

1 Friday, 10 January 2025
2 (10.00 am)
3 LADY SMITH: Good morning, and welcome back to Chapter 12 of
4 Phase 8 of our case study hearings.
5 We move on this morning to the first of three
6 witnesses in person today, we hope. I think the first
7 witness is ready, Mr Peoples, is that right?
8 MR PEOPLES: Yes, good morning, my Lady.
9 The first witness -- who has waived his anonymity --
10 is Tommy Harley.
11 LADY SMITH: Thank you.
12 Tommy Harley (affirmed)
13 LADY SMITH: Tommy, is it okay if I use your first name?
14 I'm happy to call you Mr Harley if you prefer.
15 A. Yes, yes. No, Tommy.
16 LADY SMITH: Is that all right?
17 Your statement is in that red folder and thank you
18 very much for providing your written evidence in
19 advance, so that I've been able to read it, but thank
20 you also for coming along this morning to give oral
21 evidence to us, because, as you probably have been told,
22 we'd like to explore some particular parts of that
23 statement with you, if that's okay?
24 A. Yes.
25 LADY SMITH: Tommy, I appreciate that it's not easy doing

1 what you have agreed to do this morning, come into
2 a public place and talk about things that are very
3 personal to you --
4 A. Aye.
5 LADY SMITH: -- and talk about your own life and your own
6 life when you were a youngster. I know that in part of
7 your life you don't have a problem in speaking in
8 public, but that's different, and this goes right to the
9 heart of you and it may at times feel upsetting or
10 distressing. It's not unusual for people to experience
11 that. I do understand and if you want a break at any
12 time or just a pause or us to explain things
13 differently, please do speak up.
14 You help us to help you to give the best evidence
15 that you can. Will you do that?
16 A. Yes, yes.
17 LADY SMITH: Thank you.
18 If you're ready, Tommy, I'll hand over to Mr Peoples
19 and he'll take it from there.
20 A. Yes.
21 LADY SMITH: Mr Peoples.
22 Questions from Mr Peoples
23 MR PEOPLES: Good morning, Tommy.
24 A. Good morning.
25 Q. Can I ask you first to have the statement in front of

1 you and could you turn to the back page of that
2 statement. Now, before I just ask you a few questions,
3 I'll give the statement's reference for the transcript.
4 You don't need to worry about this, but it's
5 WIT.001.001.6575.

6 Now, Tommy, with that introduction, can you confirm
7 that on page 23 of your statement to the Inquiry, you
8 have signed your statement and dated it?

9 A. Yes, I did, yes.

10 Q. You say at paragraph 99:

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

15 A. Yes.

16 Q. I'll take you through some parts of it today and if you
17 wish to refer to the statement or, alternatively, you
18 can see the statement that's coming up in front of you
19 on the screen. It's up to you, whichever's easier for
20 you, if you wish --

21 A. I'll look at the screen, aye.

22 Q. That's absolutely fine. I don't think I'll need to take
23 you to the red folder again if you can see it in front
24 of you and you're happier.

25 Can I just begin by asking you this, and I don't

1 need your date of birth, but you were born in 1966,

2 Tommy?

3 A. Yes.

4 Q. You tell us a bit about your background before you went

5 into care and you tell us that your family lived in

6 Fife, in Kirkcaldy?

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

8 Q. You lived with mum and dad [REDACTED]

9 [REDACTED]

10 A. Yes.

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 Q. Your parents are both deceased now?

16 A. Yes, yes, they are.

17 Q. Now, you have a section in your statement, Tommy; 'Life

18 before going into care'.

19 I would just like to ask you a little bit about

20 that, but I'm not take you through every line of that

21 section. You can be assured we have read it and we'll

22 read it again.

23 You tell us quite bluntly, in paragraph 4, that your

24 family life was horrible, even when you were quite

25 young, and I think essentially the problem was that at

1 times [REDACTED] was quite a heavy drinker?

2 A. Yes.

3 Q. I think that when [REDACTED] was drunk, [REDACTED] would give you

4 beatings?

5 A. Yes, [REDACTED] would.

6 Q. Was that really the times that [REDACTED] would do that, when [REDACTED]

7 had too much to drink?

8 A. Aye. It was -- a Friday night was the worst time, [REDACTED]

9 come in after the pub and if I was in my bed, [REDACTED] come

10 and [REDACTED] just shout swear words, erm, 'Get him doon

11 here'. and I'd go doon and still -- [REDACTED] still -- [REDACTED]

12 still had steel toe capped boots on, and I would go in

13 the living room and [REDACTED] hae me bent o'er and [REDACTED] would

14 hae [REDACTED] belt and [REDACTED] would just starting whacking me with

15 [REDACTED] belt and then [REDACTED] would just start kicking me with

16 [REDACTED] steely boots on, eh.

17 Q. Was this one of [REDACTED] belts that [REDACTED] would use to hold up

18 [REDACTED] trousers?

19 A. Aye.

20 Q. A normal --

21 A. Aye, aye.

22 Q. I think you tell us in your statement, Tommy, that you

23 recall [REDACTED] shouting things along the lines of, 'Bastard,

24 bastard, get down here'?

25 A. Aye. That's what [REDACTED] was shouting when I was upstairs.

1 Q. You say you're only a wee kid, I mean what sort of age
2 are we talking about here?

3 A. That was right through, right through just before I went
4 into care at the age of 10, erm ...

5 Q. So when did it start, though, these beatings? How young
6 were you?

7 A. From what I can remember, eh, it was fae the age of kind
8 of like, 5, 6.

9 Q. When they started, had you already started school or was
10 this even before you went to school?

11 A. I was, erm, just up to finish school, when I look back,
12 eh, because I couldnae settle, eh, and I didnae start
13 speaking 'til the age of 5, eh, they was my first words,
14 eh, because my growth had stopped, because I know now
15 I was riddled with fear, because ... ken like 'cause [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED] I've been riddled with
20 fear because I've been feart to [REDACTED]. So when I've
21 started to kind of be a toddler and that, ken, I've just
22 been stuck in that fear and, ken, just don't want to be
23 near [REDACTED] eh, and [REDACTED] would take [REDACTED] anger oot on
24 me and maybe give me a wee slap on the face or the back
25 of the head or whatever, ken, when I've been just a wee

1 kid. So it just progressed.

2 Q. So it was happening before you went to school?

3 A. Aye, oh, aye.

4 LADY SMITH: I see, Tommy, that at the end of paragraph 4 of

5 your statement, you said you thought you deserved it.

6 A. Aye.

7 LADY SMITH: And you were a wee lad, pre-school age?

8 A. A wee boy, aye.

9 I used to -- ken, that's what I believed all my life

10 that I must have deserved all this bad stuff that was

11 happening to me, ken. Erm, don't know why, but that was

12 what I was led to believe, that, erm, I deserved the

13 beatings, eh, I had been bad and everything.

14 LADY SMITH: Could it be that you just didn't know anything

15 different and you thought life was just like that?

16 A. I did. That's what I thought life -- that's what

17 I thought it was. I couldnae -- I had nae -- ken, today

18 I've got peace and contentment, eh, but I didn't

19 understand, ken, being disruptive, I thought that was

20 just wee Tommy. Ken, that's the only thing I thought --

21 it was kinda like -- and we spoke through there, ken,

22 like lighting fires and all that, ken, it was my ... to

23 escape from what was happening to me, it was my escape

24 to get into my reality, my ain bubble, it was just

25 lighting fires and that's what, ken, like just took me

1 to there.

2 LADY SMITH: Thank you.

3 MR PEOPLES: Tommy, you do say at times that when these

4 beatings occurred, that [REDACTED] wasn't always there to

5 protect you. Did [REDACTED] try to protect you when [REDACTED]

6 was around.

7 A. [REDACTED] did, eh, but, ken, like, [REDACTED] was shouting, ken,

8 and [REDACTED] trying to, ken, look after [REDACTED]

9 eh, and make sure that, ken, [REDACTED] were looked after, but

10 [REDACTED] even says to [REDACTED] eh, ken, spend some time with

11 Tommy and take him out, but [REDACTED] did, [REDACTED] took me up to the

12 woods and just -- [REDACTED] was picking berries and that, but I

13 was, ken, like I was feart, 'cause I knew that something

14 was -- I was waiting on something happening. I thought

15 [REDACTED] was, ken, gonna to beat me up and everything, eh, and

16 ...

17 Q. So you were always in fear of [REDACTED]?

18 A. Aye.

19 Q. Even when [REDACTED] wasn't -- had too much to drink, you were

20 still in fear of [REDACTED], because of what [REDACTED] had been doing?

21 A. Aye.

22 Q. Now, you have told us -- you tell us about this in your

23 statement -- you were fascinated with fires, as you say

24 it was your escape, your reality, and I think you have

25 explained, it was your escape from what you've just

1 described, the situation at home --

2 A. Aye.

3 Q. -- with [REDACTED]. I'm not going to go through all the
4 incidents, but you give us quite a few examples of this
5 fascination, what form it took, and you would be making
6 fires in various places, sometimes setting fire to
7 buildings, things like that?

8 A. Aye.

9 Q. You were doing that quite regularly?

10 A. Aye. I was just like, erm, kinda, 'cause -- youse'll
11 all imagine it anyway, but what I was getting -- ken,
12 what I was getting off the fires, lighting fires, it
13 was, ken -- I was away fae reality. I was in my -- but
14 it was the same kinda -- I'm going to -- the same kind
15 of buzz when I was taking heroin, when I was caught up
16 in addiction. It was the same kinda buzz.

17 Q. It was a sort of high for you when you were a little
18 boy, that gave you the sort of buzz?

19 A. Aye. Aye. The fire -- aye, the fire just used to draw
20 me in, ken. It was like I was stoned. It was like I
21 was stoned and that's what I was getting when I was
22 a wee kid.

23 Q. Tommy, you tell us on one occasion, paragraph 5, I don't
24 want to dwell on it too much, but you said there was
25 an occasion when you had been beaten and then you went

1 away and lit a fire in some woods?

2 A. Yes.

3 Q. You say that on that occasion you saw a [REDACTED]

4 [REDACTED] hanging from the trees.

5 A. A [REDACTED]

6 Q. You said you thought about hanging yourself?

7 A. Aye.

8 Q. How seriously did you consider doing that?

9 A. [REDACTED] had just beat me up and I jumped on my wee bike,

10 eh, it was a wee Tomahawk bike kinda like ... and I just

11 -- I had my matches in my pocket and I went along to the

12 woods and the Golden Gates, and at the Golden Gates,

13 there was a wee burn, but there was a tree next to it,

14 so I lit my wee fire, ken like, and I put my bike down

15 and lit a wee fire and that and I seen the [REDACTED] --

16 the [REDACTED] and I just kinda like -- I didn't ken how

17 I come oot with this, eh, but a boy -- a wee boy at that

18 age, they shouldn't have had any of they thoughts, ken,

19 but I did, eh, ken. I just wanted to [REDACTED]

20 [REDACTED] ken, and just kill myself and I shouldn't have

21 had that. I don't know where that's come fae at that

22 moment in time, but that's what I had. I wanted to

23 escape. I wanted to be away. I had just had enough

24 that day, but the [REDACTED] -- I couldnae reach the [REDACTED] or

25 I think I would've done it. I would've done it.

1 Q. You had problems at school, I think, and I think you
2 were at least marked out as a troublemaker really, the
3 way the school saw it?

4 A. Aye. Aye.

5 Q. You said you would carry on all the time. Were you
6 quite disruptive at school at times?

7 A. I was, yeah. Ken, like, I didnae understand, eh, ken
8 like, erm, I couldnae read or write, ken. I couldn't
9 understand stuff, eh, ken, like and the work I was
10 getting put in front of me and I didn't understand it.
11 I just couldnae -- I couldnae settle in. They would put
12 me outside the classroom, eh, and I'd be disruptive when
13 I was oot in the class, ken, and I had my desk and my
14 chair. I'd be disruptive when I was oot there, ken.
15 Anybody walking past.

16 Q. I think that led to a time when you were referred to
17 a psychiatrist at a local hospital; is that right?

18 A. Yes, yes.

19 Q. You also, I think, tell us at paragraph 7 that by this
20 stage, there was a social worker involved with you and
21 also you were involved in appearing at Children's Panels
22 as well, that was all happening around this time?

23 A. Yes. Yes.

24 Q. You say that basically you were seen as the problem?

25 A. Aye. Aye.

1 Q. Did anyone ever ask you about [REDACTED], for example,
2 and what [REDACTED] was or wasn't doing at home or do you think
3 they ever thought about maybe the problem isn't you,
4 Tommy, it's someone in your household?

5 A. Well, I was -- ken, I just got -- I was made to believe
6 that it was me that was the problem. I'm the one that
7 was, ken, like, I know now that, ken, [REDACTED] was
8 an alcoholic, eh, ken --

9 Q. Did you tell any of these people, the psychologist or
10 the social worker, did you try to tell them what [REDACTED] was
11 doing to you, particularly when [REDACTED] was drunk or did you
12 keep that to yourself?

13 A. I just kept that to myself, aye. I just learnt fae
14 an early age, ken like, I didn't tell anybody anything.

15 Q. Did [REDACTED] put any pressure on you not to say anything
16 at all or was it just that was your decision?

17 A. That was my decision, aye, because you were led to
18 believe that at that time, ken like, you don't tell
19 anybody anything outside the family, yeah, no matter
20 what.

21 Q. Now, there was a time you tell us, Tommy, when I think
22 you were [REDACTED]
23 [REDACTED] and you stayed with an uncle and
24 aunt for a time?

25 A. Aye.

1 Q. I think your behaviour continued and you continued to
2 have the fascination with fire, so it didn't really
3 solve the problem, if you like?

4 A. No, it just escalated. My Uncle [REDACTED] ken, when
5 I stayed with my Aunt [REDACTED] and my Uncle [REDACTED]
6 I couldnae go home, erm, and I stayed with them, my
7 Uncle [REDACTED] ken, like he tried to teach me, tried to
8 learn me how to, ken, to read and how to write and, ken,
9 do maths and everything, eh, but I just wasnae into it.
10 I couldnae -- he tried. He did. He did try. He tried
11 to treat me like his wee boy, yeah, ken, man, but I just
12 couldnae settle.

13 Q. I think you tell us at paragraph 12, really, that they
14 came to realise, your uncle and aunt, that they weren't
15 able to handle you or the situation that you've
16 described and that it was only perhaps later she
17 understood what the problem was?

18 A. Aye.

19 Q. She didn't presumably know how the situation was at home
20 with [REDACTED] at that time?

21 A. Ken, all my family knew, eh, but they just kinda put
22 a blind eye to it.

23 Q. So she did know?

24 A. Aye, she did know.

25 Q. But she didn't really confront it or address it?

1 A. Aye. 'Cause mind, [REDACTED] -- 'cause they used to sit --
2 [REDACTED] used to go to my auntie's on a Saturday, I would
3 be try and be oot the house for [REDACTED] coming up, and they
4 used to drink sherry, it was sherry they used to drink,
5 ken, and my Uncle [REDACTED], my Auntie [REDACTED] and [REDACTED] used
6 to sit and drink sherry on a Saturday afternoon, but
7 I'd be away oot on my bike, eh, to make sure I was away
8 fae it all, because I didnae want to see [REDACTED].

9 Q. But what she didn't understand then, sorry, maybe I took
10 the wrong thing from paragraph 12, what she didn't
11 understand at that time was the reason the way you were
12 acting --

13 A. Aye.

14 Q. -- because you say quite simply it was because you
15 weren't getting any love or affection in your home
16 environment?

17 A. Nuh-uh.

18 Q. Was that the real root of the problem?

19 A. Aye. I had, ken like, children, ken like, I had never
20 been cuddled before, I'd never been cuddled, I'd never
21 ever felt a cuddle in my life, until I learned it in
22 rehab at the age of 45.

23 Q. Was your mum not even a person that would give you a
24 cuddle?

25 A. No, I couldnae get the connection with my mum, eh, ken,

1 I was that distanced.

2 LADY SMITH: In your home life you didn't have warmth and
3 you didn't have light?

4 A. No.

5 LADY SMITH: I suppose the fires gave you warmth and light?

6 A. That's exactly what it did ken, man. I didnae, I didn't
7 understand what a cuddle was until I got clean when I
8 landed at rehab at the age of 45, until a wee woman that
9 I met, ken, she was -- ken, she run the rehab and that's
10 what they did, eh, they firm, ken, a cuddle, ken, you
11 felt what a cuddle were and I used to run downstairs in
12 the morning in rehab, ken, for Maggie coming in at
13 9.15 am and getting a cuddle. I didn't understand any
14 of that, ken, and that's when the first time in my life
15 that I'd actually felt what a cuddle was.

16 MR PEOPLES: [REDACTED], you have said there were times [REDACTED]
17 tried to protect you, so I take it that [REDACTED] knew what
18 was happening with [REDACTED]?

19 A. Aye.

20 Q. But [REDACTED] wasn't able really to protect you in a way and
21 [REDACTED] stuck with [REDACTED]?

22 A. Aye. [REDACTED], ken like, [REDACTED] would shout at [REDACTED], ken,
23 and [REDACTED] would come in at nighttime and, 'Get that
24 effing B doon here now' and they would throw -- ken,
25 push [REDACTED] out of the living room and [REDACTED] grab me and

1 just beatings, ken, man, but ken, like, it didnae matter
2 what kind of beatings I got, ken, steel toe capped boots
3 or whatever, erm, I never cried. I never cried in my
4 life, man.

5 Q. Now, you tell us, Tommy, at paragraph 13 that there was
6 a place in your locality that you were put to for
7 a short time, I think, when you were about 6, and you
8 say it was for a wee break.

9 I just want to understand. Was it a wee break for
10 you or a wee break for your family?

11 A. I think it was to give my family a break.

12 Q. You were seen as the problem, so they were getting
13 a break from you?

14 A. Aye.

15 Q. Not you getting a break from them?

16 A. Aye.

17 Q. Then you went back home again?

18 A. Aye.

19 Q. And things stayed the same?

20 A. Aye, just escalated.

21 Q. Now, at paragraph 19, Tommy, obviously you have told us
22 that there was social work involvement. There was
23 involvement with psychiatrists and you say that
24 a decision was taken, I think, with the agreement of
25 your mum, that you should be sent somewhere?

1 A. Aye.

2 Q. To get some form of, they thought, treatment for your
3 problem?

4 A. Aye.

5 Q. I think, by the stage that this happened, you say you
6 were already on a certain medication. You tell us about
7 that in paragraph 19. Is it Epilim?

8 A. Aye, Epilim, it was maybe for taking fits. It was
9 a purple box.

10 Q. Did you take fits at that stage?

11 A. I just used to just blank out, black out, ken, when
12 I was in a different kinda -- I would scream and bawl
13 and I would just go into, ken, like, a different place.

14 Q. Because this medication can be used for two purposes,
15 I don't know if you know that, one was for epilepsy, for
16 example, and the other one is if someone is thought to
17 have some sort of bipolar disorder. You probably don't
18 know whether they were giving it to you for a particular
19 reason, but do you think it was to do with the fits, as
20 you call it?

21 A. That's what they said. Ken, like, I didn't understand
22 it.

23 Q. That was prescribed by the psychiatrist, I think you
24 tell us?

25 A. Aye, aye, aye. I was on that for a long time.

1 Q. You say you had been sectioned, is that something you
2 have read about since?

3 A. No, but it was something, erm ... when I was 10, I went
4 up to a place up in Cupar.

5 Q. You went there under some sort of formal order?

6 A. Aye, an order.

7 Q. To be held?

8 A. Aye.

9 Q. I think you know, Tommy, because we have explained this,
10 that we're not going to be looking at that particular
11 place today?

12 A. Aye, aye.

13 Q. But it was essentially I think an NHS psychiatric unit
14 for children in Fife?

15 A. Yes. Yes.

16 Q. You had a spell in there, you reckon you were about
17 9 years of age?

18 A. Aye.

19 Q. You were there, you think, around about a year?

20 A. I was there for a while.

21 Q. We don't need the exact -- but you were there for quite
22 a long time?

23 A. Aye.

24 Q. As I say, I'm not going to go into that today, Secondary Inst
25 Secondary Institutions - to be published later

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23 Q. After this spell in this unit, Tommy, you moved on and

24 you were put into a special residential school in Fife?

25 A. Yes.

1 Q. When you were maybe about the age of 10?

2 A. Aye.

3 Q. I think you estimate that that would be around 1976, if
4 I'm doing my arithmetic correct, and you think you were
5 maybe there for around four years?

6 A. I was there for -- I think it was -- erm, it was about
7 two year. About two year I was there for.

8 Q. The precise time doesn't matter, but you were there
9 an appreciable time?

10 A. Aye.

11 Q. Again, Tommy, you'll appreciate we're not covering that
12 today in detail, but again it's evidence and it's
13 important evidence and it will be considered.

14 A. Aye.

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22 Q. Tommy, you then tell us, in your statement, about your
23 next placement, which is the one that obviously we're
24 hearing evidence about in this particular set of
25 hearings, was that you were then sent to Rossie Farm in

1 Montrose?

2 A. Aye.

3 Q. You reckon you were 14 when you went there.

4 I can say that we have certainly seen some records

5 which would suggest that you were admitted on

6 28 November 1980?

7 A. Aye.

8 Q. Which would make you about 14-and-a-half?

9 A. Aye.

10 Q. Which is what you recall was your age. I think you were

11 there maybe for around 19 months, until you were about

12 aged 16?

13 A. Aye.

14 Q. I certainly can say to you that we have records that

15 show you were there on 27 May 1981, so you were aged 15

16 then, but you were a bit longer, you were there until,

17 you say, you were 16?

18 A. Aye.

19 Q. Turned 16.

20 I'll just at this stage maybe show you one

21 photograph, if I may, of Rossie and just see if it looks

22 in any way similar to the place that you were sent to.

23 Can we bring up INQ-0000000107. Does that look

24 familiar?

25 A. Aye.

1 Q. I can tell you that we understand it might have changed
2 a little bit by the time you got there?
3 A. Aye, it has changed there, but, aye, that's it there.
4 Q. Does that look quite familiar?
5 A. Aye. The round bit there, that's the swimming pool.
6 Q. On the right-hand side?
7 A. That's still there, yeah.
8 Q. Right. Then we obviously have the bit to the left?
9 A. Aye.
10 Q. And it seems to be on two levels?
11 A. Aye.
12 Q. The building next to it, the large building in the
13 centre of the photograph. We understand that there was
14 perhaps accommodation for boys in that part of the
15 building; is that right?
16 A. Aye, that's correct, yes.
17 Q. Which level was the accommodation, do you know?
18 A. It would be the top bit.
19 Q. The top bit. Could you see a window that was maybe
20 something that would be -- would you have been staying
21 in one of the places in that building on the top?
22 A. There was a couple of rooms I was in, eh. I was in the
23 Tay, I was over on the left hand side, I was in there,
24 the MacDonald wing and then over here. There was one of
25 the rooms, Kintail, I was in, Kintail, 'cause there was

1 different -- you had Glencoe, Kintail --

2 Q. Were these dormitories --

3 A. Aye, it was dormitories, yeah.

4 Q. -- with a number of beds in them?

5 A. Aye.

6 Q. They were given names?

7 A. Aye.

8 Q. You were in Kintail, you think?

9 A. I was in Kintail for a short period.

10 Q. Did you say you were in another place that had another

11 name?

12 A. Aye, I was in the MacDonald wing.

13 Q. I was going to say, if we go to the left, our

14 understanding is that there is an old building on the

15 left, and that's the MacDonald wing?

