings that you, yourself,
11 Lady Smith, that come out of this Inquiry, that we will
12 be working tirelessly to ensure that those findings are
13 upheld and we can do all we can to keep young people
14 safe and look after them as best as we can.

15 MR MACAULAY: Thank you. Thank you for that.

16 Thank you, indeed, for coming and responding to my
17 questions.

18 My Lady, I haven't been sent any further questions
19 to be put to Mark.

20 LADY SMITH: Mark, my thanks as well for engaging with us as
21 helpfully as you have done and taking care to answer the
22 questions that we have had from you in the way that you
23 have. You have undertaken to do some follow up, and
24 I appreciate that, and something else you mentioned was
25 on the engagement you have with OSCR at the moment to

1 look into changing your status in some respect.

2 A. Yes.

3 LADY SMITH: No doubt you will keep us updated --

4 A. Absolutely.

5 LADY SMITH: -- on that, would be helpful too.

6 Otherwise, it just remains for me to wish you well

7 in your continuing endeavours, and that they are indeed

8 able to be, as you have just stated, to do the best for

9 children who need your help.

10 A. Thank you.

11 LADY SMITH: Thank you very much. You are able to go now.

12 A. Thanks.

13 (The witness withdrew)

14 MR MACAULAY: My Lady, perhaps we take the mid-morning

15 break --

16 LADY SMITH: Yes.

17 MR MACAULAY: -- and restart with read-ins.

18 LADY SMITH: Then we will start with read-ins after the


19 break.

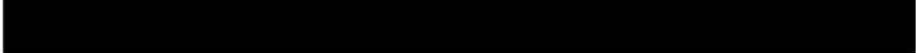
20 Thank you very much.

21 (11.23 am)

22 (A short break)

23 (11.45 am)

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9 Which statement are we going to?

10 MS MACLEOD: My Lady, the first statement that I propose to

11 read in is that of an applicant who will use the

12 pseudonym 'Sandy'.

13 LADY SMITH: Thank you.

14 'Sandy' (read)

15 MS MACLEOD: The statement is at WIT-1-000000879.

16 LADY SMITH: Thank you.

17 MS MACLEOD: This relates to St Mary's.

18 LADY SMITH: Thank you.

19 MS MACLEOD: 'My name is 'Sandy'. I was born in 1972.

20 I was born in Glasgow. I have two brothers and sisters.

21 I had a chaotic family life. There was a lot of

22 drinking and a lot of drugs.

23 'I can't remember if the social work was involved

24 with my older brothers and sister before me, or if it

25 started with me. I think my mum refused help from the

1 social work.

2 'I am [REDACTED] and because of this I went to
3 a special school.'

4 'I initially went to a normal primary school. They
5 transferred me because I was having trouble reading the
6 blackboard.

7 'When I used to get the bus to primary school the
8 driver let me sit at the front of the bus. This went on
9 for a while. I couldn't read or write at the time and
10 one day the driver passed me a letter. I thought it was
11 for my mum and dad, so I took the letter home and gave
12 it to them. Before I knew it there were police the at
13 the door so I couldn't understand what it was about.
14 Apparently the letter stated that I was to meet the
15 driver at a time and place, I was about 9 years old.
16 The police went to the place and picked him up and he
17 ultimately went to jail because of it. I can't remember
18 the police ever speaking to me. I don't know the
19 driver's name. I can't even remember what he looked
20 like.

21 'At the time I thought it was great getting the bus.
22 The people were seeing me getting off it and obviously
23 they knew it was a special bus. They would constantly
24 call me names and there was violence involved.

25 'I started sniffing glue when I was about 12 because

1 I wanted to fit in so that I wouldn't be bullied. I met
2 a bunch of boys from the scheme who were sniffing glue
3 so I started doing it too. I fitted in with them and
4 I wasn't getting bullied. It took me away from
5 everything, it was an escape.

6 'I was never in the house, I was out all the time
7 sniffing glue so I don't know if there was any social
8 work involvement. My dad was drinking a lot and I was
9 with him most of the time. My mum took care of my
10 brothers and sisters and my dad took care of me. My mum
11 fed the other four and I had to wait until dad came home
12 to get my dinner. That started when I went to secondary
13 school. I don't know why, maybe because I was sniffing
14 glue and I was probably a handful. I was with my dad
15 all the time. I went fishing with him, went to Rangers
16 games, I done everything with him so I wasn't too
17 bothered. My mum couldn't handle me, or didn't want to.

18 'I went to St Mary's Kenmure in Bishopbriggs for
19 about six to eight months around 1986 or 1987. I think
20 foster care was before St Mary's. I remember being in
21 the foster home but I don't know how long I was in
22 there. I'm not sure why I went to foster care but it
23 was good. There was no problems with that.'

24 In paragraphs 15 and 16 of the statement, the
25 witness provides some evidence about his time in foster

1 care and confirms that there was no abuse.

2 'I then went to St Mary's because I stole a bike
3 when I was in foster care. I think I was charged with
4 the theft. St Mary's wasn't a prison sort of thing, it
5 was like a remand centre. It was a home for people who
6 haven't been to court yet, like an assessment centre.
7 I don't recall any Children's Panels before going there
8 and I can't remember any social work involvement. All
9 I can remember is that I stole a bike, got charged with
10 it and went to St Mary's.'

11 Admissions records recovered by the Inquiry suggest
12 that this applicant was admitted to St Mary's on
13 [REDACTED] 1988, when he would have been aged 15, and
14 discharged on [REDACTED] 1988, when he would have been
15 16. So he would have been there for around three months
16 or so.

17 LADY SMITH: Thank you.

18 MS MACLEOD: 'From my bedroom at St Mary's you could look
19 out and there was a big massive fence around the place
20 with barbed wire at the top. It was secure. There was
21 a communal garden area and they had a petrol go-kart.
22 You could go through a door and the gym was there. It
23 was a big place. You had your own room upstairs, which
24 was locked at night.

25 'I don't know where the girls were. I think it was

1 a long corridor we were all in, I don't think it was
2 segregated. There were older kids than me there, up to
3 16 I think. There might have been people my age too.
4 There was the yellow room, green room, blue room and
5 they were divided into sections with so many people in
6 one section and so many in another. It's hard to
7 explain, it was all in one and there was a pool table
8 out in the corridor, but divided into groups. There was
9 a quiet room and an office there too. The bedrooms were
10 upstairs. I think there were about 30 people there all
11 together, perhaps maybe a little more. I thought it was
12 the government that ran these places. Even up to a year
13 ago, I thought it was the government, not a religious
14 order.

15 'I can't remember who was in charge at St Mary's.
16 I had a key worker but I can't remember her name. She
17 was tall with blonde hair. She was about 30 years old
18 and really nice. It's not like now where you have a key
19 worker and you have one-to-one time. It was quite
20 chaotic at St Mary's. I don't know what we called the
21 staff.

22 'I can't remember how I got to St Mary's, but
23 I remember walking into it like it was yesterday, but
24 I get confused, because I don't remember people's names.
25 You walked in one door and they locked it, then they

1 opened another door then they closed that too. You went
2 up a small corridor, then opened another door and that
3 was you in the main building. Everybody was nice that
4 day, it didn't last long. I was probably nervous that
5 first day and didn't comprehend where I was. There's
6 only so much I can tell the Inquiry about Kenmure,
7 because I was only there for a short period of time.

8 'We were wakened at 7.30, you made your bed, had
9 a shower then went downstairs for breakfast. You then
10 went into your bubble. You could sit in there, it was
11 like a day room. There were couches and a TV in it. At
12 first I spent all day in the day room. It changed and
13 I started being bullied and put in to my room all the
14 time. I wasn't getting enough food, or getting fed at
15 all, because of older boys were taking it from me.
16 I was getting laughed at all the time and thought it
17 would be better being in my room.

18 'There was nothing in your bedroom, no TV or things
19 like that. I must have had clothes but I can't remember
20 a locker.

21 'We went to the dining room for lunch and dinner and
22 Bill Franks, the cook, made all the dinners. You could
23 make tea and coffee and you could cook something in the
24 day room. It was like a little house, kind of thing,
25 with a kitchen and a TV.

1 'I never got a lot of food, I got egged about it,
2 "You want it, you don't want it", and one of the older
3 boys would come over and take something of mine.
4 I don't know why, maybe because I was so young and I
5 couldn't defend myself. I remember when I went home my
6 dad said I'd lost so much weight. Now I can't stand
7 bullies. I do think about it over the 30-odd years.
8 I go to the gym to work out, because I make sure I'm
9 strong enough and fit enough that what happened to me
10 will never happen again. I do think back on what
11 I could have done better. I blamed myself for years.
12 You think what you could do differently to stop it
13 happening.

14 'There was a shower in your room that you could use
15 when you want. Everybody had their own shower.

16 'There was education there, but I never got to go to
17 classes. I don't know why. There was a gym there and
18 people played badminton, but when I went in they just
19 tried to hit me with a basketball, so I never went back.
20 I went to my room. I don't think you were allowed to go
21 to your room during the day, but I got put to mine.

22 'We didn't have to do any chores and we didn't get
23 any pocket money. There was nothing to do. I just sat
24 at the end of my bed. I couldn't read or write so
25 I didn't look at books. There was no religious

1 instruction and I never got any home leave.

2 'I had no visits from family or social work.

3 I never had any more contact with my foster parents.

4 I can't remember any inspections and there was no review

5 of my time there.

6 'I didn't escape. You couldn't get out. I don't

7 think anybody did when I was there.

8 'I wet the bed quite a lot there. The staff slapped

9 me and threw me in the shower. Even to this day there

10 are times I wet the bed.

11 'I was bullied by the older boys in there.

12 I couldn't understand why, but the staff would just

13 laugh and egg on the bullies. None of them stopped it

14 at all. They would take food from me, turn the TV when

15 I was watching it, walk past me and bump into me. It

16 didn't help that I was hyperactive and loud. It's

17 a coping mechanism. The staff would find it funny.

18 They locked me in my room. The older boys would come to

19 my room window and tap it and turn the light on and off.

