Tuesday, 7 January 2025

(10.00 am)

LADY SMITH: Good morning, and welcome to the next chapter, which will be the last chapter in Phase 8 of our case study hearings looking into the provision of accommodation, including secure accommodation for children.

Before I invite the first witness to be introduced by Mr Sheldon, could I just wish everybody all the very best for 2025, which is already whizzing away as we complete the first week. We have a lot of work to do and thank you all for coming along to engage with us again in progressing it.

Now, Mr Sheldon.

MR SHELDON: My Lady, thank you.

As my Lady says, this is the 12th and final chapter in this long-running case study. We'll be looking at three or possibly four establishments, depending on how one counts them, that is Wellington, or Wellington Farm School near Penicuik, St Katharine's and Howdenhall, a secure unit and assessment centre respectively and Rossie, or Rossie Farm School, near Montrose.

We unfortunately don't have a great deal of evidence about Wellington, which is the first school that we'll be looking at. But we do have two witnesses in person

today, my Lady; the first of whom is John Mullen.

LADY SMITH: Thank you very much.

John Mullen (affirmed)

LADY SMITH: John, thank you for coming along this morning to help us with evidence that you're able to add to your written evidence regarding Wellington School in Penicuik. I'm really grateful to you for doing that. I know it's not great weather to be out and about, but you're here and it's very good to see you.

A. Thank you.

LADY SMITH: I've already referred to your written evidence. Thank you for that. It's evidence before the Inquiry already. I've been able to study it in advance, which is really helpful. We won't be looking at it word for word, but, as you may appreciate already, we'd like to focus on some particular parts of it to enable you to give us fuller detail and for me to just hear from you in person about them.

If at any time you have any questions, please don't hesitate to speak up. If you want a break, please just say. If we're going too quickly or we're not explaining ourselves properly, that's our fault not yours, so you tell us, will you?

A. Thank you.

LADY SMITH: If you're ready, I'll hand over to Mr Sheldon

and he'll take it from there.

Mr Sheldon.

MR SHELDON: Thank you, my Lady.

Questions from Mr Sheldon

MR SHELDON: Good morning, John. John, as Lady Smith has said, your statement is in the red folder, which is just in front of you. Perhaps you could just open that, please. It may be helpful for you to have it open. Parts of the statement will come up on the screen, but it's also available for you in hard copy there if that's easier for you.

First of all, I'm just going to read the reference of the statement into the record. It's WIT-1-000001165.

If you could look at the last page of the statement, please. Can you just confirm that you've signed and dated that statement?

A. Yes, I've signed and dated it.

Q. You say at paragraph 112:

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

Does that remain the case?

A. Yes.

Q. Thank you. You can just turn back to the start of the

statement then.

You tell us obviously your name and I think you were born in 1965?

A. That's right.

Q. You tell us that you're currently working as a chemistry teacher at Leith Academy in Edinburgh. You had studied at Edinburgh University, graduating in 1985, and then went to teacher training college. Perhaps you could just tell us, please, what led you into that decision, what led you into teaching?

A. Well, my father was a teacher of art and it was something that he always said from a very young age that I was -- I had the propensity to become a teacher, and I didn't really quite believe him but I decided to go along with that, erm ...

Q. What did you think he meant by that? What do you think the propensities were?

A. I think a tendency to explain things and to try and help people to understand things. I think I always had that since I was a wee boy.

Q. All right.

At paragraphs 3 and 4, you tell us a little bit about your training as a teacher. Again, perhaps you can just tell us a little bit more about that and explain your experience of it, at that time, as things

were then.

A. Of course, so it's in reference to the matter that we're here to talk about today, that concerns the safeguarding of children. I don't remember it being a great emphasis in the eighties. In fact I hardly can remember it being mentioned at all and there was a lot of, erm, academic, psychological theory being taught when I studied, but again very little about the whole child approach or, you know, the idea that the children were human beings and had rights, that wasn't really quite there yet in those days.

Q. Yes, you tell us about the work of two particular -- I think are they educationalists; Piaget and is that Vygotsky?

A. Yes, I think so. Gosh, it's -- it will be difficult for me to answer detailed questions about them, but Piaget was, I think, was a Swiss guy who, if I remember rightly, his insight was the zone of proximal development, which is just a fancy way of saying that if you are explaining something to someone, it shouldn't be too complicated or too simplified. There's an optimum level that will engage kids and will allow them to learn effectively.

I can't remember who Vygotsky was, it's just a name.

Q. It's a name that's stuck in the head?

A. I'm afraid it's 40 years, I've lost the gist of what he was about.

Q. Sure, but you make the point, this is paragraph 5, that the emphasis of the training was all about education rather than welfare and you have told us that there wasn't really anything about safeguarding. It may not have been called that at the time, John, but was there any discussion or mention of keeping children safe?

A. Well, as a trainee science teacher, we'd be obviously concerned about things like Bunsen burners and acids and that kind of safety. But there wasn't much emphasis on what you might call emotional safety. In fact it was very much the done thing in those days that teachers shouted at kids in a way that I hope wouldn't be acceptable -- it certainly wouldn't be acceptable in my school currently.

It's just the climate has changed in the 30- or 40-year period.

Q. It's quite an interesting expression that you just used, 'emotional safety'; what do you mean by that?

A. What I mean by that is -- we did training on this just yesterday in my job, at Leith Academy, the lady explained it very well. She said if you've got kids of your own, and I do, it's a useful test to apply is: would you be happy with someone treating your child this

way? And if the answer is 'no', that's obviously a big red flag that you probably shouldn't be doing whatever it is you're doing. But I don't think -- I don't remember people certainly talking about that in those days. There would have been good practitioners who did it, but I don't remember it being a big emphasis when I was being trained.

Q. You mentioned that back in those days, some teachers at least would tend to shout at children at times.

In paragraph 6 you talk about the discipline and punishment side and that there wasn't much guidance. Was there a tendency then for young teachers to, in effect, learn by example?

A. Very much so, yes. I mean, there were -- I think again most of the emphasis when I was studying was on what you might call the psychological or the intellectual side of education, but as far as enforcing classroom discipline, classroom behaviour, I think it was very much just you watched experienced practitioners and you tried to copy them.

Q. I suppose you would see perhaps examples of good practice and examples of bad?

A. I suppose it's always -- it would be the same nowadays. You pick which examples you think of as good and which you think, you know, I could never do that, that's not

my style. So I think even in those days I was quite a gentle teacher, I was quite a thoughtful and in my own mind quite a kind teacher, but there wasn't -- a lot of the teachers back then weren't like that.

Q. All right. You tell us a bit more about your early career in paragraphs 7 and 8 and in particular that you had a period in Botswana. Perhaps you can just say a few words about that, please.

A. Certainly. I picked up this job through the British Council. They were advertising. I didn't have any burning desire to leave the country but I'd put in applications for all the places in Scotland that I wanted to work; Edinburgh, Glasgow, Fife and so on and I wasn't hearing much back from them. Possibly if I had stuck around I might have got something, but then I saw this advert, I think it was in The Guardian, for teachers for Botswana and I applied.

And I got the interview, I had to go down to London to do the interview and I got the job. I was very proud. I -- as it says in the statement, I was the only qualified teacher -- I think I was one of only two qualified teachers in the school actually, but they were predominantly local graduates but they didn't have any -- so, I mean, in light of what I've just been talking about, it just makes you realise it was the

blind leading the blind, because I was one of the -- probably on paper one of the better qualified people in the school, but I was just starting out. I'd only just done a year's training. Funny looking back on it.

Q. Did it feel a bit as though you had been dropped in at the deep end --

A. Very much so.

Q. -- in that situation?

A. Very much so.

Q. At all events, you were there, I think, until 1989, you tell us, and you eventually get a job at Wellington School in January 199[redacted]?

A. That's right.

Q. Again, perhaps you can just tell us about the sequence of events that took you up to the job at Wellington?

A. So again it was -- it wasn't really a conscious choice to go to Wellington. It was more a case of I needed work and I decided I wanted to be a teacher again. I'd come up to Edinburgh 'cause I always liked Edinburgh and I couldn't get any teaching work for a while and I was doing other jobs.

I'd put my name down with Lothian Region, as it was at the time, and I think they contacted me towards the end of 199[redacted] to say, 'We've got some work for you if you're interested, it's out at Wellington', and that was

really how I got into it and I didn't really have much idea of what sort of establishment it was. I did a little bit of research, but --

LADY SMITH: You were still young.

A. I was still young. I was only --

LADY SMITH: 2[redacted]?

A. Just turned 2[redacted].

LADY SMITH: 2[redacted].

A. Yeah, so I thought I could maybe learn something there about managing children's behaviour and I thought it would be interesting.

MR SHELDON: What did you know about Wellington before you started the job?

A. Very little, very, very little. I mean, I knew -- in theory I think it was already obsolete then, but people still referred to them as List D schools back then, erm, so it was a known thing. I'd done -- actually thinking back on it, when I was still at Jordanhill, I did something -- there was some kind of special school or children's home or secure home in Bishopbriggs, I think it was, and I remember doing something out there. So I had seen a school like that before or I'd seen a set-up like that before.

LADY SMITH: Is that St Mary's?

A. I think so, yes. I think it possibly was. It was just

a one-day thing. They took us out to see -- and I remember playing football with the kids and having great fun and finding it very rewarding, realising how much reward there could be in a situation like that.

MR SHELDON: What were your initial impressions of St Mary's?

A. Er, I only really -- I went there, I think it was really just a visit and I had a great game of five-a-side football with some of the staff and some of the kids and I remember hitting it off with some of the staff and finding one or two of the kids very rewarding to work with as well. They were very nice kids.

Q. I suppose too brief a visit to form any realistic impression?

A. It's only really just come back to me just now. Yeah, it was only a very brief visit.

Q. All right. Thank you.

You started at Wellington, you tell us, paragraph 12, in January 199[redacted], and you remember that because it was the week [redacted] that year.

You had a contract, which was extended to May 199[redacted], so quite a brief -- again, a relatively brief time at Wellington and at paragraph 13 you tell us a bit about Wellington Farm's situation.

Perhaps I can just show you a couple of photographs, or images anyway, of Wellington. The first one is INQ-0000001016.

I'm not sure that's a photograph. It appears, I think, to be a drawing or a painting. But we understand that is of the early iteration of Wellington or Wellington Reformatory as it was. Now, is that the way you remember it?

A. No, not at all. I remember it as being a more sixties sort of pebbledash architecture than that.

LADY SMITH: I think that's a 1909 image.

MR SHELDON: If we can look, please, at INQ-0000000520.

Page 2, please, first of all.

A. Yes, that looks more like it.

Q. Can we perhaps expand that a little, please, if we can? Thanks very much.

Does that look like the school you remember?

A. Yes.

Q. I think these photographs were taken some time after the school closed, so some of the photographs show it in something of a state of disrepair, but perhaps you can just talk us through the different parts of the school that you see there, if you can remember that.

A. Mm, I've affirmed to tell the truth and nothing but the truth. I think I would be stretching it. I recognise

that as being the building. I think the buildings on the left and right are possibly the accommodation blocks, but I'd be struggling to definitively say --

Q. With perhaps the educational part in the centre?

A. I think so, possibly.

Q. If we can move on to page 3 of that document, please. That's a close-up view again of part of it. Does that ring any bells?

A. Yes, definitely. I remember that sort of gantry structure.

Q. Was that just a corridor or was there some --

A. I think so. I think, if I remember rightly, that there was one section of the building that was for accommodation and then there was the education section and I think the kids used to troop across that little bridge each morning to begin the school day.

Q. Right. Was there just one residential or accommodation block or were there more than one -- was there more than one unit?

A. I think there were more than one.

Q. All right.

If we can move on to page 4, please. Again, I think that's just -- if we can stop there. Is that familiar at all as perhaps one of the classrooms?

A. I think so, or maybe a hall or an assembly hall or

something. It looks (several inaudible words).

Sorry, sorry.

LADY SMITH: Can we just go through the last bit again.

MR SHELDON: I was just asking, John, whether you remember that as being a classroom and I think you said to me that it might have been an assembly hall perhaps, because it was too big to be a classroom?

A. That's right.

Q. Is that your best recollection?

A. Yes.

Q. If we can move to page 6, please. What about that?

A. Yeah, that looks like a science lab, doesn't it?

Q. Yes.

A. Although I wasn't working as a science teacher then.

Q. You were working as a maths teacher at that time, weren't you?

A. Yes, could be in that room.

Q. Page 7, please.

Again, is that what you describe as the assembly hall or is that the classroom?

A. I think so, I think that looks like the assembly hall.

Q. All right.

You go on to talk about a particular incident that you remember, and I'll ask you about that in more detail later, but would that be where that incident took place,

to your recollection?

A. It's possible. It's plausible. I remember there being a kind of raised stage, which I suppose could be behind the point of view of the photographer.

Q. But that could be the place, you're not sure, but it could be?

A. It could be the place.

Q. All right.

So from paragraph 14, you talk about the process of getting the job, I suppose. But you say that you didn't think you even had a formal interview. How did that work, do you remember?

A. I think that I went out there and just chatted to HWG, it would have been, and possibly to one of the social work staff. I suppose it was an interview, but it wasn't as formal an interview as I would expect to do nowadays to start a new job. Then again, it was only a temporary one.

Q. Sure. What about references? Were you able to give references to Wellington? Did they ask for them?

A. Er, I could have got -- I would have probably got a reference from Annan Academy, which was my previous teaching job. I would imagine so.

Q. All right.

How was the request for a reference framed; do you

remember that?

A. No, I don't remember, I'm sorry.

Q. All right. What about any other forms of checks? Did you have to provide any information about your background or did they ask for anything like that?

A. My recollection is, no, I don't think there was any such system in place in those days, or if there was, it wasn't something I would have been aware of.

Q. Paragraph 15, you talk a bit more about the background to Wellington School and that originally it had been a trade school where children would go and learn a trade. I think we know it was at one point known as Wellington Farm School and there was a working farm. Was there any trace of that, as it were, that part of the school left when you were there?

A. I think not really physically, but I think in the ethos of the place, yes. I mean, people still referred to it as the Welly Farm in that era and, as I think I mention in my evidence, I think, there was still a kind of -- I think there was quite a lot of tension between the trade staff, you know, the craftsmen, the artisans, who were teaching things like car mechanics and woodwork and joinery and things, and people like me who were from an educational setting.

I think, if I remember, there were differences in

pay and conditions as well. It created friction. There were three groups of staff. There were teachers like me. There were the trades -- I can't remember what they called them now.

Q. Might they have been known as 'instructors'?

A. Instructors exactly, yes, the instructors, and the social work staff. And we were all on slightly different pay and slightly different conditions.

Q. There were, as it were, three distinct groups; the teachers, the instructors and the social workers?

A. And had probably slightly different outlooks on life and the philosophy of education and all that.

Q. At paragraph 16, you say there was quite a strong tension of sorts between the staff in perhaps these different categories. How did that manifest itself, how did you notice that?

A. Erm, it was, I think, quite class-based. I think they would have perceived people like me as being middle class and, you know, dressed in shirt and tie and, you know, I don't think I wore a shirt and tie in those days even, but just the idea that we had a degree and they didn't and I think there was a bit of resentment there that, you know, it had run perfectly well for years and years in a particular way and this was -- I don't know what the date was. I don't know how recently it was,

but the perception was it was quite a recent thing to have, you know, teachers in to do school subjects like maths and English.

Q. Sure. Did you experience any hostility from perhaps the different group or groups in the school?

A. Not open hostility, but in the sense of, you know, little comments that were made or, what would you say, what would people call slagging, that kind of Scottish thing when you're in the staffroom and people are joking around. There was a little bit of an edge to it sometimes.

Q. Right. Was there also a group of workers who were involved principally or completely in residential care? Were there residential care workers or any group called something like that?

A. Well, I think that's who I was thinking of when I was referring to social workers. I think that's what they would be mainly doing.

Q. Okay. But within the social work group, were they all qualified social workers or people who were working, as it were, in social work without a qualification?

A. I would have thought they would have been qualified social workers, but I couldn't swear to that.

Q. All right. You tell us, paragraph 18, you don't remember there being any formal induction or training

procedure before you started. So how did, as it were, the first day go? What happened?

A. It could be because I started in January, because I've had that in other subsequent jobs that they normally expect you to start in August so if there is any sort of induction procedure it's set up, you know, for an August start.

I think it was pretty much they showed me around the school. They showed me my timetable and then it was like, you know, 'You start tomorrow'. I don't think there was any kind of easing in transition period.

Q. Okay. You were just expected to get on with it?

A. Yeah.

Q. All right. Paragraph 20, you talk about confidentiality and again you say you weren't given any training about that. You make the point at the end of that paragraph that the whole ethos of the school was about vulnerable children and it was a very unusual set-up. In what way? What do you mean by 'unusual' in that context?

A. Erm, well, it was unusual because it was unique -- apart from my very brief visit to St Mary's in Bishopbriggs, it was unique in my experience at the time. It was a residential school in the first place and then you had this, I think, unique sort of three-way divide among the staff, with the social work, the instructors and the

teachers.

And then, by the nature of the clientele, they were inherently likely to be vulnerable and to have difficult upbringings.

Q. Paragraph 21, you talk about a really good procedure at the school, in that staff would meet once a week to discuss the kids and any problems they were facing. You say that was good in comparison with other places you've been. Now, does that include recent experience? Is this unusual throughout your career, as it were?

A. I can only remember seeing this system in one other school that I've worked in, it's -- to give you a comparator, the school I currently work in will typically get a briefing each August on the new S1 intake and if there are any particularly difficult or vulnerable kids or anything that they feel that we need to know as a staff, they'll read it out. Usually the house heads, the guidance teachers will read it out, but that's once a year. Other than that, generally it's done by email. I can see the practicality of that obviously. It's expensive in time to get staff together and have these sort of joint briefings.

But the benefit of having the joint briefing is that it can be interactive and you can say, 'No, I'm sorry I didn't really understand that', you know, which you

can't easily do in an email. So I found it quite impressive that they did that.

Q. Would you then get to know a bit more about the child and their background and what particular problems they might have in the educational sphere or, indeed, the social sphere?

A. Yes, because some of the kids at least weren't at Wellington seven days. They would go home usually at the weekends, so you would often get that on a Monday morning, they would say, 'So and so has had a very difficult weekend, he was picked up for joyriding', or whatever the story would be, and it would allow us to tailor our approach to that knowing more information.

Q. You tell us in paragraph 22 the thinking was the parents wouldn't necessarily be interested and the idea that:

'We were their family and we would talk about the individual.'

Who suggested or introduced that idea to you or to the group generally?

A. Sorry, which part?

Q. This is paragraph 22, it's just at the end of the page.

A. I'm on the right page. What does your question relate to, the fact that there's --

Q. It's the idea that 'we', the teaching staff and the social work staff, I suppose, were their family?

A. Well, I found that quite strange. Again, it was my first experience of something like that. But the idea that the parents would essentially have no involvement, although they would sometimes -- the kids would see them at the weekends, but we would never see them. We never saw any of the parents. We would never meet them.

I mean, I was only there for five months, I suppose, but, you know, in a normal mainstream school you have things like parents' evenings and you have parental contact for other reasons. But there was no -- as far as I remember in the entire time I was there, there was never any involvement with parents, which seemed strange to me at the time.

Q. I was going to ask you. Did there appear to be a conscious or deliberate decision to exclude parents or was it just taken for granted that they wouldn't be involved in the process at all?

A. Well, certainly in light of other jobs that I've done since, it seems strange that parents weren't involved. They can be quite powerful influences on their kids, to say the least. So I'm sort of tempted to say 'yes' to that, that there was a sort of conscious, er -- like I've said in my evidence, I think the idea was that the school was the parent for these children.

Q. Did you gain an impression of who was driving that? Did

that come from the social work side, or the teaching side, or both?

A. I couldn't say, I'm sorry.

Q. So again, just to press you a little bit more on that point: how did you gather, how did you realise that that was the ethos of the place, at least in that particular respect?

A. It wasn't -- it wasn't so much that -- the whole thing was so new and strange to me, the whole thing of a residential school and the staffing numbers and the nature of the school were all completely outwith my previous experience.

I suppose it's only really in retrospect -- as I've done other jobs and gained more experience in working with children -- that I've appreciated how odd that was, that parents didn't seem to be involved. It's possible that they were, but not in any sphere or level that I was involved in.