16 A. That's the MacDonald wing.

17 Q. That's a secure unit?

18 A. Aye. Aye it's in there.

19 Q. Then we can see that between that and what was --

20 I think what was called the training school, the bit

21 that we have already been talking about, there's a sort

22 of walkway you can go through from one to the other?

23 A. Aye, aye, aye.

24 Q. Then behind the MacDonald wing, there is a sort of open

25 yard, or enclosed yard. We understand that this

1 photograph is taken a bit before you arrived and it was
2 a bit different in your day and there was probably
3 a fence --

4 A. 'Cause there was a big wall, ken, like a big jail wall,
5 'cause in the compound, eh, you had the join -- the
6 joiners, ken like, and that's how you were ken like --
7 you see the guys in the joiners' room, the boys that was
8 in the open school used to come past and, ken, your wee
9 window at the bottom end, and they would pass you like
10 ken tobacco or fag papers or matches or whatever so you
11 could get a smoke.

12 Q. Tommy, just to be clear, when you were sent to Rossie,
13 you were sent to the open school?

14 A. Aye. But I was just say -- I got -- cause --

15 Q. I'm not saying you weren't. I'm just trying to say that
16 you weren't in the MacDonald wing in the secure wing, is
17 that right?

18 A. That's where I eventually went.

19 Q. You eventually went?

20 A. Aye, eventually went there.

21 Q. You started off in the main building?

22 A. I was in there for -- it was a short period.

23 Q. Then you were moved to the MacDonald wing?

24 A. Aye, MacDonald wing. I had actually run away. I had
25 actually ran away.

1 Q. Was it after that that you went to the MacDonald wing?
2 A. Aye, straight to the McDonald wing, yes.
3 Q. Did you stay there until you left?
4 A. Aye.
5 Q. You had an experience of living in both the main school
6 for a time and then you were in the MacDonald wing after
7 you had ran away?
8 A. Aye.
9 Q. Okay.
10 A. 'Cause they threatened me with Longriggend, 'cause
11 I wasn't allowed oot. They said I was too much of
12 a flight risk, ken like the boys would get oot for to go
13 skiing and hillwalking and everything, eh, and I was too
14 much of a flight risk.
15 Q. Because you were seen as someone that was going to
16 abscond or run away, and you did so, after you tried
17 that, you ended up in the MacDonald wing, which was
18 a secure unit?
19 A. Aye.
20 Q. And was locked and you couldn't easily escape. I don't
21 think many boys escaped from the MacDonald wing?
22 A. Well, see, the only time you could escape, eh, 'cause
23 I had that planned in my head, ken like, like getting to
24 the swimming, 'cause you have to come through the
25 MacDonald wing to come through past the dorms,

1 doonstairs to the reception and come through the main
2 doors. When you went doon to the main doors, there
3 would be staff, staff, staff and that's the swimming
4 pool there, so I had it planned for ages what I was
5 gonna do.

6 Q. Did it work out?

7 A. I was off, 'cause that was the first time I'd ever been
8 out. I think it was -- I'd had not been out for a while
9 and when I came down to the bottom of the stairs, I just
10 ran.

11 Q. Ran out the door?

12 A. Aye. I just ran to -- and there was a wee hedge.
13 I jumped over the hedge and I heard the staff shouting
14 on me, ken, to come back, but I managed to get away.

15 LADY SMITH: Tommy, you mentioned a high wall that was like
16 a prison wall, that would be at the MacDonald wing end.
17 Was that in the gap that we can see in that photograph?

18 A. Aye, there. Aye, there. 'Cause they bits are no longer
19 there, they bits are no longer, ken, at the back, but
20 the wall was fae, ken, round that way, yeah.

21 MR PEOPLES: Did this wall -- was it a wall or a fence?

22 A. No, it was a big wall. Big wall.

23 Q. Did it enclose --

24 A. Aye.

25 Q. -- the compound, right round?

1 A. Aye.

2 Q. Was it like a perimeter compound wall?

3 A. Aye. So you couldnae escape.

4 Q. It wasn't just a fence?

5 A. No, no, no, it was a big wall. It's still up to this

6 day.

7 Q. And the buildings that we see there were -- I think we

8 have already heard evidence to the effect that the

9 buildings at the back of the MacDonald wing that we see

10 in that photograph, some of them had disappeared by the

11 time you'd have got there anyway?

12 A. Aye, aye.

13 Q. Were there still any buildings at that part of the

14 school?

15 A. There was -- 'cause there's houses there, there's wee

16 bungalows 'cause some of the staff stayed in the

17 bungalows to the right where the swimming pool is, but

18 when you go round the back, you had a wee hut, there was

19 a wee hut there at the back of this, ken -- at the back

20 of this building here.

21 Q. I'm not sure we're able to see what you're pointing to.

22 A. You see where you've got -- there's a big chimney thing.

23 Q. There were buildings there?

24 A. Aye.

25 Q. Like workshops?

1 A. Aye. That was -- well, that's doon now like, but that
2 was there when I was there. When you come past that bit
3 and then you just come to where the three huts are, the
4 big long huts, they're no longer there. It's just
5 a wall, it's just a big wall that's round there.

6 Q. Can I just ask you this at this stage while we have the
7 photograph. If you're in the main school, and you were
8 there for a while, the open school or the training
9 school; where were the classrooms? We understand there
10 were some classrooms. Were they in that building?

11 A. Aye, they were in that building, yeah.

12 Q. On the ground floor?

13 A. Aye, 'cause in this part, right, you had --

14 LADY SMITH: Tommy, sorry to interrupt you, can you stand
15 up, turn round, and you'll see there is a big version of
16 the photograph there.

17 A. You see all this, that was there when I was there, but
18 this here, that was still there. That was still there.

19 There's bungalows up there, 'cause the staff used to
20 stay in the bungalows.

21 LADY SMITH: I have you, so you were pointing to the big
22 chimney and that was there.

23 A. That was there when I went there.

24 LADY SMITH: You pointed over at the MacDonald wing.

25 A. This bit here and this bit here and that's the dorms.

1 You used to walk past the dorms. Any time that you were
2 getting taken out, you were escorted --

3 LADY SMITH: Can you just let me confirm that I have you
4 right. You pointed to the link corridor between
5 MacDonald and the open wing?

6 A. Aye.

7 LADY SMITH: You see the three buildings in the MacDonald
8 wing that are in the distance, two of them are low and
9 one of them has a pitched roof.

10 A. No, they're no longer -- they weren't there when I went
11 there. They were knocked down and the wall started, the
12 wall started to come round there.

13 LADY SMITH: That makes sense. So you pointed from the
14 corner of the open wing, diagonally across to the end of
15 the other buildings that were there in your time?

16 A. Aye, aye.

17 LADY SMITH: So you would still have had some outdoor space,
18 but probably about half as much as there used to be?

19 A. Aye.

20 LADY SMITH: I have you. Thank you very much, Tommy.

21 MR PEOPLES: Before you sit down, Tommy, I did ask
22 a question about classrooms in the main building. Can
23 you give an indication where you think the classrooms
24 would have been located on the ground floor, were they
25 to the left of the entrance or to the right or to the

1 back of the building?

2 A. The cooks and that, the cooks and the laundry and that,
3 this was what this bit was here, eh, this bit here, but
4 there was a bit, if I mind right, there was a bit where
5 you had a woodwork room. Aye, there was a woodwork
6 room.

7 LADY SMITH: So that was downstairs?

8 A. That was -- everything was downstairs. That was just --
9 that was the open school there, ken like, and that was
10 like, say, Kintail and that dorms was up this way. This
11 was where the office and that was, this is the
12 recreation room. There was a bit at the back where you
13 used to -- could smoke. And this bit was the dining
14 room area and the staffroom and this was the other dorms
15 upstairs.

16 MR PEOPLES: So am I right in thinking that the classrooms
17 in the main school were maybe nearer the swimming pool
18 end?

19 A. Aye.

20 Q. And if boys were in the MacDonald wing, was there
21 a separate set of classes for them in the MacDonald
22 wing?

23 A. Aye, you had like the joiners, you had the education, so
24 that was spread about the building.

25 Q. They had their own classrooms?

1 A. Aye, they had their own classrooms.

2 Q. I have that, but if they wanted to go for a swim, they
3 had to go through the main building to the swimming
4 pool, and that's when you ran away?

5 A. Aye. Six months I had to wait before I got out, ken,
6 before I ran away.

7 LADY SMITH: Tommy, that's really helpful. Do feel free to
8 sit down again. Thank you very much.

9 MR PEOPLES: Thank you very much. I think we both have the
10 picture now, which is helpful.

11 So the boys in the wing were separately educated
12 from the boys in the main school?

13 A. Aye.

14 Q. But they could go to the swimming pool, which was
15 outwith the wing?

16 A. Aye.

17 Q. I have you. And you spent time in both?

18 A. Aye.

19 Q. I can go back to your statement now, if I may.
20 I'll ask you some questions about what you tell us.
21 You reckon that when you were there, there was maybe
22 around 20 or so boys in your particular dorm?

23 A. Aye.

24 Q. We don't need a precise number, but there were quite
25 a lot of boys?

1 A. Aye.

2 Q. Were they the same age or different ages?

3 A. Different ages. There were boys in doing -- finishing

4 the rest of their sentences. Ken, there was one boy

5 doing two year and another boy doing five year, so he

6 was coming up to the end -- they were coming up to the

7 end of their sentences.

8 Q. So when you went there, aged 14, were you one of the

9 younger ones in your dorm?

10 A. Aye, erm, I was. Aye, I was -- I think I was the

11 youngest one that was in that dorm. The other boys

12 were, erm, 16, they were 16, 15/16. I think at that

13 time they couldnae keep you past 16, because they law

14 hadnae been -- I know now that ken like the law had been

15 changed, so you had to get released when you were 16.

16 Q. Or if you were an offender, you might move on to a young

17 offenders?

18 A. Aye, if you were -- well, aye.

19 Q. But you were there on care and protection grounds?

20 A. Aye.

21 Q. That was why you were there?

22 A. Aye.

23 Q. It wasn't because you'd committed an offence?

24 A. Aye.

25 Q. But you were in with boys who had?

1 A. Aye.

2 Q. Some had committed quite serious offences?

3 A. Aye.

4 Q. Just in your dorm, I don't need names or anything, you
5 told us there were a mixture of ages and you were one of
6 the younger ones and there were a fair number of boys in
7 the dorm, but were they from different parts of
8 Scotland?

9 A. Aye, like --

10 Q. You are a Fife boy?

11 A. Aye.

12 Q. Were there other boys from different places?

13 A. You had different camps. Ken like, it's the same as in
14 the jail and that, ken like, you've got your Fife camp,
15 you've got your Dundee camp, Glaswegian camp, your --

16 Q. Aberdeen?

17 A. Chavvies, aye, you've got your chavvies, chavvies is
18 Edinburgh, ken like, so you had your different camps.

19 Q. Did they tend to group together then?

20 A. Aye.

21 Q. In your dorm was there a mixture of people from Glasgow,
22 Edinburgh, Fife?

23 A. Aye, there was a mixture of people.

24 Q. They wouldn't choose where they went. You would be told
25 where to go?

1 A. Aye.

2 Q. It wouldn't mean that all the Glasgow boys would be in
3 one place and all the Aberdeen in another unit?

4 A. Aye.

5 Q. It was just a mix?

6 A. Aye. When you went for a smoke, eh, ken, you would go
7 to your -- the boys that were fae Fife.

8 Q. When you went out for a smoke, you would congregate with
9 the boys from Fife?

10 A. Aye, and the Glaswegian boys would stick with the
11 Glaswegian boys.

12 Q. If you were in the dorm, you could be with someone from
13 Glasgow, Fife, Aberdeen, whatever?

14 A. Aye, aye.

15 Q. Just generally, because of the different ages, was there
16 a sort of hierarchy in the dorm? Were there leaders or
17 people that were seen as the top guy?

18 A. Well, there was a guy in there, top dog. Yeah.
19 Obviously I can't mention his name. He looked after me,
20 ken, man 'cause I was bullied and that when I was in
21 there. Two guys were watching me, but the other guy was
22 watching him and he was the top dog known at that time.
23 Eh, and when I went to -- but the guy telt me to stay
24 away fae the -- they called it the can, stay away fae
25 the can, ken like, 'cause a lot of bad stuff happens in

1 there.

2 Q. What was the can?

3 A. It was the toilet. It was the bottom part of the

4 toilet, ken, man, but there was a wee wall, ken, and you

5 could go in that way or go in that way.

6 Q. He said to stay away?

7 A. Aye, stay away fae there.

8 Q. Did he tell you what sort of bad things could happen?

9 A. Aye.

10 Q. Can you give us an idea?

11 A. There was boys having sex and that, they reckon, or used

12 to get beat up and that, but I was bursting for the

13 toilet and, er, I went to toilet and when I was standing

14 in the cubicle, eh, and there was two boys just jumped

15 on us, eh, but the other guy was watching them. They

16 were watching me and the guy came walking in and set

17 about them, eh, ken to stop them hitting me.

18 Q. They set about you and this guy stepped in to sort of

19 stop them do it?

20 A. Aye.

21 Q. What they were planning to do to you?

22 A. I take it I was going to --

23 Q. Were you going to get roughed up or was it something to

24 do with some sort of sexual activity?

25 A. Staff just put a blind eye to everything, ken like, so

1 it didn't matter what happened in there. I just took it
2 that I was going to get beat up.

3 Q. You think you were going to get a beating?

4 A. Aye, 'cause the two of them just -- they punched and
5 kicked me in and I was actually doing the toilet and
6 I remember falling at the base, where -- when you do
7 a pee and then that's when the other guy walked in and
8 just managed to get the two of them off.

9 Q. Was the top dog from your area?

10 A. Aye.

11 Q. Was that why he maybe helped you?

12 A. I know him, eh.

13 Q. You knew him?

14 A. I knew him, yeah.

15 Q. The two guys that set on you, had you done anything to
16 offend them?

17 A. Probably just 'cause I was called Dopey -- the staff
18 called me Dopey, that was my name. I wisnae Tommy.
19 I never got called Tommy when I was in there. My name
20 was Dopey, yeah, because I was on meds and all that kind
21 of stuff, eh, and it was just the way I went about, so
22 I don't know, maybe they seen me as a threat or
23 whatever, 'cause people did like me eventually, ken, but
24 my name was Dopey, yeah.

25 Q. Were these boys, this situation, were they from Fife or

1 some other area?

2 A. No, they were -- one was from Glasgow and another one
3 was from Dundee.

4 Q. Okay. That place, the can, was probably where things
5 happened sometimes?

6 A. Aye, I remember --

7 Q. In the dorm, I mean, I know you're going to tell us
8 a little bit about what happened in the dorm, but just
9 more generally life in the dorm, when you're together as
10 a group of boys, would that be mainly at night?

11 A. Aye, just before bedtime.

12 Q. If you have a lot of boys of different ages and you have
13 got top dog, but you have other boys of different ages,
14 would there be what you would describe as boys that
15 showed weakness and boys that showed no weakness in that
16 situation?

17 A. You cannae -- ken like, I did -- you're just, I was dead
18 vulnerable, ken like, when I look back, ken like, but
19 I never gave up, I never gave up, man, ken like. I mind
20 lying in my bed and the lights went oot and it was
21 flairboards then, it was flairboards then, erm, I heard
22 the creak, I just heard the creak and then my bed was
23 there and then there was a bed and another bed and
24 I seen a boy getting in the bed with another boy and
25 I was like, 'Oh, no, man'.

1 Q. Just in general terms, these situations, boys going into
2 other boys' beds at night in the dorms, was this all
3 consensual or were they of different ages and one was
4 maybe coercing the other, what was it or was it
5 a mixture?

6 A. There was a lot of bullying and that went on in the
7 place, eh, ken, man, like and I think, ken, when I look
8 back now, ken, like, here, ken like, they were just
9 vulnerable, ken, man, like. There was nae -- there was
10 nae -- there was nothing for the staff. The staff, ken
11 like, there was nae -- what you've got now, ken the job
12 that I do now, ken, there's ... I look after kids, so
13 there's care and attention and their safety thingmy, but
14 there was none of that back then, ken man, there was
15 none of that back then.

16 So there was probably vulnerability and people just,
17 ken -- boys taking their vulnerability and putting
18 theirselves on other people ken, other boys.

19 Q. Forcing themselves on them?

20 A. Aye.

21 Q. It wasn't all just consensual between boys --

22 A. No, the staff just put a blind eye to it.

23 Q. Stick with the dorm generally. The dorm, when you were
24 all together, presumably it was a locked dorm, was it,
25 or could be?

1 A. No, it was locked.

2 Q. Therefore, would staff come in from time to time to
3 check on the boys?

4 A. Aye.

5 Q. But they would only come in from time to time?

6 A. There was a window, there was a wee window.

7 Q. They could look in?

8 A. Aye. And if you made a noise or anything, which I did
9 make a noise, ken, man, or other boys, staff would come
10 in and just haul you oot and then put you underneath
11 this clock and you'd be standing there for hours on end,
12 and that was your punishment or you were taken
13 downstairs, given the belt and then put in a cell
14 downstairs, 'cause they had a cell next to the -- the...
15 the recreation room -- the smoke room where you used to
16 go and get a smoke and they would just -- you'd get --
17 you'd get a backhander or they'd punch you in the ribs
18 or whatever and then you'd get dragged downstairs and
19 get flung in the cell and that was it.

20 Q. If things were going on in the dorm at night, sometimes
21 with one boy being the unwilling party, did the staff do
22 anything to try and stop that?

23 A. No.

24 Q. Did they know that was going on?

25 A. Aye. Staff used to encourage bullying, ken, fight it

1 oot. Fight it oot. Ken, if you're at a dining table,
2 there's four to a table, the staff would encourage,
3 'Fight him. Beat him up. He'll learn', ken, man.
4 Q. Just going back to your statement, Tommy, you tell us
5 about showering time and you say that when you were
6 there, boys were made to stand in a line naked?
7 A. Aye.
8 Q. Was that in the showers?
9 A. Aye.
10 Q. Was there any privacy?
11 A. No, there was nae privacy. Ken, you had the sinks on
12 the other side, eh, and you had the showers. I think
13 there was about 20 showers there and 20 showers there
14 and there was nae doors on that, eh, so the water would
15 just come out the shower bit and then you'd be standing
16 there wi' a towel, and all these guys that was there,
17 ken, I was -- I didnae hae nae pubic hair, ken like, it
18 was degrading, it was horrible, man, you're standing
19 there wi' your towel, eh, and you're no wanting to let
20 anybody see you and you've got all the staff just
21 staring at you all the time, eh, ken like, and these
22 guys, ken like, they've all developed and I'm just --
23 I reckon I'm the only one there who was there who was
24 bald, ken. But it was really degrading and you're
25 standing in the shower trying to get washed, eh, and

1 you've got other boys watching you.

2 Q. Were these boys of different ages? You are talking

3 obviously that some look --

4 A. They were older. They were older.

5 Q. Boys who were of different ages were showering together

6 in this situation?

7 A. Aye.

8 Q. You say that staff would stand around and watch when

9 this was going on?

10 A. Aye.

11 Q. I think at paragraph 63 you say you would try to run

12 away at times. Is that when you were having the shower?

13 A. I had it planned in my head, eh, ken, like to run, ken,

14 I just wanted out, ken, man, but your clothes and that

15 were locked up, ken like. Your clothes and everything

16 were locked up, you had their clothes on, eh.

17 Q. When you tried to run though you tell us that you would

18 be told, 'Get back here, you bastard'?

19 A. Aye.

20 Q. That was the staff?

21 A. Aye.

22 Q. You were just trying to get away from this --

23 A. I just wanted away.

24 Q. -- situation?

25 A. Aye.

1 Q. Just going on, Tommy, I think you tell us that your mail
2 was opened and read?

3 A. Aye.

4 Q. Did you ever write any letters saying how things were at
5 Rossie, that maybe say something that the staff might
6 not have liked about the way that you were being
7 treated? Did you ever try to say anything like that in
8 letters?

9 A. Aye.

10 Q. What happened?

11 A. I just -- 'cause I wrote to my mum, eh, and I told her
12 that I wanted out, to get hold of the social worker and
13 tell her to get me out. I only seen my mum twice.

14 Q. Do you think the staff in any way censored the letter?

15 A. Well, they probably did, 'cause they've read my letter,
16 eh, 'cause I stopped all my mail. I stopped writing any
17 letters and I didnae want any letters coming in.

18 Sometimes I'd get one of the guys that was in -- ken
19 that was going on a run, ken like when he was oot, when
20 they got special leave and that, I used to give them
21 a wee letter to post for me.

22 Q. To bypass the official system?

23 A. Aye. It's the same with the phone calls. My phone
24 calls was monitored coming in and monitored coming out.
25 There'd always be a member of staff sitting there that

1 would be listening to my phone calls.

2 Q. Yes, you tell us that at paragraph 64.

3 Basically you say it was a pretty strict regime.

4 I mean, some people have said it's almost like being in

5 a military regime-type situation?

6 A. Aye.

7 Q. Marching, lining up, things like that?

8 A. Aye.

9 Q. Is that the sort of way it was?

10 A. Aye, aye.

11 Q. You've already told us a bit about night time and you

12 have a section in your statement at 65, so we already

13 have a general picture of how things were at night, when

14 the boys were together in the locked dorm.

15 You say in your first night, after lights went out,

16 you saw boys getting into bed with each other?

17 A. Aye.

18 Q. You say your immediate thought was, 'For fuck's sake',

19 was your reaction to seeing that. Was that a shock to

20 you?

21 A. Aye. Erm, I don't know what I was expecting when I went

22 in there, but I wasn't expecting that anyway. I could

23 hear them, eh, ken like, I could hear them.

24 Q. Then you say on that occasion, you have a recollection

25 that two boys tried it on with you, but you had another

1 boy who stuck up for you?

2 A. Aye.

3 Q. Was that the top guy or was it someone else?

4 A. Aye, the top boy, yeah. But he did say to me, he says,

5 'When I leave', 'cause he was getting released shortly,

6 he says, 'When I leave, that's when your trouble will

7 start'.

8 Q. You do say in time you eventually gave in, was that

9 after he left?

10 A. Aye, aye.

11 Q. Because you said you started to do what you saw the

12 other boys doing; is that right?

13 A. Aye.

14 Q. But you say it was a way of getting affection?

15 A. It was, eh, because I've never been, ken like -- I never

16 got close to anybody, ken like, when you're jumping

17 about with boys and that, ken, man, like and they were

18 the same, ken, when I look back, ken like, they never --

19 ken they had anything, ken like, so you just seek

20 comfort in each other.

21 Q. Were there occasions when you were there, Tommy, and

22 obviously the first occasion when you first came in, you

23 hadn't agreed to these two boys trying it on with you

24 and the fact you were protected by the top guy, but were

25 there other occasions where, rather than you simply

1 wanting some affection, you were in any way pressured or
2 coerced into doing things in the dorm?

3 A. There was, there was ken. There was a dorm that they
4 put me in up the top. The other end. I remember the
5 guy quite well, ken man, but that's what he used to do,
6 he used to prey on, ken, weak boys, weak boys, ken man.

7 Q. Did that happen to you?

8 A. Aye.

9 Q. Maybe there are two situations; I think you call one
10 experimenting, getting a bit of mutual affection, but
11 there was also times when boys would basically prey on
12 other boys who didn't want the attention?