20 There was one time I got a letter from my dad. My

21 reading wasn't great so my dad wrote the letter in a way

22 I would understand it. So an older boy opened the door

23 one day, I can't even remember his name now, but he

24 opened the door and told me there was a letter for me.

25 He went to hand it to me, then pulled it away, opened it

1 and started reading it and then burst out laughing. He
2 ripped it up, handed it to me and shut the door.
3 I don't know what the letter said.

4 'Boys would bring my dinner up to me and throw it at
5 me, that kind of thing. At the time I was glad I was
6 locked in my room as I wasn't getting abused physically,
7 but I was mentally. So it wasn't good but better than
8 being in the day room.

9 'Because I used to wear big National Health glasses,
10 they all thought it was funny to come up behind me and
11 flick them off, or pass them round to each other and
12 when I'm not wearing them I can't really see. The staff
13 and the residents thought it was funny.

14 'I was raped three times by the cook Bill Franks.
15 The first time he did this I woke up the next day and
16 there was blood on my sheets. A staff member came in
17 and I thought he would ask what happened, but he went
18 mental at me, saying, "What the fuck is that?", and
19 slapped me on the back of the head and shouted, "I'll
20 need to go and clean this up now". I was sent for
21 a shower and made to have a cold one. When I came out
22 I was going to dry myself and he said, "No, stand in the
23 corner". I stood there and two older boys, I don't know
24 their names, came in and started flicking me with wet
25 towels. I can't remember the staff member's name. He

1 had a moustache and he smoked. He was one of the
2 carers. Nobody even asked me where the blood was coming
3 from.

4 'It all began when Bill came to me and asked if
5 I was okay. He said he had seen what was happening and
6 asked if I wanted him to make it stop. He said he knew
7 that others take my food from me, so he made me
8 sandwiches. That's how it started. I thought he cared.
9 He said he would protect me. He was small, chubby,
10 a black beard and black hair. He had, what I know now,
11 was a chef's jacket on and light blue trousers.

12 'The first time it happened Bill asked if I wanted
13 a Pot Noodle. I said yes. Now the thought of a Pot
14 Noodle makes me sick. I was just sitting and he asked
15 me if I was all right. He took me down to the kitchen
16 and made me a Pot Noodle. There was a big silver table
17 in the middle. I was standing near it and the fridge
18 was at my back. I was eating and he asked me if
19 I wanted him to stop the bullies. I said I did, and he
20 said I would have to do something for him. I told him
21 I had no money, but he said, "No", and pulled my
22 trousers down. I didn't really comprehend what had
23 happened and why it happened. I didn't really think
24 about it. I remember thinking, I wish my dad was here.
25 The next morning there was blood on the sheets and I got

1 really scared. There was never anybody else present.
2 You used to see him taking other people down, so in
3 hindsight, I'm thinking was it just me or were there
4 other people?

5 'The bullying still happened, being flicked with wet
6 towels and cold showers. I was taken to the gym one day
7 and they were all trying to hit me with a basketball,
8 staff and older boys. I was told to stand at a wall
9 while they all took shots at this. It was the same
10 member of staff with the moustache and older boys from
11 the place. A couple of days later Bill approached me
12 and asked me if I wanted Pot Noodle, I said I didn't and
13 he said he had ice cream. By that time I was being
14 bullied again so I said okay, just to get away from
15 that. I went down and he raped me again. The next
16 morning when I woke up I couldn't walk. I had a sore
17 back. I was doubled up with it. The staff saw me, but
18 they just mocked me.

19 'There was one member of staff who once saw me being
20 bullied and went off his head. He shouted at the boys
21 to leave me alone. I can't remember his name, and he
22 asked what was wrong with my back. The staff member
23 with the moustache butted in and said, "He was doing
24 somersaults and landed on his back". I couldn't walk
25 for two weeks.

1 'Bill raped me one more time. After that third time
2 I seemed to leave St Mary's really quickly. In a matter
3 of a week I was home. Bill must have been doing it to
4 other people. I have met people in the state hospital
5 that were in Kenmure after me, but they haven't said
6 anything, and I haven't, so I don't know if he did it to
7 other people.

8 'These people were in a position there to help me
9 and other people want me to trust them that are in the
10 same position. I find it hard to believe that people
11 didn't know what was happening. They had to know.
12 Staff saw him taking me down and I saw other people
13 going down, because I automatically thought, is he going
14 to get what I got.

15 'I spoke with a nurse about Kenmure and there was
16 something online about the De La Salle Brothers and the
17 cook at Kenmure, Bill Franks. He was charged in 1990
18 after two boys came forward stating he had abused them
19 in the seventies. I was trying to remember when I was
20 there, and that's when I started telling this nurse
21 about what happened to me. An advert came on the TV
22 about lawyers and the nurse said I should speak to them
23 and that's when I contacted them. I don't know what I'm
24 expecting them to do. It was over 30 years ago.
25 I think they're investigating it. I said to them, it's

1 not about compensation. I don't want that, I just want
2 to tell people what happened to me. You hear all these
3 things in the news about different places and how big it
4 is and you think, I'm not the only one that's went
5 through this. There's a lot more people been through
6 this that are a lot older than me. I have met so many
7 people that have been to St Mary's who are older than me
8 in the state hospital and I used to think, am I the only
9 one this happened to?

10 'There were other staff members that hit me, but
11 I only remember the one with the moustache. He's the
12 only one I can see.

13 'I didn't tell anyone about the abuse I suffered.
14 I didn't know what was going on. I was being bullied,
15 staff were bad to me, so I thought, where do I go? When
16 I got home my dad asked me if I'd got the letter.
17 I just told him I did. Things happened so quickly when
18 I got home. My uncle abused me and I committed my index
19 offence, so I didn't speak to anyone.

20 'I was told I was leaving St Mary's on the day
21 I left. I can't even remember who took me home. There
22 was no Children's Panels and no reviews. When I went
23 home, everything just went to pot. I was sniffing six
24 pints of glue a day. It was about 2.50 for a pint of
25 glue out of B&Q and places like that.

1 'What happened to me in St Mary's changed me.
2 I shut myself away. My dad would try to give me
3 a cuddle and I'd pull away. I was only there for eight
4 months, it felt like a lifetime. Thinking back now, it
5 totally changed me. A lot happened in that short time.
6 I went back home and it was completely different.

7 'When I was in the state hospital I saw that there
8 was a riot in St Mary's and they were shutting it down.
9 I saw it on the news. I've been told it is for
10 underprivileged kids now.

11 'I got out of St Mary's when I was 15 and a half.
12 I was sniffing glue and I became really aggressive.
13 Sniffing glue took me away from everything. Coming down
14 from it, everything comes back to you, so you take more
15 glue. When I went into the State Hospital, I was only
16 seven stone.

17 'I went home to my parents. There was no follow up
18 from social work that I know of. I went back to school,
19 but got expelled after a short while for glue sniffing
20 and things went downhill. I tried to kill myself but my
21 brother stopped me. It was because of the glue sniffing
22 and the bullying. I didn't get any help, but I didn't
23 go to hospital or anything like that. Maybe I'd had
24 enough. Maybe it was a cry for help.

25 'I started a Youth Training Scheme [YTS] when I was

1 16. My dad took me somewhere and I went to a hostel and
2 they were teaching me how to cook. It was difficult, as
3 I couldn't read and write. It was hard because you had
4 to do forms and they would give you shopping lists and
5 you'd go out and buy stuff, so I found that difficult.
6 I didn't go back because they told me I had to go to
7 college and I couldn't read or write. I just started
8 sniffing glue again.

9 'I was put into Carstairs when I just turned 18 and
10 I was diagnosed with learning difficulties, which
11 I disagreed with from day 1. I started getting educated
12 in different things and going to the gym. I have over
13 40 certificates from further education from Glasgow
14 college. In 2003 I requested an IQ test, which proved
15 I didn't have learning difficulties. The doctor said,
16 "I'm sorry, we got it wrong".

17 'I then went to a mental health ward. The doctor
18 walked in. He told me I had a personality disorder.
19 I have been diagnosed with this since 2003, dissocial.
20 I disagree with this diagnosis. I don't show any
21 emotions. I do it in my room. The reason I don't show
22 emotions is because I don't want to be exploited.'

23 LADY SMITH: I suppose that might be a reference to
24 a disassociative personality disorder, something like
25 that?

1 MS MACLEOD: It could be, my Lady:
2 'I went into state hospital when I was 18 and you
3 are mixing with serial killers and other serious
4 offenders, and you learn traits from them, instead of
5 from my family. I was told I had these traits and
6 I said I learned them from other people, but they aren't
7 buying it. I don't know if you can overturn that. But
8 now doctors are coming to me saying I should never have
9 been in hospital in the first place.
10 'Look at how my life has turned out. It should have
11 been different. If people had done their job properly
12 it could have been different. If I hadn't been abused
13 in Kenmure, a lot of stuff that happened in my life
14 might not have happened, including my index offence.
15 I never, ever look at what I've done and blamed what
16 I went through as having a major impact on my index
17 offence. Other psychologists have said it's had a big
18 impact on what I did.
19 'I was really glad when I left St Mary's but
20 I didn't realise the impact it had on me. I do still
21 get depressed. That goes back to what's happened to me
22 in my childhood and being in prison for 32 years where
23 I shouldn't have been. I have been let down again.
24 I've been let down all my life and sometimes doctors
25 don't see that.

1 'I'm hoping to get out at some point and have
2 a quiet life and forget the past, because it eats away
3 at you. It's the first time I've spoken about it. I'm
4 never going to forget what has happened, but I'm going
5 to be more accepting and understanding. You haven't
6 really dealt with something until you sit down and talk
7 to someone about it. It might not be today, next week
8 or next month but the benefits of doing it is going to
9 be really good, for me anyway. I can understand why
10 I don't trust people and how other people know why
11 I don't trust people. You feel like you've been
12 forgotten, even now.

13 'I don't know if it's worth speaking to the police.
14 It was over 32 years ago. I haven't ever spoken to
15 anyone except a nurse, my solicitors and the Inquiry
16 about my abuse. The person responsible is probably dead
17 now. I hope so.