Like it's possible that they had meetings with parents, you know, maybe with the social worker but maybe just a classroom teacher like me wouldn't be involved in those.

Q. All right.

At paragraphs 23 and 24, you tell us about an incident where you were assaulted by one of the

children and you talk about your reflections on that. Again, perhaps just in your own words, you could tell us about that experience and what you took from that in terms of the children that you were dealing with and their care and treatment?

A. I don't think I'd ever been assaulted by a kid before, erm, and it was quite shocking. It was -- I think looking back on it with, you know, with the experience I've got now, I would have dealt with it differently but I think he indicated with his body language that he wanted to leave and I was sort of consciously or unconsciously standing between him and the door, which I now would know is not a wise thing to do.

Q. How would you have dealt with it now?

A. Nowadays I would just have got out of the way and let him leave, unless there was some special reason where he would be in more danger outside the room than he was inside. But I think normally nowadays the thinking is if somebody is that desperate to leave, just let them leave and then deal with that afterwards.

Q. In the event you say that the policy here was to get the police in. Does that remain the case, in the case of an assault like this?

A. Er, that's a bit of a grey area and it's been discussed recently in my school. Nowadays we have a system

called the -- I think it's called the SHE portal, which we use to log ... incidents like that one would certainly qualify. I think whether you get the police involved would be up to us as individual staff nowadays.

LADY SMITH: John, you just used a particular name to describe the portal, what was it?

A. I think it's SHE, I can't remember what it stands for, it is S-H-E, all capitals.

LADY SMITH: It's an acronym for something?

A. It's an acronym.

LADY SMITH: Okay. So you log online on the school system if something like that happens?

A. It has to be done in a particular way through -- there's a particular worker in the school who has to do it for you. It's been discussed quite a lot at my establishment the ins and outs of it and how user friendly it is. There's always a tension -- and I suppose this relates back to the 199[redacted] incident -- there's always a tension between dealing with things properly and letting them be logged authentically and accurately, erm, and completely clogging up the system with every little thing that somebody has a momentary upset about.

I think being punched would certainly qualify, now and then.

MR SHELDON: Certainly your view at the time was that there wasn't much point in reporting this boy to the police?

A. No, there wasn't. I could -- I suppose -- I mean, relating it to nowadays, I suppose the point is that it's logged and, you know, there's not going to be a great deterrent effect, erm, and there's little legal consequence for a child of that age who does something like that. But I suppose at least it's been logged.

Q. Mm. I think you go as far as to say that you didn't really see the merit in punishing a child in those circumstances. Would you still hold that view and what would tend to happen to a child in that situation now?

A. Well, fortunately nothing like that has happened to me for a good many years, so I don't know honestly what would happen now. It's hard for me to imagine being assaulted in that way at work nowadays.

I think, as I say, I would be a bit more fleet footed at getting out of his way if it were to happen nowadays. I would just let him go, rather than even slightly bar his route to the door if he was that upset.

Q. Would there be sanctions for a child who assaulted a teacher in that way?

A. Well, I don't think there's many legal sanctions that you can apply to a 12-year-old child. I think you could imagine something like they would probably be suspended

from school for a few days. Erm, they might lose privileges or something. There's probably not much you can do in a situation like that.

I suppose nowadays we would look at it from the child's point of view, we would try and help the child rather than punish them and find out why they were so upset and what we could do to cater better for them.

Q. Moving on then. Over the page at paragraph 27, you start to talk about other staff. You mention a man called HWG [redacted], who you say was SNR [redacted] of the school.

You say he was [redacted]. Might he have been SNR [redacted] or SNR SNR [redacted] but [redacted]?

A. Yes, I think you're right. I think he was SNR SNR [redacted], not SNR [redacted]. I don't think they had SNR [redacted] as such.

Q. All right. The headmaster, I think, [redacted] had been a man called Andrew McCracken, does that ring a bell?

A. That does ring a bell, yes.

Q. All right. Might he still have been in post at that time?

A. I remember the name Andrew McCracken. I'm sorry to be so vague, it's a long time ago.

Q. Sure, we understand. We'll move on, but if you do have a recollection about that, perhaps you can just speak up.

A. Thank you, I will.

Q. You also mention a head of social work called LUZ. You say he was a lovely guy. What impressed you about LUZ?

A. I felt that LUZ, of the people I dealt with there, was the guy who probably most closely aligned to my own ideas about how children should be dealt with, as they were in 199. I quite quickly came to realise there was quite a sort of militaristic sort of punitive ethos among many of the education staff, whereas I thought that LUZ in particular, and quite a lot of the social work staff, had a more rounded understanding of children's behaviour and they were more able to -- willing to deal with them as individuals and try and figure out what was going on, rather than just a purely punitive, behaviourist approach.

Q. Right. Again, in paragraph 30, you say:

'The trades instructors were lovely people, if I'm honest, they were better with the kids in general than the teachers.'

So again, in what way? What made you say that and what impressed you about the trades instructors?

A. Well, I think that that goes back to, as I understand it, the original reason that Wellington was established. It was the idea that there were kids who might not benefit from learning Greek or Latin or mathematics or chemistry, but they would benefit from learning how to fix cars or -- I'm not sure how we would feel about that nowadays as a society. But there was some merit to it and I think the instructors -- they had a more natural way with the children and I think it was often a more effective way.

It may just be that the kids were more open to learning how to fix a car or build a wardrobe or whatever than they were to learning about mathematics.

Q. You talk a bit more about the social work set of staff at the school, paragraph 31. You say that you found it impressive, this is towards the end of that paragraph:

'It made a big impression on me of how parental and how kind they were to the kids, that has been a good influence on me over the years.'

You talked about the social workers viewing the children as humans in a more rounded way. Do you have any insight as to how that sort of culture or that sort of ethos was fostered and who fostered it?

A. Well, my feeling is that social work was a way ahead of education in those days. I think we had the Social Work

(Scotland) Act in 1968. I think that placed Scotland as a world leader in dealing with children who were in difficulty. Things like the Children's Panel, I think, date from that period. So I think you've got to put it in context. This is 199[redacted]. It's ten years since corporal punishment was abolished in Scottish schools or less actually. I think it survived in some places into the mid eighties, so it's only about five years after teachers were legally allowed to hit children as a punishment and then social workers were coming at it from an entirely different direction.

As I mentioned in the evidence, I think that's maybe more in tune with how we work now across the board, the appreciation that children have rights would have been quite revolutionary to a lot of Scottish teachers in 199[redacted]. I think the Children's Act was 1992, so it's before there was any legal recognition that children even had rights.

LADY SMITH: Yes. You might be referring to the 1995 legislation.

A. Sorry, I may be mixing up my years, but it was the Stone Age in terms of children's rights in education, but in social work, children had relatively a lot of rights.

MR SHELDON: Thinking about the school itself, who was it perhaps or which group, if that was the case, that led

the culture of -- let's just call it the culture of kindness towards the children?

A. Well, see, I've thought about that a lot over the years. It's sort of -- if I can make analogy, it's like having, you know -- you have two parents and they're quite different from one another and you know that your mum might be quite harsh and your dad might be quite kind or whatever, but you still grow up in that environment and the environment is still a complete one, even though there are different influences, perhaps pulling in different directions.

I think that was the uniqueness of Wellington School, that you had people like HWG, who was, you know, quite a disciplinarian and you had social workers who were very kind, like LUZ and some of his team, and then you had the instructors, sort of rough, you know, rolled-up shirt sleeves, you know, chalk in their pockets sort of thing, and although there were great tensions between the different groups, in some ways it kind of hung together and I could sort of see how it would be -- well, it must have been perceived as effective, it lasted for a very long time.

Q. Do I understand correctly that LUZ was in charge of social work at that time; is that right?

A. Well, after forgetting the existence of Andrew McCracken

I wouldn't like to confidently state that. He was the person I remember leading most of the social work-led meetings.

Q. All right.

Over the page again, you say a little bit about training and you say at paragraph 34 you had Friday afternoon training activities and you don't have much memory of that but you know you received training in restraint techniques.

Could you tell us something about that, please, and what your impressions of it were?

A. It was -- it seemed like a lot of fun at the time and I only later came to see how, erm, questionable it was, but they wanted -- the idea was that they wanted -- some of the kids were quite big. I'm about average height for somebody of my generation and some of the kids were at least two or three inches taller than me and, you know, better built, so the idea was there was a possibility that there could be a physical confrontation and I knew that I had already been assaulted by a wee boy. And the idea was that if that happened and you had to restrain somebody, how would you do it.

Now, I don't know -- I haven't really done anything like that since. But from reading about it, I now know

that the application of minimum force can only really be effectively done where there are more than one ... more than one adult can, you know -- one person could grab their hands and one person could grab their shoulders. I think that's a safe restraint. I think it could almost never be done one person safely restraining another -- it was almost more like unarmed combat training, the way that they did it. They had us rolling around in mats and saying, 'Right, I'm going to be the naughty boy, now restrain me'.

In some ways I enjoyed it, because I've always enjoyed physical horseplay like that, but looking back on it, it was probably quite dangerous to give us the impression that we were trained to restrain people after a two-hour session rolling around on a gym mat.

Q. You used the word 'questionable' earlier on. What did you mean by that, that this was questionable, this training?

A. Well, as I say, my understanding of it from subsequent reading is that good practice now is that you have multiple people, at least two people, to conduct a safe restraint and the advice we're given nowadays is basically don't do it. It's hard to imagine a situation where you would actually have to restrain someone in a school in an education context.

I could imagine a kid coming in with a knife or something, but, you know, again it's never happened. It would have to be a situation like that, I think, before you could justify it. I think they used the idea in those days it was almost more like a punitive tool and certainly the incident that I'll talk more about later, but it was really -- I think they were using the word 'restraint' as a euphemism for physical punishment really. And that was what I mean by 'questionable'.

Q. Right. That's very interesting that you say that.

We'll come back to that, because there is, of course, the incident that you talk about in particular. But just still thinking in a bit more detail about the restraint training; were you taught particular holds to restrain children and, in particular, were you taught holds that would potentially inflict pain on a child?

A. I think the emphasis was to get them down on the ground and to immobilise them. I think there was something about putting the arm up the back like -- I think the police restrain like that nowadays, so, yes, I think that would have been painful.

Q. What about the question of -- I'm putting that the wrong way. Was there any sense of assessing risks in restraint? I mean, you've talked about restraining

bigger children. Was there consideration of restraining smaller children?

A. There was no mention of risk assessment in those days. No, that wasn't really -- I don't remember anything like that being mentioned.

Q. The emphasis, you say, was on getting the child to the ground?

A. Yes.

Q. All right. Again, in what circumstances? In all circumstances or just in particular circumstances?

A. Again, they were quite vague about that. I don't remember being given particular circumstances in which we were authorised to do this. And I don't think it ever arose for me. I don't think I ever did it or felt I had to do it, but we certainly did the training and I certainly saw it done several times by other people.

I'm trying to think of other occasions. I think there was once outside where we were playing football and a guy got carried away. You know, if it was a Scottish Premier League match you would have got a red card, but, you know, in the Wellington set-up, you got restrained, you got bundled to the ground and led away.

Q. All right. In your subsequent career, John, you have worked, I think, with children with challenging behaviours at various times. Have you come across any

situations in the course of your career where restraint was required?

A. Not by me. I've never had to do it. I've sometimes very, very seldom, I've sometimes seen -- the usual one is where you get a fight, where, you know, nowadays you would think of a risk assessment and you would think the risk of standing off and doing nothing is greater than the risk of getting involved. As I say, it's better done with two or more staff and you can get in and you can pull the kids apart.

I think that's the closest I've seen to that in my career.

Q. All right, thank you.

Paragraph 39, you go on to talk about -- this is page 8 -- the layout of the school, but you go on really quite quickly to talk, I think, effectively about the feel of the place. You say that there were two or three separate residential wings, 'wings' being prison terminology. Did you feel there was something of the prison about the ethos or the feel of the place?

A. Yes, it had a very -- well, it was an institution. I was nearly going to say it was an institutional ethos. It had a -- yes, it had a very prison-like -- my experience of prison is the TV show 'Porridge' and it reminded me of that, so, yeah.

Q. Right.

You say that expressly at paragraph 42, the whole place had the feel of a prison. You:

'... have no experience of prison but it's just what it made me think of.'

Paragraph 43, you talk about living arrangements and you say that it was mostly boys at the establishment. You think there were perhaps 20 or 25 children there?

A. That sounds about right.

Q. All right. Mostly boys, but you do recall a couple of girls. Was any particular provision made for the girls? I mean, for example, were there female staff that looked after them?

A. There were certainly female staff. In fact, I think most of the social work staff were female.

LADY SMITH: What about toilet facilities and washing facilities?

A. I suppose they must have had their own. I wasn't very much involved with that side of things.

MR SHELDON: How do you think girls would have experienced the place in general?

A. It must have been very strange if my recollection is correct. Do you know whether that's accurate? Were there girls at Wellington? It's such a long time ago.

Q. I don't think we've got a particular record of that, but

we can certainly find out. But it's your recollection there were girls?

A. Yeah, I think there were one or two girls there. It must have been strange, because they were in such a minority.

MR SHELDON: Yes.

Bear with me for a moment, my Lady.

(Pause)

Yes, I'm reminded, my Lady, that at least one of the applicants talks about there being at least one girl at the establishment at a particular time.

LADY SMITH: But it was a place that was set up for boys and very much it was a place where boys were sent from 1860-odd, when it first started operating, right through well into the 20th century, I think?

A. That makes sense. Thank you.

MR SHELDON: You then start to tell us about the staff living arrangements. There was permanent staffing at all times. That's paragraph 44. But you tell us that at weekends there was a rolling system of overtime for teachers to reside at the facility and that you yourself did a number of overnights.

Can you tell us about that, please? How was that and --

A. I was working around the same time. I was working at

the Pilmeny Centre in Buchanan Street in Leith, which was a youth club that's still there now, and it was a similar kind of feeling to that. So when I was there in my usual capacity, I would have a classroom, I would have classes, one group of kids would come in, another group would go out and there were lessons, there was work to do and this was more like the youth work sort of feeling.

There would be pool. There would be television. I think there was more than one television. If it was the right time of year, they might go out for a game of football. We would have the use of a minibus, so we would sometimes take them to -- I think we went to the Commonwealth Pool once, take them on little day trips. Things like that.

Erm, what else? It was before the smoking ban, so a lot of the kids smoked and a lot of the staff smoked, so there was ashtrays on the table and people sitting around. It was quite a kind of cosy atmosphere. People sitting round in armchairs and sofas, mainly watching TV. I think there must have been computer games as well, but I can't really remember that. There certainly was at the youth club at that time, it was the very beginning of --

Q. All right, so really your function at that point, during

those periods, was as a carer effectively rather than a teacher?

A. Yes, yes.

Q. How many other staff would be on and would the staff/pupil ratio be the same as it was during the week or different?

A. It wouldn't be the same as it was during the week, it would have been less, but there were quite a few -- my feeling is that there was a kind of core staff residential care workers and then there were -- I don't know, maybe two or three people like me would come in. I think it was a nice thing, because it allowed us to see the kids in a different way and it perhaps allowed them to see us in a different way.

Q. How did you get on with the residential care staff, as it were, the dedicated residential care staff?

A. I got on -- I liked them and I learned a lot from them. I learned a lot from watching how they interacted with the kids.

Q. How were their interactions with the kids on the whole?

A. Well, I mean, I was a lot younger then. I hadn't had kids of my own, so I didn't -- my only experience of parenting was being a child myself. So to see them working with these quite difficult and unrewarding kids and being very patient and kind but quite firm and

setting boundaries, that was all new to me. It was very interesting and I learned a lot from it.

Q. You say at paragraph 47:

'I guess if you wanted to do something to a child it would have been quite easy. Nowadays you would want to safeguard that but in those days nobody gave it much thought.'

Could you just explain what you mean by that and what you now think about the set-up that there was at that time?

A. So I didn't observe anything of that nature happening but, you know, I've read about it a lot since some of the big child abuse cases there have been and it's hard to avoid the idea that it would have been quite easy to get away with something then. There didn't seem like there was much scrutiny or much accountability or much thought given to safeguarding.

Then again, there were always -- we were never placed in a situation where we were -- where we had to be alone with a kid. But I don't remember there being a really secure working system of safeguarding there.

Q. Yes. I think you told us earlier in your statement that you would be very careful about going into a child's room?

A. Yes.

Q. Was that something that anyone told you or was that just accepted?
A. I can't remember if somebody told me that or if it was just common sense.
Q. I suppose the follow-up question is: looking back, do you feel that the staffing -- I mean both during the week and at weekends -- was adequate for the task of safeguarding, keeping children safe, either from themselves or others?
A. It was probably minimally adequate by the standards of the time.
Q. I suppose there's a number of caveats there.
A. Yeah, I'm being quite careful how I put that. I mean, I don't remember there being -- there weren't any riots or major events like that during the short time I worked there. So I suppose by that standard, there were enough staff to keep the kids under control, is how they would have looked at it in those days.
Q. All right, and I should have asked you a minute ago, but were children's bedrooms locked at night?
A. It's a really good question. I don't know. I don't know. I wouldn't have had any reason to, you know, go around. When it was nighttime, the kids went to bed, went to their bedrooms and the residential staff would have supervised that. Our role was really just to be

there on call in case something was to kick off.

Q. Okay, but so far as you knew, no one went round with a, as it were, bunch of keys and locked up?

A. No, they weren't locked into their bedrooms, no, I don't think so. The facility itself was secure, but I don't think the individual rooms were locked. It wasn't like a jail in that sense.

Q. All right. Thank you.

You go on, over the page, at page 10, to talk about the ethos of the school, the culture of the school. It's very eye catching, at paragraph 50 you say:

'I really hated the school, I hated working there.'

Please just tell us in your own words about that and your experience of that?

A. So being a teacher is a really difficult job, or can be a really difficult job. You're placed in a position where you have to get people to do things that they don't inherently naturally want to do and over the years since that period, I've developed a repertoire of skills, that still don't always work 100 per cent.

But I didn't really have those resources in those days and I found it very difficult to persuade the kids that it was a good thing for them to learn maths. Many of them didn't -- just totally weren't into it, and, yeah, I didn't really know what to do.

Then sometimes, far from doing any work, the kids would misbehave. They would be abusive to one another or to me and I wouldn't always know how to deal with it. And I remember at least once reaching out for support and basically just being told to sort it out myself.

Q. You hadn't really had any training about how to deal with this and you didn't have any support either?

A. No, I had no training whatsoever and I had very little support and I found that difficult and I found it unpleasant and looking back on it, I don't know why -- well, I suppose I needed the money and I've always found it difficult to abandon things. I always want to try and somehow make it work. Maybe think it would get easier over time, but it didn't. It was very, very tough on me at the stage in my career I was at. It still would be now, I think.

Q. You also say -- at paragraphs 49 and 54 you use the word 'military' or 'pseudomilitary' about Wellington, and you say:

'Wellington was a pseudomilitary establishment, proud of its traditions.'

What do you mean by that?

A. Maybe that's a wee bit strong, but it was my impression at the time, and certainly thinking about it since. So I think I mention this somewhere as well about the start

of the day, HWG [redacted] would always be standing there with his chest puffed out like a sergeant major and the kids would be led in group by group and he would sort of address them. But it did feel more like a military parade than, you know, a typical school assembly.

He had a very military air to him, in the sense of his orders weren't to be questioned. They were -- you know, he had an [redacted] the place, or over the [redacted] of the place anyway.

Q. I just want to ask you about another phrase in paragraph 54. You say that the school was a pseudomilitary establishment, and you have talked about that, you say:

'They weren't comparing themselves with what they could be, as it was a one off.'

You go on to explain a bit more. What are you meaning there, John?

A. Maybe that's asking a lot, especially for that period of history, but I think I stand by it. They aimed very low. They wanted to keep the kids -- I think the idea was to keep the kids off the streets away from their communities where they were causing trouble and keep them in a safe place. There wasn't much work done on things that we would probably see as important nowadays, like team building, erm, and psychological work or, you

know, equipping kids with the actual mental and emotional tools they would need to be successful.