13 A. Aye.

14 Q. That happened to you?

15 A. Aye.

16 Q. Did it tend to be older boys preying on younger boys or
17 was it boys of the same age and just depended on --

18 A. No, it was older boys. It was always older boys.

19 Q. As you say, it was just the way it was. That was the
20 way it was?

21 A. It was, ken like. Erm, I'd already suffered sexual
22 abuse anyway, yeah, and I was in a lot of pain for
23 a long time, ken, down below and everything, eh, and
24 then this -- and I just wanted a quiet -- serve my time
25 and get oot but I had to go with what was going on.

1 Q. You tell us at paragraph 65:
2 'The staff knew what was going on, they never said
3 anything, it kept the place quiet.'
4 You're sure that they would know what was going on?
5 A. Aye, they did. Aye, they did, they did know.
6 Q. But they didn't try to stop this?
7 A. No.
8 Q. Even when it was not the experimenting, if we put that
9 situation, they wouldn't stop it even if they thought
10 a young boy was being preyed on by an older boy, they
11 wouldn't try to step in?
12 A. No, they wouldn't.
13 Q. You are fairly sure that they knew that that was
14 happening?
15 A. Aye. It was anything to give them a quiet shift.
16 'Cause I mind the boys -- 'cause the way, ken, everybody
17 was getting treated and they spoke about erupting, ken,
18 but naebody had it in them to do it, ken, we spoke about
19 it.
20 Q. To do something about it?
21 A. Aye, about the way we were all getting treated.
22 Q. By the staff?
23 A. By the staff, aye. 'Cause there was one member of
24 staff, eh, and it's in my statement anyway.
25 Q. I was going to come to that, but tell me now if you

1 want.

2 A. There's one member of staff, can I mention his name, is

3 that ... ?

4 Q. Is it necessary to mention his name?

5 LADY SMITH: Do you have to?

6 A. Well, no, no.

7 LADY SMITH: A member of staff that you were in touch with

8 on a daily basis?

9 A. Aye.

10 MR PEOPLES: Was this the person you tell us in your

11 statement punched you?

12 A. Aye.

13 Q. I think we know who it is. You name the person in the

14 statement, but just tell us what this person did on one

15 or more occasions to you?

16 A. It was 'cause he was army regiment-style, eh, erm, he

17 was always stinking of whiskey ken man, but he was a big

18 man. There was one time I was ill, I was quite ill, and

19 I got sent to the matron's office and that's just along

20 where the swimming pool is and I got sent there and

21 Mr GWC was walking up, ken like, and 'cause I never

22 said 'sir' and stood to attention, eh, ken like, because

23 there was a drill they used to do to you, you stand to

24 attention with your thumbs doon, eh, and because I never

25 done 'sir', it was just a punch.

1 But there was nae restraining back in the days, ken,
2 there was nae restraining, ken, there was nae training
3 for restraining, which I've already been through, ken,
4 like, and been putting kids in safe holds and all that
5 kinda stuff. There was none of that.

6 Their safe holds was, you're standing and a member
7 of staff would just go like that and boot you in there
8 and you'd go down like a tonne of bricks. That was
9 their -- that was their way and that's what that member
10 of staff done.

11 Q. On that occasion?

12 A. Mair than one occasion.

13 Q. More than once. Was that the way they did it, the
14 staff, to bring you down?

15 A. Aye. So when I was outside the matron's office and so
16 he was kicking me when I was on the ground and I thought
17 the matron was going to stop it, but I was along to see
18 her because I was quite ill, because I wisnae eating or
19 I wisnae drinking or anything, and she came out her
20 office and she looked and then she just turned away and
21 just walked away, man.

22 Q. Just walked back?

23 A. Just walked by, aye.

24 Q. But she saw what was happening?

25 A. Oh, aye.

1 Q. She just didn't want to get involved or do anything?
2 A. Aye. She'd seen it all. She's probably seen a lot
3 worse.
4 Q. That is the incident you tell us about in paragraph 69,
5 but you say that this member of staff did give you
6 beatings at other times as well?
7 A. Oh, aye. I used to get backhanders and that, ken like,
8 because I wouldnae conform to what they want me to do,
9 'Yes, sir, no, sir, three bags full, sir', ken, you had
10 to answer that (Inaudible) all the boys; I wisnae doing
11 that.
12 Q. What's the backhander in your -- was does that mean to
13 you?
14 A. Kind of like --
15 Q. The back of the hand?
16 A. Aye, the back of the hand, or you would get that at the
17 side of the face.
18 Q. On the face?
19 A. Aye.
20 Q. On what parts of the body did the backhanders land on?
21 A. Just usually, just, ken like.
22 Q. You are gesturing that it was usually towards the head
23 or neck or body, the top of the body?
24 A. Usually got a kick, if you're on the ground you got
25 a kicking, ken. All the staff would walk by and just

1 punch you in the side.

2 Q. Punch you in the side?

3 A. Aye, just make sure that they winded you.

4 Q. With a closed fist?

5 A. Aye.

6 Q. You also say there was -- I think you consider it was

7 physical abuse in the form of corporal punishment,

8 because you say the belt was used as a punishment, but

9 the way it was administered, you, I think, describe it

10 as brutal?

11 A. Aye.

12 Q. Can you just tell us a little bit how it was

13 administered and with what force?

14 A. There was always two members of staff, eh, when you got

15 issued the belt, and it was six. You usually had jammy

16 bottoms on. So a member of staff would hold you on the

17 boardroom table, ken, by your wrists, so you wouldnae

18 move and another member of staff would -- it was old

19 school belts, it was a four-pronger.

20 Q. You think it had four prongs?

21 A. Aye, four prongs, a school belt, so a member of staff

22 would just -- some of them took a wee step back and then

23 they would gi' you six, six over the boardroom table.

24 And you've got the boys -- 'cause the boys knew that you

25 were going for the belt. You'd better not greet or

1 you'll be getting a hiding, ken man, they'd be like
2 that -- so you wouldnae cry, ken, man, you wouldnae cry,
3 so you'd get six, and I think it was about the first
4 three or something, right, it was really sore, man,
5 really sore, but you just kinda switched off to it. It
6 was just part --

7 Q. You had a member of staff holding you down?

8 A. Aye.

9 Q. The other member of staff, was this normally the
10 headmaster or someone else?

11 A. It was different staff. Different staff, 'cause the
12 headmaster that run the place, his hoose was -- his
13 hoose was there, eh, so he run the place, but you had
14 other staff that were able to gi' you ...

15 Q. Certainly you got the belt from other staff?

16 A. Aye.

17 Q. You've described how some staff would administer the
18 belt and you'd be made to bend over, held down, you
19 would get six strokes?

20 A. Aye, six o'er the backside, aye.

21 Q. Would you try to struggle?

22 A. You just -- you froze up, ken like. Once you got the
23 first couple. Ken, it was really sore, man, it stung
24 and it marked you. It did mark you, but you just kinda
25 switched off. You were just -- I got used to -- all the

1 pain that I suffered, what else could they do to me?

2 Q. When you got the belt, and you were bending over, was

3 this over your trousers?

4 A. Sometimes. If you had light trousers on ken, but it was

5 usually at nighttime you had your jammies on, that's

6 when you got it.

7 Q. I don't suppose the regulations covered the pyjama

8 situation, because I think we know there are regulations

9 that said the belt on the backside was over ordinary

10 cloth trousers. Perhaps they didn't assume that it

11 would be administered when boys were wearing pyjamas?

12 LADY SMITH: What material were your pyjamas made of?

13 A. Cotton.

14 LADY SMITH: Did you wear anything underneath them?

15 A. No, 'cause all your clothes, ken, your underwear, your

16 socks and all your clothes was all locked up.

17 LADY SMITH: So between the belt and your skin, there were

18 just thin, cotton pyjamas?

19 A. Aye, aye.

20 LADY SMITH: Thank you.

21 MR PEOPLES: Did you ever get the belt on the bare backside?

22 No?

23 A. Well, your jammies would fall doon anyway, yeah, 'cause

24 they were held up by a bit of string, ken what I mean,

25 so ...

1 Q. So you might have got it directly onto your skin?

2 A. Aye, you just -- you kinda just switched off it. Ken,
3 you just -- I cannae mind if pulled my jammies up or
4 anything, but you kinda switched off it ken, man, the
5 pain was really sore, eh, so ...

6 Q. What you do tell us, Tommy, however, at paragraph 68,
7 and obviously we know what happened in some of the
8 previous places, you say that you were never sexually
9 abused by the staff at Rossie?

10 A. No, no, I wisnae, no.

11 Q. I think you have told us there was the night time in the
12 dorm and perhaps if you were in the can and things like
13 that?

14 A. Aye.

15 Q. You do say there was talk about a particular member of
16 staff, and I don't need the name, that boys were talking
17 about having, as you put it, 'wanked him off', is that
18 right, there was talk about that?

19 A. Aye.

20 Q. But you never saw that or were aware of it?

21 A. I never saw that. I used to go to -- ken, like, there
22 was a toilet upstairs, I walked up there one time and
23 there was two boys that were at it, ken man, and I
24 just walked in the cubicle anyway and I walked back out
25 again.

1 Q. Did you think it was just talk rather than it did happen
2 or do you know --

3 A. Ken, I know, ken like, staff, ken, they were extra, ken
4 like, they were extra rewarding to boys, towards certain
5 boys, ken, if they'd been really good or whatever,
6 but that's --

7 Q. You certainly remember some boys seemed to get better
8 treatment than others in terms of rewards and
9 privileges?

10 A. Aye.

11 Q. Did you ever work out why?

12 A. Ken, like, when I look back now, there was probably some
13 stuff going on.

14 Q. Okay.

15 A. Ken, man, there was some stuff going on, ken, back then,
16 ken, man.

17 Q. Just going back to your statement, and this is maybe
18 something that comes running through all of your
19 statement, that you say that one thing that was missing
20 was there was no care or love at Rossie, and I think
21 that's something you experienced **Secondary Institutions - to be published later**
22 **Secondary Institutions - to be** is that right?

23 A. Aye. I think, ken like, **Secondary Institutions - to be published later**
24 **Secon** ken, man, it was all -- it was shocking man, it was
25 really shocking, ken like, aye, because when I look

1 back, ken, there were always different agendas, there
2 was always different stuff that they were wanting, ken
3 like, for their ain gratification, ken man, and which
4 they got.

5 Q. Any time there was any sexual activity involving you and
6 an older person, whether an older boy or a member of
7 staff **Secondary Institutions - to be published later** it was for their
8 gratification, it wasn't in any way to show affection or
9 love to you. That's what you are describing, is that
10 right?

11 A. Aye, aye.

12 Q. Except maybe occasionally you said when you were in
13 Rossie, you might have took comfort?

14 A. Aye, I took comfort because I had nae, ken like -- I had
15 naeboddy else I could really turn to, ken like, and it's
16 just the way it was ken, man. Through then -- ken,
17 I've done years of counselling and everything and
18 I've got to a place where I accept it, ken like. I done
19 what I done, erm, when I was in care to get me through.

20 Q. Tommy, just before I go on to how you basically towards
21 the end of your time at Rossie and running away, at
22 paragraph 70, you made the point that there was
23 different boys in there for different reasons, some were
24 young offenders doing sentences for sometimes quite
25 serious offences?

1 A. Aye.

2 Q. You were there for care and protection and I think it's
3 your position that you really feel you shouldn't have
4 been in that place. It was an inappropriate place for
5 a boy like you to be put?

6 A. Aye.

7 Q. Is that what you feel now looking back?

8 A. Aye. I shouldn't have been in there fae the first day.

9 Q. The boys that set on you at times, were they young
10 offenders or could they have been other care and
11 protection boys or was it a mixture?

12 A. There was a few boys meant to be in for care and
13 attention, care and safety, to be looked after, eh, but
14 there was a lot of boys in doing sentences, ken, man,
15 like --

16 Q. You know what I'm trying to ask, I'm trying to get
17 an idea of the ones that were doing what I would call
18 the abusing, the physical, sexual or the bullying, did
19 they tend, in your time at least, to be people who were
20 there because they were serving a sentence or were they
21 boys who had come for care and protection reasons or
22 because they absconded from lots of other places?

23 I'm just trying to get a sense if you could help us,
24 if you can?

25 A. Aye, a lot of them doing sentences and it was a lot of

1 them that was doing all the damage, aye. They were the
2 ones that were mostly preying on the vulnerable ones.

3 Q. You say when you were about 15-and-a-half you ran away
4 and walked all the way to Dundee, this is at
5 paragraph 71.

6 A. Aye.

7 Q. That was the time you were away for a period of about
8 three months, that you told us about earlier?

9 A. Aye.

10 Q. You were taken back to Rossie and you tell us that you
11 were taken back in handcuffs?

12 A. Aye, the police and the social worker.

13 Q. The social worker was present as well?

14 A. Aye, aye, he was there.

15 Q. They felt you had to be handcuffed?

16 A. Aye, 'cause they seen me as a flight risk.

17 Q. You say you hadn't been taking your medication at that
18 stage?

19 A. No, I stopped it. I stopped it. I stopped -- my mum --
20 she used to say to me, 'You were away up there, ken
21 like, away up there on the ceiling', but --

22 Q. Did that make a difference when you stopped, for better
23 or worse?

24 A. I think, ken like, I didnae want to take -- I didnae
25 want any mair medication, because it did affect me when

1 I was getting called Dopey all the time and, ken, I was
2 just a wee boy that was named Tommy and whose
3 identification was taken away fae him.

4 Q. I think you said you got sick of being sedated all the
5 time --

6 A. Aye, I did.

7 Q. -- so you just wanted to change the situation?

8 A. Aye.

9 Q. I think, when you went back, perhaps was it not too long
10 after that you left Rossie when you were 16?

11 A. Aye. I left when I was 16. The last day of leaving
12 school, that's when they kept me to.

13 Q. I'm just going to ask a few things about life after
14 Rossie. I'm not going to read it all. We have it all,
15 but you tell us you were unprepared for adult life. You
16 had no skills. You weren't given any guidance as to
17 what to do and basically your own decision was you
18 weren't going to trust anyone by that stage, because of
19 your experiences in care?

20 A. Aye.

21 Q. Is that how you were at that stage?

22 A. Aye.

23 Q. You tried staying at home, but that wasn't working out
24 for you and then I think you got into drugs --

25 A. Aye.

1 Q. -- in a big way?

2 A. I was into -- I was into drugs the first day I got out
3 of Rossie Farm.

4 Q. Yes, but it got worse?

5 A. Oh, aye.

6 Q. I think you started, you say, smoking dope but that
7 didn't agree with you?

8 A. No.

9 Q. But you say there was a time when you were taking speed,
10 LSD and ecstasy and, indeed, you finally ended up
11 injecting heroin?

12 A. Aye, and on a methadone script.

13 Q. Although you do say that throughout these times, you
14 still managed to work?

15 A. Aye, aye.

16 Q. During that period in your life, you met the mother of
17 your children?

18 A. Aye.

19 Q. You say that she was completely different in terms of
20 her lifestyle, I think you call her a straight peg?

21 A. She was a straight peg, yeah.

22 Q. You really didn't have the skills to be, as you say,
23 a loving and caring father. You'd never been shown any
24 love or care, is that how it was at the time?

25 A. Aye, aye, aye.

1 Q. I think, as you tell us, unfortunately at paragraph 75,
2 you say your wife couldn't take it any more -- sorry,
3 was it your partner? Were you married?
4 A. No, just my ex-partner.
5 Q. You broke up and she met someone else and she emigrated
6 with your children?
7 A. Aye.
8 Q. But you say that was their choice?
9 A. Aye.
10 Q. I think your partner and yourself gave them the choice
11 but they decided that they would want to go with your
12 ex-partner?
13 A. Aye, aye.
14 Q. As far as life after that, it was a bit -- you were
15 a drug addict, you say, after they left. You were into
16 heroin in a big way, you were injecting?
17 A. Aye.
18 Q. That was your life for quite a while?
19 A. The age of 45, aye.
20 Q. I think, during some of this period, your mum died as
21 well, and that was another thing that affected you?
22 A. Aye.
23 Q. But then you say that things changed quite dramatically,
24 and at paragraph 82, you decided you'd had enough of
25 using drugs, and that's when you were 44/45?

1 A. Aye.

2 Q. You say that you had rehab treatment at the Jericho unit
3 in Greenock, that was your first?

4 A. Aye.

5 Q. You tell us there that they took you in and welcomed
6 you?

7 A. Aye.

8 Q. They showed you how to take care of yourself, they
9 showed you a new way of living and, I suppose, they were
10 showing you some degree of affection or caring that
11 you'd never had before?

12 A. Aye.

13 Q. It was at that time, I think you tell us at
14 paragraph 84, that during that time, you made your first
15 disclosure about what had happened to you in care?

16 A. Aye.

17 Q. It was then that you started to really turn the corner,
18 if you like, is that right?

19 A. Aye.

20 Q. From there, you tell us at paragraph 85, that it was
21 thought at the Jericho unit that you would need some
22 counselling and you received counselling for 14 months,
23 is that right?

24 A. Aye.

25 Q. You feel that that did make a big difference as well; is

1 that right?

2 A. Aye, oh, definitely, yeah.

3 Q. Having gone through that, you tell us at paragraph 86

4 that after the rehabilitation process and the

5 counselling, that you felt that, as you put it:

6 'Wee Tommy was in a safe place and was not alone any

7 more. Tommy had people who cared about him. I was

8 surrounded by people that wanted to see me do good.'

9 It was at that point, I think, that you made the

10 decision that you wanted to do something similar and be

11 a support worker for people that had been through the

12 sort of experiences you had?

13 A. Aye.

14 Q. Is that essentially what you've done since then in

15 various roles?

16 A. Aye. Well, I worked with the Simon Community for five

17 year in a homeless unit and then I moved on to being

18 a residential secure worker in Bishopbriggs, erm, for

19 three year. Erm, and I worked with Wellbeing Scotland,

20 with Sandra, Sandra was my counsellor --

21 Q. Is that Sandra McGrath?

22 A. Sandra Toyer.

23 Q. I'm sorry. My apologies.

24 A. So Sandra was my counsellor and then she become my

25 manager, she's here today with me, so she was my

1 manager.

2 Q. Is this the group you tell us about that you both --

3 A. The Voice Within, aye, we started that 12 and a half

4 year ago.

5 Q. That's still --

6 A. That's still up and running, yes.

7 Q. You are also involved now in something else as

8 a residential care?

9 A. A residential care worker.

10 Q. That's with what?

11 A. Er, that's working with young kids at the age of 14 to

12 19 and the residential house, girls and boys.

13 Q. You also told us that you also got involved in stand-up

14 comedy?

15 A. Well, I did, yes, in Glasgow. I've even done the

16 Fringe, I done the Fringe, that was before COVID, but

17 I got freedom fae what I was doing and I learnt I could

18 be funny, ken, man, so I wanted to experience doing

19 stand-up comedy. I loved it, man, I loved it, eh.

20 Q. You say it was another type of high?

21 A. Oh, aye, it was.

22 Q. Much safer than fires, well, not entirely but ...

23 A. Well, I'm not putting anybody in danger, eh, ken, the

24 only way they're going in danger is my jokes, eh, ken,

25 so I got into that. I was getting gigs right, left and

1 centre. I done the Fringe, I done gigs up in Dundee,
2 Kirkcaldy, my home town, Glasgow, all over Glasgow, and
3 everything, yeah.

4 Q. Do you still do them?

5 A. I've no done one for last year, eh, just 'cause
6 I've been caught up with work and everything.

7 Q. But you are willing to try again if you're asked?

8 A. Oh, aye. 'Cause I have missed it, 'cause you just ken
9 like you -- your audience is there, eh, you know what
10 stuff, you can just judge it, so you're looking for your
11 first laugh and once you get your first laugh, you get
12 a couple of seconds and you come oot with something else
13 that's mair funnier, ken, and you get them drawn in.
14 'Cause the more you draw people in, the more energy
15 they're getting off you and the more you're getting off
16 of them.

17 Q. I suppose you're building a relationship with a group of
18 strangers?

19 A. Aye.

20 Q. And you're doing it in that way?

21 A. Aye.

22 Q. And they react and respond --

23 A. Aye.

24 Q. -- positively?

25 A. Aye.

1 Q. You told us in your statement, because your statement is
2 a little time ago, that obviously you told us earlier on
3 that your children emigrated with your former partner
4 and you told us in your statement you hadn't seen your
5 children for some time but you were hoping to see them.
6 Did you get to see them?

7 A. I did. Erm, I did go over to Australia. I went with
8 a friend. Erm, it was Future Pathways that paid for it,
9 so I went over, I went over for three weeks and I spent
10 some time with my son, spent some time with my daughter.

11 Q. Was that a success?

12 A. It was. I'm still in touch with them, yeah, ken like.
13 Ken, my daughter, right, when I first got clean off the
14 drugs and I've come and lived in Glasgow, ken, my
15 daughter video called me, 'How you doing, dad?' Ken,
16 this is from Australia, right, but I'm just full of
17 energy with life, eh, 'cause I've never lived life --
18 ken, I've never been like this afore, eh, and I'm just
19 full of energy. So I'm walking towards the Gorbals
20 swimming pool and my daughter's video called me, 'How
21 are you doing, dad?', I says, 'I'm buzzing wi' life,
22 [REDACTED]'. 'Oh no, what you had?' Ken, but she hadn't seen
23 her dad like this afore, ken, actually being clear, and
24 I've never spoken to her being like afore.

25 Q. At the time you gave this statement you felt that that

1 was the next step in your journey?

2 A. Aye.

3 Q. You've taken it and it's been a success?

4 A. Aye.

5 Q. It's improved you and it's established a relationship

6 you never had?

7 A. Well, my daughter's coming over for a visit for three

8 weeks, so she's coming to stay with me.

9 Q. If I can just read out what you tell us about hopes for

10 the Inquiry, Tommy:

11 'My hope for the Inquiry is to let people know that

12 it's okay to talk and it's okay to come forward. It's

13 time to let it go for each and every survivor. The past

14 is not a dirty secret anymore. I have nothing to be

15 ashamed of anymore. It's taken time for me to come

16 forward. I need to get my sanity back.'

17 You also wish that people would ask the wee kids

18 what they want and what's right for them and that

19 children should be allowed to get more involved in their

20 future.

21 I think that's something obviously you have tried to

22 no doubt live by those principles in the work you now

23 do; is that right?

24 A. Aye. These kids that are getting looked after today,

25 ken like, the staff that I work with, ken like, it comes

1 from the heart. Ken, the kids are just like -- they're
2 just kids, kids that have not been nurtured from the age
3 of 6, we have a wee boy there now. And I remember like,
4 ken, man like, so you give them loads of love and care
5 and attention, that's what you do, that's what you do
6 with kids and you take them out, get their nails done,
7 the girls, oh, the girls are terrible, get their nails
8 done, their hair done or go for walks, go out on their
9 bikes or go to Loch Lomond and letting them see there's
10 a life waiting there for them and, ken, they're safe.
11 They're safe.

12 MR PEOPLES: These are all my questions today, Tommy,
13 I don't know if there's anything else you want to add,
14 but I wish you very much success in the future and it's
15 good to hear what you've done with your life since 2010
16 and how much you are helping young people today.

17 A. Well, ken, I've got somebody to really, ken, that's
18 stuck by me, ken, through this, and, ken, man, like, and
19 I met, ken, man, and she's just been the biggest support
20 ever and it was Sandra, ken, Sandra Toyer, she's my
21 biggest -- ken, she's my friend, she was my manager, my
22 counsellor, ken like, and she's just stuck by me and
23 anything that's bothered me, ken I just speak to her
24 about anything. Yeah, ken, man, so Sandra, I've got
25 a lot to thank Sandra for to show me the way.