18 'There has always been rumours about Kenmure, for
19 years, and people knew I was there but nobody ever came
20 to me and asked if anything happened. When I told staff
21 at Carstairs about my uncle abusing me, which I won't go
22 into, they say I made it up. They weren't interested.
23 They are only interested in the here and now, which is
24 wrong.

25 'My solicitors have requested my records from

1 Bishopbriggs, but they don't have them. They will be in
2 Glasgow, so they have requested them from there. I hope
3 to see there is at least one person with a bit of
4 humanity who wrote down this was going on or that was
5 going on, but I couldn't do anything about it. I'm not
6 expecting an apology from anyone, because an apology
7 doesn't cut it.

8 'I would like to sit down and see the timeline of
9 when I was in Kenmure and how long for. I've tried to
10 work out when I was there by working back from the Youth
11 Training Scheme when I turned 16. It won't be until the
12 lawyers sit down with the records and say, right, this
13 date you went in to Kenmure and this is when you left.
14 It might be less than eight months, it might be more.

15 'Abuse still goes on to this day. You see it in the
16 news every day, down in England, mental abuse and sexual
17 abuse. It's sad. Every time you put on the news
18 something has happened. They don't care, they have
19 never learned. I sit and watch the news and there's
20 people in their seventies coming forward and you're
21 thinking, this was happening 50 years ago and they've
22 still not learned, and there's still more victims and
23 more victims. When does it stop?

24 'I would like to think the Inquiry will make
25 a difference but are we ever going to know what happens

1 behind closed doors in institutions. I have seen a lot
2 of things in state hospitals, what happens to patients
3 in them. I've had it done to me too. I'm not saying
4 that everybody in jails and hospitals are bad, but there
5 are people in authority that abuse that authority and
6 they get away with it. I was in a learning disability
7 ward for 12 years and the things I've seen getting done
8 to poor people, who can't stand up for themselves, and
9 yet it still happens.

10 'Why was I in St Mary's in the first place? I don't
11 know. They should have treated me like a human being
12 not an object, using their authority to get away with
13 stuff. It still happens. The only way to combat this
14 is video everything. Where there's people with learning
15 difficulties or kids in care, there has to be cameras
16 everywhere. There should be more scrutiny into people
17 getting jobs in care and places like that. Look at
18 their background thoroughly. Look at the NHS, they are
19 screaming out for nurses so now anybody on the street
20 can become a nurse. You don't even have to go to
21 college.

22 'I think society now wants more things to change
23 because more things have come out regarding abuse.

24 'Abuse shouldn't be happening, and if this Inquiry
25 saves one person from being abused then it's done its

1 job. That's the reason I decided to do this, because
2 there are people right now being mentally or sexually
3 abused in care. I can't change what happened. It
4 happened. I could cry, shout, smash things up, it's not
5 going to change it.

6 'Are things going to change? You can make all these
7 recommendations, but you can't stop somebody abusing and
8 doing what they want to do, regardless of what you
9 recommend. I don't know what the answer is. Do they
10 take the care away, because it's a breeding ground for
11 people to abuse others?

12 'I hope my evidence saves somebody else from being
13 abused then they might not be sitting where I am
14 30 years on.

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

19 'Sandy' signed the statement on 15 December 2021.

20 LADY SMITH: Thank you very much.

21 Mr MacAulay.

22 MR MACAULAY: My Lady, this is also an applicant who wants
23 to remain anonymous and to use the pseudonym 'Stephen' --

24 LADY SMITH: Thank you.

25 MR MACAULAY: -- in his evidence.

1 'Stephen' (read)

2 MR MACAULAY: His evidence has been read in previously on

3 two occasions.

4 First of all for Chapter 1, that was on

5 13 December 2023, and that was Day 398 of the Inquiry,

6 and that is in transcript TRN-12-000000030.

7 LADY SMITH: Thank you.

8 MR MACAULAY: The second occasion, it was read in for

9 Chapter 4, which was Larchgrove, on 25 March 2024. That

10 was Day 428 of the Inquiry, and his evidence is at

11 TRN-12-000000060.

12 LADY SMITH: Thank you.

13 MR MACAULAY: That means, my Lady, that significant parts of

14 the statement have already been presented to your

15 Ladyship.

16 LADY SMITH: Thank you.

17 MR MACAULAY: He tells us, at paragraph 1, he was born in

18 1969.

19 TECHNICAL SUPPORT: Sorry, excuse me, could you tell me the

20 reference number?

21 MR MACAULAY: Sorry, I should have.

22 The statement reference number is WIT-1-000001094.

23 Thank you.

24 He was born in 1969. In relation to his life before

25 care, he presents a picture of a violent family

1 background and his parents splitting up in 1975 and he
2 himself struggling a lot with his anger after his
3 parents split up. He goes on to say that life at home
4 with his mother was chaotic and that she was a drinker.

5 At paragraph 10 he says he started dogging school
6 a lot and his behaviour was quite unruly.

7 Towards the bottom he says:

8 'I remember going to a Children's Panel with my mum.
9 Before the Panel, he told me that going into care was
10 an option, but not to worry about it, as he wasn't going
11 to ask for that. It was a blatant lie, because he went
12 straight into the Panel and asked for me to be sent for
13 a three-week assessment. I ran straight out the door,
14 through the security guard's legs, but they caught me.'

15 He was sent to Larchgrove, this has already been
16 looked at, he was 10 years old when he went there.

17 He starts to look at his time at St Mary's Kenmure
18 at paragraph 33:

19 'I was sent to St Mary's in 1983, when I was
20 13 years old.'

21 The records show he was admitted on [REDACTED] 1983,
22 when in fact he would have been 14.

23 LADY SMITH: Thank you.

24 MR MACAULAY: He tells us that he was taken there by
25 a social worker. He describes the main building, and at

1 35 says:

2 'SNR [REDACTED] was called Mr LNI [REDACTED] and he was a big
3 Irish rugby player with huge hands. He didn't take any
4 nonsense at all. SNR [REDACTED] was a Scottish man
5 called Mr MHF [REDACTED].'

6 He talks about other members of staff, including
7 Bill Franks, who was the chef:

8 'The only people I remember were either the worst or
9 really decent.'

10 He then goes on to provide some information about
11 the routine at St Mary's Kenmure. At 40 he says:

12 'The quality of the food at St Mary's was pretty
13 good.'

14 At 45 he says:

15 'St Mary's was a List D school and when you went to
16 a proper List D school you got a bigger choice when it
17 came to learning. You could go out to work with the
18 farmer, or the bricklayer or something like that. You
19 didn't have to go and sit in a classroom. They didn't
20 force you to do that. I used to like just going out in
21 the back of the farm truck with the farmer.'

22 At 47, he says:

23 'I remember spending Christmas at St Mary's. They
24 did try to make it festive by putting up lights and
25 stuff.'

1 At 48:

2 'I didn't wet the bed at all at St Mary's, but
3 I know it was dealt with totally differently to how it
4 was in Larchgrove. The staff just took the sheets off
5 the beds and took the kid away to get washed up. That
6 was it. They didn't make a fuss about it or try to
7 humiliate anyone.

8 'I don't remember getting any social work visits
9 while I was at St Mary's. I just had my support worker
10 who was a staff member there. He was brand new, but
11 I didn't talk to him about all the bad stuff that was
12 going on. It was so hard to tell someone.

13 'When I first arrived at St Mary's my sister came to
14 visit me. I think my mum came to see me once. You
15 could get a visit every night if people wanted to come
16 and they could just turn up. I started getting home
17 leave after I had been in St Mary's for about six weeks.
18 It was every weekend from Friday until Monday morning.
19 The staff would give you a pouch that they called
20 "sustenance". It was money to keep you going over the
21 weekend and a bus ticket. Eventually I ended up being
22 made a day boy. I was back living with my mum and I was
23 just going to St Mary's for school from Monday to Friday
24 and getting home at night.

25 Under the heading 'Discipline' at 52 he says:

1 'The staff at St Mary's had a few ways they liked to
2 discipline the boys. One was to stop your home leave.
3 That happened to me loads of times. Once it was for
4 smashing a window with a pool ball. It wasn't even me
5 who did it, but because I laughed, I got the blame for
6 it. The only other thing they would do was take your
7 canteen money away from you.

8 'I ran away from St Mary's quite a few times.
9 Sometimes I'd be picked up by the police and taken back
10 and that was usually after the police gave me a doing
11 for it. They used to drive me to the Campsie Hills and
12 say, "It's either jail or a few slaps" so I took a few
13 slaps.

14 'I ended up in England and Irvine a couple of times.
15 I went on the run to England with another boy. He was
16 a bag thief and he was 14, the same age as me. If you
17 ended up getting caught in England, a social worker
18 would be sent to get you. I got caught and had to get
19 the train back with a social worker. When the other boy
20 got caught, a social worker was sent to bring him back.
21 He murdered her [REDACTED]. He got
22 done for that and he's still in jail now.

23 'If you ran away you were punished when you got
24 back. I don't remember being punished physically for
25 running away. They usually just took away your home

1 leave.

2 'There was a lot of stuff going on at St Mary's.
3 Once, I was giving Mr LNI cheek and that Mr MHF
4 grabbed me by the collar. Mr LNI stood up and slapped
5 me on the back of the head so hard my feet actually came
6 clean off the floor. Then Mr MHF kicked me in the
7 arse straight out into the corridor and told me to get
8 back to class. You just had to take it. You couldn't
9 expect any staff members to stick up for you. They
10 would just laugh it off. They would laugh off sexual
11 predators too.

12 'The night shift workers were some of the worst.
13 There was one who would slap you about a bit, but
14 wouldn't try anything sexual. The night shift worker
15 used to put a wet mat outside the dorm and connect two
16 bare wires to it. If you came out at night and stood on
17 it, you got an electric shock. I didn't know why he did
18 that until I managed to sneak out one night. I saw two
19 guys, the night shift worker and one of the older
20 resident boys, sitting in the staff rec room. They were
21 both watching porn and masturbating. I can't remember
22 either of their names, but that night shift worker
23 always smelt of drink. He wasn't particularly tall, but
24 he looked strong and was well built. The same guy tried
25 to drag me into the toilet a couple of times.