They were really just keeping them off the street and the things that they did, like having me try to teach them maths, I think there was an element of window dressing to that, that they didn't really -- you know, any other school I've worked in, kids would do exams. I don't think there were any exams. Certainly not in the time or in the classes that I dealt with when I was there. There was no talk about exams.

Q. Right, so really could we sum that up by saying that the ethos of the school was more about control than about development?

A. Yes, it felt, erm -- it felt like a mixture of a sort of -- not punitive, but, yeah, a very disciplinary feel to it, more than a sort of education or a caring institute, and that's notwithstanding the bits of good work I saw some of the social work staff do. I'm mainly talking about the aspect that I dealt with, which was the education side. It felt very -- it felt shoddy, looking back on it, especially -- we didn't really aim very high for the kids. We could have aimed higher.

If we weren't going to present them for exams, we could have been doing other work with them, we could have been building up their self-esteem, encouraging

them to have hobbies or -- the danger always is you look back on something from a long time ago and you apply modern standards to it. I was almost about say we could have been doing online research, but there was no online research in 199[redacted] -- 199[redacted].

Q. You have told us a little bit already about how you felt there was a military ethos, particularly to morning assemblies, the parade style of that, and how you felt that HWG [redacted] was a bit like a sergeant major.

Paragraph 55, you say, about the middle of that paragraph:

'It wasn't quite that the kids had to stand to attention, but it had that feeling about it. I never thought about it at the time, but it was absolute silence. It was almost like he was [I think you mean HWG [redacted]] looking at their attitude when he was walking up and down.'

What gave you that impression?

A. Well, it was just -- I didn't have as much experience then as I do now, but, you know, when we start the day at my current school, the kids come in. We don't have a morning assembly every morning. They come into a classroom and they get registered and we read them any bulletins, any notices that they need to know, and then the bell goes and they go off to their period 1 class.

Erm, this idea that you would get all the kids lined up in the morning, it's hard to see any educational merit in that. It really seems like it could only have been done for control purposes and it was his way of establishing his stamp. And there was definitely a, you know -- again I haven't been in the army, but I've seen enough films where they have the parade and the sergeant says, 'What do you call that gun, soldier? Get that cleaned'.

You know, it just had that feeling to it, he was sort of inspecting people and almost looking up their nostrils or looking at how they were dressed, looking at their shoes and everything. I'm sure from his perspective he was trying to establish standards and to -- but it did have a very militaristic feel to it.

Q. You say:

'I never thought about it at the time, but it was absolute silence.'

A. Yes.

Q. Looking back, what do you take from that, from the silence?

A. Well, it's not natural for children to be silent. You would expect, you know, again based on my subsequent experience, if you got 20 or 30 kids together, you would expect a certain amount of chat or whispering or, erm,

you know, shuffling their feet, that kind of thing. But it was -- yeah, it was absolute silence. Everyone was perfectly quiet and standing still and there was no talk and no foot shuffling. It was weird.

Q. All right.

I'll come back to that, John, in relation to the incident you talk about.

First of all, I just want to ask you about the secure rooms that you talk about in the facility. You clearly knew that there were secure rooms and that children would be locked in there. You tell us you're not sure how long kids would stay in those rooms. Did you have any sense of that? Would it be hours? Would it be overnight? Would it be days?

A. I don't, I'm sorry. It's not something I would have been involved with.

Q. Did you ever see the inside of a secure room?

A. I don't think so.

Q. You may not be able to help with this either, but I'll ask the question anyway: do you know what provision was made for children who were in the secure room? Were they visited, were they given reading material, anything like that?

A. I don't know, I'm sorry.

Q. Okay. Thank you.

Paragraph 61 onwards, you talk a bit about the timetable and the various activities that children went through.

At paragraph 65, this is page 13, you say the food there was very good, like hotel food.

Now, John, we know that later in the history of Wellington, in the early 2000s, mid 2000s, inspection records had some criticisms of food at Wellington. But your experience or from your knowledge at that time, it was good?

A. I really enjoyed the food there. And it was a really nice perk that we got free food. And I think the kids mostly enjoyed it as well. And I think I got the impression that they worked quite hard on it. They tried to cater for kids' dietary needs and dietary preferences and I don't remember it ever being a disciplinary issue of somebody refusing to eat fish fingers. There was never anything like that, they would give them something else, they would get them salad or whatever.

Q. All right, so there would be choice at times if that was called for?

A. Yes.

Q. All right, thank you.

Paragraph 66 onwards, you say in relation to abuse:

'This is why I came to the Inquiry to tell you about one of the morning assemblies ...'

And an incident that happened then.

It's clear from your statement, John, that this made a deep impression on you. Can you just tell us, please, about this incident and why it particularly made an impression on you at the time?

A. Of course. The child in question was one of the smallest kids at the school, so I would estimate they would be about 12 or 13, quite small, quite small built, about the build of my own 10-year-old daughter now and, as I've said in my statement, HWG was a very big chap, big and strong, looked like maybe he'd played rugby.

And during this morning assembly, I don't remember the guy -- the child saying anything, I think he just did something wrong, he stepped out of line or he did something. He moved when he wasn't supposed to move, and HWG just took him to the ground, and did it very well, he did it very effectively, but it would have been -- it would have been not only painful for the child physically but it would have been humiliating for him to be taken to the ground in that way, in front of all his peers and in front of all the staff.

Particularly now, knowing what I know about, you

know, the experiences of children in care, how much more vulnerable that wee boy would have been and these were people who were supposed to be looking after him, and even at the time, even in the atmosphere, even in the climate of the time, I thought it was out of order. I thought it was inappropriate. I thought it was probably criminal and I carried that with me for years and years. I never spoke to anybody about it until I heard about this Inquiry a few years ago and then it came to mind that that's maybe something that should be brought forward.

Q. You tell us that Mr HWG took this child to the ground. Can you just describe for us, please, how he did that. You say he was obviously really good at it. What made you think that?

A. It's the sort of thing I can remember doing with my -- my wee brother was four years younger than me, and he might not agree with this view but, you know, I thought it was good fun when I was say 13 and he was 9 and I would put my foot behind his foot and just use my body weight to trip him up so he'd fall over.

You know, I think playing with your wee brother on a grassy surface, again he might not have agreed, but I thought it was harmless rough and tumble, but for a very well-built adult to do it to a small child who he

has been put in charge of, on a hard, wooden floor, it's hard to see that -- even back then -- as anything other than abuse.

LADY SMITH: You think that wooden floor might have been in the room we saw in the photograph earlier?

A. I think very possibly.

LADY SMITH: A room that was used for assembly and also maybe gym?

A. I think so.

LADY SMITH: Thank you.

MR SHELDON: Of course, this would have been in front of all the other children.

A. Yes, the whole school community was there.

Q. Yes, and looking back to a previous paragraph in your statement, does that throw any light on the absolute silence that you describe?

A. Yeah, it was a silence born of fear, I think.

In the two years since I gave this written statement, it's also come to my mind how damaging that was to me as a young teacher. It is one of the key issues in being a teacher, whether you call it discipline or behaviour, but, you know, trying to get kids to do things that you want them to do that they don't necessarily want to do, and that was a really unfortunate lesson that I saw when I was young and

impressionable, 'Oh well, if everything else fails, you can just knock them to the ground'.

It's not something I ever did again, but I don't think it helped me. I think it interfered with my development as a teacher. It gave me the idea that, erm, actually it might be okay to just intimidate a kid.

Q. Do you think that's something that other staff took on board in a bad way?

A. I think so. I wasn't there for long enough to pick up on whether there was a lot of discontent or dissent with HWG [redacted], but my impression was that [redacted] the staff as well as the children with a rod of iron, erm, and I think that, yeah, it was -- that was -- I think in his mind, that was him putting down a stamp or, you know, setting an example, erm, but it just felt wrong at the time and it still feels wrong now.

Q. You say at the end of page 13 that HWG [redacted], by doing this, had established his physical superiority like the big dog?

A. Mm-hmm.

Q. Is that what it felt like?

A. Yes.

Q. You told us earlier on that you felt, having done the restraint training, that the ethos of that really was that restraint was to be used as physical punishment,

not just as restraint. Again, do you have any reflections on that in the light of what you saw at this assembly?

A. I think, when I queried it, that he pointed out the restraint was permitted, but, you know, I wish I had had the confidence to challenge it. It wasn't restraint. Restraint is something that you do, it's the application of minimum force to prevent a more dangerous situation from arising, to prevent harm and to prevent, you know, worse consequences. It wasn't that at all. It was an assault.

Q. Did you witness other staff doing anything like this?

A. Nothing as flagrant at that.

Q. Well, you say nothing as flagrant at that, but did you see other things that gave you cause for concern?

A. Not after this, no, not really.

Q. All right.

Just in the middle of paragraph 68, you say:

'Even in the context of the workplace where there was a lot of weird behaviour going on, it seemed so out of place.'

What did you mean by that, John?

A. Well, the whole set-up of Wellington was, I think, unique, in my experience anyway, so there was a lot of things -- I was seeing a lot of things that I wouldn't

have seen before, erm, because I'd never worked in such a place, so the residential school, the secure aspect, the fact that there was a multi-disciplinary team, these were all new to me, but, you know, you expect to see strange things when you're in a strange place, but that was beyond strange. That was upsetting. That was -- it didn't seem right.

I think as well, when you're young you have an attitude of, well, you know, this seems a bit weird but let's just stick with it. Maybe it does make sense, I can't see how it does at the moment, but maybe it will become apparent about how this is part of the care plan sort of thing. Maybe there is a bit of that to it as well. But the more I thought about it, the more I thought no, that can't be part of any ethical care plan.

Q. Paragraph 74, you say:

'This incident was the most extreme behaviour I saw because it was so flagrant and in public, but that's how it was. I think that was the punishment. If you were non-compliant, you would expect someone like HWG to knock you to the floor.'

Now, is that the lesson that you took from it?

A. That's the lesson I took from it and I think that's quite fair how I've expressed it. I think I did see

other more minor examples of, you know, they would have called it physical restraint -- yeah, definitely. But nothing -- I think in the other instances, I think you could at least make an argument that it was a justified restraint, whether you would agree with that nowadays, but that was the only really flagrant example of what I would call abuse or assault that I saw.

Q. So in these other incidents, what kinds of things were being done to the child or with the child?

A. More like an actual restraint, more like where a kid was becoming wound up or two kids were tussling, like toy fighting and the staff would say, 'Right, can you stop that' and they would not. And they would maybe pull them apart but it would -- I'm not sure it's something I would be confident with doing nowadays, but I can at least imagine a justification for it in terms of harm reduction, you know, balancing up the risk assessment. But that incident in the assembly hall was the real flagrant one.

Q. Were children taken to the ground in these other incidents; did you see that happening?

A. Er, I can't remember accurately after this length of time, I'm sorry.

Q. But that had been a fairly integral part of the training that you'd had in 199[redacted]?

A. Yes.
Q. Paragraph 71 and I should have just put it to you first of all that clearly there were not only children at this assembly, but staff as well, is that right?
A. I'm sorry, could you repeat the question?
Q. It wasn't just children at the assembly but also staff members?
A. Staff as well, that's right. I think the way they did it was they had the -- the residential staff would bring them along to the assembly and then HWG would, you know, do his thing and then the kids would leave with the education staff to go to class, so it was like a sort of handover.
Q. Right, so would there be both --
A. So there would have been both social work and education staff there.
Q. All right, thank you.
Maybe an obvious question, but do you think staff members would have witnessed what happened as well?
A. Yes, absolutely.
Q. Would it have been inevitable that they would have witnessed it if they were at all paying attention?
A. Absolutely. They would have seen it the same way I did.
Q. Did anyone say or do anything at the time?
A. No.

Q. Did anyone make any sort of indication that they had seen this and were surprised by it?

A. No.

Q. You tell us at paragraph 71 you did query it with one of the social work staff who had witnessed it, you say you think it was LUZ [redacted]:

'... though I can't swear on that.'

Why do you think it might have been one of the social work staff and why did you think it might have been LUZ [redacted]?

A. Well, as I keep saying, it's a very long time ago now and my recollection's hazy, but I remember that I did speak to somebody about it. It would have been more natural for me to speak to one of the social work staff who I had a good rapport with about a matter like this, because my feeling was that the rest of the staff were very much in line with this way of dealing with the kids, the education staff that is, which was HWG [redacted]'s [redacted]. Erm, I would have maybe have felt like I would get a more sympathetic hearing with the social work because they had a more -- maybe a more child-centred view of these things.

Q. Did you get a more sympathetic hearing?

A. I don't remember, I don't think so. I think it was along the lines of, 'Yeah, these things happen. It's

a shame, isn't it?', or like, if you're like at a football match and you see a really bad tackle and you sort of go, tut, tut, tut, 'That's a shame', but you don't expect the guy to go to jail for it, you just sort of accept that these things happen in a football match. I think that was the feeling.

Q. It was taken for granted in a way?

A. Yes, I think it was part of the ethos there.

Q. All right.

In the next paragraph you say that this was much more serious than the incident where you were punched in the stomach by one of the pupils?

A. Mm-hmm.

Q. You say:

'This was a grown-up, supposedly a professional, who had just brutalised a small boy.'

Now, 'brutalised' is quite a strong word, John, do you stand by that in the context of what you saw?

A. Er, well, that's a judgment and I've maybe -- I've thought about it, I've rehearsed it in my memory so many times over the past 30 years. Erm, I thought that what he did was brutal. If that was my child and I had reason to believe that a large adult had treated her that way, I would be furious. Yeah, I think I would stand by that word. I think brutalised is right. He

behaved brutally, he behaved like a brute. The wee boy had no possible way to defend himself and hadn't done anything particularly bad and wasn't in any danger. There was no justification for it.

Q. Paragraph 74, right at the end of that page:

'That was the worst but not the only incident that I saw where an adult inappropriately used restraint as a behavioural tool.'

You have said a little bit about that already, John, are you able to give us any more detail about that aspect of what you say?

A. I've thought about it a lot over the last two years and I can't really remember enough detail to be useful. But I know that that wasn't the only occasion where I saw physical restraint being used in -- well, I would almost say all physical restraint is questionable in that it should be questioned. It should be justified. It should never be done just for the sake of it. My feeling was that people there did it routinely and that the other occasions that I saw it was more potentially justifiable, at least in the standards of the time, but I can't remember details beyond that, I'm sorry.

Q. All right. Thank you.

At paragraph 77 you go on to the issue of reporting. You say that you never reported your concerns to anyone

about the school. You weren't given any guidance around whistleblowing or anything like that. You didn't report to the police and so on.

Just looking back, John, why do you think you didn't feel able to report or raise the matter with perhaps other authorities?

A. I never felt -- so there's a few answers to that. One would be: I never felt fully confident until fairly recently that there would be a benefit in doing so. When I queried it at the time and I think I was told that that's just the way things were, and, you know, who was I to know better than these people who worked with -- who specialised in this area of education.

Then there's an aspect as well of one doesn't like to be a clype or a grass, you know, there's a sort of professional camaraderie among teachers. You sort of think: well, you know, I wouldn't necessarily want somebody whistleblowing on me if I made a mistake. The trouble with that logic is I don't think he would have acknowledged it as a mistake. I think that was a core part of how he operated, so I really regret that now and it was only when I saw this current process I thought this was maybe an avenue to bring it out, even albeit very, very late in the day.

Q. At the time, did you have a clear idea who else you

might have reported it to? Who you could have gone to with a concern like this?

A. Well, it was social work rather than education, so it would have been the social work headquarters in Shrubhill, I suppose. I never seriously considered doing that though.

Also, I was only there for a total of four-and-a-half months, so I suppose once I left, I kind of put it behind me or stopped thinking about it, anyway.

MR SHELDON: My Lady, there may be one or two more questions about that issue and then possibly another ten minutes after that, so if that would be a convenient point?

LADY SMITH: Yes.

I normally take a break at this point in the morning, John, we can all get a breather and a cup of coffee. Would that work all right for you if we did that now?

A. Of course, absolutely.

LADY SMITH: Let's do that.

(11.31 am)

(A short break)

(11.46 am)

LADY SMITH: Welcome back, John. Are you ready for us to carry on?

A. Yes, thank you.

LADY SMITH: Thank you.

Mr Sheldon.

MR SHELDON: Thank you, my Lady.

John, before the break we were talking about reporting of the incident and you were telling us something about the reasons why you didn't feel able to report the incident you've talked about.

You said something particularly interesting, which was that there was to some extent, perhaps one of the reasons that you felt reluctant, was, as it were, the impulse not to clype or to grass on colleagues.

I just wonder if you have any reflections on how that impulse can be overcome or how encouragement can be given to overcome it, which clearly needs to be done in that sort of instance?

A. Yes, it's a very good question and I've thought about it a lot over the intervening years and I know that there are better systems in place now for things like whistleblowing. I feel like it's really important that anyone working with children or vulnerable people should be fully accountable and I think we'd have to distinguish between somebody having a bad day and a one-off incident, and something like what I think I witnessed in Wellington in 199[redacted], which was more of

a climate of at best threat of abuse.

A good test would be how would I want someone to deal with me if it was me, if I did something questionable or something like that, with one of the young people I work with. I would hope that someone would take me to one side and say, 'Look, you can't do that. You're crossing a line there'. That needs to be seen in a supportive way and not in a punitive one.

I'm very interested in the field of aviation and one of the reasons that aviation safety is so good is that they have -- I can't remember what they call it -- but they have a system where they can report discrepancies without it causing -- without someone getting into trouble, they can say --

Q. A 'just culture', I think they call it.

A. Yes, a just culture, exactly, exactly. I think that's what we should aim for in education and the other caring professions.

I think it's still a big deal. I think when you work alongside somebody in a difficult job, I think you do still establish trust, you establish camaraderie and it isn't an easy thing to go to a superior or to go to a whistleblower and say, 'I saw so and so do such and such'. I think that would be still quite a difficult step to take, but I think anything we can do to make

that easier and to aim for a more just culture like they have in other areas, I think that would be the way forward.

LADY SMITH: John, doesn't the priority always have to be the safety and protection of the children?

A. Well, that is our primary purpose. That's why we say we do it, so, yes, we should make that our priority.

MR SHELDON: John, I'll come back to paragraph 79 and the whistleblowing issue in a moment, but I just want to ask you first of all about paragraph 83.

You say that you did have clear guidance later on in your Outreach job and you talk about that a little later in your statement. You did have clear guidance there as to what should be done around any disclosure, but nothing like that at Wellington.

First of all, can I just ask you what the guidance was when you were in Outreach?

A. I think it was just a sort of -- it was a time of change and I think Wellington was probably behind the times in 199[redacted] and then late in 199[redacted], under the Lothian Regional Council's youth strategy policy, they set up this service to help to support children in care in education settings.

So I worked a lot with -- I didn't have any further dealings with the Wellington School, but I worked a lot

with some of the children's homes, the YPUs and the other special schools setups --

Q. Young person's units?

A. Young person's units and things like Millburn in Bathgate and Panmure and all the special schools and in the context of that we were given extremely detailed and extremely supportive training about what to do if you saw something happen that shouldn't happen. And it was such a short time afterwards it was only, you know, a year or two later.

Q. Are you able to sum up the guidance for us in a couple of sentences?

A. Well, it was very much like what we would still do now. That if you saw somebody doing something which you had questions about, that you would have to, you would be absolutely obliged to raise it and that the person you raised it to would be absolutely obliged to take action.

Q. You say in the third sentence of paragraph 83:

'I would have firstly spoken [this is in the Outreach job] to my immediate team to identify if the matter was a legal or social work issue and who the information should then be passed on to.'

Can I just ask you: was that perhaps because at that stage you felt more confident in the team that you were in and your place within it, as it were?

A. Yes, yes. Wellington was my first taste of that side of education and then after that I worked briefly at Howdenhall, which was a much nicer set-up and then from there, I went to the Outreach job and that was my job for five years, so I became quite well versed in, you know, how to do these things.

Q. I suppose that might suggest that if someone is in your position at a new school, a new placement, a young worker/a young teacher, they need to feel supported to be able to make disclosures like this, is that fair?

A. Yes, I think that's fair.

Q. You do say, and going back to paragraph 79 now, that you recently have been involved in a whistleblowing complaint in your role as union rep at the school so you know how it goes, it's much better now.

You tell us obviously Edinburgh Council have had to up their game in the light of the Sean Bell case and are you aware then of the report and recommendations by Susanne Tanner KC about that case?