1 MR PEOPLES: So it is good to talk.

2 A. Aye.

3 MR PEOPLES: Thank you very much.

4 LADY SMITH: Tommy, could I add my thanks and also, as

5 Mr Peoples says, well done for getting to where you are

6 now --

7 A. Thank you.

8 LADY SMITH: -- and looking ahead to a bright future. It

9 sounds as though it's all there for you, but it's been

10 through your own hard work and I really admire that.

11 Thank you for being so open and frank with us. You

12 have added considerably to my learning and I'm really

13 grateful for you feeling able to do that, because, as

14 I said at the beginning, I do understand it will not

15 have been easy to unburden to strangers everything you

16 have shared with us.

17 I know you've done it for children, and that's well

18 recognised here.

19 A. Thank you.

20 LADY SMITH: Thank you very much. Feel free to go and

21 I hope the rest of your day is relaxing.

22 (The witness withdrew)

23 LADY SMITH: We'll take the morning break in a few moments,

24 but before I rise, one name I would like to mention,

25 it's the name of a person whose identity is protected by

1 my General Restriction Order, so he's not to be referred
2 to as included in our evidence outside this room. It
3 was a Mr GWC, and it may be the Mr GWC whose
4 first name is GWC.

5 Thank you.

6 (11.32 am)

7 (A short break)

8 (11.46 am)

9 MS FORBES: My Lady, the next witness is an applicant who is
10 anonymous and she is to be known as 'Yasmin'.

11 LADY SMITH: Thank you very much.

12 'Yasmin' (affirmed).

13 LADY SMITH: 'Yasmin', thank you for coming here this
14 morning to help us with oral evidence that will be in
15 addition to the written evidence I already have from
16 you, and I'm really grateful to you for going to the
17 time and trouble of providing that for us. It has
18 helped me enormously to be able to read that in advance.

19 I can assure you, we're not going to take you
20 through it line by line, but there are some particular
21 parts we would like to explore with you, so far as you
22 are comfortable with us doing so.

23 A. Yes.

24 LADY SMITH: Overall though, can I say I fully appreciate
25 that what you have agreed to do isn't easy at all, and

1 no doubt last night you were saying to yourself, 'I
2 wonder why I agreed to do this?'.
3

4 I hope it's not too terrifying for you and that it
5 helps for you to know that I realise it's difficult and
6 I realise how hard it is going back to things that
7 happened in your childhood and things that weren't
8 great.

9 A. Yeah.

10 LADY SMITH: People do get upset. I'm used to that.
11 I understand it. If you want a break, just say. If you
12 want us to explain something differently, just say. If
13 you don't follow what we're asking, it's our fault, not
14 yours. Or if you just want a pause where you are, we
15 can do that. Really, help me to help you to give the
16 best evidence that you can, will you?

17 Practicalities; your written statement is in that
18 red folder. It's available to you if you want to refer
19 to it. We'll also bring parts of your statement up on
20 the screen. You might find that helpful, but if you
21 don't like it, just say and we'll take it off. Some
22 people don't like to have it there, but others find it
23 really useful.

24 If you're ready, I'll hand over to Ms Forbes and
25 she'll take it from there.

26 A. Yes, thank you.

1 LADY SMITH: Ms Forbes.

2 MS FORBES: Thank you, my Lady.

3 Questions from Ms Forbes

4 MS FORBES: Good morning, 'Yasmin'.

5 As her Ladyship says, your statement is in the red
6 folder and for our purposes we give that a number, just
7 for our records, so I'm just going to read out that
8 number first of all. It is WIT-1-000001240. That's not
9 something you have to worry about, it's just for our
10 records.

11 If I could ask you, 'Yasmin', just to look at the
12 very last page of your statement first, it's page 35.
13 There should be in numbered paragraphs and the last
14 numbered paragraph there is 195. Do you see that?

15 A. Oh, yes. Yes.

16 Q. That's where there is a declaration at the end of the
17 statement that says:

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

22 Then you have signed it and it's dated
23 20 April 2023?

24 A. Correct.

25 Q. Is that still the position, 'Yasmin'?

1 A. Yes.

2 Q. If you can just go back to the beginning of your
3 statement or put it to the side, it's up to you.

4 I'm just going to start, 'Yasmin', by asking you
5 some questions about your life before you went into
6 care. I think you tell us first of all you were born in
7 1983; is that right?

8 A. Yes.

9 Q. I think you were born in Kirkcaldy, but brought up in
10 Burntisland, is that right?

11 A. Yes.

12 Q. You tell us between paragraphs 2 and 12 about your early
13 life. You lived with your parents; is that right?

14 A. Yes.

15 Q. Your mum was a nursery teacher?

16 A. Yeah.

17 Q. Your dad was a joiner, but started his own construction
18 company?

19 A. Yeah, correct.

20 Q. You tell us as well that you have two sisters?

21 A. Yes.

22 Q. You are the oldest?

23 A. Yes.

24 Q. You make the point, 'Yasmin', that you say:
25 'If you met my mum and dad, you'd be shocked.'

1 You say?

2 A. Yeah.

3 Q. Because you say that you wouldn't think that things like

4 this, what you tell us about in your statement, would

5 have happened?

6 A. Yeah.

7 Q. Because the way you describe it is 'they're just

8 normal'?

9 A. Yeah.

10 Q. You had a normal family?

11 A. Yeah.

12 Q. You do tell us that because you were the oldest, you

13 were really a sort of latchkey kid?

14 A. Yeah.

15 Q. Your parents were working a lot?

16 A. Yeah.

17 Q. You would be the one that would really be having the key

18 to the house and looking at your younger sisters?

19 A. Yeah.

20 Q. You tell us at paragraph 5, 'Yasmin', I think you say

21 you weren't an easy child, is the way you put it?

22 A. No, I wasn't. No.

23 Q. I think you know that we have some records and I think

24 that it says in there that really up until about the age

25 of 12 was when things started to go wrong for you?

1 A. Yes.

2 Q. Is that right?

3 A. Yeah, yeah, yeah.

4 Q. One of the things you point out, 'Yasmin', is that

5 because of your religion, you would go to a different

6 school and I think there probably was only one school in

7 the area for that, was that right?

8 A. Yes.

9 Q. Both kind of primary and then into secondary?

10 A. Yes.

11 Q. Primary school-wise, I think you say you didn't dislike

12 it, but you didn't like it?

13 A. Yeah.

14 Q. You just went because you had to?

15 A. Yeah.

16 Q. But because it was a religious school, it meant that you

17 had to get on a bus at quite a young age and go off on

18 your own?

19 A. 5-year-old, yeah.

20 Q. I think you say that that was something that scared you.

21 A. Yeah.

22 Q. But then you go on to high school and I think you say

23 that at that time, that's when things started to go

24 wrong?

25 A. Yeah, definitely.

1 Q. You describe, 'Yasmin', at paragraph 8 of your statement
2 you say that the weekends at this time, you were going
3 out and about in the local area and hanging about with
4 other people and I think you tell us you were drinking
5 and staying out late, things like that?

6 A. Yeah.

7 Q. You would all be smoking?

8 A. Yeah.

9 Q. Because you were quite tall, you looked older?

10 A. Yeah.

11 Q. You would be the one that would be sold these things?

12 A. Yes.

13 Q. I think you comment, 'Yasmin', you say that you felt
14 that that at the time was normal, but really out of your
15 group you were the only one that ended up being put into
16 care?

17 A. Yeah, yeah.

18 Q. But these other people were doing things like you and
19 worse?

20 A. These other people maybe had social workers, but it
21 didn't go as far as what my kinda story, you know what
22 I mean? They maybe had involvement but they didn't ...

23 LADY SMITH: They were still living at home?

24 A. Yes, basically, yeah.

25 MS FORBES: I think you explain that -- maybe this is

1 something that you found out later in life -- that it
2 was your mum that went to the social work?
3 A. Yes.
4 Q. You think maybe somebody was telling her that she should
5 do that?
6 A. Yes.
7 Q. That was for her to try and get some help with you?
8 A. Yeah.
9 Q. You think that was about 11 or 12 when that happened?
10 A. Yes.
11 Q. You tell us, 'Yasmin', at paragraph 10 about the first
12 time the social work came to the house and what did you
13 do on that occasion, do you remember?
14 A. I jumped out a window.
15 Q. Was that just because you were scared, you just didn't
16 want to talk to them or?
17 A. I just felt like everyone -- it was like everyone was on
18 me, you know, so I was like, I need to get outta here,
19 you know. It wasn't nice.
20 Q. I think you say then there was some kind of invention
21 with a psychologist?
22 A. Yeah, that's what I felt like, like the whole family was
23 there and a social worker. I think some kind of
24 psychiatric nurse or something and I just felt like
25 whoa, you know.

1 Q. You tell us that that's when you decided the phrase
2 you've used is, 'I'm going all out, I'm looking after
3 me'?

4 A. Yeah.

5 Q. Is that how you felt, that you were on your own?

6 A. Yes, yes.

7 Q. You do tell us, 'Yasmin', though that after you sort of
8 engaged with social workers and spoke to them, you name
9 two people that you remember?

10 A. Yes. Mm-hmm.

11 Q. Tom and Liz?

12 A. Mm-hmm.

13 Q. I think in particular you say Liz was amazing?

14 A. Yeah.

15 Q. But it seemed to be that their hands were tied with
16 a lot of the things they could do for you?

17 A. Yes, yes, correct.

18 Q. You do remember going to one or two Children's Panels
19 before you ended up going into care?

20 A. Yes.

21 Q. At these panels, I think you say that you were
22 threatened that you should start going back to school or
23 that you would go to a children's home?

24 A. Yeah, that was always a big threat.

25 Q. Did you have a name for those panels, a particular

1 nickname for them?

2 A. Mm, just panels.

3 Q. I think you maybe say that you called them the 'scare

4 panels'?

5 A. Aye, 'scaremongering panels', yeah, yeah.

6 Q. I think you go on then, 'Yasmin', to tell us about

7 a time you spent in foster care. So this was the first

8 experience that you had of going into care; is that

9 right?

10 A. Yes.

11 Q. You talk about that from paragraph 13 of your statement.

12 I think you tell us that you think you went in about

13 1996 or 1997, when you were 12?

14 A. Yeah.

15 Q. As I've said before, you're aware we have records and

16 you know that we do have some dates and I think you're

17 aware that sometimes the dates might be slightly out

18 from what you remember?

19 A. Yes, yeah, yeah.

20 Q. We won't worry about that too much, but just for our

21 records, I think we can see that you went into foster

22 care officially, I think, on [REDACTED] 1997, so you still

23 maybe were 13 at that time.

24 A. Right.

25 Q. But I think you did have some overnight stays, I think,

1 perhaps with the foster carer before that official date,
2 but it was around about that time, does that seem right?

3 A. Yes, yes.

4 Q. That was just really before your 14th birthday.

5 A. Right.

6 Q. I think thereafter you stayed with them and there were
7 a couple of other placements you had --

8 A. Yeah.

9 Q. -- during that time, but you didn't officially leave
10 their care until you went to Rimbleton House. That was
11 on [REDACTED] 1997, so that's a total of about seven
12 months?

13 A. Right.

14 Q. I think your recollection is that it was longer?

15 A. It felt longer, because I went back there when I was 16,
16 you know.

17 Q. Just so we know, that's the period that we're talking
18 about, so you're 13, you turn 14 while you're with them.

19 You tell us about the family you went to stay with,
20 the [REDACTED], from paragraph 13, and I think you say that
21 they were in Burntisland, which is where you had been
22 growing up?

23 A. Five minutes from my parents.

24 Q. That that to you just seemed strange?

25 A. Yeah. Even as a 14-year-old it blew my mind.

1 Q. So you are still in the same area --

2 A. I see my parents every day and they're seeing me with
3 another family.

4 Q. You can see your friends still, the same people you are
5 hanging around with before?

6 A. Yes.

7 Q. I think you tell us that this couple were amazing --

8 A. They were.

9 Q. -- you wouldn't have anything bad to say about them?

10 A. Nothing bad to say about them.

11 Q. But they did give you quite a lot of freedom; is that
12 fair to say?

13 A. Yes, yeah.

14 Q. Maybe too much freedom?

15 A. That's probably why I liked them.

16 Q. You say that they just let you do what you wanted to do
17 really?

18 A. Yeah.

19 Q. They were very relaxed and they had some other foster
20 children as well; is that right?

21 A. Yeah, yeah.

22 Q. But I think though during that time, as you have said,
23 you were still seeing your old friends, still doing
24 similar things that you had been doing before?

25 A. Yeah.

1 Q. I think a couple of times, you were sent away on
2 short-term periods --
3 A. To scare me.
4 Q. -- to stay with other foster carers. You thought that
5 was to scare you?
6 A. Yeah, it definitely was, yeah.
7 Q. I think one of the places was somewhere, was it near
8 Wormit?
9 A. Yeah, and one in Dunfermline as well.
10 Q. I think you tell us that you were glad when you went
11 back to stay with the couple again in Burntisland?
12 A. Mm. Mm-hmm.
13 Q. Because that was somewhere in the middle of nowhere
14 really.
15 A. Yes, I'd never heard of it until I went there.
16 Q. I think what happened is that there was a breakdown
17 really, the way they called it, is that fair to say, in
18 the relationship?
19 A. Yes, definitely.
20 Q. That was potentially due to staying out late, not coming
21 home, that kind of thing?
22 A. Yeah, yeah.
23 Q. It was decided then that you were going to be put to
24 a place of safety; is that right?
25 A. Yes.

1 Q. I think one of the things that factored at that time,
2 'Yasmin', was that there was an older man involved in
3 your life, is that right?
4 A. Yes.
5 Q. This was a man who was 23?
6 A. Yes.
7 Q. Somebody you were in a relationship with?
8 A. Yes.
9 Q. So he was a good nine or ten years older than you at the
10 time?
11 A. Yes.
12 Q. You were allowed to see him, but I think there were
13 concerns about that relationship, is that right?
14 A. Yes, yes.
15 Q. It was decided then that you would go to Rimbleton House
16 in Glenrothes?
17 A. Yes.
18 Q. When that decision was made, how did you feel about
19 that?
20 A. Angry.
21 Q. Did you feel at the time that it was justified or fair?
22 A. I didn't feel like it was justified, because I knew that
23 I'd get home visits and I knew I'd get to see my friends
24 and my boyfriend at the time so ...
25 Q. I think they thought putting you to Glenrothes might be

1 a way to try and get you away from him, but from your
2 point of view it didn't seem like that?

3 A. It didn't work, no.

4 Q. So you tell us then, 'Yasmin', about your time at
5 Rimbleton House and I think you're aware that that part
6 of your statement that deals with that is something that
7 we're not dealing with today?

8 A. Yes, yes.

9 Q. It's redacted on the screen in front of you, but just
10 because it's redacted, it doesn't mean that it's
11 ignored. We've read it. We know what it says. Because
12 it's important on your journey as to how you then move
13 on, I'm just going to summarise some of the things you
14 tell us about that, okay?

15 A. Yeah.

16 Q. I think, as we know, you were 14 by the time you went
17 there and we know from the records we have that you were
18 there from [REDACTED] 1997 until [REDACTED] 1998, so
19 until the next year, so just under a year?

20 A. Right.

21 Q. At that time, you would have been 14 and then turned 15
22 whilst you were there, does that sound right?

23 A. Yeah, yeah, yeah.

24 Q. Rimbleton was residential, yes?

25 A. Yes.

1 Q. I think some of the main things you tell us about that
2 are set out in your statement. Secondary Institutions - to be published later

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10 Q. I think you then tell us, 'Yasmin', that there came
11 a point when you were removed from Rimbleton, is that
12 right?

13 A. Yes.

14 Q. Was that perhaps because of absconding?

15 A. Yes, yes.

16 Q. You ended up being sent to a secure place, I think you
17 describe it as a young offenders in England?

18 A. Yeah.

19 Q. I think you know from your records that it's Redsands
20 Children's Centre in Cheshire, does that sound right?

21 A. Yeah.

22 Q. That was on [REDACTED] 1998, from the records we have,
23 so you would have been 15 by then. I think you thought
24 you were a little bit younger?

25 A. I thought I was 14, yeah, right.

1 Q. I think you thought you were perhaps there for a bit
2 longer, but I think we know it was about two weeks, but
3 probably felt like longer?

4 A. Was it? I knew it wasn't more than a month.

5 Q. You tell us about that from paragraph 104 and you say
6 you remember going in front of a sheriff, in his
7 chambers in Kirkcaldy, and he was making the decision
8 about where you were going to be placed and one of the
9 issues was you running away, is that right --

10 A. Yeah.

11 Q. -- from Rimbleton? Another issue was this man again,
12 this older man that you were seeing?

13 A. Yes.

14 Q. I think whilst you had run away, you had got into
15 a little bit of trouble as well?

16 A. Yes.

17 Q. And there were some charges?

18 A. Yes.

19 Q. I think you say that your mum was there in the chambers
20 with the sheriff?

21 A. Yeah.

22 Q. Also the manager from Rimbleton was there?

23 A. Yeah. I think there was a safeguarder there as well.

24 Q. I think you say you might have had a lawyer there at the
25 time?

1 A. Yeah, I did, yeah.

2 Q. But it was decided in any event that because there was
3 no secure beds in Scotland --

4 A. We had to start going down the map.

5 Q. -- that you were going to England. When you found out
6 about that, how did you feel?

7 A. Terrified. I just felt it was so unjust and so
8 unnecessary.

9 Q. You tell us, 'Yasmin', at paragraph 110, you say:
10 'I couldn't believe they were taking me out my own
11 country.'

12 A. Yeah, yeah.

13 Q. 'I was terrified.'

14 A. Yeah.

15 Q. I think you say that you were telling them to put you
16 back into Rimbleton; is that right?

17 A. Yeah, yeah.

18 Q. But they didn't do that?

19 A. No.

20 Q. Was that a part of Rimbleton that was secure, that you
21 thought you could be put into?

22 A. Well, no, I just was like, 'No, can I not just stay
23 here, like, under a section with a secure attachment?'

24 I knew all the sections, I was like, 'Can you not just
25 put me on a section 17, add secure attachment'. No, no,

1 no. I tried it all and they were like, 'No'.

2 Q. You tell us, 'Yasmin', that this was a long drive that

3 you had to take with --

4 A. Five hours, six hours.

5 Q. You say you felt a feeling of dread when you got there

6 and you were left?

7 A. Yeah.

8 Q. At that time, you tell us you didn't know how long you

9 were going to be there for?

10 A. No, no, nobody could tell me either, 'cause they didn't

11 know when there would be another secure bed in Scotland.

12 But I knew that I was the next person to get

13 an available bed. I did know that. Every day I'd ask

14 them: is there a bed in Scotland? You know?

15 Q. You knew that you were on the list, but when a bed would

16 become available wasn't something that you were in

17 control of?

18 A. Yeah.

19 Q. You say at paragraph 113, you say that in itself was

20 scary, being so far away from everybody that you knew

21 and not knowing when you were getting back?

22 A. It was awful.

23 Q. It's this uncertainty as well about how long you were

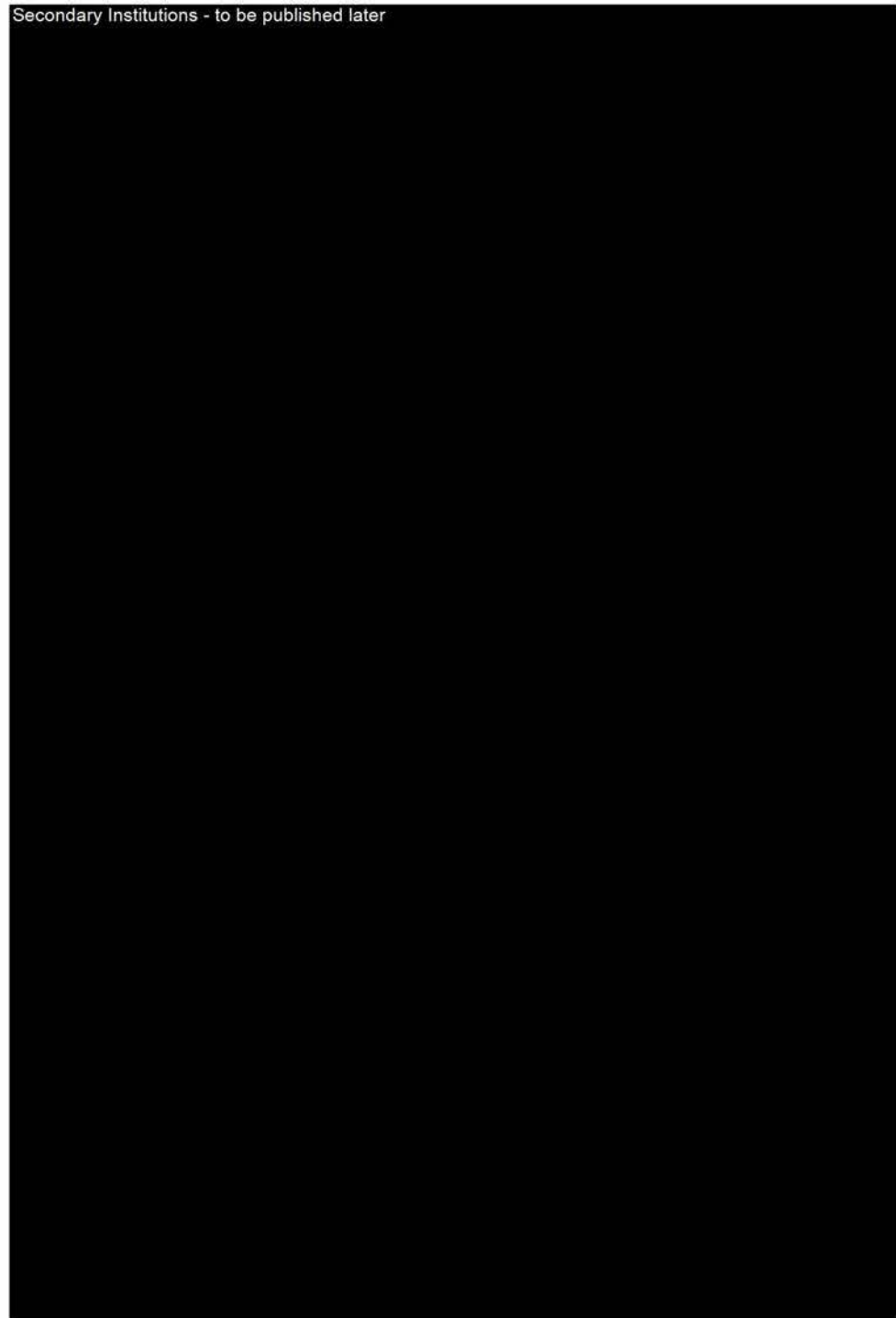
24 going to be there for?

25 A. Yeah.

1 Q. 'Yasmin', you go on to tell us about your time at that
2 place from paragraph 114. Again, this is a part of your
3 statement that's redacted on the screen. Secondary Institutions - to be p

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11 Q. As you have told us, you were asking every day if there
12 were beds available in Scotland?

13 A. Every morning: is there a bed?

14 Q. I think finally you were told there was and it was going
15 to be Rossie?

16 A. So happy.

17 Q. I think you say that you burst into tears?

18 A. I did.

19 Q. You were excited to go there?

20 A. Couldn't wait.

21 Q. Was that because you were getting back to Scotland?

22 A. Yeah, and I knew that there was people from Rimbleton in
23 Rossie that I knew that would be familiar faces. I know
24 that sounds mad, but ...