1 'The first time he tried to drag me into the toilet,
2 he tried to gag my mouth with his hand, so I bit him and
3 he let go. The second time, he managed to get me right
4 to the door of the toilet, but one of the older resident
5 boys came out and asked what he was doing. He tried to
6 make up some excuse, but I told this boy he was trying
7 to drag me into the toilet. This boy chased him. Some
8 of the older guys were good at looking out for us. In
9 St Mary's this older boy was one of the better boys you
10 could go to him for advice, but he turned out to be
11 a nasty guy. Years later I read a lot of stuff about
12 him. He ended up getting 25 years inside for sex crimes
13 against women.

14 'I saw and heard that night shift guy try to do the
15 same to other boys. The boys all used to talk about him
16 because he was a monster. As far as I am concerned, he
17 was clearly a paedophile. It was always prepubescent
18 boys he went for. We had to start going to the toilet
19 in twos through the night. If you needed to go, you
20 would wake another boy to go with you.

21 'Bill Franks, the chef, was another paedophile.
22 There was a wee guy from [REDACTED] in St Mary's. I can't
23 remember his name. If you were from Glasgow, you got
24 called by your nickname. If you were from out of town
25 you got called by the place you were from, so he was

1 just known as "[REDACTED]". I'll never forget that wee
2 guy. He wasn't there for being unruly. He was just
3 there for care and protection. Bill Franks was taking
4 him home to his house at weekends and raping him. How
5 that was allowed to happen I don't know. I think other
6 staff took boys home with them too.

7 'Bill Franks would regularly grope boys. He had
8 a big soft chair he sat on in the kitchen. If you
9 walked past, he would grab you, give you a big bear hug,
10 rub his beard in your face and put his hand down your
11 trousers. He did it to me twice when I was in the
12 kitchen. It happened once in front of a female staff
13 member. I said to her, "Did you see what he just did to
14 me?" She just laughed and said he was just messing
15 around. At that point Bill said he just wanted to see
16 if my balls had dropped. The second time he did it,
17 there was hardly anyone about. Bill was a big guy with
18 a beard.

19 'There was also talk about the baker. He used to
20 disappear for ages with some of the boys. He would take
21 them into a room or a cupboard and lock the door. Other
22 staff members would just shrug these things off.

23 'The woman used to come in and watch when the boys
24 were showering. You can imagine what some of the other
25 boys were doing in the showers and she would stand there

1 and watch. She would make comments about the size of
2 your manhood and she would laugh at the smaller boys.
3 There was also a staff member who sometimes came to
4 watch in the showers. It was just really weird to me.
5 This staff member ended up marrying and having a baby
6 with one of the boys who went to St Mary's at the same
7 time as me. I know that because I was in the West End
8 one day, years after I left St Mary's, I saw her coming
9 out of a close with a pram and this boy was behind her.
10 He told me that he was sleeping with her when he was at
11 St Mary's.

12 'The PT instructor battered me a couple of times.
13 He didn't really need a reason, it could just be for
14 anything like being late. He was mad. He would slap
15 you, flip your legs away from you or sit on top of you
16 and press on your nose. He used to always say "You'll
17 behave when you're in my class". If you had an argument
18 with someone he would make you put the boxing gloves on
19 and put the two of you in the ring to bash each other
20 about. I didn't mind that so much but I did mind when
21 it was him bashing me about.

22 'I was once knocked out cold by the big burly maths
23 teacher. He actually knocked two of us out that day.
24 For some reason, me and another boy decided to go to
25 a maths class that day. We were just messing about.

1 I can't remember exactly what happened, but we were
2 carrying on with a boy from Stirling. His seat got
3 flung back and he banged his head on a desk. The
4 teacher blamed me straight away. He grabbed me by the
5 collar and I slipped through my jumper trying to get
6 away from him. He punched me on the side of the face
7 and knocked me out cold. Then the teacher hit the other
8 boy and knocked him out for trying to help me. Nothing
9 ever happened about that.

10 'There were quite a few times I had injuries from
11 being hit by the staff at St Mary's. I would have
12 bruises and welts on my body. I remember having a big
13 welt across my back because the farmer I worked for
14 whacked me with a thick wet rope. I think it was for
15 flipping a bin over. I don't think he was employed by
16 St Mary's, he just worked with some of the boys from
17 there.

18 'I tried to tell staff members a few times when
19 I was beaten up, but they would just laugh it off and
20 say "You must have been up to no good". No one ever
21 actually took it seriously and nothing was ever done
22 about it. It's not until later in life, when you look
23 back, that you realise how chaotic that whole system
24 was.'

25 He then goes on to talk about leaving St Mary's, and

1 the records show that his supervision requirement
2 terminated on [REDACTED] 1984, when he was aged 15. So
3 he had been at St Mary's for just under a year, in fact.

4 LADY SMITH: Yes, thank you.

5 MR MACAULAY: Then he goes on to talk about life after being
6 in care. That's been looked at previously, right
7 through to paragraph 73.

8 Then again, paragraphs 74 to 75, life after being in
9 care has been looked at previously.

10 At paragraph 78 he talks about the impact, and what
11 he says is:

12 'I spent years blaming my mum for everything I went
13 through. I had a conversation with her before she died
14 and I told her that I blamed her. That's how I felt at
15 the time, but I don't any more. I do have issues with
16 authority though. I feel a lot of anger towards people
17 in authority and I find it really difficult to talk to
18 them or trust them. That includes social workers, civil
19 servants, police and prison officers. It's because I've
20 been lied to so many times, so it's learned behaviour.

21 'I think about what happened to me in care every day
22 and I think about how life could have been different.
23 If I had been encouraged to get an education at
24 Larchgrove and St Mary's, things would have been very
25 different.'

1 He goes on to say:

2 'I suffer from really bad anxiety.'

3 At 81:

4 'I didn't talk to anyone about what happened to me
5 in care until recently and I've never reported anything
6 to the police.'

7 He goes on to say:

8 'I just wish that I had enough trust in someone back
9 then for me to open up to them and tell them what was
10 going on, but I was too scared.'

11 He mentions lessons to be learned, and he says at
12 83:

13 'I honestly think if I had a decent social worker
14 when I was a kid, one who could have opened my eyes to
15 what would happen if I didn't change my behaviour,
16 things would have been very different.'

17 At 84:

18 'I know things have changed since I was in care, but
19 it's important that issues aren't brushed under the
20 carpet. Also, there has to be strict checks carried out
21 on the people these institutions are employing.'

22 He says:

23 'I have no objection to my witness statement being
24 published as part of the evidence to the Inquiry.
25 I believe the facts stated in my witness statement are

1 true.'

2 'Stephen' has signed his statement on 4 October 2022.

3 LADY SMITH: Thank you very much.

4 MS MACLEOD: My Lady, the next statement to be read in is

5 the first of two statements relating to Kibble.

6 'Andy' (read)

7 MS MACLEOD: This is a statement of an applicant who will

8 use the pseudonym 'Andy', the statement can be found at

9 WIT-1-000001170.

10 Part of this applicant's evidence was read in during

11 Chapter 1 of this phase on Day 393 on 5 December 2023.

12 LADY SMITH: Thank you.

13 MS MACLEOD: 'My name is 'Andy'. I was born in 1975. I was

14 born and raised in Govan, in the south side of Glasgow.

15 I have a younger sister, who is five years younger than

16 me, and a brother, who is ten years younger.'

17 'We moved from the family home to another part of

18 Glasgow. My dad had started his own business, so that

19 was their first mortgage. Life was good and I was a wee

20 spoiled character.

21 'My dad was a bit of a womaniser. That was

22 something I held against him for years due to the hurt

23 I saw he caused my mum. Their marriage failed through

24 that and we moved back to Govan. I was 11 turning 12 at

25 the time.

1 'My dad failed me as a father. I can remember
2 repeatedly standing at a window waiting for him to
3 arrive home and my mother in the background saying he
4 may have been called to an emergency. She was making
5 excuses for him. He was the one who let us all down.
6 The most vital life lesson my dad taught me was how not
7 to be a dad.

8 'I am fortunate that I had a good upbringing and
9 went to a good school.

10 'The closest person to me growing up was my mum's
11 younger brother, my uncle. There were ten years between
12 us but he was like a big brother to me. I was 13 years
13 old when he died. Losing him had a bad effect on me and
14 changed a lot of things. I think I was wired
15 differently after that.

16 'Once my uncle had died, a wee part of me died for
17 a while and that interfered with my schooling. With my
18 dad not being there I could run about the streets and do
19 things I wanted to do. There weren't really any
20 influences or anyone taking a grip of me, steering me
21 through doing right from wrong.'

22 LADY SMITH: This is from paragraph 14, isn't it?

23 MS MACLEOD: Paragraph 14, yes, my Lady, I have skipped
24 a few paragraph there.

25 LADY SMITH: No, that's fine, it makes sense.

1 MS MACLEOD: 'I started going a bit wayward and got caught
2 up in certain situations with friends and got into
3 trouble with the police. I was then put on
4 a supervision order. That meant my mum could come to
5 the police station and take me home with her. That
6 wasn't the greatest idea for somebody like me, because
7 it made me think my mum could just get me out of
8 trouble.

9 'Because of a more serious police charge I got, the
10 court thought a short, sharp shock was in order to teach
11 me a lesson. That was at remand stage, surprisingly.
12 Instead of me being out on bail, I was remanded and
13 because I was only 15 they remanded me to Kibble
14 Education and Care Centre. I was taken straight from
15 court to Kibble. I don't remember who transported me
16 there.

17 'There were only boys in Kibble and most of them
18 could go home for the weekends, but as I was remanded,
19 I wasn't allowed to leave. I was in there for between
20 four to six months.'

21 LADY SMITH: If he is right about how old he was, that must
22 have been about 1990?

23 MS MACLEOD: Yes, the witness has provided information to
24 suggest that he was between there between [REDACTED] and
25 [REDACTED] 1990.