A. Yes, I haven't read it in detail, but I know the main conclusions from it.

MR SHELDON: All right, I'm not going to take you to the document, it's long and detailed. Just for reference, my Lady, that is INQ-0000000978. That's Susanne Tanner's report and recommendations.

Just asking you about that paragraph, are you able to tell us, to share with us, the nature of the complaint that was made there?

A. The details of the complaint are confidential --

Q. Sure.

A. -- but in general terms, an allegation had been made about a member of staff at the school and the council contacted me in case I had any insights into it as a witness and the information I could give -- you can't prove a negative -- but the information that I gave was that it seemed out of character for the person to have behaved in the way that they were alleged to have done. That was the nature of my interaction with it.

Q. All right.

You go on to say your recent experience was that it's been very good, very professional, so can you give us some insight into how it was handled and what, in your view, are the positive changes that have happened over the years that perhaps you've been in practice?

A. I was impressed with how thorough they were, like this process too, that I was just impressed that people put the time and energy into investigating a complaint rather than brushing it aside or sweeping it under the carpet or saying, 'Well, that's just how things are'. They were taking the time and energy. There were some

quite senior staff involved. I think it was towards the end of the COVID pandemic, so I think we did it all in Teams, it was done virtually, which was a bit unsatisfactory.

Q. Quite strange.

A. It was strange.

Q. But to your knowledge, was there, in your view, adequate support, both for the complainer and the person who was the subject of the complaint?

A. I think so. It seemed like a quite well-established process and quite a thoughtful and well-planned one.

Q. Just a couple more things then, John. You tell us a bit about life after Wellington.

First of all, at Howdenhall. Howdenhall Secure Unit, as you describe it. Was it a secure unit at that time or was it still operating as an assessment centre?

A. I think officially it was called Howdenhall Assessment Centre, but I think there were some parts that were secure.

Q. Thank you. You contrast that with Wellington, perhaps again just in a few words, if you can, what was the contrast between Howdenhall and Wellington in your experience?

A. There wasn't this weird atmosphere that there was at Wellington, with the tension between the different staff

groups. There wasn't the sort of militaristic approach. There was a more caring approach. There was a more familial feeling, which I think you need to have in a situation like that.

I think one of the great difficulties of working with children in general, including one's own, is that they don't do what they're told, they have their own opinions on things. I think that the HWG approach would be, 'If you disagree with me, I'll physically assault you and that will sort the problem out'. There was more -- although it's frustrating and although it's time consuming -- there was more of an appreciation at Howdenhall that, 'Well, he's not going to do his maths today but maybe he'll do it tomorrow, maybe he'll do something else today', as inconvenient as that is to our planning, we'll work around that and I've got a lot more sympathy with that way of working, although it can be difficult.

Q. You mention particularly SNR , a man called zGFG , who you say was a lovely and caring and kind man. Did you also run into LUZ again when you were at Howdenhall, St Katharine's?

A. Yes, I think so. I think he had some involvement there as well.

Q. What was your recollection of him there? Were there any

differences or just the same as they had been at Wellington?

A. I think I was pleased to see him again but I don't remember much. I wasn't there for very long. I think I was only there for -- I don't know, I think it was an even shorter spell. I've said two months in my statement. That sounds right.

Q. All right. Would you have had many interactions with LUZ at that stage?

A. Not that I can remember.

Q. All right.

Over the page, paragraph 91, you say you got a job as an outreach teacher for children in care. At that time, you say:

'Lothian Regional Council were implementing a youth strategy acknowledging that children in care had very poor educational outcomes.'

Again, perhaps just in a few words, if you can, can you tell us a little bit more about that. First of all, do we take it this was a new development, this was an attempt to do something different?

A. It was brand new and it was a very laudable thing. There was some quite damning report on the educational outcomes of children in care and how very badly they did at school and in fact, the normal expectation at that

time was that children in care probably wouldn't attend school at all and the region was, quite rightly, trying to change that and they hired a team of teachers, of which I was one, and psychologists as well, educational psychologists and we formed a multi-disciplinary team and we received referrals, at least in the first instance, from social work, from social workers who were concerned about their kids not going to school, and we would try and -- I was going to say encourage -- maybe negotiate is a better word, try and negotiate them into school. It was often more about getting the school to take ownership of them than it was about getting the child to attend. The children often wouldn't attend because they didn't feel welcomed in the school, because maybe they weren't originally from that area or whatever.

Looking back on it, it was a very exciting job. I had the feeling I was doing a lot of good things, interceding between -- sometimes we would have a meeting, we would have a headteacher there and a guidance teacher and the child's social worker and the child themselves often and often a parent would be there, and myself, and one of the psychologists from our team and we would just sort of discuss how to go forwards and we had some very good meetings and some

very positive experiences.

Q. I suppose the crux of it is, did you feel that it made a difference to the children concerned and improve their outcomes?

A. It made a great difference to some of the individual children concerned. I think the trouble with something like that is it's a drop in the ocean and that maybe a more effective way forward is to do things that change society at large's attitude to children in care, because there's quite limited -- I think there were six of us, six teachers across Lothian Region. It's quite limited how many children you can help that way. But yeah, in a small way I think we did achieve something.

LADY SMITH: I have the impression from your statement, John, that there were various aspects to your job, part of it was discussing with other professionals what was the best way forward for the child, the individual child, but part of it was actually doing some teaching yourself, is that right?

A. Yes, it was usually one-to-one sessions and it was often just a case of getting them to engage at all. 'Cause these would often be kids who had not really been to school for a long time and I would sit and chat to them about football or what was on telly last night and, you know, sort of try and draw them into it and then give

them some work to do and it was very -- I suppose I realised I was quite good at it and it was quite an intoxicating ... quite a validating feeling for me.

LADY SMITH: Did that also mean that you were able to feed back to the group of professionals that were working together what was your experience of that individual child, where that individual child was at educationally and what might or might not be feasible taking them forward?

A. Yes, I think it would carry some weight if I, as a qualified teacher, said, 'This is the work that we did last week in the session. This is up to -- I think it was Standard Grade in those days -- this is up to Standard Grade general level or whatever', that would carry more weight, you know, than somebody else just saying it.

LADY SMITH: Yes. Thank you.

Mr Sheldon.

MR SHELDON: Thank you, my Lady.

At paragraph 109, page 21, you make the point that you felt outreach work was a really good idea, very much ahead of its time, but it was a victim of local government changes in 199[redacted] and subsumed into the Hospital Outreach Teaching Service.

Do we take it from that that you feel that was

a negative development in relation to the work that you were doing at the time?

A. Well, yes, because I felt that what we did was valuable and it's changed, I think, I mention it in the next paragraph, but there was a sort of political movement against special provision for kids and there was this political feeling, which is hard to disagree with, that most children should attend a mainstream school.

The resources weren't really carried across, as they promised, but I think the idea is quite a good one, but, you know, at a risk of sounding cynical, where political will coincides with financial savings, that's very hard to argue with. They were able to close all the special schools and must have saved a lot of money.

Q. Yes, you make the point that the idea was that there would be no need for outreach teachers, because the system would be so well resourced, but that didn't happen in practice.

In your view, is there still a place for outreach provision of the sort that you provided at the time in the system now?

A. Well, as a teacher I would love to do something like that again before I retire, if it existed, which I don't think it does. If I was one of these children, I think it would be better to have someone like -- you know in

the role that I used to hold than to have nothing at all, but my feeling is that the politics ... politics in the sense of educational preferences, educational politics if you like, have moved on since then and I don't think we'll see it again, which is a shame.

MR SHELDON: Well, John, I don't have any more questions for you. Is there anything that you wanted to say but I haven't given you the chance to do so that you want to add at the end of your evidence?

A. No, I think your questions have brought out everything I wanted to say. Thank you.

LADY SMITH: John, my thanks as well. I'm really grateful to you for coming here today and allowing us to pull you back through a period over three decades into your earlier life and what you've learned since then. It's been really, really useful for me to hear that.

Thank you for realising you might have something to help us with. I'm glad you did.

A. Thank you. Thank you for taking the time.

LADY SMITH: Not at all. Safe home.

(The witness withdrew)

(12.06 pm)

(A short break)

(12.15 pm)

LADY SMITH: Ms Forbes.

MS FORBES: Good afternoon, my Lady.

'Andrew' (read)

MS FORBES: The first read-in is from an applicant who is anonymous and his pseudonym is 'Andrew' and the reference for his statement is WIT-1-000001285.

LADY SMITH: Thank you.

MS FORBES: My Lady, 'Andrew' was born in 1947. He talks about his life before going into care between paragraphs 2 and 9.

He tells us that his mother was from a fishing family and his father chose to go into farming at an early age and was a cattleman on various farms and worked with Clydesdale horses.

He says he was born in Arbroath and his parents then went on to have five further children after him, so he was the oldest.

He then tells us at paragraph 4 that he remembers living with his parents and his siblings for quite some time in his early childhood. He gives some detail about his father and the type of work that he carried out.

He talks about the fact that he went to several primary schools during the course of his early childhood because his father changed jobs quite a lot and went from farm to farm. He explains that farmers were modernising at that time and replacing horses with

tractors and his father preferred to work with the horses.

'Andrew' says he went to at least three schools, but it could have been more, and that led to his education being disrupted, but looking back at his early childhood, he says he had a normal, happy life.

At paragraph 7, 'Andrew' then tells us that his father sadly was killed in a road accident at 38 years old and he was about 10 when that happened and his mother was then left with all six children on her own.

At that time they were living in a cottage but that was connected to his father's job and because of that they had to leave.

They then went to stay with his auntie and the reality came to be that his auntie couldn't look after them and welfare, he says, came and took them away.

He says that they were all then taken to Aberlour and he talks about Aberlour from paragraphs 10 to 14. He says he was in Aberlour on two separate occasions. The first time when he was about 10, so that would be in either 1957 or 1958, and he thinks he was there for between 18 months and two years, and so would have left about 1959 or 1960.

In relation to Aberlour, he talks about sibling separation, so even though he was there with his

siblings, they weren't allowed to spend time together, but he doesn't remember much about this first time in Aberlour.

He then goes on to tell us from paragraph 15 that his mother asked for them to be placed in a home nearer where she stayed so she could visit more often and they ended up being moved to a place in Dundee. He tells us about that place between paragraphs 16 and 47. Secondary Instit

Then from paragraph 48 to 126, he talks about the second time in Aberlour. Again, even though his siblings were there there was limited contact and they were kept separate, he says. He tells us about punishments for bed wetting there, physical abuse from staff and there was a fear of sexual abuse from one staff member.

He thinks he was there the second time at some point between 1959 and 1961, when he was either 12 or 13 and he left when he was 16 in 1964.

Moving forward then in his statement to

paragraph 127 onwards, he talks about leaving Aberlour and he says that he was happy to be leaving Aberlour when it came his time. His auntie had made an offer to take him in and he went to live with her. She managed to get him a job at an engineering firm in Arbroath and he was an apprentice draughtsman and attended night school as well as working on the shop floor during the day. However, during that time he says he was smoking and drinking and he ended up working there for a couple of years, but eventually decided that he didn't like it and left.

Some of his friends were working on fishing boats and he decided that was for him and he went to trawling school in Aberdeen. And he says that situation ended up being even worse than the situation he was in in Arbroath. He had no money, because until you got on the boats, you had to learn what you needed to do and you weren't paid for that.

This is at paragraph 130, my Lady. 'Andrew' says that he was having to live hand to mouth and he says that he and some others ended up breaking into a place to get money and were caught by the police. He got probation that time and was allowed to go out on the trawlers but he only managed to go out once, he went to the Faroe Islands, and he realised that it was going to

be a hard life if he continued with that job and he decided to move back to Arbroath.

He then took a job as an apprentice bricklayer, but got in trouble again and this involved damage being caused by him and another -- I think his cousin -- to a crane and someone called the police and they were caught there and then and that in turn led to him being sent to an approved school.

He then tells us about going to Wellington Farm School from paragraph 133. He says:

'I was 17 when I was sent to approved school, so I would have first gone to Wellington Farm either in 1964 or 1965. I was there for between a year and 18 months, so I would have left at some point before [redacted]1967. I seemed to fit in famously at Wellington Farm [I think that should say]. There was nothing different there to what I experienced at Aberlour. It was just another institution and that was what I was used to. In the end, I got through Wellington Farm and got out.

'Wellington Farm isn't a place I have come forward to the Inquiry to particularly talk about. There were a lot of shenanigans that went on in there though. The punishments were just like Aberlour.'

He says he remembers a boy there who was the bully

of the place when he first arrived, and he says that he had a fight with him straight off the bat and he says at paragraph 134:

'I think he tried to get hold of some of the cigarettes that I had been allocated and I retaliated.'

He goes on:

'A couple of months before boys were released from Wellington Farm they were allowed to go outside to work. I worked in a paper mill in Penicuik as a forklift truck driver. Through that I was mingling with people who came from normal family backgrounds. The only drawback was that it was only women who worked there. I remember that some of them could be worse than the guys. I think I got more interfered with at that paper mill than anywhere else. They would rib you quite a bit because you were the young kid on the block. It was what it was.'

He then tells us about his life after leaving care from paragraph 136 and says that he went back to working as a bricklayer in Arbroath and he says he took to it like duck to water and felt he was a pretty good bricklayer and then a friend of his discovered there was more money to be earned bricklaying in England and he moved down to London. He says that the money there was fantastic. He ended up running his own business and had

about 70 guys working for him. He got married and moved to Kent and went on to have two sons.

There was then a time when there was a slump in the economy, he tells us that his marriage wasn't doing too well at that time. He was in his 30s and the relationship came to an end. But he tells us that he still keeps in touch with his ex-wife and his two sons and he sees his sons on the odd occasion.

'Andrew' tells us he moved to Germany working as a subcontractor, but then going in with someone else and he says they set up a gang of good artisans. It got to the stage where he was able to write his own cheques and there was demand for his men and he talks about them being carpenters and bricklayers and things like that.

He was working in Germany until the fall of the Berlin Wall and then he says workers came in from the east and they couldn't compete with that. He went over to America a few times looking for work, but he claims that there were issues there with the Mafia.

He then says he went for a vacation in LA and he met his next wife and they were married for over 15 years and her sons became his own, but sadly his wife died of cancer in 2010.

He stayed in America for about six years after she passed away and then he started talking to his sister

again, she had lost her husband and they decided to move in together in Spain. So they stayed there in an apartment that their brother owns and the brother lives close by and he tells us about his life now.

He then goes on to talk about impact from paragraph 141 and he says that his time in care did have an effect on him.

At paragraph 143, he says:

'I wasn't prepared all that well for adulthood when I left Aberlour. Aberlour didn't really prepare you for things like work and living as an adult. However, I would say that Wellington Farm did. They at least prepared you for the world of work through organising a job in Penicuik or wherever prior to leaving. In that way you were exposed to normal life. I think because of that, I have managed to hold down work since leaving care.'

If we then go to paragraph 158, in relation to hopes for the Inquiry 'Andrew' says:

'I don't know what the Inquiry is going to do with my evidence. I just hope that my evidence can help children in the future who find themselves in care. The one thing I know was missing in my experience was love. These institutions can give you all the food and clothes that they like, but it will never compensate for the

lack of love. That was what was missing in my life. I didn't realise that for a long time. Not receiving love is a big void in your life if it is absent. Everybody needs love in their life.'

'Andrew' has made the usual declaration and he has signed his statement, it's dated 5 July 2023.

Trevor Swistchew (read)

MS FORBES: My Lady, going on then to the next statement from an applicant, who has waived his anonymity. His name is Trevor Swistchew and the reference for his statement is WIT.001.002.5172.

Trevor was born in 1950 and he talks about his life before going into care between paragraphs 2 and 5 and says he was born in Edinburgh and lived with his mother and father initially. He tells us that his father came to the UK from Russia and joined the British navy and fought in the war and changed his name.

He goes on to talk about the fact that I think he tells us later his father left his mother when he was about 2 years old and his mother had difficulty in getting a home for them and was squatting and was caught living there illegally, but then came to an agreement to pay rent and was permitted to stay.

In 1954 Trevor says his father went missing, he was working on ships crossing from the UK to America, but

he's not certain about that. I think he tells us that he's never had any contact with his father.

He goes on at paragraph 5, to tell us that his mum continued to work different jobs from early in the morning all the way to early evening, just to keep the roof over their head. And he goes on to say that her health was deteriorating because of looking after him [redacted] and working long hours and it was recommended, he says by the doctor, that [redacted] placed into care to give her some respite.

He then talks about being placed into care between paragraphs 6 and 26, into a particular house in Dumbarton and he was there for six months. He tells us he thinks he was about 6 when he was taken there and the only memory he has of going there was being frightened of leaving his mum, Secondary Institutions - to be published later

Secondary Institutions - to be published later

He then says at the end of the respite period, this is from paragraph 27, he was taken home. At that time, his mum [redacted] moved to a new three-bedroom flat and he tells us that [redacted] at that time was [redacted] in the Royal Navy.

However, he turned out, he says, to be a sadist and was an alcoholic and there was [redacted] violence towards his mother and he also talks about physical abuse from

[redacted] towards him [redacted]. He talks about that from paragraph 28 onwards.

And in particular, he says that on one occasion after [redacted] had been assaulted by [redacted] who then tried to suffocate him with a pillow, [redacted] bought a gun on the street and said that if [redacted] came for him again he would kill him. [redacted] was [redacted] at the time.

He then talks about the fact that there was an attempted sexual assault by [redacted] on [redacted], but she was able to get away. And that his mum heard about this and in turn assaulted [redacted] one evening.

But he tells us at paragraph 31 that his mother lived in constant fear of [redacted].

He describes the fact that [redacted]. [redacted]. Even at this time, there was no social work involvement with the family and Trevor says that this was all covered up by the family and neighbours. He explains that later, he explains that by saying it wasn't reported to the law or authorities.

Trevor says at paragraph 32 that when he was about 14, [redacted] beat him so bad that he had to run

away out the house and he went to his mum's cousin's house and collapsed there. He remembers the police and ambulance arriving and he says he then stayed with that relative for about a year or so and during that time, his mum and [redacted] moved to England and left him behind.

He then tells us that that relative lost her husband to a heart attack and had 14 children of her own and couldn't afford to look after him. [redacted] it was felt there was no choice but for him to go to the social work and ask for help.

He says he was then sent to a Children's Panel and it was recommended he be sent to a house in Edinburgh, in care. He tells us then about that from paragraph 35 to 48.

We know from our records that he was admitted there on 9 March 1966 and he was aged 15 and he was discharged on 21 June 1966, so he's still 15.

He tells us that he was transferred from there to

the YMCA for a couple of weeks before he was then taken to Wellington Farm.

He tells us about Wellington Farm from paragraph 49. We know from the records we have obtained that he was admitted there on 21 June 1966, so he's still aged 15 and he was there until 3 June 1967, aged 16, so for just under a year.

LADY SMITH: Thank you.

MS FORBES: Trevor says from paragraph 49:

'I think it was possibly after the YMCA that [he names another boy] and I were taken to Wellington Farm and made aware that it was under a care and protection order obtained by the social work.'

He tells us about two other people he knew there, one being his cousin and someone else, who were there because they had committed theft but he had not.

Paragraph 50, he says:

'When I arrived I was introduced to KWB [redacted], who was a former [redacted] in the army. He was a tall man, well over six feet tall, and SNR [redacted] for the school. Although I was under the care and protection order, I assumed it meant I had some freedom about my movements in and out of the school. Mr KWB [redacted] told me that that would not be the case and I would only be allowed out if he gave me permission. He was used to

commanding men in a battlefield, so you never argued with him.

'You were allocated a four-digit number during the time at Wellington Farm. This was also sewn onto the labels on some of your clothing. Mr KWB kept records for all the residents and they were kept under your number, not your name. This was another way to depersonalise you.

'There were other staff members at Wellington Farm. Mr HKM was the building instructor and there were probably about 14 masters, one for each house, with a few female staff working there as well. Female staff were in "domestic roles". List D schools, like borstals, were run by men. The staff lived in some of the houses situated within the grounds and some even had their children staying with them. You were not allowed to call any of the staff by their name, it always had to be "sir". The first time you made the mistake of calling them by name you were given a verbal reprimand and the next occasion some of your allocation of cigarettes was kept back. You started with two per day and [I think that is supposed to say] worked up to five. You get extra cigarettes if your "house" got more points than other "houses", but you could lose some of your house allocation if routine cleaning was not done

properly.