25 Q. You tell us, 'Yasmin', that at paragraph 126:

1 'Looking back, that is sad that I was excited to go
2 to a secure unit.'?
3 A. Yeah.
4 Q. But you say it turned out you weren't happy for long?
5 A. Mm.
6 Q. You are taken back up there, you say, by English
7 handlers, is the way you put it?
8 A. Yeah.
9 Q. What was that experience like?
10 A. It was just like they put me in a car and had -- it
11 wasn't like -- it was kinda like handcuffs, but they
12 were looser and it was like on a like string -- not
13 a string, like chain kinda thing and I wasn't allowed
14 out the car and someone had to be beside me. It was
15 just not a nice experience at all.
16 Q. We know, 'Yasmin', that then you were admitted to Rossie
17 on [REDACTED] 1998, so again you are still 15 at that
18 time?
19 A. Right.
20 Q. That was on the basis supposedly of being a place of
21 safety, I think is the way it was put?
22 A. Yeah.
23 Q. Were you aware of that, that that was why you were
24 there, on a place of safety?
25 A. Yeah, I knew it was 'cause of, erm -- yeah, yeah, yeah.

1 Q. We know from our records again that you were there until
2 [REDACTED] 1998, so just over seven weeks?

3 A. Mm.

4 Q. Again, I think, you probably felt like it was longer?

5 A. Yeah, I did, yeah, yeah, I do feel like it was longer,
6 yeah.

7 Q. You go on then to tell us about Rossie, and this is from
8 paragraph 128 of your statement, but again when you went
9 there, you didn't know how long you were going to be
10 there for?

11 A. No, no.

12 Q. You say that all the rooms in the place were locked?

13 A. Yeah.

14 Q. And that there was a swimming pool. We have heard about
15 a swimming pool there.

16 A. Yeah.

17 Q. Your first arrival, 'Yasmin', you describe at
18 paragraph 130 when you got there, that staff made
19 comments towards you?

20 A. Soon as I walked in.

21 Q. That was about the way you looked, they were saying you
22 were beautiful and looked like a model and parading you
23 around in front of other residents?

24 A. Yeah.

25 Q. I think you tell us that you were put into one of the

1 units called Lunan; is that right?

2 A. Yes, yeah.

3 Q. But when you reached there, at first anyway, you were

4 the only girl?

5 A. Yes.

6 Q. So everyone else was male. Again, you describe the

7 rooms there as being like police cells?

8 A. Yeah.

9 Q. Were they similar to when you were in Cheshire?

10 A. The Cheshire rooms were bigger and like newer looking

11 than Rossie.

12 Q. You say that the room, or cell as you describe it, had

13 a bed built into the wall?

14 A. Yes.

15 Q. This couldn't be moved, it was fixed?

16 A. No, yeah.

17 Q. There was nothing really much else in there?

18 A. No.

19 Q. But there was a mattress?

20 A. Yes.

21 Q. There was supposed to be a TV, I think, initially you

22 didn't have one?

23 A. Yes, I had to beg for one. Everyone had one apart from

24 me.

25 Q. Eventually you got one?

1 A. Eventually I got one, yeah.

2 Q. You point out that you could only really get channels 1
3 and 4?

4 A. Yeah.

5 Q. You make the point, 'Yasmin', they tried to call it
6 a room, but it was a cell?

7 A. 100 per cent.

8 Q. Is that how you saw it?

9 A. Yeah, yeah.

10 Q. At one point another girl did come into Rossie?

11 A. Yeah.

12 Q. But she wasn't put into Lunan with you?

13 A. That's crazy, yeah.

14 Q. She was in another unit?

15 A. We'd have to like put in a request to see each other.

16 Q. You would have to actually request --

17 A. It would get knocked back sometimes, if someone was
18 kicking -- you know, I'm kicking off, I wouldn't -- so
19 sometimes I'd see her for an hour a week or sometimes
20 I'd see her every other day or every day. It just
21 depends what was going on in the building, you know.

22 Q. Did that make any sense to you?

23 A. Nuh-uh. I didn't understand why they couldn't swap
24 a guy from my unit or me and then we would be together,
25 do you know what I mean?

1 Q. You point out that the boys who were in there were up to
2 the age of 18, and again, these are the boys who
3 potentially had or had been accused of doing quite
4 serious --

5 A. Appalling things, really awful things.

6 Q. You point out that you were in a room between, you have
7 said, a rapist on one side and a murderer on the other?

8 A. On the other.

9 Q. When you got to Rossie and you were in that position,
10 how did you feel being there?

11 A. Well, I knew two of the guys, so they like gave me the
12 order on who was who and stuff like that and they really
13 helped me, these two guys, 'cause they were from
14 Rimbleton. So that was a relief to me.

15 Erm, but I was just like terrified, 'cause I didn't
16 know what was happening. Like, people that were there
17 like on a sentence and that, they knew when they were
18 getting out or whatever. I didn't know what was
19 happening, you know what I mean? It was just scary,
20 scary.

21 Q. Those two boys who were from Fife?

22 A. Yeah.

23 Q. They are people I think you mention --

24 A. I've mentioned them, yeah.

25 Q. -- later on who are people who helped you while you were

1 there, is that right?

2 A. Yeah.

3 Q. They looked out for you?

4 A. Yeah.

5 Q. If they hadn't been there, do you think things would

6 have felt different?

7 A. Yes, yes.

8 Q. You tell us, 'Yasmin', about the food and you say the

9 food was rubbish?

10 A. Uh-huh, yeah.

11 Q. The set-up there for washing and bathing you say was

12 hellish, this is at paragraph 135?

13 A. Yes, yeah.

14 Q. There was no hiding stuff for girls?

15 A. No.

16 Q. You had to beg to get a razor?

17 A. Yeah, and you only got it like once a week, if you were

18 lucky.

19 Q. Again, you mention these two boys, this is at

20 paragraph 136, you would get them to stand outside, was

21 that when you were showering and washing?

22 A. Yeah, yeah.

23 Q. You say that's because you were paranoid?

24 A. Yeah.

25 Q. What were you paranoid about?

1 A. I was paranoid that -- like the staff could lock you in
2 the shower, so sometimes they wouldn't and I was
3 paranoid that the staff would even just walk in, 'cause
4 they were known for doing that as well, you know what
5 I mean. So even getting locked in, you weren't safe
6 because the staff would decide to just walk in, do you
7 know what I mean?

8 Q. But these two boys were people who would stand outside?

9 A. Sit outside, yeah.

10 Q. You tell us, 'Yasmin', about schooling and this was
11 a time I think you say that you did go to school at
12 Rossie. This would be a school -- the room that you
13 would go to would be locked though?

14 A. Yes.

15 Q. So you would be locked in the school room?

16 A. Yes.

17 Q. But you could choose not to go to the school?

18 A. Yes.

19 Q. But then you would be locked in your cell?

20 A. Yes.

21 Q. The way you put it is that you played the game and you
22 went to school?

23 A. Yeah, just to get out.

24 Q. You make the point you didn't want to be in your cell,
25 because you were scared?

1 A. Yeah, and the education was awful. It wasn't
2 an education, it was a carry on.
3 Q. You make the point that it was basic?
4 A. Yeah, yeah.
5 Q. I think you say that it was maths, English and maybe
6 a bit of art, it was the same as Rimbleson that you had
7 to do it?
8 A. Yeah, yeah.
9 Q. You go on, 'Yasmin', to talk about leisure time and you
10 say the only real leisure time you got was going to the
11 swimming pool at Rossie?
12 A. Yeah.
13 Q. You tell us about that at paragraph 139 and you go on to
14 tell us a bit more detail about it, about what happened
15 on these occasions later in your statement, but I think
16 you say that when you went to the swimming pool, you
17 were all chained together?
18 A. Yeah, like a chain gang, we all had our gownies on, we
19 had sliders on, and we'd all be like the chain gang
20 walking out the building to go into the other building
21 to the pool bit.
22 Q. Can you describe, 'Yasmin', how you were chained
23 together, was it by your arms?
24 A. Arms.
25 Q. Would that be one arm to --

1 A. To the next person.

2 Q. So you would be chained together with these other boys?

3 A. Boys, yeah.

4 Q. These boys could vary in age up to the age of 18?

5 A. Yeah, yeah, yeah. Even 19.

6 Q. There would be staff then that was taking you in this

7 chain gang to the swimming pool?

8 A. Yes, yeah, yeah.

9 Q. If we just go a little bit forward in your statement, to

10 paragraph 147, you tell us a little bit more about what

11 would happen on these occasions. This is where you say

12 that they would cuff you together in a big line, like

13 a chain gang?

14 A. Yeah.

15 Q. You have described already what you would be wearing, so

16 swimming costumes, was it housecoat?

17 A. Yeah, yeah, like a gowny thing and sliders.

18 Q. You say that it was cold?

19 A. Oh, yeah, 'cause you -- yeah.

20 Q. Would you have to go from your unit through the

21 building?

22 A. Yeah, you would have to go through the building and if

23 there was other people from other units going to the

24 pool, we would have to pick them up on the way and then

25 we would have to leave the building and walk five

1 minutes to another building where the pool was situated.

2 Q. Did you have to go outside to get to the swimming pool?

3 A. Yes, it was a total separate building.

4 Q. So there was no access from the main building into that?

5 A. No, no.

6 Q. Are you able to say from your recollection how long

7 generally that would take?

8 A. Oh, it was only like five minutes. It wasn't like a big

9 hike or that, but it was five minutes, enough to be

10 cold, you know.

11 Q. But you have indicated there is a process, sometimes you

12 would have to pick up other people along the way as

13 well?

14 A. Yeah, yeah.

15 Q. On these journeys, you tell us about things that would

16 happen to you?

17 A. Yeah.

18 Q. What was that?

19 A. Erm, just like, erm -- just like the males, they would

20 just -- like, I'd have my swimming costume and they

21 would make comments and that, so a member of staff says,

22 'Put a T-shirt on', so like I done that and they would

23 pull at my T-shirt. They would, erm, just prod and poke

24 me. It was horrible. They would just -- how do

25 I explain it, just like harassment, that they were

1 touching me. And then I'd say to the staff and they
2 would say, 'Well, you should have put the T-shirt on
3 straightaway', do you know what I mean? It's like,
4 yeah.

5 Q. During that time they would be trying to touch you?

6 A. Yeah.

7 Q. Would staff do anything about that?

8 A. No, it was my fault.

9 Q. That is the way they saw it?

10 A. Yeah, yeah.

11 Q. I think then, 'Yasmin', you say that when you got to the
12 pool and you went in, you would be taken -- you would be
13 out of the chain gang at this point in the swimming
14 pool.

15 A. Yeah.

16 Q. You say that that meant there were issues for you too,
17 because the boys were involved in trying to touch you
18 there as well, is that right?

19 A. Yeah, yeah, they would corner me. I mean, if
20 I'm getting cornered by eight big boys, what am I meant
21 to do?

22 Q. So you would all be in the pool at the same time?

23 A. Yeah.

24 Q. I think what you have described in your statement is you
25 would be cornered in the pool?

1 A. Yeah, and staff couldn't see what they were doing under
2 the water, you know what I mean, if there a load of guys
3 and I would be like, whoa, you know.

4 Q. You are saying they're trying to touch you all over?

5 A. Yeah, yeah.

6 Q. You would be screaming about that?

7 A. Yeah.

8 Q. And shouting?

9 A. Yeah.

10 Q. I think you say a staff member came on one occasion, and
11 what did they say to you when they came?

12 A. I bring this all on mysel' and all that, why are you
13 even coming to the pool? It was just basically -- and
14 then he would have a good look as well, you know what
15 I mean.

16 Q. So it was your fault for coming to the pool?

17 A. Yeah, it was always my fault, yeah, yeah.

18 Q. It was your fault for wanting to go to the pool in the
19 first place?

20 A. Yes.

21 Q. I think you also tell us, 'Yasmin', that there was
22 a derogatory term said to you by a member of staff as
23 well, that you shouldn't have come down to the pool and
24 be acting like a slut?

25 A. Yeah, yeah.

1 Q. You were just in the pool with a swimming costume on?
2 A. Yeah, yeah, with my T-shirt on top of it, you know what
3 I mean.
4 Q. How did all that make you feel?
5 A. It made me feel awful. It made me feel like: am
6 I encouraging these people? What else can I go in the
7 pool with, do you know what I mean?
8 Q. Just to go slightly back in your statement again,
9 'Yasmin', you say that you really didn't get taken
10 anywhere, this is at paragraph 141, it was really only
11 the pool or outside for a cigarette?
12 A. Uh-huh. Yeah, you got six cigarettes a day, yeah.
13 Q. So this trip to the pool really was your only option of
14 leisure?
15 A. -- (overspeaking) -- was going to go, do you know what
16 I mean?
17 Q. Did it mean that eventually that you decided not to go?
18 A. Well, when that other lassie came, I was a bit more
19 confident to go, do you know what I mean, because
20 I could be wi' her.
21 Q. Did she get to come with you then?
22 A. Yeah, a couple of times, so that made it slightly more
23 better, but she got her own stuff going on, yeah.
24 Q. You tell us, 'Yasmin', your mum did come to visit you
25 once whilst you were there with a social worker?

1 A. Yes, yes.

2 Q. As we know, you were there for about seven weeks, and
3 your mum would have been coming up from Fife, is that
4 right?

5 A. Yeah.

6 Q. You tell us, 'Yasmin', in relation to running away, no
7 one really ever ran away because it was secure?

8 A. No, no, it was like four or five miles to the nearest
9 road, do you know, so ...

10 Q. You make the point at paragraph 145:
11 'I couldn't understand why we were all chained up
12 when we went to the swimming pool ...'

13 A. Yeah, 'cause you couldn't -- why would you run away in
14 sliders and a gowny, you know?

15 Q. You go on again to say that you played the game in
16 there?

17 A. Yeah.

18 Q. Because you were scared?

19 A. Yeah.

20 Q. But you did notice that it was the same restraint carry
21 on, is the way you put it?

22 A. Yes, yes.

23 Q. When you say 'restraint carry on', do you mean Secondary Institution
24 Secondary Institutions - to be published later
25

1 Q. You tell us that you never got restrained in Rossie?

2 A. No, no, no.

3 Q. That's because you were playing the game, is the way you

4 put it?

5 A. Yeah, I wanted out of there.

6 Q. You did see other people being restrained; is that

7 right?

8 A. Yes, yes.

9 Q. But you describe that as being [REDACTED] brutal?

10 A. Yeah, it was definitely more violent, you know,

11 definitely more violent [REDACTED].

12 Q. Is that because the male staff were bigger or because

13 the boys in there were more serious?

14 A. They didn't, like, take any rubbish, if you know what

15 I mean. [REDACTED] Secondary Institutions - to be published later

16 [REDACTED] Secondary Institutions - to be published later

17 [REDACTED] Secondary Insti

18 Q. You say that restraining was happening all the time?

19 A. Oh, yeah, daily up there, yeah.

20 Q. What was that like to see?

21 A. Especially when they were like carrying them and all

22 that, it was like whoa. They never done anything from

23 what I've seen, what are you doing? Knees on their

24 chest, carry on, like, just -- I just thought why are

25 they doing that? They never done anything, you know.

1 Q. What types of reasons that you saw would people be
2 restrained for?

3 A. Erm, refusing to go to school, or being cheeky, refusing
4 to go into your cell, just a member of staff taking
5 a disliking to you, it could be as simple as that. Or
6 you not getting a visit and kicking off, you know what
7 I mean.

8 Q. You say they didn't muck about, they were down.

9 A. Oh, they didn't muck about there at all, no, no, no.

10 Q. You've mentioned knees being on chests?

11 A. Yeah, they put the knees -- yeah, yeah.

12 Q. Would they stay on their chests for lengthy periods of
13 time?

14 A. Yeah, yeah, and then they would get other staff to carry
15 them, fling them in their cell.

16 Q. What types of restraint would there be that you saw?
17 Secondary Institutions - to be published later
18 Secondary Institutions - to be published later

19 A. Yeah, it was like that and their hands were sometimes
20 behind their back. It depends how they've got them, do
21 you know what I mean, but it was usually front with
22 hands like that, or that and their knees there.

23 Q. How many staff members would be involved usually?

24 A. Oh, a mad alarm would go off, like I've seen in prison,
25 a mad alarm would go off and all the staff in the units

1 that were into that would run. It could be five members
2 of staff, it could be ten, depends on how big the person
3 was, depends how much they were kicking off, how
4 prolific they were at kicking off, you know what I mean.
5 Q. From what you say, 'Yasmin', was that something -- you
6 say it was happening all the time?
7 A. Yeah.
8 Q. Was it a daily basis or more than once a day?
9 A. Yeah, yeah, pretty much, yeah.
10 Q. Just going forward a little bit in your statement,
11 'Yasmin', to where you tell us a little bit more about
12 some of the other problems you had with other residents
13 there. This is at paragraph 148.
14 Again, this was the problem of you being the only
15 girl, or one of two girls, there. You describe the fact
16 that there were big guys there?
17 A. Yeah.
18 Q. Some of them 18 years old?
19 A. Yeah, waiting to go to like prison basically.
20 Q. You say that they sometimes would do things to you?
21 A. Yeah.
22 Q. Are you able to tell us what they would do?
23 A. Like there was like -- the staff would just like chill
24 in their wee staffroom, but they could see out and there
25 was a TV room and they used to just try and pile on me

1 and pull my top up, pull my trousers down, just like paw
2 at me, you know, and stuff like that and threaten me or
3 try and push me into a cell and shut the door and just
4 touch me and it would be quite violent and aggressive,
5 do you know what I mean.

6 Q. How often did that happen?

7 A. Erm, it happened a few times, a few times.

8 Q. So it wasn't a daily basis, but more than a couple of
9 times?

10 A. Yeah, yeah.

11 Q. You mention, I won't read their names out, but you do
12 name a couple of boys that you remember, who were
13 involved in that?

14 A. Yeah, yeah.

15 Q. You say that it got so bad, 'Yasmin', that the point
16 came where a staff member really had to shadow you going
17 around?

18 A. Yeah, yeah, she had to walk everywhere with me.

19 Q. So the staff were aware that this was a problem?

20 A. Yeah.

21 Q. Their answer was just to --

22 A. 'Suck it up buttercup.'

23 Q. -- have to be with you. Is that the way they put it?
24 Did they say that to you?

25 A. Basically. Yeah, just get on with it.

1 Q. 'Suck it up, buttercup'.
2 You mentioned those two boys again from Fife and you
3 say that they were boys who would look out for you --
4 A. Yeah.
5 Q. -- when this type of thing was trying to happen, but
6 I think you say that they were just wee guys compared to
7 some of the boys in there?
8 A. Yeah, yeah, but they seen their allegiance from being
9 fae Fife and being in Rimbleton with me, so they were
10 like keeping an eye out for me, you know what I mean.
11 Q. It came to the point, I think you tell us, 'Yasmin' you
12 couldn't even sit in the TV room?
13 A. No, I couldn't. It got to the point I could not go in
14 there, no. Even the staff were like, 'No, we can't even
15 let you go in there now'.
16 Q. When you had been in there before, I think you tell us
17 they were trying to put their hands down your pants?
18 A. Yeah, pawing at me, yeah. Like they'd never seen
19 a female before.
20 Q. You have mentioned, obviously you have named a couple of
21 people, but was this all the people apart from the Fife
22 boys or was it just particular boys who would try to do
23 this?
24 A. It was particular ones, yeah, I would say, yeah, yeah.
25 Q. But there was enough of them to make it too difficult

1 for you to be able to sit in the TV room?

2 A. Yes, yes, yeah.

3 Q. You tell us, 'Yasmin', that that went on the whole time

4 you were there?

5 A. Yeah.

6 Q. You make point: what did they expect, you were the only

7 girl there?

8 A. What did you expect to happen, you know what I mean?

9 Q. Some of these boys were in there for sexual offences?

10 A. Yeah, rape and horrible crimes. It shocked me. I just

11 couldn't believe I was in this place with people that

12 had done these things. Little old me, you know what

13 I mean, that's -- aye, that's what I felt like.

14 Q. The attitude of staff towards you, 'Yasmin', you tell us

15 about that. How did they speak to you?

16 A. Indifferent. Just like -- I think they knew that

17 I wasn't going to be there for long, I wasn't on

18 a sentence and that, so just like get this lassie

19 through this, and, do you know, get her out.

20 Q. You make the point in paragraph 151, you say you felt

21 like nothing and you felt you were just a number?

22 A. Yeah, degraded. I mean I was definitely just a number,

23 because they'd have like a thing up and it was just your

24 name and your number and I just felt like I was another

25 little number on sheet.

1 Q. You say that sometimes they spoke to you like a piece of
2 shit?
3 A. Yeah.
4 Q. Did they do that?
5 A. Yes, yeah, you couldn't get private phone calls. They
6 would sit -- while I'm on the phone to my mum, come on,
7 you know, and they would sit and they would lord that
8 over you, 'oh, if you don't do this, you'll no get your
9 phone call or you might not get your razor or your
10 deodorant if you don't do this, you'll no get the
11 3 o'clock cigarette if you don't do ...'
12 Aye.
13 Q. Do you say that they listened to the phone call with
14 your mum?
15 A. Oh, every phone call, every single phone call was
16 monitored.
17 Q. Would that be by them sitting in the room with you?
18 A. Yes.
19 Q. Would the phone have to be on a speakerphone?
20 A. Yes.
21 Q. You say also, 'Yasmin', that sometimes they just
22 wouldn't even speak to you?
23 A. No.
24 Q. So would they ignore you?
25 A. They would just sit in their little staffroom. It was

1 glass, they could see the unit, they would just sit in
2 there. If you knocked on the door, 'What are you
3 wanting? I clock off in half an hour, for God's sake'.
4 That kind of attitude.

5 Q. Did you get the impression that they cared?

6 A. No, no, they didn't care.

7 Q. This impression of staff, was it the same for all
8 members of staff or were there some who were good?

9 A. Every place I went there was always a couple, but it was
10 not many.

11 Q. A couple who were good?

12 A. Yeah, but there wasn't many. Ken, the majority, they
13 shouldn't be caring for kids.

14 Q. So it's not the case that there were couple that were
15 bad, there was only a couple that were good?

16 A. Good, yeah.

17 Q. You say then, 'Yasmin', that after that period in
18 Rossie, you go back to this Children's Panel and they
19 tell you you're only going to get out of Rossie if
20 Rimbleton take you back.

21 A. Yes.

22 Q. I think you say that at that panel you think your mum
23 would have been there?

24 A. Mm-hmm.

25 Q. And the manageress from Rimbleton, who you mention?

1 A. Mm-hmm. Yes.

2 Q. I think you point out that she would have had a pivotal
3 role in deciding whether you could go back to Rimbleton?

4 A. Yes, yes.

5 Q. Obviously they did agree --

6 A. I begged them. I begged them.

7 Q. Were you quite grateful that she agreed --

8 A. I was, but then I thought: what was the whole point in
9 that? You have totally traumatised me for nothing, to
10 go back to the same room, to the same place, with the
11 same staff.

12 Q. So you had been at Rimbleton for the best part of
13 a year?

14 A. Mm-hmm.

15 Q. You then go down to England for a couple of weeks --

16 A. Mm-hmm.

17 Q. -- into a young offenders, is the way you saw it?

18 A. Yeah.

19 Q. Then you're in Rossie, again in a cell, for seven weeks?

20 A. Mm-hmm.

21 Q. Really about nine weeks away and then you're back where
22 you started off again?

23 A. To the same room, with the same staff. It's just --

24 Q. From your point of view, did you think that made any
25 sense?

1 A. No, I was totally confused. I just thought it was
2 a total waste of resources, time, and it traumatised me,
3 you know.
4 Q. You tell us then you're back in Rimbleton and again you
5 were pleased to go there from Rossie?
6 A. Yeah, of course.
7 Q. As I've said, we know from the records you were
8 readmitted there on [REDACTED] 1998, so you are still
9 15. That second time you were in Rimbleton, you stayed
10 there until [REDACTED] 1999, which was not long after your
11 16th birthday?
12 A. Yeah, I got a section 25, yeah.
13 Q. So it was about six months the second time?
14 A. Yeah.
15 Q. Does that seem about right?
16 A. Yeah.