1 LADY SMITH: Thank you.

2 MS MACLEOD: From the information I am aware of, I don't
3 think the Inquiry can confirm the precise dates.

4 LADY SMITH: Okay, thank you.

5 MS MACLEOD: 'I remember first arriving at Kibble, it was
6 a bit intimidating. The building was on one level with
7 lots of windows. There was a reception inside the front
8 door and a large communal area. There was a unit up the
9 far left and one on the far right where I was placed.
10 The office was in the middle.'

11 LADY SMITH: That sounds like it was the secure unit, does
12 it? He says it is on one level. If he is right about
13 that, I am just thinking of the photograph, was the
14 secure unit a single level rather than two levels? The
15 building at the front certainly was two levels, the main
16 building. But the secure unit hadn't started at that
17 time.

18 MS MACLEOD: The secure unit hadn't been built then.

19 LADY SMITH: Maybe it was something else that was there
20 before the secure unit.

21 MS MACLEOD: Perhaps. There may have been some residential
22 bungalows, I think they were described, perhaps --

23 LADY SMITH: Yes, of course.

24 MS MACLEOD: -- in evidence --

25 LADY SMITH: Yes, yes.

1 MS MACLEOD: -- on the grounds, so it may be one of those.

2 LADY SMITH: We can just see one or two of them in the

3 distance, it could have been that.

4 MS MACLEOD: Yes.

5 LADY SMITH: Thank you.

6 MS MACLEOD: 'Everybody was normally out of the building

7 during the day for education or work. I can't remember

8 why, but the place was heaving with people when

9 I arrived. They were all interested to see who was

10 arriving. Bullies wanted to see if I could be bullied.

11 It was quite intimidating, because I had never been to

12 a place like that before.

13 'I remember meeting a member of staff called Clark.

14 He was an ex police officer. I found him to be a nice

15 big guy, although I tried to go to him for help at

16 an important time but he wasn't much use to me.

17 'Morag was another staff member, she was my key

18 worker. There was a younger member of staff I remember

19 called ICK. He was all right with me. There

20 were nice people. I didn't really have any initial

21 dodgy feelings about anyone. It was like anywhere else

22 though, if someone doesn't like someone, they will tell

23 lies about them, especially kids. People would tell me

24 things about people but I would find them to be quite

25 nice.

1 'These were the staff that looked after me in my
2 unit. The unit was called Moss View. We had individual
3 bedrooms and I was locked in mine at night. I didn't
4 like that. I had had no toilet in the room and had to
5 shout if I needed to use that toilet.

6 'I would say there were round 40 or 50 boys in each
7 unit. I didn't really see the boys from the other unit
8 though. I think the boys taking education would mix,
9 but I went to the workshop so didn't really see them.

10 'I was wakened up around 7.30 to 8 am. I would have
11 my breakfast and be in the workshop by 9 am. I worked
12 roughly school hours, had a break for lunch and went
13 back in the afternoon. I would be back in my bedroom
14 about 8 to 8.30 pm, and that would be me until morning.

15 'There were two staff on overnight. Because my door
16 was locked I didn't see much of what was happening at
17 night. I always felt like I was a pain in the backside
18 if I had to shout to use the toilet. Most of the time
19 staff were okay about that, although a certain
20 individual would hit you with a key if you pissed him
21 off enough.

22 'In my room I had a bed, a wardrobe and a desk. It
23 was a bit like a prison cell.

24 'I would have breakfast, lunch and dinner in the
25 dining room. I'm struggling to remember the dining

1 room, but I'm sure we ate in our units and not together
2 with the other unit. The food was okay and was there
3 in abundance. We were looked after in that way and
4 there were no issues from staff at meal times.

5 'There was a communal toilet with a bath and
6 a couple of showers. The whole toilet area was open
7 plan. Male and female staff could come in. I used to
8 just get in, get washed and get out as quickly as
9 I could. Once or twice I did find myself in some
10 uncomfortable situations in there.

11 'We had to ask for a shower or a bath. We were
12 allocated time slots depending on how busy it was. You
13 could ask for a slot as often as you liked.

14 'There was a lot of bullying in the toilet, even
15 staff bullying. If they wanted to get somebody, or pull
16 you to one side, it would be in the toilet. If anybody
17 wanted to settle anything it would be in the toilet.

18 'I didn't have a uniform at Kibble. I was just in
19 normal clothes.

20 'There wasn't very much to do in the unit. I think
21 there was a pool table that people fought over. There
22 was also table tennis table in the unit. We could also
23 go over to the gym at night. That was in another part
24 of the building. After dinner we went there to play
25 football most nights. They had a full-sized five-a-side

1 court. There were racks up the walls like an old school
2 gym. There was basketball too, everything was there.
3 For us it was just football constantly. As far as
4 facilities were concerned it was a good place.

5 'Because I was remanded they gave me the option to
6 go to school and there was an education programme. The
7 education block was in a building that was 30 yards away
8 from the main building. I didn't go there.

9 'There was a woodwork shop run by a staff member
10 called Sam and I spent all my time in there. I'm
11 a carpenter to this day. Because I was about to turn
12 16, they felt they couldn't force me to take education.
13 I probably thought I was a big man ready to work.

14 'I didn't see a doctor when I was in there. Maybe
15 if you had a genuine health issue they would have taken
16 you to see a doctor or a dentist for that matter, but
17 I never needed it.

18 'I worked in the woodwork area and learned to make
19 furniture. I actually bought some of the things I made
20 and have them to this day, my desk and chairs.

21 'Now that I think of it I didn't spend Christmas at
22 Kibble. Due to something that happened, I didn't serve
23 my full remand in there. I was sent to Gateside Prison
24 in Greenock, so spent Christmas 1990 in Gateside, not
25 Kibble.

1 'As far as visits were concerned, it would mostly be
2 my lawyer letting me know what to expect, what was
3 happening. Other than that it was my family, my mum,
4 younger brother and sister and sometimes my gran would
5 come in. I am not sure if there were any restrictions
6 on the number of visits, but they were up a couple of
7 times a week.

8 'I could also phone my family if they paid for
9 a phonecard for me. There was always folk fighting to
10 use the phone, it was always busy. I think there was
11 only one phone, maybe one at either end of the building.
12 There were always people outside shouting for you to
13 hurry up and always a staff member in the office
14 listening to what you were saying on the phone.

15 'I never tried to escape. I was quite content to be
16 there until certain things happened. I did steal
17 a moped once. It belonged to the Kibble. They brought
18 these mopeds out for to us ride around the track.
19 I don't know what they were thinking. I made a break
20 for freedom. I was only away for ten minutes. I got to
21 the bottom of the field at the M77 and that was it.
22 They caught up with me and returned me to the Kibble.
23 That meant the other boys didn't get to use the mopeds
24 again.

25 'If you misbehaved, anything they knew you liked

1 would be taken away from you at Kibble, like the gym.

2 'We thought we were bad kids as we were in the
3 Kibble. Certain things I look back at just weren't
4 right. We would abide by certain treatments because we
5 thought we were bad kids. I felt it was my fault for
6 putting myself in there and I couldn't tell my mum what
7 was happening to me, as I knew it would break her heart.

8 'The things that happened back in Kibble I would now
9 consider to be assault. We would get hit with a big
10 key. This key had no place in Kibble, it was like a big
11 medieval key. They basically carried it around for
12 hitting people on the head with. I felt that we put
13 ourselves there and that was our punishment. It's only
14 now looking back that I realise that it wasn't right.

15 'A staff member called zKDH was the one that dealt
16 with everyone. We all hated him and would cower towards
17 him. I never had any issues with him at first, and then
18 it just happened one day, out of the blue. He hit me on
19 the head with that big key. It was really sore.

20 'I've actually still got a wee nick on my head from
21 one time he hit me with it. I had to have butterfly
22 stitches put in my head. I think it was Morag who
23 stitched me up. I had my hair cut short once so I know
24 the mark is still there.

25 'Some staff members, male and female, would stand

1 and stare when we were in the shower and make me feel
2 very uncomfortable. It just wasn't right. There was no
3 reason for them to be in there. Most staff would walk
4 by and shout at us to hurry up.

5 'I don't remember the female staff member's name,
6 but IGK [REDACTED] was the main one who did it. That
7 put me off him. People used to say things about him,
8 derogatory names about him being a homosexual. I knew
9 people used to make things up, but he was in there all
10 the time. People were very vocal in Kibble so you knew
11 things about staff, so things didn't come as a complete
12 surprise when they happened.

13 'I did think IGK [REDACTED] was all right, but this wasn't
14 him just standing talking to me in the shower. Firstly,
15 there was no reason for him to be there. He just
16 lingered too long. I would say to him that I was
17 getting washed and try and pull the shower curtain over
18 me. He would have clearly seen I was uncomfortable with
19 the situation, but he still wouldn't move.

20 'On one occasion it happened, there was another
21 staff member who entered and broke his attention on me
22 and caused him to go out. I body swerved him after
23 that. If he was on duty, I wouldn't take a shower.
24 I would switch it and have a shower during the day if he
25 was on at night. I just had to adapt.

1 'I was tiny when I was in there, probably around
2 five-foot tall, but it would have been hard for anyone
3 to control me physically. [REDACTED] actually put me in
4 a cupboard and locked the door on me. That was the
5 cupboard right next to my bedroom. He could have put me
6 in my room but this was to confine me. The cupboard was
7 tiny and there was no light in there. I was stuck in
8 there for a couple of hours one night. I should
9 actually have been in my room. It was claustrophobic
10 and I have an issue with that to this day. There was no
11 sense to, it my room was right there.

12 'I wouldn't agree to go into the cupboard. They
13 would physically ragdoll me in there and shut the door
14 on me. I remember lying panting in there when they shut
15 the door.

16 'They used to use putting me in the cupboard as
17 a threat. I thought it was a joke at first. All I had
18 done was answer back. There was a low tolerance by some
19 of the staff. I think I was put in the cupboard
20 a couple of times.

21 'I don't know if they should have been locking my
22 room door at night, but they did that. I had resigned
23 myself to thinking that was okay.

24 'It all started getting a bit sinister in there.
25 I was actually scared, but felt that I couldn't phone

1 home and tell my mum. I don't know why that was, but
2 I am glad I didn't. My mum tortured herself about me
3 even being in prison. As if she had failed in some way.