'Mr HKM was a really nice guy and he would be allowed to have two or three of the residents go to his house on a Sunday night for a cup of tea with him and his wife. We were allowed to go so long as we had not been cheeky that week. There were even occasions that we be invited by Mrs [redacted] to their home for tea. Mr KWB was not always happy about it, but his wife just told him she was doing it and he had to live with it.'

Then he asks the question:

'Was it part of a retraining programme?'

Trevor goes on:

'The school ran a points system within each of the houses. You were given so many points for beds being made properly and dormitory kept clean and tidy. If there were any issues with something not kept right, being cheeky or punished for any reason, then the house would have points deducted. This affected the allocation of cigarettes or any other treats given by the school. The house captain was responsible for keeping the points record for his house. There was also a league system for each of the houses which involved different sports. You would compete against other houses for points. This could be for football or even

boxing. Most of the sports took place within the grounds, but if you were involved in the boxing you had to go to a gym in Penicuik.

'On the day each of us arrived at Wellington Farm we had some powder thrown over our naked bodies and told it was to delouse us. As the powder did its job, our skin would feel like it was burning. The staff would then make you have a cold shower to get rid of the powder. Two male members of staff would be standing watching while this took place.

'There were probably about 90 kids between 14 and 16. All were split into different houses, which were usually named after the islands within the Forth Estuary. The one I was allocated was Forth House. The beds were all in straight lines, with 14 on each side of the room. There was no privacy within the dormitories and when getting ready for bed at night you were all made to strip naked in front of each other before getting your pyjamas on. One of the housemasters would be there to ensure this happened. The groups within the houses were all made up of different kids from all over the country. This led to many fights taking place with rivalries from the different areas. A good many of the boys were gang members from the "Tongs" in Glasgow and city gangs elsewhere.

'The only thing I remember about our housemaster was he was English. He would waken you about 7.00 in the morning and get you ready for breakfast. Before heading down to eat you had to make your bed. The bed linen was changed on a Saturday morning and a fresh set issued. The blankets were only changed every couple of months. You were shown how to make your bed with hospital corners.

'At meal times there were four lunch monitors appointed by [SNR] and they would ensure all the meals were eaten and no talking allowed. You were all made to line up in each of your houses and then marched down to the dining room. You all sat at your allocated seat at an allocated table. There were probably eight at each table. You then had to say "Selkirk" Grace, "Some hae meat and cannae eat, some wad eat that want it, but we hae meat and we can eat and sae the Lord be thankit". If you did not say it properly your meal would be taken away from you.

'After breakfast, there was an inspection by Mr KWB to make sure all the beds were made correctly and your clothes and possessions were in a correct order. You had to stand at attention beside your bed during the inspection. Mr KWB would appoint each of the houses with a house captain and he

would select others to be his assistants.'

He names who that was in his house and the nickname that he had and his assistants had. He then says whatever -- he mentions the nickname of the house captain, wanted done to the other kids and he names one of the assistants, would do it to him, mostly assaulting other boys:

'We carried out some chores and one of these was the whole dormitory had to be cleaned every day. This included the floors and the toilets. If anyone had been cheeky then they were always allocated toilet cleaning as a punishment.

'The house captains had the freedom to administer any punishments they saw fit. The worst punishment was called "round the dorm", or RTD. This would compel all in the dormitory to punch the victim in the jaw. This would mean that if the house captain saw fit to use this punishment the person receiving would be punched by all other 27 boys in the dorm and if you did not hit the person with sufficient force, the house captain would make you receive the same punishment. This happened to all of us, except obviously the house captain himself. I received this assault numerous times while at Wellington Farm.

'At night, we were only given a few minutes' notice

by the housemaster that lights were being put out and that was the last opportunity for anyone wishing to use the toilets. The toilets were then locked during the night. The action of locking toilets (I was told) was to stop anyone running away during the night. Actually, it was yet another punitive measure against incarcerated young boys. The order, "Last call for premises", was a boy's last opportunity to visit the toilet until morning. Thinking of this I realise how inhumane Wellington Farm really was. (There were boys in Wellington Farm who wet their bed. Locking toilets was cruel and impractical).

'There were some kids who wet the bed [he names one boy from the dorm who did that]. Each morning Mr KWB would pull back the sheets and then embarrass [he names the boy again], who ran off to the bathroom. He was brought back and Mr KWB gave him the cane over his buttocks in his office. All the boys who wet the bed were made to stand in the corridor holding their wet sheets and pyjamas. They were not allowed to dress while this took place. As they were stood in the corridor the other kids and staff would laugh at them. [Then he names the boy again] was further humiliated by going "round the dorm" for losing the house points for wetting his bed.

'At the weekends the house captains were allowed to take a maximum of six of their residents to the pictures. One thing wrong with that was two of the six always included his deputies, which left little chance of the rest of us getting to go. On the Sundays we were marched to St Mungo's Church in Penicuik for church service. This was the only day we were allowed to wear our own clothes. At all other days you were given uniforms from the school which you were made to wear.

'The housemasters would report any relevant matters involving discipline to [SNR]. He would then decide what, if any, punishments or point deductions were appropriate. He would be the person who would carry out some of the punishments on the residents. He would use the cane and the offender could expect to receive anything up to eight strikes with the cane on the buttocks.

'Every day we were either punched, shouted at, kicked or touched up by staff while I stayed at Wellington Farm. It wasn't all staff who were unkind, but most would have been aware of the violence in Wellington, because they would see the injuries on boys' faces. I saw many of the other residents being hit with the cane. It was a straight wooden cane about four feet in length. Mr KWB liked to swish the cane in the

air first to frighten you before using it on your buttocks. On one occasion, one of the boys I saw being caned [he names him], he would have been about 15 at that time. We were told to watch and told that this was what would happen if we were cheeky.'

Then he says the boy could not sit for days after this happened:

'In the place of schooling we were sent to some workshops where you were shown different skills in woodwork, metalwork and bricklaying.'

He then says [redacted] visited him once when he was at Wellington Farm and that she spoke to KWB [redacted] about some of the things that Trevor had told her about.

At paragraph 68 Trevor says he told her he was doing his best to maintain discipline within the school:

'Sometimes if I had a day out to Penicuik I would buy a postcard.'

Then he said that he would send a quick message to his relative that he stayed with to tell her that her son and he were okay. But he would tell her not to write back in case the staff found out that he was in touch with her.

At paragraph 70, Trevor says:

'While I suffered this abuse at Wellington Farm I often had suicidal thoughts. It would have been so

easy for me [redacted] [I think that should say] [redacted] [redacted] just to get away from all the pain. No child needs to live like that and no child should.'

He then talks about life after being in care from paragraph 71 and says that at the end of his time at Wellington Farm he was 16. He wasn't given any notice about leaving and he recalls being taken from Wellington to a halfway house that was run, I think, by particular individuals he goes on to name.

One man he names was a good person, he was the manager who along with his wife, I think he says they ran this halfway house.

He said he had never met this man before that time and he tells us that as he left Wellington, Mr HKM [redacted] passed him a whole packet of cigarettes which still had the cellophane wrapper on them. Trevor goes on to say that life was so much better from there on. The halfway house was used for boys leaving Wellington Farm as a way back into society.

He talks about being returned his old watch and clothing by Wellington Farm before he left and that he was taken by the man from the halfway house to a shop to buy new clothing and things he might need, as well as a nice jacket for job interviews. He said that when they returned they burned the old stuff in the back

garden because it had lain on the shelf for over 15 months.

He tells us at paragraph 73 that at the halfway house, he was so happy for having his own room for the first time he burst into tears, and he even had nice curtains on the windows. There were three other boys staying there with this couple and this was a time when he had a lot of freedom and was allowed out, he was given pocket money, 5 each week, and he was told the rent had been paid for six months.

The man who ran the halfway house showed him how to budget and showed him some basic cooking and Trevor says when he left, the budgeting had worked so well he had saved about 200, which was a fortune in those days.

He says he started to visit [redacted] whilst there and he was allowed to stay with her after a while at weekends and then he moved in with her and her husband.

He wasn't seen by any social workers or spoken to by them after he left Wellington Farm.

He talks about getting a job from the halfway house with a box makers, but says there was an incident there that caused him to leave and then he got another job, again with the help of the man from the halfway house, and was working there when he left and this was for Leith Provident.

He says he was loading vans at the beginning and because he was doing well and was good with numbers he was moved up to being a clerk.

[redacted] had started his own business and asked him to work for him. The money was double what he had been earning and so he decided to do that and he worked there for about nine months. He joined the army for a short period of only eight weeks and says that he was not suited to a life in the army and he says that they gave him a medical discharge.

He then tells us about learning to play the guitar. He's interested in psychology and Buddhism, which led him to learn about PTSD.

In relation to impact, Trevor goes on from paragraph 81 to say that the abuse that he suffered affected how he performed at school and he didn't leave with many certificates, but later in life he found an interest in educating himself and managed to obtain a diploma in communication. He was married for about 22 years, but that broke down. He's been with his current partner at the time of this statement for over ten years.

He talks at paragraph 84 about having difficulties trusting anyone in authority because of the abuse he

suffered and not being able to hold down a job and having more than 40 jobs during his life.

At paragraph 85, he says:

'When I was about 16, I went to the dentist for a check-up. When he examined me he found my jaw was misaligned and some of the teeth were crooked. I explained to him where I had been and the beatings we received and he believed this was the sole reason for this problem. Wellington Farm School allowed boys to be assaulted and took no action.'

Trevor says for about four years he took various street drugs and the only drug he never used was heroin, but he's now completely different from that person.

He tells us he has forms of OCD and has suffered from bulimia and he says that because he was always isolated from his family, he still feels isolated from them and has the same problem with some of his friends.

At paragraph 88, he says:

'From about age 25 I used to pray each night and asked for help to make sure I got through my life without hurting anyone. One of the quotes from the Dalai Lama is, "If you cannot do good in life, don't do bad". I have tried since to use that as a mantra in my life.'

He then talks about his contact with CELCIS.

At paragraph 90, he says:

'For about a year when I was 14 and staying with [this is the relative] I had suicidal thoughts. I was in regular contact with the Samaritans during this stage of my life. Even while I was at Leamington Terrace it took a while for these thoughts to go away. I have been to the doctors years ago for anxiety attacks and he taught me how to stop them affecting me and for a while I was taking medication to help me. I am now receiving support through Future Pathways and this has been since I got in touch with the Inquiry.'

He then at paragraph 93 says:

'I did report some of the abuse at Wellington Farm to my housemaster and he did take it to SNR , Mr KWB . His response was to say we were under Home Office regulations so there was no point in taking it to the police. I told him he was a disgrace and he was responsible for the beatings being authorised [and he names the nickname of the house captain]. I was not his "favourite" after that.'

He then goes on to talk about lessons to be learned and tells us his thoughts from paragraph 96.

At paragraph 97, he says:

'I don't think you can stop all child abuse, but the more that is put in place to prevent it will certainly

reduce the chances of abuse taking place.'

At paragraph 99 he tells us that at the time of this statement he was writing a book, which gives more detail than this statement.

My Lady, we do have a copy of Trevor's book which has been published independently and it's called 'Knocking on the Wall'.

LADY SMITH: Thank you.

MS FORBES: Trevor has made the usual declaration and he has signed his statement and it's dated 12 April 2019.

LADY SMITH: Thank you.

MS FORBES: My Lady, I do have another statement for Wellington, but I think it might take more than ten minutes.

LADY SMITH: We maybe better rise now for the lunch break and then we'll be ready for the 2 o'clock witness.

Thank you very much.

There are three names for the General Restriction Order, people whose names we have used but are not to be identified outside this room as having been referred to in our evidence, and that is Mr KWB, HWG and LUZ.

Thank you.

(12.52 pm)

(The luncheon adjournment)

(2.00 pm)

LADY SMITH: Mr Sheldon, good afternoon.

MR SHELDON: My Lady, as promised we have another witness in person this afternoon, Mrs Jane Carmichael.

LADY SMITH: Thank you.

Jane Carmichael (affirmed)

LADY SMITH: Jane, [redacted]

[redacted].

A. [redacted].

LADY SMITH: [redacted]

A. [redacted]

LADY SMITH: [redacted], you have a red folder with your statement in it. It will be available to you if you want to refer to it. We'll also bring parts of it up on the screen.

We don't intend to go through it word for word with you, because it's already evidence before me and it's been really helpful to read it in advance. But we'll focus on some particular parts that we want to explore this afternoon.

Jane, [redacted], if you have any questions, please don't hesitate to speak up. If you need a break, just tell me, that's quite all right.

A. Okay.

LADY SMITH: Or if there's anything else I can do or Mr Sheldon can do to make the whole process of giving evidence in this public setting more comfortable for you, just say.

A. Okay. Thank you.

LADY SMITH: Mr Sheldon, when you're ready.

MR SHELDON: Thank you, my Lady.

Questions from Mr Sheldon

MR SHELDON: Jane, [redacted] --

A. Yeah.

Q. -- [redacted] I think your date of birth is 1964?

A. That's right, yeah.

Q. Just for the purposes of our records, your witness statement for this case study is WIT-1-000000868.

Jane, I think I see you have the statement open in front of you.

A. Yes.

Q. That's great. If you could look at the last page of the statement, please.

A. You know, I've done a really silly thing here, I've left my glasses next door.

LADY SMITH: Are they easy to retrieve?

A. Yeah, they're just in my bag, in the big bag, sorry. Apologies.

LADY SMITH: You have my sympathies. It's easily done, but they're so necessary, aren't they?

A. They are.

MR SHELDON: I'll just give that a moment, but perhaps I can just read this to you. It's at paragraph 103 of your statement:

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

A. Yep.

Q. Does that remain the case?

A. Yes, absolutely.

Q. I'm not sure whether you can see it --

A. I can, no, no, no, you're good.

Q. Have you signed and dated the statement?

A. Yeah. That's great. Thank you.

Q. Thank you.

A. That's fine.

Q. Well, if you can just turn back to the start of the statement, and as Lady Smith said, we'll go through at least some of the statement and I'll just be asking you for some further explanation and detail about the things

that you tell us there, particularly about Wellington School --

A. Yep.

Q. -- but also about some of your experiences later in life.

A. Yep.

Q. You tell us that you studied teacher training from 1982 to 1985?

A. Yep.

Q. But while you were doing that, I think to fund the course that you were doing, you took a job at the Royal Blind School in Edinburgh?

A. That's right. It was a sort of temporary housemother role at that time. It was really to do like different shifts, just to fund my way through the course and also to get experience, so, yeah.

Q. Sure.

You said that you worked as housemother in houses for children with profoundly complex disabilities?

A. Yes.

Q. Can you tell us a bit more about that?

A. Yeah, it wasn't actually in the main school. It was on the road that goes down to Liberton, you know, the main road that goes through Edinburgh. I can't remember the name, is it Liberton Brae? I'm not sure --

LADY SMITH: The steep one?

A. Yeah.

LADY SMITH: That's Liberton Brae.

A. Liberton Brae, isn't it?

Anyway, the Blind School had houses within those and they were small houses and they were for children, I think up to the age of 16. The ones that I was working with were about 7, 8, 9, you know, who had extremely complex needs, so might be wheelchair bound, might be severe learning disabilities, you know, with it as well but came under the categorisation of being blind as well, so, erm, yeah, so I worked there for a bit.

Q. All right. You talk particularly about caring for a boy who was autistic and I think had quite challenging behaviour?

A. Yeah, that was outwith the blind school. It probably came -- just heard about it and there was a need for a carer for him, which needed a two-to-one, you know, for him, just to go out places and really be in the home and stuff as well. So, yeah.

Q. Did his behaviours make it difficult for him to be in public?

A. Very much so, yeah, yeah. He could lash out or he could, erm, just disappear or run or, you know, if you were in a shop, he would pick up everything, you know,

and then not understand he couldn't take it and, you know, so it needed quite a lot of, you know, cajoling, really, you know, just to ensure he was safe and other people were safe.

Q. Right. Can I ask you, as a young woman doing teacher training, what led you to apply for that particular job, was there any particular reason?

A. Gosh, at that time, erm, I'm trying to think, at that time I was at boarding school. I'd finished two years at boarding school at [redacted], erm, and I really didn't really enjoy being at boarding school, so I think I decided to do a bit of work that year and just get out of boarding school and just applied for that.

I was interested in working with young children with needs and stuff.

Q. Right. Why was that?

A. Erm, probably 'cause -- I'm trying to think really why -- I was brought up in [redacted] for quite a long time and I think I did a lot of work with, erm -- when I was 14/15, in the holidays with school camps. There was like the -- my dad was part of the EC and there was all these camps that you could actually then become like a monitor and do things like that. So it was just really progression from that, I think. Yeah.

Q. All right. You tell us in paragraph 3 that after you

graduated, you worked for Lothian Region and ran a nursery at Telford College that was particularly for students of the college and that it was connected to the Pilton and Muirhouse areas of Edinburgh.

A. Yeah.

Q. We know that certainly historically these were areas that had significant levels of deprivation?

A. Yeah. It was a joint project that, with Telford College and Manpower Services in the Education Department at that time, so it wasn't fully under Telford and it wasn't fully under education, it was under the Manpower Services at that time, and it was designed for young adults to try and get them into college, but then these adults would have had children, so then it was to try and, you know, augment that possibility that they would go back to learning and then would have a kind of place for the children to go to.

So a lot of the children were children from students, but then it opened it up to the community as well within Pilton and Muirhouse and it was a substantially deprived area within that.

Q. I mean, you say that yourself, that some of the children came from challenging backgrounds?

A. Yeah.

Q. Did they also have some challenging behaviours?

A. A bit, yeah, yeah, very much so. But they were quite young. They were very young, you know, so it was, erm, it was actually a full day nursery as well, so the children were there for the full day and the whole idea of that was to try to get people back into learning as well.

Q. You tell us that you did that until the nursery closed down at the end of --

A. Yeah.

Q. -- 1987 and that you then decided to go and study for a social work qualification. Before we leave that early experience though, I just want to note something that you say at paragraph 8, this is when you go on the placement to Wellington. I mean, you very fairly and, I think, modestly say you didn't realise 'how green we were' at that stage.

A. No, utterly, yeah, yeah.

Q. But I guess by that time you had had a number of years of experience working with young people, some of them with quite challenging behaviour?

A. Yeah, yeah. I mean, a lot of my work had been obviously in the primary sector and in the nursery sector and also with substantial, erm, I would say, learning needs, you know, more complex disabilities, rather than emotional and social, you know, trauma-based reactions to things.

Q. That was the sort of child that you found at Wellington?
A. Absolutely, yeah. It was a totally -- totally different -- I mean, these were teenagers who had been through trauma or, erm, you know, social and emotional challenges in their life and things, so it was very different, you know, to working with people who have maybe got autism or, you know, complex disabilities like cerebral palsy or, you know, things like that. Just totally different.
Q. Sure. I might ask you a bit more about that just in a moment or two, but before we get to that, just to look briefly at your experiences at Moray House doing the social work qualification from 1988 to 1990, that was a diploma in social work at that point.

I think now you would have to have a degree; is that right?
A. Yeah. At that time there was two ways I could have gone in, I could have gone in and done a post graduate right after the teaching qualification that I got, but I didn't, I went into the 18-month course. It was, erm -- it was just a bit longer, you know. I just didn't feel ready to do -- I think the post graduate was only like about nine months, and I just didn't feel ready to do that, so I went into the 18-month -- it wasn't a post graduate, it was still at the level of a diploma.

Erm, and then that gave you the CSQW, you know, the certificate at the end for social work and a diploma in social work.

Q. Right.

You make point that you didn't think there were any checks, sort of vetting checks or anything of that sort --

A. No.

Q. -- to get into Moray House?

A. No, you just did the normal UCAS form at that time, yeah, yeah.

Q. Does that mean then that when you came to go on the placements that you talk about just a little later in your statement, that again there were no further checks to go on placements?

A. As far as I can remember, I didn't get a CRB check done or a -- no, I don't remember having to submit what I've had to submit, you know, in the last 20 years, you know, for work. No, I can't remember anything like that.

Q. If we can go on to look at your placement at Wellington, which I think you say was the middle term of your first year.