17 Secondary Institutions - to be published later
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

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12 Q. You go on, 'Yasmin', to say then that when you turned
13 16 -- we know obviously from the dates it wasn't long
14 after you turned 16 -- you were granted that section 25?

15 A. Yes.

16 Q. You had made an application already for a house?

17 A. Yeah.

18 Q. Before you were 16?

19 A. Yeah.

20 Q. You had got yourself in position for that. You stayed
21 at Rimbleton then until they got you a place to stay?

22 A. Yeah.

23 Q. You then go on, 'Yasmin', to tell us about life after
24 being in care.

25 A. Yeah.

1 Q. You tell us about that from paragraph 160. You say that
2 there was a homeless unit you were put into, this was
3 somewhere that had drug addicts?

4 A. Yes. I had no life skills. I had no life skills at all
5 and it was like Secondary Institutions - to be published later

6 Q. You go on to tell us that by the time you left
7 Rimbleton, you didn't know you were pregnant, but you
8 soon found out?

9 A. Secondary Institutions - to be published later

10 Q. Secondary Institutions - to be published later
11
12 A.
13
14 Q.
15 A.
16 Q.
17
18 A.

19 Q. You do tell us, 'Yasmin', about the social worker Liz
20 and how she kept trying to be involved and would help
21 anyway she could?

22 A. She did.

23 Q. She is somebody that you were grateful to for that,
24 I think?

25 A. Yeah.

1 Q. I think there were issues with the homeless unit,
2 because the baby's dad --
3 A. Wasn't allowed in and all that, yeah.
4 Q. Then you found yourself having to leave; is that right?
5 A. Yeah.
6 Q. Then you ended up, the way you put, is pregnant,
7 bouncing around Kirkcaldy and sofa surfing, things like
8 that.
9 A. Yes, and then my foster carers took me back in, the
10 [REDACTED].
11 Q. You tell us about the couple, they weren't getting paid
12 for that?
13 A. No, they took me in.
14 Q. They didn't have to do that, but they took you in and
15 I think you've said that they were the kind of people
16 that should be fostering?
17 A. Yes, yes.
18 Q. You managed to do exams while you were pregnant; is that
19 right?
20 A. Yeah.
21 Q. You went from their house back to the high school?
22 A. Yes.
23 Q. Is that something that you felt was important that you
24 wanted to do?
25 A. Yeah, 'cause my education, I'd been totally mucked up --

1 a lot by myself, but going into these places and half
2 the time I was at Rimbleton School, half the time at
3 St Andrew's, half the time at another unit so that
4 didn't help, you know. But I didn't help myself either,
5 you know.

6 Q. I think you say that couple, 'Yasmin', helped you to get
7 your first private let?

8 A. A private let, yeah.

9 Q. You do go on to tell us about the troubles that you had
10 after that, I think. There were problems with drugs,
11 problems with relationships?

12 A. Yeah, I just couldn't -- I just couldn't cope with life.
13 I didn't know anything. I was 16, pregnant, with
14 an abusive boyfriend who wasn't the father and I just
15 wasn't prepared for life, like normal people are.

16 Q. I think you do tell us that you were involved with
17 a much older man; is that right?

18 A. Yes.

19 Q. Who was the same age as your parents?

20 A. Yeah.

21 Q. He was someone, I think, who you went on to marry; is
22 that right?

23 A. Yes.

24 Q. You tell us that there was very serious abuse that you
25 received from him?

1 A. Yes.

2 Q. That relationship came to an end. I think there was
3 a time though, in relation to your child, that your mum
4 stepped in and said that she would take him for a year
5 to let you get things together?

6 A. Yeah, yes.

7 Q. You tell us after a period of moving around different
8 places, you were able to get a house in Burntisland, is
9 that right?

10 A. Burntisland, yes.

11 Q. You were able to get your son back?

12 A. Yeah.

13 Q. I think you tell us about your struggle with drugs and
14 going on to methadone?

15 A. Yes.

16 Q. You then tell us that you were able to get into
17 a relationship that you're in now, is that right?
18 That's somebody that you knew from Rimblyton?

19 A. Yeah.

20 Q. I think you say that he is somebody who is amazing, is
21 great. I think it will be over ten years now?

22 A. 11, 12 years.

23 Q. You go on, 'Yasmin', to talk about the impact of your
24 time in care. This is from paragraph 175. You say this
25 sentence:

1 'Other folk went through worse than me but it ruined
2 my life.'

3 When you make that comment, 'Yasmin', do you feel
4 that what you went through isn't valid, because other
5 people had something worse than you, or do you --

6 A. I used to think that, but as I've got older, I've
7 realised that, no, that's not, but I used to think that,
8 because I do know people that went through worse. So
9 I've minimised it to myself. I think it was a way of me
10 just trying to get over it, trying to get over it by
11 minimising it, 'Oh, nothing happened to me'. But it
12 did.

13 Q. Later in your statement, I know you tell us that you
14 went back and forward before contacting the Inquiry,
15 because you weren't sure if what happened to you was
16 abuse.

17 A. Yeah.

18 Q. But you do accept that it was?

19 A. It was, 100 per cent, yeah.

20 Q. You tell us that you have been in fight or flight mode
21 most of your life?

22 A. Aye, yeah.

23 Q. Even now, that's something that stays with you?

24 A. Yeah.

25 Q. You are always ready, prepared for something.

1 A. Yeah, my anxiety is like wow.

2 Q. You go on to tell us some of the struggles you have had

3 health-wise, and we have that there. I know that you

4 have still been getting some treatment and I think you

5 tell us that you've had anti-depressants as well?

6 A. Yeah, I think I'll probably be on them for the rest of

7 my life.

8 Q. You make the point, 'Yasmin', this is at paragraph 178,

9 you say:

10 'I'm not saying I'm an angel --

11 A. Yeah, 100 per cent.

12 Q. -- and I have made wrong choices, but I never had a

13 chance.'

14 You say:

15 'I felt I could have done so much.'

16 A. Yeah, when I look at my sisters, my two younger sisters

17 and other people and I didn't have a chance. As soon as

18 they put me in that care system, I didn't have a chance.

19 I really didn't.

20 Q. You mention feeling shame and regret?

21 A. Yeah. I felt ostracised from the community. I just

22 felt different and just misunderstood, you know.

23 Q. You talk a little bit about problems you've had with

24 your teeth and dental care?

25 A. Yeah, I got no dental care at all when I was in the

1 care. It's a big impact on me. Erm, I didn't get much
2 medical care there. Aye. I just didn't get care,
3 I don't know why they call it 'care'.
4 Q. You think that has stayed with you, you tell us,
5 'Yasmin' --
6 A. Yes.
7 Q. -- you have a relationship with your family, you tell
8 us, but you feel that there's a grudge held by --
9 A. Yeah, it's a fraught relationship, yeah.
10 Q. You have some trust issues with adults; is that right?
11 A. And authority as well, yeah.
12 Q. You make the point at paragraph 181, you say:
13 'I worry that somebody's going to put me on the
14 floor in a restraint.'
15 A. Yeah. I'm more worried about -- like, I dream about
16 being jailed in a cell, and it actually terrifies me,
17 that situation. It actually terrifies me. It's one of
18 my biggest fears.
19 Q. You mention still hearing the names of some of the
20 people that were at Rossie at the same time as you?
21 A. Yeah.
22 Q. That brings things back?
23 A. Yeah.
24 Q. You say that's a trigger for you, is it?
25 A. Yeah.

1 Q. It takes you back to the time that you had there?

2 A. Yeah, yeah.

3 Q. I think you describe it as a 'horrible and terrifying

4 time' at paragraph 183?

5 A. Yes. Yeah.

6 Q. Is that how you would sum it up?

7 A. Yeah, traumatising.

8 Q. You tell us that you've had trouble sleeping at nights

9 and you think that's down to being in care as well?

10 A. Yeah.

11 Q. In relation to treatment, you say you do have a drug

12 worker. Is she somebody you're still working with?

13 A. Yeah.

14 Q. You've been referred to psychologists and psychiatrists?

15 A. Yes, I've seen psychologists and all that. I had CBT,

16 yeah.

17 Q. You have had some?

18 A. Yeah.

19 Q. Do you think that's helped?

20 A. No, to be honest, not really.

21 Q. Looking at lessons to be learned and the way forward,

22 'Yasmin', you talk about that from paragraph 190. You

23 say that if you were the boss of social work or the

24 homes, you would do better background checks on people

25 that worked there. You say that you would make sure

1 that there was caring staff, really simple as that?

2 A. Yeah, that wanted to do that job. They weren't just

3 doing it for money.

4 Q. And that there should be communication between the

5 social work and the parents, because you feel like there

6 was not a lot of that going on?

7 A. No, there was none of that. None of the agencies knew

8 what the other one was doing and social workers would

9 leave and management would leave or they'd swap round

10 and staff would leave. You just didn't know. It was

11 just -- oh, yeah.

12 Q. You also, because of your experience at Rossie and

13 Cheshire, you say you would separate boys and girls and

14 you wouldn't have secure units?

15 A. No, I don't think so.

16 Q. Your view is that kids shouldn't be locked up?

17 A. No, they shouldn't.

18 Q. You make the point that living on your own at 16 is

19 something that you shouldn't be doing?

20 A. No, no 16-year-old should live on their own.

21 Q. I think you make the point that your son now would be in

22 his mid-20s, you were saying at that time he was 23, and

23 you can't imagine him living on his own?

24 A. Well, he's 25 now and he's just on his own now. So ...

25 Q. In relation to hopes for the Inquiry, 'Yasmin', you tell

1 us from 192 that you hope no other kids get treated like
2 you did?

3 A. Yeah, basically, yeah.

4 Q. You couldn't bear to think of it happening to other
5 kids.

6 A. They're only kids. They shouldnae be seeing and hearing
7 and knowing about sections and social work and
8 restraint, you shouldn't be knowing about that when
9 you're 13 and 12 and all that. You shouldn't know that.
10 My child didn't, do you know what I mean? It's crazy.

11 Q. This is where you talk about you going back and forward
12 about whether or not you should even come to the
13 Inquiry, but you took the decision that you would?

14 A. Yeah.

15 Q. I think you say hopefully you think you can heal a bit
16 from it and that you have found it helpful?

17 A. Yeah. I found it cathartic doing this statement and
18 stuff like that.

19 MS FORBES: Well, 'Yasmin', I hope that coming to give your
20 evidence today has helped as well. I think those are
21 all the questions I have for you today, but is there
22 anything that you want to tell us about that we haven't
23 talked about already?

24 A. No. Just you've covered everything. It just set
25 a precedent for my life, you know what I mean? My life

1 might've turned out the same, you know, but we don't
2 know, but like as I said before I just feel like
3 I didn't have a chance fae the get-go, you know what
4 I mean? That is basically what I've got to say, really.
5 MS FORBES: Thank you very much for coming today to answer
6 my questions. I'm really grateful. I wish you all the
7 best for the future.
8 A. Thank you.
9 LADY SMITH: 'Yasmin', let me add my thanks to you for
10 bearing with us and dealing with our difficult
11 questions, probing into your life. I too wish you well
12 for the future.
13 A. Thank you.
14 LADY SMITH: You are very young still. You have a life
15 ahead of you and a hope that you're now going to be able
16 to turn a corner and things improve.
17 A. Yeah, thank you very much. Thank you.
18 LADY SMITH: Do feel free to go.
19 A. Thank you.
20 (The witness withdrew)
21 LADY SMITH: I'll rise now for the lunch break and I'll sit
22 again at 2 o'clock when we'll have another witness in
23 person. Thank you.
24 (12.55 pm)
25 (The luncheon adjournment)

1 (2.00 pm)

2 LADY SMITH: Good afternoon.

3 Mr Sheldon.

4 MR SHELDON: Good afternoon, my Lady.

5 My Lady, this afternoon we have another witness in

6 person. He is anonymous and his chosen pseudonym is

7 'Stan'.

8 My Lady, he's a witness who requires a warning.

9 LADY SMITH: Yes. Thank you.

10 'Stan' (affirmed)

11 LADY SMITH: 'Stan', could I just thank you for coming this

12 afternoon to help us with your evidence about your time

13 working in the area of residential care for children

14 that we're particularly exploring at the moment. That

15 includes secure accommodation for children, as I think

16 you know.

17 It's been really helpful to me to have your written

18 evidence in advance, I'm grateful to you for that. Your

19 statement is in that red folder that's in front of you.

20 It will be available for you if you want to look at it.

21 We'll also bring the parts of it we're particularly

22 examining up on the screen. We're not going to go

23 through it all in detail, but there are some particular

24 aspects we'd like to explore.

25 A. Okay.

1 LADY SMITH: 'Stan', if you have any questions at any time
2 or you want a break, just let me know. That's not
3 a problem. We want to go at your pace, making things as
4 comfortable for you as we can, knowing that what we're
5 asking you to do this afternoon is probably something
6 you would prefer not to be doing. I'm sure there are
7 many other places you'd rather be than here in a public
8 forum talking about your own -- particularly your own
9 working life --
10 A. Absolutely.
11 LADY SMITH: -- that we have to ask you about.
12 This is not a court. Being a public inquiry, the
13 whole function of what we are doing here is quite
14 different from what's going on in a court, but you have
15 all the protections that you would have if you were in
16 a court, whether in a civil court or a criminal court.
17 That means that if you're asked any questions, the
18 answers to which might incriminate you, you don't have
19 to answer them.
20 If you do, I, of course, expect you to answer them
21 fully, but it's your choice. If you're in any doubt at
22 any time whether a question we're asking you is that
23 sort of question, just check. That's not a problem.
24 But you should also know, as you may already have
25 spotted, that all the evidence is being transcribed and

1 will be part of the Inquiry transcripts, so would be
2 available at a later date for checking if necessary.
3 Does that all make sense to you?
4 A. Yeah.
5 LADY SMITH: Thank you.
6 If you're ready, I'll hand over to Mr Sheldon and
7 he'll take it from there. All right.
8 Mr Sheldon.
9 MR SHELTON: Thank you, my Lady.
10 Questions from Mr Sheldon
11 MR SHELTON: 'Stan', good afternoon.
12 A. Good afternoon.
13 Q. 'Stan', before we get started, there's a couple of
14 pieces of housekeeping for us to get through, really
15 just for our benefit rather than yours, I'm afraid.
16 If I can first of all read your statement reference
17 into the record, it's WIT-1-000001543.
18 'Stan', if you could turn to the end of your
19 statement, please, it's page 33. Can you just confirm
20 that you signed and dated the statement?
21 A. That's correct, yeah.
22 Q. That was in December last year?
23 A. Yes.
24 Q. Thank you.
25 You have said at paragraph 182:

1 'I have no objection to my witness statement being
2 published as part of the evidence to the Inquiry.
3 I believe the facts stated in this witness statement are
4 true.'
5 Is that the case?
6 A. Yes.
7 Q. Thank you.
8 You can just turn back to the front of the start of
9 the statement. Thank you.
10 'Stan', I don't need your date of birth, but I think
11 you were born in 1968, is that right?
12 A. That's correct.
13 Q. You tell us in the 'Background' section of your
14 statement that you were born and brought up near Dundee.
15 You left school and -- when did you leave school?
16 A. 1984/1985.
17 Q. You would be 17?
18 A. Mm-hmm.
19 Q. Is that right?
20 A. 16/17, yeah.
21 Q. You tell us that you started as an electrician's
22 labourer, with a view to becoming an apprentice
23 electrician, and you had a few jobs, including in
24 a slaughterhouse for a while, and then in an engineering
25 plant and a building preservation company.

1 So you tried a few things as a young man and in the
2 late 1990s you applied for what you described as
3 a sessional post at Rossie School as a sessional worker.

4 First of all, what do you mean by 'sessional
5 worker', or what did you understand this to mean by
6 that?

7 A. A sessional worker was just basically a post that filled
8 in when there was a vacancy. If they needed additional
9 staff and there was no substantive staff, you kinda got
10 a phone call and it said: can you work this shift?

11 Q. Almost like a supply teacher or something like that?

12 A. Pretty much, but it was mainly weekends and evenings.

13 Q. Okay, and did you understand that before you actually
14 applied for the job?

15 A. Yes. I was still working full-time in another job at
16 that time.

17 Q. What was that?

18 A. I was with building preservation.

19 Q. Can I ask you what led you to apply for that sort of
20 work? It's quite a change, I suppose, from what you've
21 been doing up to that point?

22 A. I have younger brothers and at that point I was coaching
23 their football team and just became an interest in
24 working with kids basically, children, people younger
25 than me. That's basically it really.

1 Q. All right, thank you. You tell us that you started as
2 a sessional worker in December 1998, went full-time in
3 2001 and stayed at Rossie until May 2024, so last year.
4 Don't worry, we'll look at that in a bit more
5 detail. Those are the headlines, I suppose. But
6 clearly you were there for quite a period of time and
7 I think we are particularly interested in your
8 experiences over the years and how things may have
9 changed over your time at Rossie.
10 I think it was a time of quite significant change,
11 would that be fair to say?
12 A. Yeah, absolutely, yeah.
13 Q. You tell us that you had no qualifications before you
14 started at Rossie, that's paragraph 4, but after
15 starting there full-time you studied for an HNC and
16 after that attained an SVQ3 in childcare. Was that
17 specifically residential childcare?
18 A. Mm-hmm, yeah.
19 Q. Can I ask you, was that funded by Rossie or did you have
20 to fund that yourself?
21 A. No, that was all funded through Rossie, yeah.
22 Q. How did that work, was it a sort of day-release type
23 arrangement?
24 A. The college was two days a week. I went two days a week
25 on a Monday and a Tuesday, and I would work my shifts

1 alongside that, but the SVQ was done on my own time.

2 Q. You were allowed leave to do that?

3 A. The HNC, yes.

4 Q. I may have misheard you then, did you say the SVQ was

5 done on your own time?

6 A. Yes.

7 Q. I beg your pardon, I misheard that. That would have

8 been quite a few evenings' work, I imagine?

9 A. Quite a few, yes.

10 Q. Paragraph 5, and the subsequent paragraphs, you tell us

11 a bit about Rossie and we have seen some photographs of

12 it already, but I just want to show you some of the

13 photographs, just in the hope of partly jogging your

14 memory but also educating us in what the place was like

15 and what was there.

16 If we can look first of all. I should say that in

17 paragraph 5, you say that when you started, this is

18 1998/1999:

19 'There was an old building that stood very tall

20 which comprised the school and a care part at one end

21 and there were some unused areas and in the old building

22 there were three units; Lunan, Dalhousie and Tay.'

23 Can we look, please, at a photograph. It's

24 INQ-0000001007. If it helps, it's blown up on the

25 screen behind you if you want to see a bigger version of

1 it, can you see it?

2 A. That predates me, that's before my time there.

3 Q. That's before your time?

4 A. Yes.

5 Q. Are there any parts of the school that you recognise

6 from your time?

7 A. The bit on left-hand side at the bottom, that's still

8 there. That was the reception, admin and the old Lunan

9 unit there but I really can't make out much else. The

10 swimming pool and Glenmarkie on the bottom right, still

11 there as well, but the rest of it --

12 Q. The big central building had gone by that stage?

13 A. Yeah.

14 Q. Okay. If we can look then INQ-0000001012. Is that the

15 latest version of the building, as it were?

16 A. It was when I left, yes.

17 Q. Was that how it was when you started?

18 A. No.

19 Q. Again, what was there, if anything, from when you

20 started and what was new, as you were working through?

21 A. When I started, the buildings on the top of the picture,

22 if you like, they were all there. The buildings with

23 the grey roof, erm, other than one --

24 Q. If you could point it out on the big screen, that's very

25 helpful.

1 A. This is all new, but that was there and all those
2 buildings were there as well.

3 LADY SMITH: When you say 'that was there', it's the older
4 building at the top right of the main group of buildings
5 in that photograph?

6 A. Yes. That, to my mind, would be the original building.

7 LADY SMITH: Or some of the original buildings. We saw in
8 that other old photograph we gave you a moment ago to
9 look at, that there were some buildings where now
10 I think there's just a wall around the right-hand side,
11 this side of that area nearer us from that old building.

12 MR SHELTON: When you talk, 'Stan', about the units, Lunan,
13 Dalhousie and Tay, can we see those units in that
14 photograph?

15 A. Not really. You could see the roof of Dalhousie.
16 Dalhousie was situated here and Tay would be underneath
17 it. Lunan would be along there, where that hand is.
18 That would be the bedroom windows of Lunan.

19 Q. Okay, but that's the part of the old building that
20 you're pointing to?

21 A. Yes.

22 Q. Was there another building, other than the one we saw in
23 the previous photograph, that has also now gone?

24 A. An education block, yeah.

25 Q. All right, okay, what was that like?

1 A. Just a long building that joined the buildings at this
2 end, that ran all the way down here and joined the
3 buildings at that end. From one end to the next.
4 LADY SMITH: That's from the old building end to the
5 swimming pool end?
6 A. Yeah.
7 MR SHELTON: Actually, is that view looking at the site from
8 the opposite side from the photograph that we saw first
9 or is it the same --
10 A. Yeah.
11 Q. Perhaps we can just have INQ-0000001007 again, just to
12 get this straight in our own minds.
13 A. This would be -- Lunan would be up here and part of this
14 building but we're seeing it from the other side in the
15 other photograph.
16 Q. I see. Can you see what you've described as the
17 education block or is that, as it were, hiding on the
18 other side now?
19 A. The education block that I remember would have replaced
20 that building.
21 LADY SMITH: That building being the building that looks
22 like a modern building on this old photograph, because
23 it's obviously newer than the building over on the left?
24 A. Yeah.
25 MR SHELTON: So both that building and the education block

1 have now gone?

2 A. That building remains.

3 Q. Yes.

4 A. But that's gone and there's a new education building

5 there.

6 Q. Okay, thank you very much.

7 Perhaps just to get another view of the new

8 building, if we look at INQ-0000001011, please. Is

9 that, as it were, the interior courtyard of the new

10 building?

11 A. Yes.

12 Q. Is that that?

13 A. That's correct, yeah.

14 Q. Again, can you point out the different parts of the new

15 building, if you can make them out in that photograph?

16 A. The maroon -- the door with the maroon surround was

17 a secure house, that is Beauly, the orange one is

18 Carron, the yellow one is Deveron, they were the secure

19 houses. There's 18 bedrooms going along there.

20 And the blue kind of door, that would be an access

21 to a residential unit, Esk House.

22 LADY SMITH: Those names, 'Stan', I think I can follow,

23 Beauly would be after the Beauly Firth?

24 A. Beauly, the river, yeah.

25 LADY SMITH: And Deveron, the River Deveron?

1 A. I think they were all named after rivers.

2 LADY SMITH: What was the other one?

3 A. Carron.

4 LADY SMITH: The Carron, thank you.

5 MR SHELTON: So there was the secure and you have mentioned

6 the residential unit. Was that a unit for young people

7 stepping down, as it were, from the secure unit?

8 A. Not solely for stepping down. I mean, there was

9 residential young people admitted to that services as

10 well.