4 'I didn't feel I could speak to Morag, my key
5 worker, about things. When I felt that I had to speak
6 to someone, I actually approached Clark. That's when
7 things got a bit more serious.

8 'zKDH was the one who approached me in my room. He
9 had his belt undone, and he was undoing his trousers
10 with a quiet smile on his face. I don't know if he was
11 doing this in a threatening manner to scare me but
12 I don't think he was taking his belt off to hit me with
13 it. He would use the key if he was going to do that.

14 'He was interrupted. It might even have been Morag,
15 I'm not sure. This would have been night shift staff
16 who had come in to relieve the day shift. There were
17 only two night shift staff on, so it might have been the
18 other night shift person who disturbed him.

19 'That wasn't going to happen again. Being locked in
20 a cupboard was one thing, but once that belt and zipper
21 carry on started, I wasn't willing to see how far that
22 was going.

23 'I know zKDH had done something similar to someone
24 else. The communal toilet was across the corridor from
25 my room. I heard a boy telling a member of staff about

1 zKDH , doing similar things to him as he had to me.

2 zKDH would threaten me, he would tell me I was
3 pissing him off and say he would pay me a visit later
4 on. Up until the incident with the belt, I thought he
5 was threatening to come into my room and give me a slap.
6 I've thought about that for years, wondering how far he
7 would have gone.

8 'After that night I had to think about how I was
9 going to get out of there. I wasn't going to stay there
10 for one more weekend.

11 'There was a guy in there who was at Kibble when
12 I was there, we ended up at Gateside Prison together.
13 He had been forced into the cupboard at Kibble too. He
14 was in the other side of the building, in the other
15 unit. Both sides had cupboards and he had been forced
16 into the cupboard on the other side.

17 'Most of the time in there people were vocal about
18 injustices, and things they felt were wrong. We didn't
19 feel the need to hide things that had been done to us
20 that were wrong.

21 'One time zKDH hit me with the key, I told Morag he
22 had whacked me and that my head was bleeding.
23 I remember her taking me into the office and telling me
24 not to say anything to my mum. She said it would just
25 worry her.

1 'Big Clark was an ex constable. He was like a big
2 grandfather type. I went to him the day after zKDH had
3 been in my room. I approached him in the office and
4 asked if I could speak to him. He put people out and
5 asked me what the matter was. When I told him what had
6 happened with zKDH, he rubbished it. I told him about
7 being locked in the cupboard and zKDH always hitting me
8 with the key. He told me to "man the fuck up".

9 'I remember the boy sobbing in the toilet, breaking
10 his heart about zKDH to a member of staff. I could
11 hear a female staff member saying that he shouldn't be
12 making up stories about people. It sounded like the boy
13 was being questioned on what he was saying. I could
14 hear that he was saying similar things to what had
15 happened to me.

16 'Because of the incident with zKDH and the response
17 from Clark I smashed the unit up. I couldn't tell my
18 mum about it. I spoke to one family member about it and
19 that's been the one person I've spoken to about it.
20 I never spoke to the social work or the police either.

21 'I hadn't been a problem to anybody in there. Apart
22 from the issues that made me want to leave, I actually
23 quite liked the place. I blatantly wanted home but
24 I knew I couldn't. I was settled there and knew if
25 I behaved I could make things better for myself. I was

1 enjoying the journey and doing really well in there.
2 That actually made me go on to become a joiner in later
3 life. I knew if I behaved I could right wrongs and
4 I knew what I was doing to my family. I suppose I had
5 grown up a lot realising I was facing jail time and had
6 adapted to things in the Kibble. It was wake up time.
7 Wrecking the place and being sent to Gateside was not
8 part of my plan.

9 'No one asked me why I had changed. Me and another
10 person in there were singled out as the ringleaders.
11 I was fine with that and happy to agree with them.
12 I was willing to go to an actual prison. I actually had
13 a far more comfortable stay in the prison than Kibble,
14 which seems mental to me.

15 'I was taken from the Kibble straight to the court
16 and then to Gateside Prison in Greenock.'

17 My Lady, my understanding is that the next parts of
18 the statement, between paragraphs 71 and 81, the witness
19 speaks about his time at HMP Gateside in Greenock.

20 Between 82 and 133 he speaks about his time at
21 Polmont Young Offenders Institution, and that part has
22 already been covered when his statement was read in.

23 LADY SMITH: Yes.

24 MS MACLEOD: I will turn to paragraph 134 -- in fact between
25 paragraph 134 and 139 he speaks about his time at

1 Castle Huntly in Dundee, and that's also been read in to
2 the transcript during Chapter 1.

3 LADY SMITH: Yes.

4 MS MACLEOD: In paragraphs 140 to 144, he speaks about his
5 life after being in care, and the majority of that has
6 also been read in when the statement was previously
7 dealt with.

8 Between paragraph 145 and 177, the witness speaks
9 about the impact he considers his time in these
10 institutions to have had on his life, and again that has
11 been read in.

12 At paragraph 152, he provides some information about
13 treatment and support he has received.

14 I will read from paragraph 153 onwards, where he
15 discusses reporting of abuse:

16 'I could never tell my mum about the abuse. She
17 carried the guilt around with her every day I was in
18 prison, thinking it was her fault. She used to ask me
19 about my time in there and if anything ever happened,
20 but I wouldn't tell her. I'm so glad I never did.

21 'I never told the police or any authority about the
22 abuse, there was never really anybody to speak to about
23 things like that.

24 'I don't have any of my records and they are not
25 something I would be interested in reading.

1 'I think complaints should be listened to. I think
2 people should be held accountable and staff need to be
3 keeping an eye on other staff. They can't be operating
4 like a gang, able to do what they want. I would hate
5 things I have experienced to be repeated and hope that
6 people can now be held accountable.

7 'I have watched things online and on TV showing
8 these things are still happening, but I would like to
9 think things have progressed since my day. I would hate
10 to think people are still going through the same sort of
11 issues. That's my whole point of going through this
12 today, to make sure history doesn't repeat itself. It's
13 not just the things I'm pointing out, there must be so
14 many different things happened. When all that is looked
15 at as a whole, surely there must be a plan of putting
16 things into operation to prevent these things being
17 repeated.

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

22 'Andy' signed the statement on 13 January 2023.

23 LADY SMITH: Thank you.

24 MR MACAULAY: Now, my Lady, the next witness is

25 an applicant, he speaks mainly about Kibble, and he

1 wants to use the pseudonym 'Connor' in giving evidence.

2 LADY SMITH: So this is the applicant that was referred to

3 in the oral evidence this morning?

4 MR MACAULAY: Yes.

5 'Connor' (read)

6 MR MACAULAY: His witness statement is at WIT-1-000000873.

7 LADY SMITH: Yes.

8 MR MACAULAY: He tells us that he was born in 1950:

9 'I was born in the Ruchill area of Glasgow. I have

10 four older sisters, one older brother and two younger

11 brothers.

12 'After I was born, we lived in the Ruchill area but

13 we moved so many times'

14 He describes these other occasions:

15 'The home which I remember most is [REDACTED] in

16 Carntyne.

17 'my father was in prison for much of my childhood.

18 He was a bank robber and served a sentence of

19 seven years for bank robbery and ten years' imprisonment

20 for hijacking. I only saw him once a year up until

21 I was about 8 or 9. He would be sent from Peterhead

22 Prison to Barlinnie Prison for a visit.'

23 At paragraph 6 he says:

24 'I don't have many good memories of my mother. She

25 was an alcoholic and didn't work. My mother was also

1 quite a violent woman. She used to beat us with an iron
2 poker from the fire. She used to whack us on the legs.
3 My mother used to send my sisters and me out into the
4 street to pick up cigarette butts to bring home. She
5 used to roll them up in newspaper and smoke them.

6 'One time, at home, I remember there was banging and
7 shouting at the door. My sisters were poking butter
8 knives through the letterbox at men who were trying to
9 get in to get to my mother. I don't know if these were
10 men she had met at the pub and who were looking for
11 something in return for buying her drinks all night.

12 At 11 he says:

13 'The Social Work Department were always involved.
14 We were taken away so many times. However, I think the
15 first time I went into care I was 4 or 5. I went to
16 another children's home when I was 6 or 7 and then
17 another one. I don't have many memories of that time.
18 I remember being with my two younger brothers, but never
19 with my sisters. I don't even know if any of my sisters
20 went into care. I haven't asked them.'

21 He goes on to tell us the places that he spent some
22 time in care, and also in foster care.

23 At 15, he says:

24 'During this time I seemed to go backwards and
25 forwards to children's homes. I was going to these

1 homes and when I came out nothing seemed to have
2 changed. I don't know why I was allowed to go back home
3 again.'

4 At paragraph 20:

5 'My mother died when I was 10 or 11 [which would be
6 about 1960 or 1961] she was 42 years old. My father was
7 serving a prison sentence, but he was allowed to come
8 accompanied to the funeral. I can remember him trying
9 to make advances to a female neighbour at the funeral,
10 which was awful.

11 'After my mother died my sister [REDACTED], who was 16,
12 took care of me initially. We continued to live in the
13 house at [REDACTED]. [REDACTED] was pregnant and
14 unmarried. In the end, she actually married the man and
15 had a very good life with him. She took care of us for
16 a while.'

17 He says at 22:

18 'The welfare stepped in and sent me to live with my
19 other sister and her husband in Shettleston. He was in
20 the military and used to drive me mad, shouting orders
21 all the time.'

22 At 24, he says:

23 'After getting into a fight with somebody in the
24 playground I was expelled and sent to another school.
25 I was starting to become aware of the world around me

1 and had begun to feel angry. I think I was angry about
2 my circumstances. It was then that the trouble really
3 started and I was hanging around with local gangs. The
4 gangs were the Monks, the Tongs and the Powry. I went
5 around with a gang called [REDACTED].'

6 'I left school at 15 and started breaking into shops
7 and stealing. Eventually I was caught and sent to
8 Larchgrove Remand Home. After being on remand in
9 Larchgrove, I was sent to Kibble School when I was still
10 16.'