A. Yep.

Q. You thought that you could express, this is paragraph 7,

you thought you could express an interest in a particular area:

'... but I was just told that I was going to Wellington.'

It was just, as it were, dropped on you?

A. Yeah, yeah. You didn't really get much choice. I think you were told that you could have an interest -- you know, if you were interested in say in working in oh, probation or disability or, you know, different areas, you could maybe get a choice, but the whole thing at that time it was a generic social work diploma, so it wasn't like a specified -- it was very generic and basically you got a placement. They were finding you the placement, so you had to take what was there.

Q. What did you know, if anything, about Wellington before you got there?

A. Not a lot. I had lived in Penicuik when -- before we went to [redacted] until I was 8 or 9 years old and I vaguely remember there being a school, you know, just probably through youngsters, you know, talking and things, but I didn't know an awful lot about it to be quite honest.

Q. What had you heard from, for example, the youngsters who talked about it?

A. A school for bad boys.

Q. Sorry?
A. A school for bad boys. I mean, you are talking what? Sixties, you know, seventies, early seventies, erm, so there would have been talk about it, because probably, you know, they came into the town of Penicuik then and the schools, you know, it was -- it would just be the chat probably, yeah.
Q. Just one other thing to take from that paragraph; you note that you had a supervisor in college and you had regular meetings, but that was mainly for the work that you had to produce such as reports and essays?
A. Yes, yeah.
Q. So did your supervisor have any kind of pastoral role, was the supervisor someone that you could have confined in if, for example, you had seen something that was bad practice?
A. You maybe could of, but it wasn't -- that wasn't the ethos of it, if that makes sense. I suppose if there was something you probably could of, but that's not what happened, you know. They were really there for the theoretical, to get you through the essays and the reports.
Q. I mean, did the supervisor ever say anything to you like, 'If you see any bad practice out there, you can come and talk to me about it'?

A. I don't think that was even mentioned. I don't think bad practice would have been mentioned, no.
Q. That wasn't really -- well, you say bad practice wasn't even mentioned?
A. No, that wasn't even mentioned, no.
Q. Do we take it from that that it was taken for granted that all practice would be good practice?
A. It certainly wasn't a big discussion point, no. It wasn't a big discussion point. The majority of what I remember of the social work course, there was a lot of discussion on sociology, there was a lot of discussion on philosophies, you know, all that kind of looking at, you know, all the different things like Marxism, you know, all these different areas, you know, but there wasn't a lot of discussion about the placements or, you know -- there was a discussion about the placements and what you had to do on the placement for the essays and stuff and what you had to submit, but really the placement was under the auspices of the placement, if that makes sense.
Q. Sure.
A. Like I think the tutor did come out maybe two -- maybe twice on the placement maybe to have a three-way meeting, but that was to see how you were getting on.
Q. A three-way meeting, who was the third person?

A. So that would have been [redacted] and I can't remember whether he was [redacted] or [redacted] of the whole school, because I didn't really have much to do with the [redacted] part at that time.

Q. Who was that, do you remember?

A. Oh, do you know, I can't remember at all. I can picture him, but I just can't remember his name.

Q. Might it have been [redacted]?

A. Oh, that does maybe -- yes, that rings a bell.

Q. Are you sure?

A. I'm not 100, but that rings a bell, yeah. He would have been in his 40s/50s maybe at that time.

Q. All right. Do you remember what he looked like?

A. Yeah. He was a fairly robust guy. He was quite big. Wasn't thin. I wouldn't have said he was fat, but maybe a bit on the overweight side and I think -- I don't think he had much hair, but I can't remember.

Q. Right. What was your impression of him?

A. Friendly man. Erm, absolutely fine. Welcoming to me, you know. Erm, I think he was the only -- I'm -- I can't be 100 per cent sure of this, but I think he was the only one that was social work trained. The rest were all social care officers, right.

So I had to go to him for my supervision, you know, because he was the one that was supervision for social

work students, whereas the other people were not qualified as social workers, if that makes sense.

Q. We have heard evidence that a HWG was SNR or may have been SNR at Wellington.

A. Right.

Q. But I think you mention that this person was SNR SNR ?

A. There was only one that I met, yeah. I wasn't sure when I did the statement here whether there was two people, SNR and one of SNR , certainly the only person I saw was that man.

Q. Okay.

LADY SMITH: Were there SNR ? and ?

A. No, not that I can remember. There was team leaders. There was team leaders in the units, but I don't remember SNR , erm, but my role at that was really not involved in at all, so we didn't have anything to do with the side.

MR SHELDON: Okay, all right, thank you.

Finally in relation to your course, did it include consideration of, for example, attachment theory in children or the effects of trauma?

A. Yes, Bowlby, Ainsworth, you know, all the theoretical, erm, things were part of the psychology that we did

within the course.

There was a lot of reference to, erm -- I'm trying to remember, teenage, you know, identity and teenage and all of that, you know, going against systems and, you know, things like that, yeah. There was -- I mean, absolutely, there was information on attachment as it was then. I mean, that was in the eighties. It has changed enormously now, but, yeah, to a degree there was. There wasn't anything on trauma, we didn't get anything on trauma or anything like that. There wasn't the correlation between attachment and trauma at that point. That didn't -- that wasn't --

Q. I think you said earlier that you did have some understanding that some of the children at Wellington had been affected by trauma?

A. Yeah.

Q. How did you gain that understanding?

A. Er, through talking with the boys themselves and also through the minimal background stuff that you got in terms of neglect or being abused and having gone into various other institutions and things, yeah.

Q. You used the expression there 'minimal background'.

A. Yeah, I didn't really get very much. As a student we were really kept on the periphery of that knowledge, erm, of what you were allowed to know about the young

people.

Q. Okay. Why was that?

A. Don't know. Don't know. Erm, we weren't told -- you were just told the bare minimum of what you had to know. You didn't get the in-depth information about their home background or, erm, the reasons for them being there or anything like that.

Q. You say paragraph 10 -- I'm sorry, I should have taken you to paragraph 9 briefly. You think you started there in January of 1989 --

A. Yeah.

Q. -- and were there for three months to March, is that right?

A. Yeah. As far as I can remember, the course was 18 months and the first year you had one placement and -- you had two terms in the college and one out -- like a full term out, so it would have been about three months. Then the next year you got two placements out and one term in the college.

Q. Okay, and your function was as a residential care worker?

A. Yeah, yeah.

Q. Was that as part of a group of, as it were, dedicated residential care workers?

A. No, it was just that was what the -- that was what all

the people working in the institution were based under, were residential care workers, if that makes sense.

Q. I suppose I'm just really interested to know whether there were, as it were, groupings of staff within Wellington, for example divided into residential care workers, social workers, teachers and so on?

A. Now, I think there was teachers but we didn't -- I didn't meet them, okay, in terms of that. And I think the reason for that is my shifts either took place after school, until late in the evenings, or early mornings. Erm, I can't fully remember, but -- because I don't think we were really -- I'm trying to think if I did have some time during the day. I may have had some. But we didn't -- I didn't meet any of the teachers, but there were teachers there. I didn't meet the school side of it.

The side that I was working with was the team leader, who was a residential care worker but not a social worker, and then people underneath him, who were all unqualified, as far as I was understanding. And the only social worker there was, was the guy that I was going to supervision for, which I think was HWG. I can't be 100 per cent sure.

Q. What was your impression first of all, what was your first impression of Wellington when you arrived?

A. I was a bit daunted, 'cause there wasn't many females, right. It was a very male environment. Erm, and it was all boys for a start, but the staff were all male as well. So it was a very male environment.

Erm, I wasn't exactly big or, you know, fully confident, I think, you know, at that time either, so it was quite -- it was quite intimidating. I mean, a lot of these boys were a lot bigger than me, you know, erm, and it was a very male environment. So you were a woman going into a very male environment really.

Q. What was your first impression of the staff?

A. Erm, I was pretty daunted by it, right, because it was quite coarse, if that's the word, you know, it wasn't very empathetic, it wasn't very sensitive, it wasn't nurturing the way, you know, you would have expected. It was very institutional, erm, in terms of the boys, you know, and the way -- it's not to say there wasn't kindness. There was kindness. I don't mean there wasn't. It just was very -- och, it was an institution, you know, it was very institutionalised.

Q. What were the interactions like between the staff and the boys?

A. The team leader that I worked with, he was good with the boys, you know, I think his name was Chris, if I remember rightly, and he was actually good. He was

good with them, erm, and his interaction was good with the boys, but there was other ones that were very much -- I suspect -- I think a couple of them were actually ex-mental health nurse trained in stuff, erm, much more offstandish and, erm, there wasn't an awful lot of interaction that went on with the boys.

There was an element of distance and fear, I would think, you know, in terms of that, yeah.

Q. You say, paragraph 12, you are not sure how many children there were in the school. Might it have been around 18 or 20, does that sound about right?

A. I think there was -- the reason I'm thinking there's -- I was in a unit, I think, with about six to eight boys, right, as far as I can remember, but there was another student called John, I can't remember his surname, who went at the same time as I, he was on the same course as me, I didn't know him very well, he was a man in his 30s/40s and he was an ex-psychiatric nurse, and he had a placement and I think he was in one of the other units, you know, working, 'cause I did remember that we occasionally used to meet -- I think we had different shifts but occasionally we would meet leaving or going or back in college and actually discuss, you know, bits about the place. But he was in a different part of the school to I was, I wasn't in the same unit.

Q. Sure. Would there have been perhaps three units in the school?
A. There were certainly two, I really can't remember. Yeah.
Q. All right.
Over the page, paragraph 13, you say that initially you met with SNR ?
A. Yeah.
Q. Is that SNR that you were talking about?
A. I wasn't sure. I can't remember what his role was, yeah, whether he was SNR or SNR or SNR school, do you know what I mean? I can't remember how it worked to be quite honest.
Q. You say:
'Nobody explained policies or health and safety...'
You weren't given any kind of briefing and at paragraph 14:
'There was no training before going in.'?
A. No, no, you just went in and you were to follow somebody around really.
Q. Okay.
A. Yeah.
Q. You didn't get any instruction about what you were supposed to do with the boys, as it were?

A. No, no, none at all, no. No, you were just supposed to follow the team leader and the team leader would give you anything that you had to do, yeah.
Q. You followed their lead, as it were?
A. Yeah, yeah, yeah, you did.
Q. Paragraph 15, you note that Wellington was completely remote and I think we know that it's some distance beyond Penicuik out in the country?
A. Yeah.
Q. Did that affect the atmosphere or the aura of the place?
A. Oh, very much, especially at nighttime. Yeah, I mean, I had a motorbike then, erm, and that was only the way I could have gone to that placement actually, 'cause transport, there is no -- you know, late night, it's rural, you've got no transport, and so I had my motorbike and went, you know, on that.

And yeah, I remember late shifts coming out, you know, really dark and thinking, 'Oh, God, it's a bit creepy', you know, and stuff and ...
Q. How do you think the boys would have viewed it?
A. Yeah, yeah -- the boys didn't go out much at night at the time. If I remember correctly, it was a time when it was dark, you know, from the January to the March that I went, so it was fairly dark at night, so there was -- the boys really just stayed in the living area

and didn't go out, you know, much at night, but it was very dark, yeah.

Q. At page 5, paragraphs 18 onwards, you talk a bit more about members of staff. You've mentioned the person that you thought was Chris, who was a team leader?

A. Yeah.

Q. Again, you talk about SNR [redacted] or SNR [redacted]. I think we know that at that time the headteacher was a man called Andrew McCracken, does that ring a bell?

A. No, HWG [redacted], more the HWG [redacted] guy rings a bell to be quite honest.

Yeah, I don't remember an Andrew McCracken.

LADY SMITH: It's okay.

MR SHELDON: You note at paragraph 20 that there were a couple of female staff but it was very male orientated.

A. Yes.

Q. 'They were all pretty burly.'

A. Big, yeah, big guys. Yeah.

Q. What did you take from that?

A. Erm, to be quite honest, as soon as I started there was restraints from the minute I started, you know, in the place, you know. It wasn't unusual for the guys to be -- two or three guys to be on top of one child, you know. Erm, there was a lot of restraints that occurred,

you know, in terms of that.

Q. We'll talk more about that --

A. And that's what I mean by they were pretty big guys, you know. Pretty able, you know, to -- yeah.

Q. Do you think that's really why they'd been employed?

A. Hard to know. I certainly saw it in my social work career, erm, you know, in other situations whereby that -- those were the reasons why, you know, psychiatric, ex-psychiatric nurses or psychiatric nurses were employed, because of their bulk and it was mainly men. It wasn't women, you know. There are a lot of psychiatric nurses that are women, you know, and it was mainly men that were employed in situations where behaviours were challenging.

Q. Right. You mentioned ... you were talking a little earlier about the interactions between staff and children. In these situations where there were perhaps challenging behaviours, was there any attempt to engage with children and defuse situations?

A. There wasn't a huge amount of interaction that went on between the staff and the children to be quite honest in the living room. It was more about sitting down and letting them watch TV. Really the staff would intervene if the boys started to wind each other up, you know, which they did frequently, you know, 'cause they're

young. You know, they didn't have enough to do. And they were in the living space together and they were asked to all get on, they all had different dilemmas coming, you know, and stuff, so it was really difficult. So a lot of it was just supervision, you know, monitoring the situation.

Erm, we did -- I mean, there was some interaction because we did -- we did take them out skiing, you know, and things, but within the unit itself, no, there probably wasn't a huge amount, no, not that I saw anyway.

Q. You told us that you saw a lot of restraints?

A. Yeah.

Q. About halfway through paragraph 21, you say that the staff didn't have the training, the theory or the understanding to put a lot of thought into it.

I think you're referring there to dealing with troubled young people; is that right?

A. Yeah, yeah, yeah, yeah, yeah. I mean, I don't know what you know about restraints, but the restraints that I witnessed were, you know, full-body restraints whereby, you know, somebody's on the ground, you know, with two or three people on top of them.

Q. So two or three burly men, was it always men?

A. Yeah, yeah, yeah.

Q. On one child?
A. Mm-hmm, mm-hmm. Mm-hmm, mm-hmm. Erm, I mean, don't get me wrong, these boys were big, you know, they could be 15, they could fairly big, you know, grown, you know, themselves, but yeah, yeah, they were prone restraints.
LADY SMITH: So the children were face down?
A. Mm-hmm, mm-hmm, mm-hmm.

It was a crisis management situation. It wasn't really -- it didn't feel like it was a planned, you know, 'Right, you go there, you go there, I'll go here'. That didn't feel like what it was. What it was is that all hell, you know, broke loose and then they just jumped on one person. They may have had a strategy. I wasn't trained in restraints at that time and stuff, but I didn't -- yeah, it could be two or three people on top -- and it could last for about ten minutes until -- 'cause obviously a kid's gonna fight back, aren't they? I mean, they're gonna fight back as much as they can. So then it escalates the situation, so then they are longer on the child, you know, and then it takes ages for it to calm down.

Q. From that description, it sounds as though you are describing a rather uncontrolled process of restraining --
A. Yeah, yeah, it was scary to watch.

Q. Restraining in any which way, is that a fair way of thinking about it?
A. It was scary to watch. You know, it was, you know -- it wasn't -- it was not nice to watch, you know, it was very unpleasant and felt very wrong, you know.
Q. Perhaps I could just press you on that a little more. Why did it feel very wrong particularly? What particularly was it that disturbed you about it?
A. Well, usually -- the situation had usually escalated because of some disagreement between the boys or some disagreement between a member of staff and the boys or some misunderstanding or some trigger or, you know, and then that child was already distressed, you know, in terms of, okay, it was displaying as anger, I agree, but it was a distress, you know, situation. And instead of trying to de-escalate that in a totally different way, it just seemed to escalate to the point where they were just, you know -- either the boy did something that then evoked that restraint where they deemed it was now too dangerous or whatever and then that was the situation of it.
Q. Were particular holds used when these restraints were taking place?
A. It was just prone restraints, I mean, it was really just on top of the child.

Q. So where would the child's arm be?
A. You might have somebody on the body, somebody on the arms and somebody on the legs, yeah, so that the child was restrained.
Q. Again, just to perhaps drill down into what you say in paragraph 21, this is about the staff not having the theory or understanding or the training to put a lot of thought into it.

Just thinking about what you mean by that, do you mean that if there had been more training, that some of this could have been avoided?
A. Yes, yes. I think if the staff had had training on -- it's difficult, at that time there wasn't the training on trauma. It wasn't seen as, you know, a huge implication, you know, that, yes, people understood that abuse, children had suffered abuse, you know, might have attachment difficulties, might have behaviours and things like that, but it was still working on a very behavioural mode of understanding rather than on an emotional understanding.

So I do think if there had been more social work staff having been trained in that way, it might be slightly better, but even then I'm not sure if it would have been at that time, you know, because bringing those children together like they were, with so disturbed

backgrounds and so difficult, you know, bringing them together, it was like a tinderbox, you know, it could blow at any time. And that was what each shift was like. You weren't sure what was gonna happen.

Q. Did anyone mention the idea or talk about the idea of de-escalation in difficult situations like that?

A. No, not to me anyway, no. I never saw -- I mean, I did see staff -- I mean, the team leader, he was good. He did try to work with the boys and distract them and take them off, but the rest of the staff didn't really seem to have that understanding, erm, of it.

Q. We might touch on that again later, Jane. I just wanted to ask you briefly about paragraph 22.

A. Yep.

Q. You are talking about your college supervisor and at the end of that paragraph you say:

'He would sometimes give me some theory but there wasn't much supervision compared to the placements I did later on.'

A. Yes.

Q. Can you just tell us a bit about that, please, about the supervision that you got later and how that differed?

A. Yeah, in the two placements that I had -- one was at Haddington Social Work Department and one, I think, was up at Gilmerton Hospital at that time, the hospital that

was up at Gilmerton, and, erm, I mean it was slightly different in that you got a caseload, you know, so you had cases that you were actually working with, but you were very closely supervised in all of those cases. So you would have to go through all your cases, say what you were doing, you know, really you were very closely monitored.

Whereas, in the List D school, you were just kind of left to get on with it, you know, and you had maybe a once-a-week meeting just to see how you were doing and things, but it wasn't a great placement, you know. I didn't feel I was learning an awful lot.

Q. So in this later supervision, was the process a bit like having red pen put through your homework, as it were?

A. Yeah, exactly. I mean, really you would have like a two- or three-hour consultation each week with your -- with the person -- the social worker who was managing your caseload and you'd have to go through every case and say where you were at with it and what you were doing and --

Q. Would they then make suggestions about how better to manage the particular case?

A. Yeah, yeah, or which direction to take it in, or -- because some of them you might be dealing with supervision orders or you might be dealing with

vulnerability orders, you know, so you would be -- if there were any children involved, that was closely monitored. Some of the cases I had that sometimes might have been a probation case so obviously there was, you know, a meeting, you know, the probationer, but then that would meet with the supervisor and be a legal thing within that as well.

So, yeah, there was much more input and you were much more part of a team, you know, so even in the hospital team, you would have your supervisor, but you would also have the multi-disciplinary team as well around that, because it was -- mainly what I was involved with was looking at elderly patients and seeing whether -- who had been in hospital and then trying to transfer out back into the house, the home or into nursing care or a part 4 home, which was the old people's home at that stage.

So again, there was a lot of, you know, input from other professionals, you know, in both of those examples. So you were never kind of left on your own, if that makes sense.

Q. Yes. Does that then contrast with Wellington, where perhaps you did feel, as it were, left alone?

A. Yeah, and to be quite honest with you, it was quite difficult at Wellington because I really didn't know

what I was doing, right, and I really didn't know what my role was and it was very difficult just to wander about the unit, 'cause there were certain stipulations that I couldn't do and they kept us very much at a distance. You know, you couldn't go into the room -- I understood I couldn't go into the boys' bedrooms, and that was 'cause I was a female, I think, as well.

Q. Was it different for the men?

A. Yeah, yeah, yeah.

Q. Were they allowed to go into the boys' bedrooms?

A. Yeah, yeah, the staff were in the boys' rooms, mm-hmm.

Erm, I remember one -- I think it was one night shift I was doing -- anyway, it was late at night and they had a new admittance for a young lad and he was very, very unsettled and, erm, the staff spent quite a long time with him in his room, you know.