11 Q. At paragraph 7, you talk about the purpose of Rossie

12 School, young people who had come through the children's

13 hearing system and so on. What did you know about

14 Rossie before you took up the job there? What had you

15 heard about it?

16 A. Absolutely nothing.

17 Q. Right, but you knew it was working with young people?

18 A. Yeah. Yeah. I did. I found out bits and pieces about

19 it before I applied. It wasn't just like I applied

20 blind, but before I applied, I never knew anything about

21 it.

22 LADY SMITH: When you say you found out, is that you telling

23 me you did your own homework?

24 A. Spoke to people, yes.

25 LADY SMITH: Not that you were provided with --

1 A. No.

2 LADY SMITH: -- information by Rossie?

3 A. No.

4 LADY SMITH: Thank you.

5 MR SHELTON: Because you tell us at paragraph 8 that you

6 felt a bit overwhelmed when you first started there.

7 Can you tell us a bit about that, please, just why you

8 felt overwhelmed by that setting?

9 A. I think it was all alien to me at that time, having

10 young people locked up and being secured and locking

11 them up at night. It was a sorta -- it was nothing that

12 I'd ever sorta heard of before and just going into that.

13 And I think the attitude of some people, staff, when

14 I started, was just not very friendly. So it was kind

15 of an intimidating and overwhelming experience to go in

16 to begin with.

17 Q. We'll come back to the staff in a moment or two, but can

18 I just ask you this. When you first started, did you

19 start to have second thoughts about it, did you think:

20 maybe this is not for me?

21 A. Absolutely, absolutely.

22 Q. Okay. What stopped you from just quitting?

23 A. My own determination, I think.

24 Q. Paragraph 9, you talk a bit about the young people that

25 you had, by this point, encountered. You said that:

1 'The culture of the youngsters was fine, but I think
2 children at that time were a bit different to what they
3 are today.'

4 Again, could you just give us some of your thoughts
5 about that and why you think that?

6 A. I think there was more behavioural -- we dealt with more
7 behavioural young people coming through -- young people
8 that were stealing cars or breaking into houses or
9 getting into trouble and I think at that point I've got
10 no -- I don't know anything to back this up, but I just
11 thought the threshold from the local authorities was
12 a lot lower at that point for securing young people to
13 what it is nowadays.

14 Q. What's, as it were, the practical effect of that?
15 I mean, for you and your colleagues, as it were, at the
16 coalface, what difference do you see in the youngsters
17 coming through now to what they were when you first
18 started, if any?

19 A. I think there's potentially a lot more mental health
20 issues. I don't know -- there's a lot more knowledge
21 and understanding of mental health issues from staff
22 nowadays, I think.

23 Q. Rossie tell us actually in the information that they've
24 provided to the Inquiry that the approach with
25 youngsters now is what they call a relational one, is

1 that a familiar --

2 A. Yeah.

3 Q. -- concept? Can you just explain for us what that

4 means?

5 A. It's not so much a punitive approach. I think when

6 I first started it felt like there was more of

7 a punitive approach and now it's about building

8 relationships, talking to young people, understanding

9 their backgrounds and, like it says, building

10 relationships.

11 Q. I should have asked you a moment ago, in relation to the

12 young people who are coming into the unit, you mentioned

13 that in your view, in your experience, there seemed to

14 be more mental health issues. What difficulties, what

15 issues, does that pose for members of staff like you and

16 your former colleagues?

17 A. The issues and difficulties that that posed was that

18 there seemed to be more frequent self-harm of the young

19 people and dealing with that and, you know, the young

20 people would be putting ligatures on and there's no --

21 there was no hard and fast answer to that. How do you

22 deal with that? You know, so it was very much you were

23 left to deal with it on your own devices really.

24 Q. Is that historically or is that more recently?

25 A. Erm, I would say both.

1 Q. What kind of support would have been helpful for you in
2 dealing with that kind of situation?

3 A. I don't know. I think maybe medical, more medical
4 advice. More people trained on mental health, more
5 people trained on dealing with self-harm. It's -- erm
6 ... I'm not sure what the answer is for that, I'm sorry.

7 Q. You felt that there might be a need for more psychiatric
8 input?

9 A. Yeah. More -- a diagnosis.

10 Q. You mention in paragraph 10 that the youngsters came
11 from all over Scotland. You thought more usually from
12 the bigger cities. You said that there certainly
13 appeared to be a gang culture, especially with some of
14 the younger ones from Glasgow.

15 We've heard from other witnesses -- admittedly at
16 different periods in Rossie's history -- that there
17 were, as it were, factions based on the city of origin,
18 that the boys from Aberdeen would stick together, the
19 boys from Glasgow, boys from Dundee or wherever. But
20 I think that's not the experience that you are telling
21 us about here?

22 A. I think that that did happen, if there was a large group
23 of young people in from one area, then, yeah, it would
24 happen. But if there was more of a littler group of --
25 two fae Glasgow, two fae Dundee, two fae ... they would,

1 you know, get on and join together. It just seemed --
2 but if there was more coming in from Glasgow, then they
3 would sorta stick together. I didn't really see much of
4 that, if I'm being honest.

5 Q. You said that boys from different areas of the same city
6 might fall out?

7 A. Mm-hmm, yeah, gang culture.

8 Q. Okay, so different gangs from the same city?

9 A. Yeah.

10 Q. So they're bringing, as it were, their turf wars into
11 the unit with them?

12 A. Yeah.

13 Q. What kind of issues did that pose for staff?

14 A. The issues it posed for staff were mainly movement,
15 because we would normally know, prior to admission, that
16 this young person would have an issue with somebody
17 that's already there, so we would house them in separate
18 units basically, and it would be just logistically --
19 movement would be the thing that we'd just need to --

20 Q. When you were moving young people you would just
21 basically try to keep them apart?

22 A. Yes.

23 Q. You then go on to talk about staff and you have
24 mentioned this already, so I just want to ask you a bit
25 more about it.

1 You felt, certainly when you started work, at times
2 not particularly welcome?

3 A. Mm-hmm.

4 Q. You tell us in paragraph 11 culture of the staff was
5 questionable. Again, can you just tell us about that,
6 please, and why you feel that?

7 A. I think at that time the impression I got from people
8 when I started was they were all friends, they were all
9 part of a group of people that worked together and
10 socialised together, erm, and I just wasn't in that
11 sorta group.

12 Q. Okay. It felt a bit cliquish maybe?

13 A. It felt a bit cliquish, yeah. I think there was people
14 with maybe military backgrounds and they all had --

15 Q. I was just about to ask you that -- and sorry to cut
16 across -- but what sort of backgrounds did you
17 understand them to have?

18 A. I thought there was a lot of military, ex-military in
19 there.

20 Q. What made you think that?

21 A. Well, I know there was a lot of ex-military. I don't
22 know if there was a lot, but, erm, I know people spoke
23 about their previous careers in the military. There was
24 also people that worked in factories and worked in other
25 sorta areas. It's not just military. But it seemed to

1 be the people in the military were the more, erm,
2 respected, stronger voices, if you like, listened-to
3 people.

4 Q. You use the words in the next paragraph 'authoritarian',
5 again, what do you mean by that? Is that to do with
6 these people or was it across the board?

7 A. It was pretty much to do with those people. Erm,
8 I think it's unfair to say that everybody was like that,
9 but it was to do with these people and to me it would be
10 what I would imagine the army or the military would be
11 like at that time, in their approach to people joining
12 the army and how they would --

13 Q. So what was the approach of those members of staff to
14 young people?

15 A. It was very much: you will do this. That will be done.
16 And that was basically it.

17 Q. Not really any negotiation?

18 A. No, no negotiation.

19 Q. My way or the highway?

20 A. Pretty much, yeah.

21 Q. Okay. You mentioned specifically that a lot of the
22 youngsters would refer to the staff as 'sir'. How would
23 children generally address staff now?

24 A. First names.

25 Q. Was that allowed, was it encouraged?

1 A. Er, yeah, yeah.

2 Q. Did you see that as a positive thing?

3 A. Calling staff by their first names?

4 Q. Yes.

5 A. Yes.

6 Q. Just, I mean, why?

7 A. It's more personable. It's more -- it builds
8 a relationship a bit better with you, and there's not --
9 you're not like -- it's not like there's a hierarchy,
10 you know. It's just building a relationship, that's all
11 it is.

12 Q. Getting away from that sense of authoritarianism?

13 A. Yeah.

14 LADY SMITH: When did it become normal practice for staff to
15 be called by their first names by the children?

16 A. I would think that this 'sir' thing was very briefly,
17 when I started, and it was very quickly after that, that
18 I recollect being -- I was never called sir, I was
19 always called my name and it always went.

20 LADY SMITH: You started as a part-time sessional worker, so
21 perhaps were a slightly different category anyway?

22 A. Prob -- yes, definitely.

23 LADY SMITH: Then we're into the 21st century by the time
24 you started working full-time and do you think it was
25 there or thereabouts that the norm became more to call

1 people by their first names?

2 A. I would say before I started full-time it was more so,
3 yeah.

4 LADY SMITH: Okay, thank you.

5 MR SHELTON: Actually, you mention this a little later in
6 your statement. Perhaps I can just take this from you
7 now. This is paragraph 23, page 5. It's a section
8 where you talk about the structure and the senior
9 staffing at Rossie. You mention that when you started,
10 you think the chief executive was a Tony Thompson.

11 Now, we know from other material that we have,
12 including material from Rossie, that there was some
13 controversy in the 1990s about culture at Rossie and
14 management, about rough handling by staff. Those
15 findings or those complaints were controversial, but at
16 all events, Tony Thompson stood down in 1999 and
17 replaced by a Ms McNeil, Erinna McNeil.

18 Do you think any changes occurred around about that
19 time? Is that when you can date change as starting to
20 take place perhaps?

21 A. Erm, I would have thought probably, yes. I can't recall
22 any moment in that time that I could say definitely yes,
23 but, yeah, that timeline would work, yeah.

24 Q. Okay. Did you notice any other changes around about
25 that time with the change of leadership?

1 A. I think there was a more relaxed approach in general
2 throughout the building at that time when Erinna came
3 along.

4 Q. Okay, you have used her first name. Did you get to know
5 her a little bit?

6 A. Yeah, I knew Erinna, yes.

7 Q. What did you think of her leadership style?

8 A. Erm, yeah, I thought she was very good. I thought she
9 was approachable. She always gave you time, willing to
10 talk to you, listen to you. She seemed quite good.
11 Didn't have a lot of dealings, didn't have a lot of
12 discussions with her but ...

13 Q. I guess at that time, certainly we know she left in 2004
14 and you're still relatively junior staff at that point?

15 A. Yeah.

16 Q. Turning back to page 3, you talk a bit about your
17 application. You tell us that you had to provide, this
18 is paragraph 14, two references. You say that you
19 thought that your employer at the time was approached.
20 Can you recall who the other reference was from?

21 A. I would suspect it would be one of the managers at
22 Rossie, maybe Grace Bolton at that time, because
23 I'd done the sessional and then I was applying for
24 full-time, but I can't confirm that. I don't know.

25 Q. I just wondered, because in paragraph 14, I understood

1 you to be talking about your application as a sessional
2 worker, is that right?

3 A. Full-time.

4 Q. Full-time, okay. So what --

5 A. For sessional, yeah, sorry. Yeah, it would be the boss
6 of the building preservation, but I can't recall who the
7 other one would be.

8 Q. When you're applying as a sessional worker, were there
9 any other checks, any other backgrounds that Rossie
10 wanted from you?

11 A. Erm, I don't recall.

12 Q. There wasn't any kind of police check or anything like
13 that?

14 A. I don't think so. I don't recall, no.

15 Q. You applied to be a full-time worker in 2001. Were
16 there any further checks done then?

17 A. I don't recall.

18 LADY SMITH: Although you do remember having to give two
19 referees or two references?

20 A. Erm, yeah, I think so.

21 LADY SMITH: Paragraph 14 you say that.

22 A. I don't think -- I can't recall police checks. I want
23 to say there wasn't, but I couldn't be --

24 MR SHELTON: There was nothing like that at any point, was
25 there?

1 A. Not to my memory.

2 Q. Okay, all right.

3 LADY SMITH: That would have been before the work of

4 Disclosure Scotland, wouldn't it?

5 MR SHELDON: We know that came in around about 2002,

6 my Lady, the first of the checks.

7 Paragraph 19, you tell us that you had to complete

8 a probationary period. Again, was that for the

9 full-time role that you were a probationer then?

10 A. Yes.

11 Q. Okay. You said you would have had a coach, which is

12 what staff acting as mentors are called now. Would they

13 have just been called a mentor at that time?

14 A. Yes.

15 Q. Okay. What did the mentor do for you or with you?

16 A. Basically took me through the processes that were in

17 place, erm, and the paperwork that was in place and had

18 to be completed. I never had to write a report.

19 I would write the report and they would check that for

20 me and there would be a whole tick list of criteria that

21 we'd have to meet and complete on that.

22 Q. After that, you tell us that in all your years, you

23 think you only really had two appraisals. You date

24 those as 2018 and 2023. That's paragraph 20. Is that

25 right, these were the only formal --

1 A. Yes.

2 Q. -- sitdowns that you had with someone to look at your
3 jobs, look at your performance?

4 A. Appraisals, yes.

5 Q. Was there anything informal in between those times?

6 A. As well as appraisals, there was supervision, which was
7 formal as well.

8 Q. I was going to ask you about that. What did supervision
9 involve?

10 A. It was a sitdown chat, a one-to-one chat with your line
11 manager and again, he would go or she would go through
12 a form.

13 Q. Who was your line manager -- and I don't need the names,
14 it's just in terms of the hierarchy, as it were -- what
15 position was your line manager?

16 A. My line manager when I first started would have been the
17 team leader, or whatever the title was at that time, and
18 then when I became a team leader, it would become the
19 house manager, who would line manage me, so it would
20 always be house manager or delegate at the same level
21 that would supervise.

22 Q. So what was the progression of the posts, as it were?
23 You started as a full-time residential care worker; is
24 that right?

25 A. 2001, yeah.

1 Q. The next promotion point after that was what, duty
2 manager?
3 A. No I became an acting team leader and then I was
4 appointed as a team leader, erm, and then became a duty
5 manager in 2011.
6 Q. Okay, so care worker, house manager --
7 A. No, sessional worker.
8 Q. Team leader?
9 A. Yeah.
10 Q. Duty manager?
11 A. Yeah.
12 Q. And then house manager?
13 A. No, no.
14 Q. All right. You keep me right.
15 A. Duty manager.
16 LADY SMITH: How often did the supervisions take place?
17 A. Erm, they were meant to take place, I think it was four
18 weekly, six weekly.
19 LADY SMITH: Did they?
20 A. Not in my experience.
21 LADY SMITH: How often?
22 A. Erm, once, twice a year, maybe.
23 LADY SMITH: So they should have been monthly conversations.
24 A. Yeah.
25 LADY SMITH: But they were only happening about every

1 six months maybe; is that right?

2 A. Erm, I kinda -- I kinda can recall times where

3 I probably went for 18 months without having any

4 supervision, but maybe that's a little bit of

5 an exaggeration, but definitely, erm, didn't have

6 regular supervision.

7 Q. Did you have any understanding of why that was? Was

8 everyone just under a lot of pressure, for example?

9 A. Erm, I've got no idea why that was. I think you were

10 just left to -- you were just left to your own devices

11 some time and just got on with it.

12 Q. So that would be, I suppose, your line manager who would

13 be responsible for that, is that right?

14 A. Mm-hmm.

15 Q. At page 5, we have looked a little bit about this

16 already, the staffing. You talk about house managers at

17 paragraph 24 and you name some of them. You say you

18 didn't have any dealings with the chief exec or his

19 deputy, although you did mention that you got to know

20 Erinna McNeil a bit, but you say, as you came down the

21 positions, that the style was very authoritarian. There

22 would be a decree that something needed to be done and

23 it would get done.

24 Are you talking then about the Tony Thompson years,

25 when you had just started at Rossie?

1 A. Erm, not necessarily just when I started. I mean, it
2 was that way for a few years, as in I think -- maybe
3 authoritarian was probably not right, but I think you
4 had more respect for your managers and when you were
5 delegated a job, you did it.

6 Q. You see, you used the word 'authoritarian' previously in
7 your statement referring to these rather military-style
8 colleagues that you had --

9 A. Yeah.

10 Q. -- as a sessional worker, are you using authoritarian in
11 the same sense there or a little differently?

12 A. No, no. I think it's more of a respect to the role that
13 you would ...

14 Q. Did you see that as a good thing and did that continue
15 or did that change in some way?

16 A. Erm, no, I did see that as a good thing. It was kinda
17 -- in my experience, you have a manager, a manager tells
18 you what to do, you do it. That was your job.

19 Q. Well, did that change at some point in your time at
20 Rossie?

21 A. I wouldn't say it changed. I would say the approach,
22 how things were asked to be done changed but ...

23 Q. In what way?

24 A. It was just more -- along with building the
25 relationships with the staff with the young people, it

1 seemed to be that the managers and staff were building
2 relationships, it was just a whole change in everything
3 and the culture and everything.

4 Q. All right, and did you see that as a good thing or not?

5 A. No, yeah.

6 Q. You tell us that around 2016 or 2017, you started to
7 have some involvement in recruitment. By that stage you
8 had become a duty manager; is that right?

9 A. Yes.

10 Q. When did you become a duty manager?

11 A. 2011.

12 Q. 2011. And by 2016 you are taking part in some
13 interviews.

14 You tell us at paragraph 27, you think, the first
15 time you were on a panel, you were made Chair of the
16 panel. That was, you think, because you were the only
17 person who could be there for two full days. When was
18 that? Was that 2016/2017?

19 A. I think, trying to put a date on that, but I think
20 that's roundabout then, yeah.

21 Q. Did you feel qualified by that time to fulfil that role?

22 A. Erm, I didn't feel qualified. But it was something that
23 I was wanting to develop myself in as well.

24 Q. You tell us, at paragraph 28, that the interviewers were
25 all provided with a piece of paper with the questions on

1 it from HR. So these were HR's questions and not your
2 own, is that right?

3 A. Yes.

4 Q. Candidate scores, panel would then decide after
5 discussion whether to offer them a position or not.
6 What sort of criteria did the panel apply at that stage?

7 A. The process was you would ask them the questions for
8 an interview and you would write down the answers. You
9 would be looking for something relatable in the
10 questions to the answers that you could take back and
11 could work with childcare and all the rest of it. So as
12 of criteria, it would just be their knowledge.

13 Q. What about their personal qualities?

14 A. Yeah, absolutely, I mean, personal qualities comes into
15 this. Knowledge comes into this.

16 Q. What were you looking for?

17 A. Erm, confident, somebody who was confident. Somebody
18 that had -- adaptable. Somebody that had the ability
19 to, you know, erm, engage with people.

20 Q. What about their ability to engage with and work safely
21 with children?

22 A. Yeah, well, yeah, obviously that would be engaging with
23 people, erm, I was referring to children and staff as
24 well when I said that.

25 It was also if they had experience of working in,

1 er, residential settings or coaching young people.
2 Schools, whatever. It was done on their experience and
3 things as well.

4 Q. Did you have a chance to observe them interacting with
5 children? Was that part of the process?

6 A. That was part of the process, but I -- that was done by
7 someone else.

8 Q. Right, okay, and in terms of their personal qualities,
9 and thinking particularly about interacting with
10 children, was there anything in particular you were
11 looking for in that respect?

12 A. Erm, myself, I was looking for experience. I was
13 looking for an understanding of the issues that young
14 people are facing nowadays and at that time.

15 Q. At paragraph 31 you say your responsibilities as duty
16 manager were to ensure the safe management of the
17 building and to make sure the young people and staff
18 were safe. What particular aspects of safety are you
19 talking about there?

20 A. Well, everything from health and safety up to if they'd
21 made an allegation against someone. I would be the --
22 generally I would be ... outside of office hours,
23 I would be the point of contact for that, make sure that
24 everybody was looked after and kept safe after that.

25 Q. Did that include the staff member about whom

1 an allegation might have been made?

2 A. Yeah.

3 Q. All right. What kind of support would they get?

4 A. Erm, they would get -- I would talk to them. I would

5 take them out of that environment. I would make sure

6 that they didn't have to go back in that environment

7 and, erm, they could have a break, speak to whoever they

8 wanted to speak to, and then going forward the next day,

9 or whenever the other manager was in, they would take it

10 from there.

11 Q. So you were first aid, as it were, and then the matter

12 would be escalated?

13 A. Yeah, and then it was taken out of my hands, basically.

14 Q. You then talk a bit about shift patterns and if we can

15 move to page 7, paragraph 33, you talk about training.

16 You say that in 2002 you were trained in CALM

17 physical intervention techniques, so was that the first

18 training in intervention techniques that you'd had?

19 A. Yes.

20 Q. Had you taken part in any physical interventions before

21 that?

22 A. Er, possibly, but I don't recall.

23 Q. Okay. Would you have been in a position sometimes where

24 restraint might have been necessary? Were you there

25 when kids were, to use the colloquial expression,

1 'kicking off'?

2 A. Yeah, there's a high likelihood I would have been. So

3 my role at that point would have been to the -- the duty

4 of care would have been to keep people safe until

5 trained people had then arrived and take over from me.

6 Q. What would that involve, what would keeping a child safe

7 in the meantime involve?

8 A. It might just be keeping them in a separate room. It

9 might be just helping a member of staff hold them and

10 take guidance from them, instruction on how to hold.

11 Q. Again, in the 1990s and, indeed, after that, there were

12 allegations at Rossie of quite rough restraints, violent

13 restraints even. Did you encounter anything like that?

14 Did you see anything like that?

15 A. Not violent restraints, no, not to my knowledge.

16 Q. Even after that, did you see anything like that?

17 A. I seen a lot of violence, erm, from the young people

18 during the restraints, but I didn't see -- I'm not aware

19 of at any point, erm, any violence from staff or being

20 over physical in restraints.

21 Q. I mean, certainly at least a couple of staff in the

22 early thousands were suspended and I think ultimately

23 dismissed because of difficulties in restraint. Do you

24 have any knowledge of that?

25 A. No.

1 Q. All right. Why is that, do you think?

2 A. I would have been a sessional worker possibly at that

3 time. I would have been a new member of full-time staff

4 at that time. I wasn't part of the management

5 structure.

6 Q. So you wouldn't be involved in complaints of that sort?

7 A. No.

8 Q. In your own practice, you didn't see anything like that?

9 A. Not that I can recall, no.

10 Q. Okay.

11 LADY SMITH: What about when you reached the stage of being

12 trained as an instructor in CALM techniques, did you by

13 then become aware of these incidents earlier in the

14 2000s where people were --

15 A. No, I don't recall. I don't think so.

16 LADY SMITH: Thank you.

17 Mr Sheldon.

18 MR SHELTON: Thank you.

19 So as part of your training, either initially or to

20 be an instructor, were any examples given to you of bad

21 practice in restraint?

22 A. The CALM training was an external organisation that come

23 in and sort of train you to do that, so they wouldn't --

24 I wouldn't have thought that they would have had any

25 knowledge of restraints that were happening, as they

1 didn't work at Rossie as such.

2 Q. But even so, did they have any examples from anywhere

3 of: this is what you shouldn't do?

4 A. Yes, they would -- now, I can't recall if this was in

5 2002 or whenever, because I've done quite a lot of CALM

6 training over the years, but they would give you

7 examples and talk about, erm, you know, people

8 suffocating or people being proned and dying because

9 they'd been restrained. That's not necessarily in our

10 country, but they would give you these examples.