11 In paragraph 28, after Larchgrove, he says:

12 'I went to court in Glasgow. I think it was the
13 Magistrates' Court. My sister was there. I stood up
14 and they read out my sentence. I was told I was going
15 to an approved school. I think I had broken into a car
16 and a shop. I can't recall being told how long I was
17 going for, or if they actually said it was Kibble.'

18 He goes on to talk about Kibble. The records show
19 that he was admitted to Kibble on [REDACTED] 1966, so he
20 would be aged 15 at that time. He goes on to begin with
21 to describe the layout of what he describes as the 'big
22 mansion'.

23 At 31 he says:

24 'I can't remember much about my first day.
25 I remember seeing a couple of people I knew when I went

1 down to the gym area. I just joined them in
2 conversation and discussed what we were there for.
3 I went to SNR [REDACTED] office too. SNR [REDACTED] was
4 called GHK [REDACTED]. He spoke to me and told me the
5 rules. Everybody had to go there. Sometimes we would
6 all have a meeting with him in the gym area.

7 'I don't know how many people were in Kibble.
8 I think there were about 20 or 30 people there. They
9 were all boys. The oldest was 16 or 17 and the youngest
10 was 15. I was one of the youngest boys. The boys came
11 from different places. We used to call them
12 "teuchters". There was a boy from the Highlands who had
13 a really strong accent.

14 SNR [REDACTED] was quite fat, so everyone used to
15 call him "GHK [REDACTED]". There was another member of
16 staff known as "GHI [REDACTED]", he was called that because he
17 had a big beard. I don't know his real name. I'm not
18 sure what GHI [REDACTED] role was, but he was quite strict and
19 had quite a strong accent, which was possibly
20 Aberdonian. He was quite a frightening character.
21 There was a man called GHJ [REDACTED]. I ended up working with him
22 in the paint shop.

23 'There were various shops, such as the paint shop,
24 a joiner's shop and a bricklayer's shop. I can't
25 remember the joiner's name. There was also a school

1 teacher. When you first went into Kibble you went into
2 an assessment class. After that you were allocated
3 a job, maybe working in the kitchen or cleaning, or in
4 one of the shops.

5 While I was there, they renovated the place.
6 I think it was a bit dilapidated. I think they were
7 trying to make some improvements in the living
8 conditions. After a while, possibly about six months,
9 they made the dormitory into single rooms which were all
10 open with no doors. The partitions were sheets of
11 plywood. Each "room" had a big bed in it and a side
12 table. You could hear people talking on the other side
13 of the partition. I think they gave us a book too. I'm
14 not sure if some people's family gave those books.
15 I don't remember reading books properly until I went to
16 borstal. I read hundreds there. The place wasn't
17 locked. You could walk out and run away at any time if
18 you had wanted.

19 'Around the time the dormitory changed I was getting
20 really upset and fighting. A psychiatrist came to see
21 me and asked me why I was behaving in that way.
22 I remember they asked if it was due to the change of the
23 mattress, because they had given us a big soft mattress,
24 which was different from the old horsehair mattress.'

25 Then he talks about aspects of the routine, and at

1 39, he says:

2 'It depended on how long you had been there, but you
3 either went to school or to your job. After I'd been
4 there a while, I used to go outside into the yard at the
5 paint shop. I would sit around the paint shop or in the
6 yard. Sometimes there would be a job for me to do, such
7 as painting a door. I liked it and I became a painter
8 and decorator later on. It was doing things like daily
9 maintenance work.'

10 At 41, he says:

11 'There was a lot of fighting and back chat between
12 the boys in the dorm. The boy who was known as the best
13 fighter, the "donner", would automatically have the role
14 of keeping people under control. He was a good fighter.
15 He would shout things like, "Shut the fuck up or I'll
16 batter your head in". It would quieten down for a while
17 and then it would start up again, and it went on and on.
18 The staff just sat downstairs smoking fags and drinking
19 cups of tea. They didn't take anything to do with it.'

20 He talks about the food, he says the food was good
21 at paragraph 42.

22 At 43, he says:

23 'We had showers, I think there were maybe six. They
24 were usually cold. The showers were open. It was a bit
25 strange, because I was 15 and you could see the boy next

1 to you. I found it a bit embarrassing. I don't think
2 we showered every day, it was three days a week.'

3 He goes on to talk about the clothing, the leisure
4 time.

5 At 46, he says:

6 'The weekends were just like any other day. We
7 would play football at the weekend, we would get out for
8 two to three hours. Apart from that we were just
9 sitting indoors. Sometimes we sat out in the yard,
10 depending on the weather.'

11 At 49:

12 'At the beginning you got some form of lessons.
13 Most people had left school by 15 so we didn't sit
14 exams.'

15 At 51:

16 'Our birthday wasn't celebrated. It was more a case
17 of your friends just giving you "the dumps". I think we
18 got a good meal at Christmas and Easter time. I can't
19 recall seeing a Christmas tree.

20 'I think the letters we sent home were checked by
21 someone, because they weren't in a sealed envelope.
22 I don't remember my sister telling me that she received
23 any of my letters. Although I probably only wrote one
24 letter when I first arrived to say everything was okay.

25 'You could get day leave so that you could go out in

1 the morning and come back at, say, 8 o'clock at night.
2 You could also get weekend leave which meant that you
3 went out on the Saturday morning and come back on the
4 Sunday night.

5 'I didn't run away from Kibble. I thought about not
6 going back when I was on home leave, but I always went
7 back. Some of my friends tried to encourage me to stay
8 out and go to parties and meet girls but, I think,
9 I knew if I got caught that I would have to do a longer
10 time in Kibble. Some of my friends were caught doing
11 other crimes when they had run away. They wouldn't go
12 back to Kibble and would end up in borstal.

13 'My dad had told me to stay out of trouble when he
14 visited me. SNR would say things like, "You
15 don't want to end up like your father, and you will
16 spend ten years in prison". It was quite a frightening
17 prospect. Ten years seemed like a long time when you
18 were young. It was bad enough in the approved school,
19 because I wanted to go out and do things like go to the
20 dancing and to meet lassies and I couldn't. You
21 couldn't do any of that when you were in the approved
22 school. Sometimes a member of staff would have the
23 radio in the school so we could hear the Rolling Stones
24 or something.

25 'I can remember one boy who used to wet the bed. We

1 used to call him "Pish the bed" and sing a song about
2 his soiled underpants, it was something about "gold in
3 the valley, gold in the river and the sea". He was sort
4 of looked down upon by the other boys. The staff didn't
5 punish him for wetting the bed.

6 'My experience at Kibble was good and bad. The good
7 times were meeting lots of new people and making new
8 friends. It was a bit like being part of a fraternity.
9 It could be quite disciplined at times, but it could
10 also be easygoing. I think once you had a routine of
11 going to work and then going on outings it was better.
12 It wasn't a harsh environment.'

13 At 61, he says:

14 'I can't remember anyone from the welfare coming to
15 see me. There must have been some form of communication
16 about where I was going to go when I was released.
17 I can't remember any inspections while I was in there
18 either.'

19 At 62:

20 'GHK [REDACTED] called me into his office and told
21 me that my dad was coming to visit but that it depended
22 on my behaviour. He said, "You've not been very good,
23 you've been fighting". I don't know if he was
24 reprimanding me because of my comment about the approved
25 school making things worse during the TV interview.

1 'In his office, I sat there while he was behind
2 a desk and a chair. He told me to pull the chair closer
3 to him while he talked about how my behaviour had to be
4 better. He said that if I had a day of leave coming up
5 soon. He reached over and put his hand on my thigh.
6 I turned myself away from him. He said, "You listen and
7 follow the rules if you want to meet your father". He
8 started to fondle my genitals then after about two or
9 three minutes he took his hand away. There was nothing
10 more. It feels strange to say this but I kind of got
11 aroused by the sensation. He told me that I had to
12 behave again and told me to leave. As I left his
13 office, my immediate thinking was "I'm a poof", because
14 I had felt the tickling sensation. Inside I was
15 thinking, "Oh my God, I must be a poof".

16 'It was the first time anyone had touched or
17 molested me and left me feeling really confused.
18 I didn't know what to think, because I had been going
19 around like I was some kind of tough guy. I thought
20 I should have punched him or attacked him or something.
21 It made me feel really guilty because I didn't do
22 anything about it. I felt as though I should have
23 knocked him out, and the fact I hadn't meant that I must
24 be a "poof". It was a negative, confusing feeling.
25 I remember thinking if anybody inside there ever knew

1 about it I would be an outcast. I kept it to myself and
2 didn't mention it to anyone. It never happened again
3 with him. It stuck in my mind because of how it made me
4 feel about myself.

5 'After the incident in the office my dad came to
6 visit. There were two prison wardens there. He asked
7 if anyone was bullying me or making trouble for me and
8 if the staff were treating me well. I wouldn't have
9 told him anything.

10 'I can't remember the dates, but it was maybe a week
11 or two after the incident with GHK, GHJ called me
12 into the paint shop with another boy. GHJ pulled out
13 a box of 50 cigarettes. He gave one to me and one to
14 the other boy. He had never given us any cigarettes
15 before. He said to the other boy, "Your dad brought
16 them in, you've got to share them". I don't know if my
17 dad had asked the other boy's dad to take them in to
18 Kibble to give to me.

19 'Another time, when I was out in the back yard
20 I went into the paint shop, I banged on the door and GHJ
21 opened it. I asked him for a cigarette. He gave me
22 one. I was standing smoking it and he sort of repeated
23 something similar to what GHK had said to me. He
24 said, "You're due out for leave soon", then he said,
25 "But it depends on the reports, if you're working well

1 and not getting in trouble". He grabbed my hand and put
2 on it his crotch, I pulled my hand away and he pulled
3 it back again, and kept it there, while he said, "You
4 just do what you're told, you've got to behave
5 yourself".