Q. Just one member of staff or more than one?

A. Er, I think they took turns, 'cause I think all night he was unsettled, yeah, and stuff, so, erm, yeah -- but I wasn't allowed to be part of that really.

Q. Sure, but you did have some interactions with boys yourself?

A. Oh, in the unit, absolutely, yeah. In the living unit and then at meal times, you know, there was a dining room -- I think -- I think the meals were brought into

each of the units, but I can't be 100 per cent sure on that, right. But I think they were brought in and then they had the dining area and then you had the living area and then they had a small room that had a stereo, you know, and things, yeah, and there was a TV in the main living room and then I think the rooms were either upstairs or out to the back, yeah.

Q. Just thinking a bit more about that, and you've told us already that a lot of the information about the children was regarded as confidential --

A. Yes.

Q. -- and that wasn't given to you --

A. No.

Q. -- as a student?

A. No.

Q. Given that you're interacting with these boys day in, daily --

A. Yeah, very difficult.

Q. What difficulties did that create for you?

A. Well, you could say the wrong thing. I mean, it was very difficult because you didn't know the background of the boys' history, okay, unless the boys told you a bit themselves. You didn't get the official, you know, records of the boys or know what could be triggers, what might upset them or might, you know, not be okay with

them and things.

So it was very difficult, because you were always thinking on tenterhooks, you know, if I say the wrong thing and then that stopped the engagement and then you were always worried about that and I remember one incident where I had -- a young man, [redacted], erm, and [redacted] got on with me, but he was a very, very disturbed young man. Really quite disturbed young man, erm, and I think he may have come from St Joseph's, but I can't be 100 per cent sure of that.

LADY SMITH: St Joseph's, Tranent?

A. Yeah, but I can't be 100 per cent sure and I don't know why I have just remembered that, but I think he might have come from St Joseph's to then Wellington, 'cause he was older. He was about 15. And he was absolute an absolutely -- he loved sculpture, so he spent -- he did have that in the education part and they let him go down from the unit into the art room to do that a lot, but he was so recluse and incredibly damaged, you know, by obviously what had happened to him.

MR SHELDON: But you didn't really know what had happened to him?

A. No, not at all. Not at all. But you could tell. You could tell. Anyway, he quite liked to talk with me, you know, he quite liked to -- so we were in the -- so there

was a small room with a stereo off to the side and I can't remember what we were talking about. It would have been something just not very serious, you know, and I obviously said the wrong thing or said something that triggered him, erm, because the next thing I know was I got the stereo across, you know, across my head, you know, the whole thing just, you know, just got thrown across my head.

I can't remember what triggered him. It will have been something, but -- it could have been nothing to me, but it might have been something to him. And then my -- the only thing I could do was remove myself from that room, 'cause I thought that's the best thing, just remove yourself from the room and let him calm down. Because he wasn't going to talk. You know, he was busy going to be throwing everything. So I just removed myself from the room.

Q. Is that the approach that other members of staff took?

A. No, all three members of staff went into that room and restrained him, yeah. That was horrifying, 'cause I thought I'd remove myself from the room, let him calm down, you know, he's in the room, he's contained, he's not -- what's he gonna do? You know, he'll break everything, yeah, but he's not going to hurt me, I'm out of the room, you know. But no, they all went in and

restrained him.

Q. Did you actually see the restraint --

A. I could see the beginning of it, yeah, but I moved away after that.

Q. You talk a bit more about that at paragraph 29, Jane. And as we're looking at it from the other point of view, you say you weren't told their backgrounds or histories:

'I was just supposed to work with them. I think the children saw me as a transient human being.'

A. Yeah, yeah.

Q. What do you mean by that and how did that affect the way that they were with you?

A. They were used to students coming in. They were used to people coming in for small periods of times and not making deep relationships. They were used to that, erm, and that's how they saw me. They knew I wasn't going to be there for long. They knew I was a student, they knew I was only going to be there for about three months.

You know, they had two reactions to me, to try and manipulate me or take the mickey out of me or try and build some kind of relationship with me or try and get me to get them things that the other staff wouldn't get, you know, so you were just, you know, you were constantly on that footing with them.

I don't think they knew I was a social work student,

I think they just thought I was one of the members of staff there for maybe three months as a student. Yeah.

Q. I'm conscious I'm jumping around a bit in your statement, Jane, but I hope these themes are linked.

The next paragraph is 26, on page 7, you say that you were hugely daunted by the place --

A. Yeah.

Q. -- it was a very male environment. We have heard elsewhere that there may also have been an atmosphere of really rather fear in the place?

A. Yeah.

Q. Was that your experience as well?

A. Yeah. It was not a nice place to go. It was no nurturing at all, even the building itself was so stark and inside even the units, there was not nice furniture. It wasn't homely. It wasn't, erm -- it was nowhere near homely. You know, I don't know what their bedrooms were like, 'cause I was never allowed to go in their bedrooms, but it wasn't -- the unit wasn't homely, it was very institutionalised, there was a dining room, there was a bit of an area where they had a TV and they might have had occasional table tennis or something I think maybe, erm, but there wasn't a lot, you know.

It was very stark. Erm, yeah, it was just -- there wasn't much that went on to be quite honest, you know.

Q. At paragraph 32, this is page 8, you talk a bit more about the atmosphere and you say it's an environment of fear and eruption from both the staff and the kids' points of view.

A. Yeah, yeah.

Q. We would be interested to know a bit more about that and your experience?

A. I suppose, some of these lads, you know, were -- some of them were part of the casual gangs, you know, the casuals, you know, the football casuals in the eighties, so some of them were part of that, and then some would be different rival gangs, you know, and stuff, so you would have a lot of tension between the boys at times.

But then you would have -- you've got to understand that these children had been probably in care quite a long time and were used to manipulating and winding up and taking the mickey out of staff, you know, and knowing how to create tension, you know, partly 'cause they're not getting what they need, but there's that mentality that's going on and then the staff would maybe be sarcastic back or they might wind them up, you know.

There was just not -- do you know, it just seemed like maybe there was an awful lack of empathy and sensitivity that went on and it wasn't nurturing for the boys.

Q. You say that the main focus, I think here you're talking about the staff, the main focus was trying to stop these eruptions --

A. Yeah.

Q. -- and basically jumping on kids and restraining them if there was a problem?

A. Yeah.

Q. So the main way of stopping the eruptions was --

A. To do nothing.

Q. Well, either do nothing or when it happened --

A. Yeah, yeah, so there was always a tension. You know, you went in and you would know -- I would know as soon as I came on a shift whether it had been a really bad period before, because the unit would be very tense or the unit would be relaxed. So you would know when you came on, you know, and you would say, 'Has it been a bad shift?', and somebody would say, 'Yeah, it has, so and so kicked off', or whatever.

So a lot of the time it was just managing and holding those children. It wasn't doing much else. Certainly in the living area anyway. I don't know about the education side of it.

Q. I think I know the answer to this question, but did staff really make any effort to tackle the tensions at the root, as it were, and defuse those tensions or --

A. No, not that I could see, no. No. There wasn't a lot of conversation with the children, you know. Erm, unless they did that elsewhere, you know. I didn't see that.

Q. Yes. Not even by way of banter or ribbing or whatever?

A. Erm, there was the banter, no, you're right, there was banter that went on, but that could explode very easily, yeah. So, yeah. And it depended on the members of staff as well, so you had all the different ideas of people, you know. Some of them were like prison officers, you know, in terms of monitoring.

I mean like, you know, I remember one guy who was really big and his way of doing anything with one of the children that was, you know, maybe going to be a little bit disruptive was to sit right beside him, you know, on the settee so that his being overwhelmed, you know, so that was -- and I'm talking right beside him, to the point that he's touching him, you know, so, do you know what I mean, like, 'You sit down, I'm here, you're going to behave', kind of thing, you know. Which is all unsaid, but that's the use of his, you know, his self, you know, to do that.

Q. Was there ever any sense of physical interactions between staff and children, I'm thinking about -- what we have heard described elsewhere is horseplay or toy

fighting or anything like that?

A. You've just made me think, yes, there was, there was some horseplay, yeah.

Q. I don't want to put words into your mouth. Is that something you have a memory of?

A. Yeah, yeah. I'm just remembering actually there was an incident whereby there was -- yeah, there was, they would have a good wrangle, you know.

Q. Staff and children?

A. Yeah, staff and children, yeah. Not a lot, not a lot, erm, and I have to say I think Chris, the team leader, did that more actually. Yeah, there was that -- there was a lot of horseplay. Like, you know -- you know you get into a wrangle and try and trip each other up, you know, or get their legs or whatever and things like that.

Q. Did that have the effect of defusing tension or did it make it worse?

A. I think for some of the kids it was a way of nurturing. I do think for some of the boys it was a way of getting physical contact with the adults.

Q. Okay, so that was something that to some extent they welcomed?

A. Yeah, yeah, yeah.

Q. Did it ever pose problems that you recall?

A. No, not that -- not that I saw, no. No.
Q. Okay, you go on at paragraph 33, page 9, to talk about the routine at Wellington. I don't want to go into too much detail about that, we have obviously read your statement. But you note that one particular boy was very small and young and that the team leader would go into the bedrooms quite a lot to help out in cases like that?
A. Yeah. He was very unhappy. He used to cry a lot and I know the team leader did go and spend a lot of time with him in the room.
Q. Is this the same child that you talk about a bit later in your statement or a different one?
A. Er, I'm trying to think whereabouts ...
Q. I'll remind you of that, the passage where you talk about it starts at paragraph 47, page 12.
A. No, totally different boy.
Q. All right, okay, I just wanted to clarify that. Thank you.
A. Yeah.
Q. You mention that Chris, the team leader, spent a lot of time with him in his room --
A. Yeah.
Q. -- and tried to settle him. In the circumstances, did you have any concerns about that?

A. Er, I know that John and I used to talk about that, the other student, about, you know, 'cause I think John, who went to the other unit, he was allowed in the bedrooms, if I remember rightly, 'cause he was a male, right. And we did talk about the risks of being in a bedroom on your own with a child and that was quite common practice and I think we did have some queries about it and I think John had --

Q. I'm sorry to interrupt, but did you query that with anyone at Wellington or just between yourselves?

A. No, just between ourselves. Yeah, 'cause I think John said, 'I'm not sure what to do', and I said, 'Well, if it was me, I wouldn't be doing that, I would be making sure there was somebody else with me', and stuff.

So, yeah, I think it was just a learning that we were talking about ourselves, but, no, we didn't -- for me it wasn't an issue, 'cause I wasn't in any of the bedrooms.

Q. As far as you were aware, was there any particular or express policy about that --

A. No.

Q. -- or was that just something that was understood?

A. Just, yeah. I think it was quite common practice. If the child was unsettled then they would be in the bedroom with them, yeah.

LADY SMITH: I think you told us at paragraph 13, wasn't it, that when you first went to Wellington the one thing you were told was don't be alone with a child.

A. Yeah, yeah, I was told that, yeah, mm-hmm, yeah.

LADY SMITH: At the outset.

A. I don't know whether that was because I was a student and a female. I couldn't -- I was just told not to, yeah. Certainly, it wasn't the -- the practice was being alone with the children in the rooms, so ...

MR SHELDON: You also say, paragraph 36, you were never anywhere near the bathrooms --

A. No, no.

Q. -- or washing facilities. Was that, you understood, for the same reason?

A. Yeah, yeah, it was very much because I was a woman, you know, within the unit, yeah.

Q. You mentioned that there were a couple of other female staff; was it the same for them?

A. No, I think the female staff were the dining, you know, were more the cooks and the dining. I don't remember there being another female member of staff with me on the unit at all.

Yeah, I think they were maybe in the dining room, you know, or brought the food in or something or maybe laundry as well, there might have been somebody in the

laundry room. I can't remember, but they weren't in the living unit.

Q. Sure. While we are on that topic then, what was the food like, do you recall?

A. Er, I think it was pretty grim. I think it was like cereal or porridge for breakfast. Erm, I think they might have been able to have sausages and things like a sausage on a roll or something like that, erm, but I never ate the meals. I brought my own food, so, yeah.

Q. You do say you think there were times when children had to stay and eat if they hadn't finished?

A. Yes.

Q. Can you tell us more about that?

A. Yes, there was a sort of mentality about them having to finish their food and -- but it was more like -- it wasn't very gentle, if you know what I mean. It was more like, you know. 'Would you finish up your food?', you know, 'You've got to finish your food'. It wasn't more an understanding of they might not like it or they might, you know. Erm, it wasn't very nurturing. It was more like, 'You've been given this, would you finish it', you know, and stuff.

Q. Right, but children weren't actively forced to eat food?

A. No, not that I saw, no.

Q. Jumping on a bit in your statement then, you have talked

a little bit about the facilities in the school and a particular boy who used art facilities quite a lot, about taking boys skiing and so on. Was that to Hillend Ski Centre they would go?

A. Yeah, mm-hmm, mm-hmm. I was part of that. I was a skier, so I could be part of that with them and go with them, yeah.

Q. I suppose it's pretty close really to Wellington?

A. Yeah, it is very close, yeah.

Q. Jumping on again to page 11, paragraph 43, you tell us there was a lot of self-harm amongst the boys in the unit?

A. Yeah.

Q. You talk about one in particular who had a lot of scars?

A. Yeah, yeah.

Q. Was that a more widespread problem?

A. Er, certainly the boy, [redacted], that I talk about, he was very, you know, [redacted], you know, [redacted].

Q. Yes. But other boys too you think were self-harming?

A. Yeah.

Q. How did you know that?

A. Er, mainly because of the -- they would either have [redacted] on that had been put on or they'd done it, you know, or you could see it, you know, erm, yeah.

Q. Again, I suppose at that stage of your career, how did

you know or how did you become aware that these were self-harming injuries?

A. Erm, gosh, it was very obvious. Erm, if you've got somebody with multiple, you know, things on [redacted] you know it's pretty much self-harming. I had worked as well -- that may have come from my own knowledge as well. I had worked with a woman in -- I'm trying to think, I had worked -- do you know Broughton Street?

LADY SMITH: Yes.

A. You know there used to be a women's abuse centre down there for women who had experienced abuse, you know, it was just down there, you know where the church --

LADY SMITH: Yes.

A. -- there's a church (Inaudible) and there's a unit there and I had worked voluntarily there with some young women who had experienced sexual abuse and physical abuse, and, erm, there was a lot of self-harming that went on there. And I had worked specifically with one woman who was a chronic self-harmer. So I did know what it looked like, erm, but whether that came from that knowledge, you definitely knew they were self-harming and I did ask, I did ask at Wellington: does he self-harm? You know, and I was told yes, you know.

And their strategy was that they would monitor it and they would try, you know, to take away whatever it

was they were -- so I think they would do -- like, if somebody was self-harming, they would check the bedroom for any kind of [redacted] or [redacted] they'd got hold of or anything that could, you know, self-harm.

MR SHELDON: And I think we know that self-harm is or can be a reaction to serious distress and trauma?

A. Yes, and trauma and abuse and ... yeah.

Q. Was anything done for these boys who were self-harming?

A. No, no, no. There wasn't a lot done.

Q. Was there any input from a psychologist, for example?

A. Not that I was aware of, but then again we weren't privy to all the records, so it was so hard to know.

Q. So there might have been such, but you weren't aware of it?

A. There might have been.

MR SHELDON: My Lady, I wonder if that might be a convenient point?

LADY SMITH: Jane, [redacted] I normally take a short break for a breather for everybody about now. Would that work for you?

A. Yes, that's fine.

LADY SMITH: Let's do that.

(3.04 pm)

(A short break)

(3.12 pm)
LADY SMITH: Welcome back, Jane. Are you ready for us to carry on?
A. Yes.
LADY SMITH: Thank you.
Mr Sheldon.
MR SHELDON: Thank you, my Lady.
Jane, before the break we were talking about boys with an issue with self-harm.
A. Yeah.
Q. I think we can infer from that, perhaps mental health issues, as well?
A. Mm-hmm.
Q. You say at one point expressly in your statement, paragraph 58, that the kids were quite depressed?
A. Yeah.
Q. You talk quite a bit about restraints that you witnessed and/or realised were going on and you talk a bit more about it later in your statement actually, and I'll take you to a couple of passages about that, but were you able to form any impression of what effect the restraints had on the children and, in particular, on their mental health?
A. Oh, erm, it's so hard to know. It's so hard to know the impact of the restraint on the children, because I think

they experienced it quite a lot and I suspect -- I think a couple of boys had been at different places and knew about restraints as well, if I can remember right, you know, and stuff, you know, so, och, it was really disturbing. You know, I mean, as a witness, it was really disturbing, but for the person it happening to, I don't know how they're going to react.

I do know that they were very angry, a lot of the boys were incredibly angry for most of the time.

Q. About being restrained or about other things?

A. Yeah, and generally just angry. And angry. And that led them into behaviours that, you know, got them into trouble, you know, or whatever. But you could see why they were angry. It was pretty, you know, stark situation that they were in. There wasn't much nurturing and these restraints were full-on. These were -- you know, these weren't gentle holds of, you know -- whereby you can do restraints with gentle holds. These were full-on, prone-down restraints, that must have been very humiliating.

LADY SMITH: Did you ever see injuries on the boys?

A. No, no, no, I didn't.

LADY SMITH: I've heard of carpet burns to faces as a result of restraints; did you ever see any of that?

A. I wouldn't be surprised. I haven't seen it, but I've

certainly seen children's faces being held to the side on a carpet, you know, the head being held and legs being held and, you know -- to be quite honest, I didn't stay around when a restraint ... I found it really distressing, you know, 'cause there was nothing I could do and I found it so humiliating for the young person that me watching it is not going to help the situation, so I would really just remove myself.

MR SHELDON: You tell us at paragraph 55 that you:

'... remember thinking that the place was nutty. I remember thinking, "How can people live like this?"'

A. Yeah, it was very stressful, very, very stressful. It was an incredibly stressful place, you know, it was like you're waiting for something to happen, the staff are waiting for something to happen, the boys are waiting for something to happen, they're winding each other up, there's the tension all the time.

Everything's suppressed to try and keep the situation under, you know -- so there's not much going on, there's not much hilarity, there's not much laughter, there's not much, you know, of normal day to day as you would have in your life with a child. Erm, it was just an exhausting placement. You know, you came away thinking, 'Oh, God, do I want to do this?' You know.

So it was quite exhausting. Yeah, I didn't enjoy it. I didn't enjoy it at all. I didn't feel I was doing anything worthwhile, to be quite honest, at it.

Q. Towards the end of that paragraph, paragraph 55, you say that the boys were seen as very disturbed. They weren't seen as kids?

A. No.

Q. Can you tell us more about that. What do you mean by that?

A. Er, they were seen as young men, yeah. They were -- there wasn't an understanding that these were still children, who were still working through and learning and working through their feelings and having to deal with all sorts of things that they'd had to deal with. There was an element of these were young men and were dealt with in that way, yeah.

Q. I think the expression you use in paragraph 53 is, you use the expression:

'They were seen as little hard nuts.'

A. Yeah, yeah, they were seen as kids who were out of control and a lot of them were ... you know, came across as really hardened, you know, individuals, but really they weren't. They were so vulnerable. They were just so vulnerable, you know. They were into the cigarettes, the drinking, the gangs, you know, erm, they were making

choices that were not going to serve them, you know, but they were seen as this was the last bit that they had to do, you know. They were going out into adulthood after this, so this was -- they were already, there was nothing much we could do with them 'cause they had got to this point at this stage, but they weren't seen as vulnerable children.

Q. You talk in the few paragraphs before paragraph 53 about boys absconding and being out at the weekend and so on.

A. Yeah, mm-hmm.

Q. You say:

'There was a massive awareness ...'

This is paragraph 53 again:

'There was a massive awareness that these boys were at risk ...'

But you, I think, repeat they weren't seen as boys. What was the awareness about risk? What risks were people aware that they might be subject to?

A. It was crazy. We used to get the minibus at the weekend, right, and the ones that were going out, okay, would get dropped off at Dalry Road, at Gorgie, right, they would get dropped off there and they would have a time to come back, you know, if they were going to come back that night or else they would get dropped off and they were going away for the weekend or something,

depending on what the arrangement was for each boy.

Now, everybody, all the staff knew that we were going to get phone calls from the police or from this, because they would meet up with the casuals, the football casuals, and that was the grounds at the time where they all met, round Gorgie. I don't know why it was round there. There must have been a football ground round there maybe at some point.

Q. Tynecastle, I think.

A. Ah, okay. 'Cause that's where we dropped them off and then they would just be on their own devices, if they were coming home back to Wellington that night, the minibus would pick them up again, but some of them were going for the weekend so they were just dropped off at that point and stuff.

But we all knew they would get themselves into trouble. But we would still drop them off with no staff, no nothing, and they'd be on their own for the day. And numerous ones, they got into gangs and they fought with the casuals or some of them were part of the casual gangs and then that just caused ructions as well. So you can just imagine it.

Q. Was there any awareness or discussion at that time about the risks of exploitation of various sorts perhaps?

A. No, no. It was more gang and football casuals that was

the thing that I was aware of, yeah.

Q. The risk of perhaps sexual exploitation wasn't really on the radar at that time?

A. No, it certainly wasn't talked about with me anyway.

Q. Right.

I want to talk to you now about a different issue and about a particular boy that you had some contact with. You first mention him, I think, at paragraph 48, if we can look at that.

47, but I want to ask you about paragraph 48.

This was a particular boy, who was on a supervision order?

A. Yeah.

Q. There was a formal review process. You tell us that the review was very superficial, about how he was getting on at the place. He didn't say very much. He didn't have legal representation or an advocate present. You just say it wasn't very in depth?

A. No.

Q. I was going to ask what you would expect from a review of that sort now?

A. Oh, gosh, now, oh, now --

Q. Perhaps if you had further experience of such reviews later in your career that you can contrast with that?

A. Yeah. I mean, compared to the review that was held

then, it wasn't in depth. Now you would have all the people around, you know, that child, hopefully. Well, that's debatable actually. You would ask everybody who is around that child to come to that meeting, who turned up --

Q. What sort of people, what sort of groups are you talking about?

A. So you might have CAMHS involved, you may have psychologists involved, you may have --

Q. CAMHS, that is the Child and Adult Mental Health --

A. Mental health.

Q. Yes.

A. You would have social work obviously involved. You would have education. They might have an independent advocate. You would have the family, you know, the child themselves, depending on whether they wanted to come as well, but you would have -- you would send an invite to everybody around that child who was involved in that child's life.

I have to say you might not get very many people coming still to this day, 'cause my experience of these reviews now and things that happen is we set them up and we just can't get all the professionals to come and I think we go round in circles still, you know, with that so ...

But there was it very much I think the social worker came. I think his family, his mum came, but I'm not 100 per cent sure, and then there was SNR [redacted], which I think was HWG [redacted], I think, came and then there was -- I was allowed to be present at that one and the child himself and the team leader.

Q. Just thinking about the more recent practice, you mentioned that you very often you wouldn't get all the relevant people at meetings?

A. No, no.

Q. One can perhaps understand why some of the family members, adults around the child might not be there, they might not want to be there, they might not be able to be there, but why is it difficult getting professionals there?

A. Well, partly because there's the times -- it's trying to get -- if you've got somebody from health, right, and you've got somebody from social work and somebody education and they've got other children that they're doing, to try and get people together in a meeting and to get everybody around that table is actually very difficult and it doesn't happen a lot that you get them all around and it's a headache. It is a real headache.

Q. Does it make any difference that, of course, we have got things like Teams meetings or Zoom or whatever it may

be --

A. That can make a bit of a difference. No, it does, and I do a lot at the moment with that. I'm working at the moment with young people and do a lot of this, erm, and that can alleviate some of those stresses.

Q. I suppose it may not be as satisfactory as having everyone round the table, but --

A. But at least they're there, at least they're there. You know, at least you can get your bit in and say, 'Look, what are you doing?' But I mean really -- half, I would say 50 to 60 per cent of my time is going to meetings whereby the person you need to talk to is not at the meeting and you're like, 'Right, we have to arrange another meeting', you know, and stuff, or you don't get any answers and you're going round in circles.

Q. Moving on then to talk a bit more about this young boy that you had dealings with. This is jumping on to paragraph 73 of your statement, if we can have that up, please. It's page 19.

You tell us that he was quite new. He'd only been at Wellington a few months, he was quiet, introverted, non-threatening, but you got to know him and chatted to him and at some stage he made a disclosure to you?

A. Yeah.

Q. At what point in the process of getting to know him, as

it were, did that take place?

A. Okay, so it was probably -- he probably may have been there for a couple -- my role with him was to befriend him, okay. I think he'd come into the unit just before I had come into the unit, okay, so he wasn't -- I think he'd only been there for a few months.

So when I came into the unit, my job was -- I was asked if I would just be a befriender to him, you know, because he must have only been about 12. He was very slight. He was really quite a nice lad, you know. There wasn't any challenging behaviours from him, you know. He was just very insecure, very quiet and I think the whole idea was I was to become a befriender with him and try and, you know, see if he would talk and just have somebody to talk to.

So I did that for quite a while and I would suspect for maybe over a month or, you know, or maybe -- because I have the feeling the disclosure came maybe two or three, four weeks just before I left, you know, so I would have been there maybe a couple of months, yeah, getting to know him, yeah.

Q. The disclosure was that he told you he had been sexually abused by an uncle?

A. Yeah. One night he just was crying. It was before a weekend and he was just crying and I asked him, you

know, we were just talking and eventually he said to me that he gets -- yeah, that his uncle, when he goes out at the weekend, does these things to him and he explained what he did to him, yeah.

Q. I want to make sure I've understood your statement correctly, the disclosure was that he was being repeatedly, regularly raped by his uncle?

A. Yes, yes, yes. Who was in a wheelchair, yes.

Q. I think it's clear that you believed him?

A. Oh, utterly. I had no doubt.

Q. Why? What made you believe him?

A. Erm, I suppose there were numerous things. He was very distressed, but it hadn't been something he'd told me before. He was going out for the weekend. Erm, I just felt -- I don't know. Why would you not believe him? You know, he was telling me this was happening. Erm, he wasn't a lad that was going to show that off. You know, that wasn't for anybody. That was for him. You know, he was telling me something about him, you know, and it wasn't for my benefit, you know. Yeah.

Q. I think you tell us that you then told other staff on duty what you'd been told?

A. Yeah, yeah.

Q. Perhaps you can just take the narrative from there?

A. There wasn't much of a reaction to that. They felt he

was telling lies and that he had said this before and I was, like, mm, right, okay. I think he went out that weekend, do you know that, that's what's so horrific, he probably went out that weekend.

LADY SMITH: To this relative?

A. Yeah, that's what's so horrific. Erm, I did tell -- I did disclose anything that was said and I think I told the team leader at that point and I left it with him, I didn't --

MR SHELDON: This would have been Chris, is that right?

A. Yeah. I told him what he had disclosed and he said he would talk to the lad or something, but he never came back to me with anything, erm, and then they seemed to think he had a history of telling stories and stuff, you know, so --

Q. Did anything happen following your disclosure to the team leader?

A. Not a lot, no. Not that I was aware of. Didn't come back to me anyway.

Q. All right. So the next thing that happened or is this what we should understand from your statement, is that the social worker comes to visit?

A. Yeah, he had a visit from social work about every two weeks, because he was new into the unit and she would have been a field social worker, you know, like in

an office, one of the generic social workers. Erm, she came to visit and I said to him he needed to tell people about this, you know, and he asked me if I would come into the meeting with the social worker and I said, yeah, yeah I'll do that.

So we had just a meeting with me, the social worker and him and I told her what he had recounted to me, you know, and what was happening at weekends and she was adamant. She was saying, 'That's not happening, you're telling lies', you know all this kind of thing. She was pretty awful to him. She really just accused him.

Erm, anyway she just dismissed it. Stormed out. He closed down, you know, the whole thing was just -- and the social worker told me that as a student I really shouldn't believe everything that people told me and all this kind of thing. Erm, it was really difficult. She was a fairly well-qualified social worker. She wasn't young. She was 30s/40s, you know, she was experienced. She wasn't a new social worker.

I didn't know what to do. As a student, it was a really difficult situation for me to be in, you know. I'd told already the team leader, I'd told the social worker and, you know, it was awful. It was a really awful -- I suffered an agonised night that night, you know, trying to think what do I do here, you

know, but I did. I went to the guy that was my supervisor.

Q. Your supervisor at college?

A. No, at the school.

Q. I think you describe him as SNR [redacted] at the school.

A. Yeah, yeah, the same one that was meant to be supervising me.

Q. So in effect you went over your team leader's head?

A. I did, yeah.

Q. I think you indicate that was a pretty difficult thing for you to do?

A. It was. It was. It wasn't -- it was, it was very difficult. I had everybody telling me not to believe this lad and that it was nothing going on and that he was just telling stories and I was green and I was believing everything, you know. It was very difficult, you know. So yeah. But I did. I just couldn't let him go back into that really so ...

Q. You tell us that the police were involved. They did become involved?

A. Yes.

Q. You go on to say:

'It was completely taken out of my hands ... I was removed as quickly as you could say the word "lightning".'

A. Yes, yes.
Q. What do you mean by the word 'removed'?
A. I wasn't allowed to be involved with him any more.
Q. Right.
A. Okay, so my interactions with him were stopped. I wasn't allowed to be involved with him. I wasn't allowed to talk with him on a one to one. I do know that the police were called. I was never questioned by the police, I was not involved at all. But I know from what the guy who was supervising me told me that the police had been called and that he had been medically examined and that there was proof that he had been regularly raped and that there was a lot of damage and physical evidence with that and that his uncle had also admitted it now as well.

So, yeah, and then, of course, the lad had also told me that he'd told his social worker, you know, quite a long time ago that this had been happening, but that she'd ignored him and told him he was telling stories and everything.

To be quite honest, there -- I never got involved at all. It was like a cover up. I was just not involved. I wasn't questioned. I wasn't asked what he said. Nothing at all.
Q. Can I come back to that point just in a moment. But

I first of all want to ask you; during this period were you given any support about what you'd heard, about what you had had to do and about the process that was then going on?

A. No, no. I think I did take it to my tutor in college, but I can't remember if I took it to my tutor or took it to a group discussion amongst us as students, but really there wasn't, no. I was just told -- there was nothing. Nothing happened. There was nothing, yeah.

Q. You mentioned just there that you felt there was -- the way you put it in your statement, paragraph 79, is there was a huge cover-up afterwards.

A. Yes.

Q. Why do you say that?

A. Well, because he'd been telling -- I think that he'd been telling people that this was happening. I don't think I was the first person he's told, you know, he'd been telling people that this was happening and they'd all, for some reason or another, decided that he had been telling stories. So this young lad had been telling people this had happened and hadn't been believed.

Erm, I think we did meet once with the social worker afterwards, I think, and she admitted she'd made a mistake and had been wrong, but I don't think there

was any accountability. I don't think anything happened. As I say, it was all just hidden and I was taken away from -- yeah, not allowed to have contact with him.

Q. The way this had all happened, did that affect your relationship with people at work, people you were working with?

A. It certainly didn't help it. It was unsaid -- it was unsaid, but it didn't help it. Put it like this, I wasn't, you know, really talked to an awful lot and things or involved in things so -- I really just wanted to leave that placement. It wasn't exactly the most profitable learning processes for me.

Q. I think you did leave that placement?

A. I did, it was two or three weeks afterwards. Yeah.

Q. Did you find those two or three weeks quite an uncomfortable time?

A. Yeah, yeah, I didn't enjoy it. I think people felt very guilty and very shocked that it had all been true, you know, and I think he'd already told people about what was happening so there was a lot, you know -- I really don't understand why I wasn't involved in the police investigation or anything like that. I just don't understand that, 'cause he disclosed to me, you know, I did think I had to write it up for SNR [redacted],

I did have to write it up for him, so that there would have been a record of it, but it wasn't for the police or investigated by the police.

I mean, it was for him, but I wasn't involved in that, yeah.

Q. Given what you know about the staff at Wellington at that time, do you think it would have been easy for a boy like this boy to make disclosures like that?

A. Oh, God no, no, not at all. He was obviously desperate. I mean, he was going out every weekend, remember, you know, to this uncle. And goodness knows how long this had gone on for. But it was really hard for him, I think, because he got stopped going out at the weekends as well, you know, so in a way it's a relief, right, he doesn't have to go to this, but now he's stuck in the unit for the whole weekend.

Q. You tell us at paragraph 87, although I think you didn't really want to be there, you said it was awful to leave the placement and leave this particular boy?

A. Yeah, I did ask if I could keep in contact with him and write to him and things like that, but I was told under no circumstances.

Q. Really?

A. Yeah, yeah, yeah.

Q. Were you given any reason for that?

A. No, just that that would be professionally not appropriate. So ... yeah, I've always wondered what happened to him, yeah.

Q. That paragraph is part of your reflections on the placement that you had and I just perhaps want to get your reflections, perhaps briefly, given the time of the afternoon.

A. Yeah.

Q. At paragraph 90, it may perhaps be a starting point, you say Wellington needed to be far more nurturing?

A. Yeah, yeah. It was very stark. It was very minimalist. It was very harsh, the layout. There was no kind of -- if I remember right, it was like a brown and black furniture, you know, kind of mentality. There was just -- it was functional, you know. They were there, they were fed, they were watered, you know, there was just not much else going on with them. And it was seen as children who were very challenging and here they were in a school and the whole idea was to get them to 16/17 so they could leave school.

Erm, and they weren't protected very much at all. They weren't seen as vulnerable. They were seen as children -- yeah, there was an element of understanding that was social and emotional and they engaged in risky behaviours, but they were really much allowed to do what

they liked really, you know. There wasn't very much nurturing. It was very rural, you know, so if they ran away they were running away in the dark, you know, for quite a while, erm, you know, and things so, yeah.

And the restraints, the restraints were awful. I mean, they were prone restraints. They didn't need to happen like that.

Q. That was the next thing I wanted to ask you about. I think that you are now part of a group that works to reduce or eliminate restraint; is that right?

A. Yeah, yeah. So I was part of -- the reason I'm part of that from a personal point of view is that [redacted] a little boy when he was three-and-a-half and he proceeded to run away from school for the whole of his primary -- he came from a very, very distressing background and it's taken him a long time to get where he's at. He was regularly restrained at school without me knowing, without, you know, me being told about it and stuff.

So I had huge -- it's been -- that was a long, long journey with him to get people involved that would support that intervention being stopped with him.

Q. You tell us in paragraph 93 about some of the restraints that -- this was when [redacted] was 6, 7, 8 years old, some of them were two-man holds --

A. Yeah. 40 restraints I found out. 40 restraints from the ages of 5 to 8 years old.

Q. Some of those were on the ground, again?

A. Yeah, and I wasn't told about them. They were recorded. [redacted] I managed to get the records. Some of them are just terrible records, they're half filled in. They don't tell you the whole thing of it.

And, erm, yeah, and [redacted] for a psychologist to become involved in the school system with him and got him a private psychotherapist to work with him and the school and they eventually agreed for him to become part of the system around [redacted] and he basically told them, 'You need to stop this, you need to stop this now. You're totally traumatising him and retraumatising him.' And, yeah, yeah.

I was amazed at how many restraints that he'd had, that you weren't told about, yeah, and that's --

Q. You -- sorry, I didn't mean to cut across. You tell us at paragraph 97, it's very difficult to change that culture and I think you're talking about a culture of restraint?

A. It is slightly changing.

Q. I just wondered if you have some reflections on how one goes about doing that --

A. It's a really difficult one. Right. It's really difficult. I've been on the end of it from [redacted]'s point of view and I'm also in the education system at the moment, working with really challenging young people. And it is very, very difficult, but there is a way to do it and that is actually understanding that every child's behaviour is communication in terms of that. And working with that communication and understanding that they're displaying some kind of need that's unmet or some kind of trigger or trauma.

Erm, I won't restrain, right. I won't take the training for restraint. I won't restrain, you know, any child and I haven't had to. But I still see it sometimes. I think it's getting better and one of the ways is that there is a group that have been trying to take it to the Scottish Government to get it through as law and not as policy, but I don't think we're there yet. It's not going to go through as law, but I think there has been a number of papers and bills, things that have been going through, of, you know, not restraining in schools and things and how better to do that, but a lot of it comes from education and training and again, the people who are doing the restraints are usually not the teachers or the qualified people. It's usually people like the personal support assistants, who have

maybe been given some CALM training, from the region that I work in, in Perth and Kinross, that's the ethos that they train in, that's called CALM training.

It's a de-escalation mode of training, whereby the restraint is at the last resort. So it is better, however, your last resort might not be my last resort or somebody else's last resort, so it really depends on the understanding around that. But I think there is less of the prone, you know, face-down restraints and things. I think it's much more now holding an elbow or walking alongside or, you know, trying to distract and guide in that way.

LADY SMITH: Do you think restraint can ever be ruled out as a possibility, albeit very much last resort of your characterisation of last resort?

A. It's so difficult, because if [redacted] was running away and going to cross a main road, I would love you to grab him in any way, shape or form you can grab him before a car gets him, do you know? So there's an element of that, of the, you know, you don't want a child to hurt themselves if you can stop it and in the heat of the moment, you may have to stop that any way you can possibly do it, you know, because you may not be able to do it in the way that you want to do it.

So I don't know, you know, it's a really -- I see it

being used more as a -- trying to make them conform to certain ways of being within a system, right, rather than a danger, okay.

I think if we used it only for like a danger in that way rather than, you know, for example -- say for example you've got a child with really complex needs. You take them to a different environment, you know, you bring them into a hall, they're kicking off, you then restrain them. I wouldn't do that. I would be going gently into a different environment. I'd be thinking, okay, let's not go into that environment, let's take a step at a time. Let's work it. Let's go to the door. Let's see if you want to go into the door. I would be giving a lot more autonomy of choice within that, but then that requires staffing and that requires resources and then, you know, so there's lots of -- I'm working with a young lad at the moment where we're at that stage, who is incredibly challenging and has assaulted so many members of staff, and me included, erm,but his capacity is not there to understand that.

The restraint is not going to work, because he'll not learn -- that won't do anything. That will just escalate it. What we've got to do is find a different way of managing his tolerance levels and his stimulation levels and then do it bit by bit and that all takes

time.

I'm lucky, I'm in a position at the moment, the role where I'm acting as a consultant with the council, you know, I'm self-employed, they've called me in because I do have a lot of the expertise to do this and I'm working with very challenging cases. My whole job is to try and get them back into the units and to work with the staff to accept that and show them different ways.

But it all takes time, it takes time.

Q. Time and training and education and money, I suppose?

A. Yeah. And an understanding of sitting with that unknownness, rather than being in control of the situation, yeah, which is challenging for the best of us, you know.

So if you've got young people of 20 coming in as PSAs, you know, and I've got this 13-year-old lad who decides, oh, you know, he's working on impulse and thinks the breasts of that -- I'm just being obvious here -- the breasts of that 20-year-old are quite nice, 'Well, I'm actually going to go and try and grab them'. Right, so what's the automatic reaction of the staff? Restrain, you know.

But I'm saying, okay, so we now have to work out where those boundaries, so you have to keep facing on him, when you see that happen, you have to move away.

You know, there's loads of different ways of doing it, but it takes time and it takes training.

LADY SMITH: Jane, you used an acronym there; PSAs, can you remind me?

A. Sorry, personal support assistants. Sorry, yeah.

LADY SMITH: Thank you.

MR SHELDON: Jane, thank you for bearing with me in the questions that I've had. I don't have anything more for you, unless you have anything you want to add?

A. No. That's ... yeah.

LADY SMITH: Jane, thank you [redacted] with this new chapter of rich information and evidence about your own experiences, both way back at Wellington and more recently what you've learnt about doing one's best for children who are in need in these particular ways. I'm really grateful to you. I'm now able to let you go and I hope you have a safe journey back.

A. Thank you.

(The witness withdrew)

MR SHELDON: My Lady, I'm told that there is a read-in that could be done in 15 or 20 minutes, so it's entirely in my Lady's hands whether we call it a day or press on and get that one done.

LADY SMITH: I think we'll leave it there for today. We've

done well, but I might fall prey to that temptation another day this week if it re-arises, Mr Sheldon.

I have no more names to state, so I will rise now and we sit again tomorrow morning starting at 10 o'clock.

Thank you.

(3.50 pm)

(The Inquiry adjourned until 10.00 am on Wednesday, 8 January 2025)

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