6 GHJ was quite a big man. He started rubbing my hand
7 around his crotch. He pulled his zip down and stuck my
8 hand inside his trousers and held my hand on his
9 genitals. He was moving my hand up and down, like
10 masturbating. I was in a panic, but he was too big and
11 strong, so there was nothing I could do about it. About
12 five minutes later he ejaculated, and some of it went on
13 me. He picked up a painter's rag and told me to wipe
14 it. He gave me a cigarette. I was shaking. He told me
15 to take a pot of paint and go and paint a door in the
16 larder. When I finished the job I didn't want to go
17 back in to the paint shop. I just left the pot of paint
18 and the brush outside and went back into the gym area.

19 'My mind was tumbling again. I didn't know what to
20 do. I didn't want to talk about it to any of the boys.
21 The next day, I had to go back to the paint shop, GHJ
22 was there, and gave me a cigarette. He asked me if
23 I had told anyone about what had happened. He said,
24 "Don't you be talking to anybody". I told him I hadn't.
25 He didn't touch me again. Again, it was really

1 confusing. I felt guilty because I hadn't done
2 anything. I just tried to blank it out of my mind,
3 ignored it and pretended it didn't happen and went about
4 daily life keeping it to myself.'

5 He then goes on to talk about a grouse beating
6 incident, and at 71, he tells us that about ten of the
7 boys were told that they were going to go grouse
8 beating, and they were taken there by a driver and
9 GHI, who I have already mentioned, was with them. He
10 talks about arriving at a big house, which looked like
11 a mansion. He says:

12 'A woman came out of the house. She was talking to
13 GHI.'

14 Then he talks about being provided with sandwiches,
15 which were really nice.

16 Thereafter, they went on the grouse beating, again
17 stopping for lunch, he talks about that at paragraph 74,
18 and then about halfway down that paragraph:

19 'At about 4 or 5 o'clock in the evening we went back
20 to the truck. Again we sat down and they gave us more
21 sandwiches. GHI said, "Right, everybody on to the
22 truck", and he said, "Hey you" to me. "Not you." He had
23 a big brown parcel in his hand. He said, "You're going
24 home". I told him that I had no money or means of
25 getting home.

1 'GHI gave the woman from earlier the parcel. He
2 said, "The lady will take you inside". She took me
3 inside the house and told me to get washed and dressed,
4 handing me the parcel. She was dressed like a maid in
5 a long black dress with a white apron. After getting
6 washed and changed, I just sat in the room. My clothes
7 were in the brown parcel.'

8 Then he talks about going downstairs and says:

9 'There were a couple of men sitting at a table with
10 a bottle of wine or cognac. The men were about 40 to
11 50. I can't really remember their attire, but they were
12 dressed smartly with suit trousers and a shirt.'

13 He describes them, and he says:

14 'One of the men might have been the owner of the
15 house. I asked, "When am I going home? I don't have
16 any money". The men said, "It's okay, you'll be going
17 home tomorrow, we'll take you to the station"'

18 At 77:

19 'The men were asking me questions such as where
20 I was from. They gave me cigarettes while I answered
21 their questions. They gave me a glass of wine and
22 I remember feeling quite happy and relaxed.
23 I immediately felt quite tipsy. Then I had another
24 glass. I felt grown up. The lady came back and brought
25 some food. The two men were mostly chatting to each

1 other while I had some food and more wine. I felt
2 sleepy and a wee bit drunk. I think I was tired from
3 being out in the field all day.

4 'The next thing I remember was lying on a bed with
5 a guy on top of me. I maybe wasn't fully conscious and
6 I think I fell back to sleep again. I woke up the next
7 morning thinking "What happened?", because I vaguely
8 remembered being on the bed with a man. I felt pain in
9 my rectum.'

10 He goes on to tell us that he was taken to the train
11 station, and in due course, he says he ended up in his
12 sister's house.

13 He says at 80:

14 'Again, I felt like I was wrong and that it was my
15 fault. The worst part of it was the confusion. I don't
16 know if anything had been done to the wine, but I had
17 two or three large glasses. I think it would have made
18 me drunk but I don't think it would have knocked me out
19 or made me unconscious. All I remember is being naked
20 and being woken up by a man lying on top of me. I have
21 no reflection on how I got to the bed or how I came to
22 be naked. I think the man on top of me was one of the
23 men who had been sitting at the table because there was
24 only two men there.'

25 And he says at 82:

1 'As the years have gone on, it has seemed to me to
2 be some sort of conspiracy starting with GHK, GHJ and
3 then the grouse beating. It was the same story of them
4 telling me to behave. When I went to the grouse
5 beating, I hadn't noticed but GHI had a big parcel
6 with my clothes inside, so he could have known. In
7 terms of GHK and GHJ, there must have been some
8 communication there, because I had been going to the
9 paint shop for a month and nothing had happened.

10 'When I got back to Kibble, no one asked me any
11 questions. I left Kibble after exactly one year. I'm
12 quite confused about months. I think the grouse beating
13 took place in the summer time. Before leaving, I was
14 taken into the governor's office and told that I was
15 leaving and that I had to behave myself.'

16 And he tells us that he was about 16, which probably
17 takes us to about 1966, we don't have a record as to
18 when the actual date was.

19 LADY SMITH: Yes, thank you.

20 MR MACAULAY: But he got back in trouble. He says:

21 "Before being sentenced at Glasgow Magistrates'
22 Court, I went to Barlinnie on remand for a short period
23 of time. It was only six weeks. They didn't have
24 places to put boys in those days. When I went back to
25 court, I was sentenced to a maximum of two years in

1 a borstal. I think it was for breaking into a shop and
2 resisting arrest.

3 'Before being sent to Polmont, I went to Friarton
4 Prison in Perth from Barlinnie. It was like a military
5 camp. We had to make a bed block which was inspected
6 every day. It was a harsh regime.'

7 At 67, he says:

8 'The whole ten weeks at Friarton was abuse but it
9 was good in the way it made you disciplined. It was
10 really hard but I felt healthy and strong'

11 He talks about lifting weights. At paragraph 90, he
12 talks about Polmont, where he says:

13 'I didn't see any physical or sexual abuse.
14 However, I did hear some rumours of boys sexually
15 abusing each other.'

16 He then goes on to talk about his life after being
17 in care. He was married at 19. He gets involved in the
18 drugs scene and his marriage breaks up.

19 He then, having seen an advertisement in
20 a newspaper, went for an interview for a job in
21 Saudi Arabia, which he got. He tells us that he was
22 making so much money at that time that he didn't know
23 what to do with it.

24 He goes on to tell us at paragraph 93 how he
25 travelled to various countries; Thailand, Hong Kong,

1 Korea and Taiwan and that he stayed in the Philippines
2 for about five years.

3 He is then reunited with his oldest son and they
4 meet and travel in Asia. He also took him to Pakistan.
5 When he was in Pakistan -- this is at paragraph 95 -- he
6 was caught with cannabis and he was sentenced to
7 15 years in prison, of which he served 12 years and 4
8 months, in a Chinese prison. He says:

9 'When I came out of prison, I thought it had made me
10 a better person.'

11 He then went to Indonesia, goes back to Glasgow,
12 goes back to Indonesia, converts to Islam and gets
13 married. And he says at 99:

14 'I no longer use drugs or drink alcohol.'

15 'Impact' at paragraph 100, he says:

16 'I find it very difficult to have a relationship.
17 I always feel that I am running away from something.'

18 At 101, he says:

19 'When I was in Cambodia, I started to get intrusive
20 thoughts and felt angry. There was so much going on
21 there in terms of child abuse. It reminded me of my
22 time at Kibble, of being abused, and not being able to
23 do anything about it. I think it brought back the abuse
24 which I had hidden deep inside for years.'

25 And at 102, a message we have regularly heard:

1 'I don't trust authority. I think my lack of trust
2 is a combination of my childhood and what happened in
3 Kibble. I carried the burden for years and years.'

4 Moving on to paragraph 109, under the heading
5 'Lessons to be learned':

6 'I think it would have helped to have had visitors
7 from external places coming to see us on a monthly
8 basis. It would have been helpful for them to be
9 a specially trained person from a different agency or
10 department.

11 'I contacted the Inquiry because someone else might
12 benefit from me sharing my experiences.'

13 And at 111, he says:

14 'I would like to recite a poem I have written which
15 conveys my childhood experiences'.

16 Of course, 'Connor' isn't here to do that, and
17 I would say the poem is not really in Iambic Pentameter,
18 but I will do my best. It is headed 'Broken Glass
19 Panels':

20 'Broken glass panes, greetin' weans, moans and
21 groans, aches and pains, stenchies seeping through the
22 drains, the scars of life leaves it stains.

23 'Broken glass panes, sisters brothers, one room
24 Glasgow flat, our need to share with one another's,
25 remember fighting with the pillows, ma was yellin',

1 she's gonnae to kill us, reading comics til it was late
2 and the scars from love are great.'

3 He ends by saying:

4 'I have no objection to my witness statement being
5 published as part of the evidence to the Inquiry. And
6 I believe the facts stated in this witness statement are
7 true.'

8 And 'Connor' has signed the statement on 14 December
9 2021.

10 LADY SMITH: Thank you very much, Mr MacAulay.

11 MR MACAULAY: Slightly later than usual, but I thought
12 I would just plough on.

13 LADY SMITH: Thank you. That's it for today, then.

14 MR MACAULAY: That's it for today. Tuesday we are starting
15 to look at the Good Shepherd.

16 LADY SMITH: Yes.

17 MR MACAULAY: There are two oral witnesses down for Tuesday.

18 LADY SMITH: Very well. In the meanwhile, we have some
19 names we have used today, whose identities are protected
20 by my restriction order, my General Restriction Order;

21 Mr LNI, Mr MHF, IGK, zKDH, GHK
22 GHK, GHJ, and GHI. And they are not to be
23 identified as referred to in our evidence outside of
24 this room.

25 Thank you very much everybody, have a good weekend,

1 we will resume on Tuesday.

2 (1.20 pm)

3 (The Inquiry adjourned until 10.00 am on Tuesday,

4 10 December 2024)

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25

INDEX

1	Mark MacMillan (sworn)	1
2	Questions from Mr MacAulay	2
3	'Sandy' (read)	52
4	'Stephen' (read)	72
5	'Andy' (read)	84
6	'Connor' (read)	102
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