11 Q. You told us just now that you've done quite a bit of

12 CALM training, did that become a regular thing or was it

13 irregular?

14 A. CALM training, again it's meant to be a regular thing.

15 When I first became trained in physical intervention,

16 I don't think it was a regular -- there wasn't regular

17 refreshers. There wasn't regular training and you were

18 just sorta -- you went through your initial training and

19 then you'd get yearly reaccreditations. So you would

20 have to pass it every year and you'd have to satisfy

21 somebody from CALM that you could safely do the holds.

22 Q. Okay. Over the years, did you notice any changes in the

23 CALM training, any refinement of the technique as it

24 were?

25 A. There were techniques dropped and there was techniques

1 added over the years, yeah.

2 Q. What were the sort of ones that were dropped?

3 A. The ones that we didn't use regularly were -- there was

4 no point in being trained in them if we didn't use them.

5 Q. What sort of thing was that?

6 A. Like a wall descent.

7 Q. Perhaps you can just talk us through that?

8 A. The wall descent, if memory serves me correctly, is

9 you'd have the young person, their back would be on your

10 front, your arms would be round them, and you'd get up

11 against the wall and slide yourself into a seated

12 position.

13 LADY SMITH: So you end up sitting on the floor with your

14 back propped against the wall and the young person,

15 ideally held by you, but sitting on the floor just in

16 front of you?

17 A. Yes.

18 LADY SMITH: Between your legs, I suppose?

19 A. Yes. That was the idea, yeah.

20 LADY SMITH: Thank you. If it worked.

21 A. I can't recall ever using it, but I do know that that

22 was a move that was there and then it wasn't there,

23 sorta.

24 MR SHELTON: What about prone restraints, where the young

25 person is taken down and is face down on the floor,

1 first of all, was that taught?

2 A. Yes.

3 Q. Second, was that something that you did or that your

4 colleagues did from time to time?

5 A. Yes.

6 Q. Okay. Were children ever injured in that process?

7 A. Erm, I can't recall if -- no, that there was any.

8 Q. We have heard, in other contexts, about children for

9 example getting carpet burns --

10 A. There'd be the carpet burns, yes.

11 Q. You did see that?

12 A. Yes.

13 Q. Did children, for example, ever complain that either the

14 hold was painful or that they were having trouble

15 breathing?

16 A. At times there was the complaint that the holds were

17 painful, yeah. There was times where they said they

18 couldn't breathe, yeah, that did happen.

19 Q. How was that dealt with?

20 A. The -- if it was a hold that was not on correctly,

21 an adjustment of someone's hands might just alleviate

22 that pain or whatever it was.

23 With the breathing, it was more so you would try to

24 sit them up right away and put them into a position

25 where they could. Erm, there was no restrictions on

1 their body so they could breathe.

2 Q. In that kind of situation, while that was being done,

3 did you ever think: well, this is what CALM tells us to

4 do and we need to make an adjustment or were you

5 thinking: actually, CALM doesn't tell us to do this and

6 we need to change it?

7 A. Er, this is what CALM tells us to do and we need to make

8 an adjustment, yeah.

9 It's more so if someone's being violent towards you

10 and you need to initiate a hold, it's you try to

11 initiate it as best as you can and then you would

12 adjust.

13 Q. Were you ever conscious of colleagues, just bluntly,

14 going over the score of going too far of acting roughly

15 in a restraint like that, in a situation like that?

16 A. Erm, not towards the young people, no, I don't recall if

17 there was any sort of instance of that. I do know that

18 people were very verbal and they were quite angry and

19 shouting and --

20 Q. This is young people or staff or both?

21 A. This is staff, but they would then be removed and, you

22 know, taken away from that situation.

23 Q. In that kind of incident, how do you think the young

24 person would have perceived that, where the staff member

25 is angry, shouting and so on?

1 A. I think they would have been, you know, they wouldn't
2 have really understood what was going on and I think if
3 they're seeing staff angry, then their level of anger is
4 going to go up as well.

5 LADY SMITH: So the picture you present then, 'Stan', is of
6 staff having to in effect be restrained from continuing
7 engagement --

8 A. Removed, removed.

9 LADY SMITH: Removed, stopped from doing what they're doing?

10 A. Yeah, taken away out the situation, to help alleviate
11 the tensions and to calm it all down, yeah.

12 LADY SMITH: Because a member of staff isn't coping?

13 A. Yeah.

14 LADY SMITH: Thank you.

15 MR SHELDON: I suppose, in the heat of the moment, it must
16 be very difficult for staff to control their own temper.
17 I mean, if a child is lashing out, either physically or
18 verbally or both, how do you try to keep yourself calm
19 and at an appropriate level emotionally in that kind of
20 situation?

21 A. It's very hard. I mean, it's not always possible and at
22 times you will, erm -- you will come across as more
23 annoyed or angry or unsettled with it all, but, you
24 know, we're all human. We all have emotions. We've all
25 got to deal with these things, and I think, through

1 discussion and talking to staff, you learn to manage and
2 cope with that a lot better.

3 Q. Moving on to a slightly different topic -- although we
4 may come back to that issue -- just to ask you briefly
5 about questions of policy.

6 This is page 9 of your statement and paragraph 47.
7 You have told us that you are aware of policies changing
8 over the years, for example, when the SSSC was
9 introduced. Paragraph 47, you tell us:

10 'On occasions we were given a policy to review,
11 although that wasn't something that was done as
12 standard.'

13 You would be given the chance at suggesting changes,
14 although there was no guarantee that that would happen.

15 I just wanted to ask: was there ever any discussion
16 about changes in policies and practices? Did people get
17 round a table and say: we're thinking about doing this.
18 What are the pros and cons as far as you're concerned?

19 A. Not at my level.

20 Q. That might have been done at a higher level, for all you
21 know?

22 A. Possibly, yeah.

23 Q. If it was, all they would have had would have been
24 possibly the suggestions that you had made, or people at
25 your level of seniority?

1 A. Yes.

2 Q. You go on then to talk about living arrangements at
3 paragraph 51, you say dormitories were no longer used
4 and when you started young people were sleeping in
5 a single room with the door locked. Do we take it that
6 the door was locked from the outside?

7 A. Yes.

8 Q. At that time, did the rooms have washing and toileting
9 facilities in them?

10 A. No, no.

11 Q. The young people would have to be, if they needed to go
12 to the toilet during the night for example, they would
13 have to be let out, is that right?

14 A. That's correct.

15 Q. What were the arrangements for that, how did that work?

16 A. If a young person was needing out to the toilet
17 overnight, there would be a night person working in that
18 house. He would radio down to a night person in another
19 house, they would then come up and there'd be two
20 members of staff to let that young person out of the
21 bedroom, to use the toilet and then return them to the
22 bedroom.

23 Q. I think we can understand why it might be a good idea to
24 have two members of staff there, but the whole process
25 seems pretty cumbersome?

1 A. Yes.

2 Q. And inconvenient, frankly, for everyone?

3 A. Yes.

4 Q. I think that did change, didn't it?

5 A. It changed, yeah, when they moved into the new building

6 and the young people then had an en suite room.

7 Q. You thought that was about 2007?

8 A. 7, I think, yeah, I can't recall.

9 Q. When you talk about the new building, that's the one

10 that we saw in the photographs a bit earlier on?

11 A. Yeah.

12 Q. Moving on then to the section that you head 'Discipline

13 and punishment'.

14 LADY SMITH: Mr Sheldon, it's now just after 3.00, I would

15 normally take a short break now.

16 MR SHELDON: It's a fairly substantial topic, yes, my Lady.

17 LADY SMITH: We're about to move on to a significant topic,

18 as you heard from Mr Sheldon. I would usually take

19 a short break at this stage in the afternoon. Would

20 that work for you, 'Stan', if we did that now?

21 A. Yes, absolutely.

22 LADY SMITH: Let's do that then.

23 (3.04 pm)

24 (A short break)

25 (3.13 pm)

1 LADY SMITH: Mr Sheldon.

2 MR SHELTON: Thank you, my Lady.

3 LADY SMITH: Are you ready for us to carry on?

4 A. Yes.

5 LADY SMITH: Thank you.

6 MR SHELTON: 'Stan', before the break we were about to move

7 on to another section in your statement. It's page 11,

8 paragraph 56, headed:

9 'Discipline and punishment.'

10 You tell us:

11 'We never used the word "discipline" when I started.

12 We would use terms such as "a measure of control" or

13 "a sanction".'

14 Can I just ask you, was there a difference between

15 those two ideas or concepts or just words for the same

16 thing?

17 A. Means the same thing.

18 Q. You tell us that if a young person misbehaved, they

19 might have their television taken out of their room at

20 night or if they had community access, their outings

21 might be restricted.

22 Was there ever a time when things other than TVs

23 were removed from rooms? We have heard in other

24 contexts, in other settings, for example, of all the

25 furniture being taken out of a room. Is that something

1 that happened?

2 A. Yeah, regularly. Yeah, they would take everything out
3 of the room. Pictures off the walls, everything.

4 Q. Okay, and that was used as a measure of control?

5 A. It was used as a measure of control and it was also
6 used, as it was said to us at the time, as a safety
7 point, just in case they wanted to use any clothing or
8 any materials to cover their observation hatches and we
9 couldn't observe them, and the potential for
10 self-harming was high at that time.

11 Q. So how was that handled? How were the sleeping
12 arrangements handled then? Did they have something to
13 sleep on?

14 A. Yeah, they were given a mattress. They had bedding.

15 Q. What about clothes, something to wear?

16 A. Erm, when I first started, the clothes they were kept in
17 their bedrooms, and generally they were kept in their
18 bedrooms. When moving into the new building, there were
19 -- there are cupboards attached to the bedroom, if you
20 like, and the clothing was supposed to be kept in there.

21 Q. In cases where you were taking all the furniture out of
22 a room, leaving just the mattress, you have told us that
23 there were times you might have been worried about
24 self-harm perhaps?

25 A. Yeah.

1 Q. Did the child have something to wear when they went to
2 sleep at night?

3 A. Absolutely, yeah.

4 Q. All right, but apart from that, there was nothing else
5 in the room?

6 A. The use of the word 'furniture', there wasn't so much
7 like furniture in the room. It wasn't furniture and
8 fittings. It would have been clothes, it would have
9 been television, it would have been radio, everything
10 furniture-wise was fixed.

11 Q. Again, I suppose to a young person who is perhaps
12 distressed, to have personal possessions taken away,
13 that would seem quite a further distressing thing to do?

14 A. Absolutely.

15 Q. Did that practice continue or did it stop and if so,
16 when?

17 A. No, it is stopping. It was stopping. Erm, I think it
18 has to be risk assessed for each individual, depending
19 on the level of risk that they actually pose towards
20 themselves or others. But at the time, you know, way
21 back in the beginning, that was what was done.

22 Q. When you talk about the beginning, you are talking about
23 the start of your career?

24 A. Yes.

25 Q. Were risk assessments done at that point for individual

1 children?

2 A. Er, no, not to my knowledge.

3 Q. Paragraph 58 you talk about a measures of control book.

4 Just taking that point short, you say:

5 'The book was kept in staff offices but it wasn't

6 always signed. There were a lot of blank spaces in it.'

7 What do you mean by that comment? What's the

8 significance of the blank spaces?

9 A. People maybe didn't have time to sign it. People forgot

10 to sign it. There wasn't any malice intended by anybody

11 that put anything in that book. They weren't hiding

12 anything. It was just it could be that it needed two

13 signatures and possibly a manager's signature and it was

14 just basically trying to track people to get their

15 signatures.

16 Q. I suppose the caveat to that might be so far as you were

17 aware, no one was trying to hide anything?

18 A. Absolutely.

19 Q. Paragraph 61, you talk again about physical

20 interventions or restraint and you tell us that there

21 was no physical discipline that you were aware of.

22 In your view, or in your experience, was restraint

23 ever used as a means of imposing discipline, restraint

24 itself?

25 A. No, no.

1 Q. You see again in other settings, in other places, we
2 have heard of restraint perhaps being used in that way.
3 You've told us that when you first started, there were
4 authoritarian members of staff who --
5 A. Absolutely.
6 Q. You know, it was 'my way or the highway'. Were there
7 never occasions when members of staff like that would
8 say, you know, if someone stepped out of line, would
9 restrain a child?
10 A. Er, not that I can recall.
11 Q. Again --
12 A. Like I say, I was a sessional worker and I was a bit --
13 the role of the sessional worker at times was to come in
14 and go out with a young person, so you weren't actually,
15 you know, in the unit for the duration of your shift.
16 Q. It's my fault. I should have taken that from you,
17 because your duties as a sessional worker were mainly
18 outside the unit, is that right?
19 A. Not mainly outside the unit, but if anyone -- if a young
20 person was going out to the shops, to the football, to
21 the cinema, that was the role of the sessional worker to
22 go along with them.
23 Q. What were the roles that you undertook within the unit?
24 A. Er, it would be mostly household tasks. Playing pool.
25 Playing snooker. Watching television with the young

1 people. Going to the play barn, going to the swimming.
2 Erm, making suppers. Tidying up. That sort of
3 household tasks.

4 Q. Okay, but I think you are telling us then that in the
5 course of those sort of duties that you were undertaking
6 at that time, you didn't see any of these more senior
7 members of staff using restraint as a means of saying:
8 you're going to do this or else?

9 A. No, no. I don't recall.

10 Q. Please don't misunderstand me, we're not accusing you of
11 anything?

12 A. No, no, not at all, not at all.

13 Q. It's just to understand what your experiences were.

14 A. Yeah.

15 Q. You go on to talk about something the staff called the
16 segregation suite at paragraph 64. You tell us it's
17 where the young people on admission were taken to be
18 searched. A little later, you tell us a bit about what
19 the suite was like. You tell us it wasn't a nice place.
20 It had a concrete bed on the floor, mattress and
21 a window set high on the wall, impossible to see out of.

22 I suppose if that was, as it were, the first place
23 within the unit a young person saw when they arrived, it
24 must have been pretty intimidating for them?

25 A. Mm-hmm, yeah, I agree.

1 Q. You tell us actually later in your statement, but
2 I'll perhaps take it from you now, that although you
3 didn't take part in I think what you describe as a strip
4 search, young people did have to take their clothes off
5 for searches like this, is that right?

6 A. That's correct.

7 Q. Can you tell us how that worked, please?

8 A. Er, a young person was put into a room, the door was
9 closed. They were given a dressing gown, housecoat.
10 They were asked to take off the clothing that they had
11 on and put on the housecoat. Once they did this, they
12 would then make us aware that they had their clothes off
13 and they were covered by the housecoat. We would then
14 go in and search their clothes, give them a metal
15 detector over them to make sure that there was nothing
16 concealed. We would then ask them to expose a little
17 bit of skin around their waist for us to see that they
18 didn't have any underwear on and they were concealing
19 stuff within that underwear.

20 Once that was done, they were given their clothes
21 back, we would leave the room and ask them to get
22 dressed.

23 Q. First of all, there was no one else in the room when the
24 young person was undressing, is that right?

25 A. No, no.

1 Q. I think we understand that there were male and female
2 young people in the unit, is that right?

3 A. That's correct, yeah.

4 Q. Were there any differences in the way that boys and
5 girls were treated in that respect?

6 A. Erm, I was only ever involved with boys and I never
7 searched a young lady or a young girl, it was never --

8 Q. Were there female members of staff who were involved in
9 taking care of female young people, female children?

10 A. Yes, yes.

11 Q. Again, so far as you're aware, was that always the case
12 when a girl was searched?

13 A. Yep.

14 Q. You talk a bit more about the segregation suite. You
15 describe it as being 'a bit like how you'd imagine
16 a police cell to be'. You tell us that you can
17 understand why young people might look upon it as
18 a punishment, although it wasn't meant to be
19 a punishment.

20 Just remind us what it was used for?

21 A. It was used for initial searches upon admission of the
22 young people. Erm, it would be used for the searches if
23 a young person was away on leave and they were
24 returning. They would be in there. If a young person
25 absconded and were brought back by the police, erm, they

1 would go into there for a search and it was also used as
2 a sort of form of restrictive practice; if a young
3 person was so out of control, couldn't manage their
4 behaviour within the house, or other young people were
5 at risk from this young person, then a young person
6 could potentially be moved down there, with a view to
7 moving away out of Rossie or with a view to
8 a reintegration back into their house.

9 Q. You say that in your view it wasn't a nice place and it
10 certainly sounds pretty stark from the description that
11 you give.

12 There was an inspection report in 2001. We don't
13 need to go to the document, but, my Lady, for reference
14 it's SGV-000083601, page 103. It's Professor Levitt's
15 state of knowledge report.

16 There's a description of the segregation suite as
17 being cold, dirty, smelly, worse than a police cell.
18 That's a young person talking about it. Is that
19 a description that you recognise, 'Stan'?

20 A. Erm, maybe not the dirty and smelly, but, yeah, it was
21 cold and it was not a pleasant place, even when we were
22 asked to search the young people in there, it wasn't
23 a pleasant place that you would want to spend any great
24 deal of time in.

25 Q. How long were young people held in the segregation

1 suite?

2 A. They could be there for 24 hours to a week, maybe.

3 Q. A week?

4 A. Possibly.

5 LADY SMITH: A week for a search?

6 A. Ah, sorry, for a search, no. A search -- it was also

7 used for young people that were out of control and they

8 would be moved down there, so in that circumstance they

9 could be there for a week.

10 LADY SMITH: Well, let's just think about searches for

11 a moment, 'Stan'. Why do they need to be done there?

12 A. We needed to do the searches there because the young

13 people, we were told that the young people needed to be

14 searched prior to going back into the houses, in case

15 they brought something back, contraband, possibly

16 a lighter, cigarettes, drugs, anything like that, and

17 passed it to a peer prior to getting them into their

18 bedroom to search them. So they were searched prior to

19 going back to the house unit.

20 MR SHELTON: My Lady, I don't want to speak for you --

21 LADY SMITH: Mr Sheldon. No, go on.

22 MR SHELTON: -- but I suppose the follow-up question is: why

23 there in particular? Wasn't there somewhere a little

24 bit more, if I can use the word salubrious, that they

25 could have been searched rather than taking them to what

1 looked like a police cell?

2 A. Er, at that time, I don't think there was another space

3 available.

4 Q. Not even one of the staffrooms or something like that?

5 A. I don't think -- there would have been offices at that

6 time that was around them, not a staffroom as such.

7 LADY SMITH: Just a little more about these searches,

8 'Stan'. Were they being carried out routinely or was

9 there a policy that they could only be carried out if

10 staff had reasonable grounds for suspecting the person

11 had something on them that needed to be removed?

12 A. They would be carried out routinely if a young person

13 had been out unaccompanied and was returning.

14 LADY SMITH: So a young person who had been out

15 unaccompanied, behaved themselves, did not try to bring

16 anything back that they shouldn't be bringing back,

17 would still be taken to one of these unpleasant cells to

18 be searched?

19 A. Yes.

20 LADY SMITH: Thank you.

21 Mr Sheldon.

22 MR SHELTON: Thank you, my Lady.

23 You said a moment ago that children could be in this

24 cell, this suite, let's just call it a cell, they could

25 be there for up to a week. So, again, how did that

1 work? Were they visited? Were they brought food? What
2 were the toileting arrangements and so on?

3 A. If a young person was placed in there for any period of
4 time, there'd be a member of staff in that area as well.
5 They wouldn't be left on their own. There'd be a member
6 of staff trying to engage with them, talking to them
7 through the door. If the young person wanted the
8 toilet, they would be let out and the toilet was next
9 door. They'd be able to use the toilet.

10 Q. You talked about staff talking to children through the
11 door. Would they ever go in to the room to try to
12 engage the child face to face?

13 A. Yes. Yeah.

14 LADY SMITH: Would the majority of the child's time be spent
15 in there on their own, with nobody talking to them and
16 nothing other than whatever they could sit on?

17 A. The majority of the time would be the child spent in
18 there, but there would be a member of staff in that
19 area, whether they were speaking to the young people or
20 not, I can't answer that, but, yeah.

21 LADY SMITH: From the perspective of the child, we seem to
22 be talking about a long, lonely time that all started
23 with them being very distressed?

24 A. Yeah.

25 LADY SMITH: I mean, you can see why I'm putting it this

1 way, 'Stan'. It doesn't really sound great from the
2 child's perspective, does it?

3 A. No, no, it wasn't. It certainly wasn't.

4 LADY SMITH: Mr Sheldon.

5 MR SHELTON: Over the page, page 13, paragraph 67, you quote
6 there from a statement a young person has made who was
7 in Rossie around 2006 and into 2007.

8 The statement says:

9 'The staff would drag you downstairs from the unit
10 and fling you in the cell for hours. The staff were
11 horrible people and they were horrible to you. They'd
12 put you there for arguing with them. The staff would do
13 stuff and you would shout at them. Then they'll hit you
14 and put you down in the cell. They hit you anywhere
15 they wanted. The way the staff treated us in general
16 was bad. They basically locked us in a room and left us
17 there until we calmed down. The staff put us in that
18 place but then they were shouting and telling you to
19 bolt.'

20 I'm not quite sure what is meant by that, but just
21 unpicking that statement a little: I think you'd accept
22 that children were put in the cell for hours and
23 sometimes more than that?

24 A. Yes.

25 Q. And that children were basically locked in a room and

1 left there until they calmed down, albeit, as you've
2 told us, that there might be a member of staff in
3 vicinity?

4 A. Yes.

5 Q. From the child's point of view, they would think, 'Well,
6 I've just been left on my own'?

7 A. Yeah.

8 Q. What about the rest of it? This boy says staff were
9 horrible, they put you there for arguing with them,
10 staff would hit you and staff would drag you downstairs
11 from the unit. What about all of that?

12 A. If someone says the staff are horrible, that's their
13 viewpoint. You know, I can't change that. Erm, I have
14 never witnessed anybody being put in there for arguing
15 with staff. I've never witnessed anybody being dragged
16 down. I've never witnessed staff hit a young person.
17 I've never witnessed any of that. And I've certainly
18 never heard of that either.

19 Q. What was the location of the cell within the unit?

20 A. The cell was not in the unit. It was -- the Lunan unit
21 was on the upper level, the cell was on a lower level,
22 so it was underneath Lunan.

23 Q. So children would have to be -- on the basis that you
24 have given us, children seriously acting out, children
25 who were exhibiting challenging behaviour, let's put it

1 that way, would have to be taken down flights of stairs.
2 Were there doors?
3 A. There was a door at the top of the stairs and there was
4 a door to take you into the cell area prior to opening
5 the cell door.
6 Q. More than one set of doors to get from the upper floor
7 down to the cell?
8 A. Two doors. Two doors when you were coming from Lunan.
9 When you were coming from other houses, there'd be two
10 or three doors possibly.
11 Q. In the case of a child who's struggling quite seriously,
12 violently sometimes, and you would accept that that
13 happened?
14 A. Yes.
15 Q. Wouldn't they in effect have to be carried down the
16 stairs?
17 A. We wouldn't ordinarily move them if they were struggling
18 violently. It would be a case of waiting until there
19 was a level of calmness and a level of engagement.
20 If they were out of control and they were reacting
21 violently and aggressively and they were being moved,
22 then there would be issues taking a young person down
23 the stairs.
24 Q. Would it be a case of, well, their feet wouldn't touch,
25 as it were?

1 A. I don't recall ever being involved in taking a young
2 person down the stairs when they were out of control,
3 but that's a possibility.

4 LADY SMITH: 'Stan', sorry, when you say there would in
5 those circumstances be what you call 'issues' taking
6 a young person down the stairs, what do you mean?

7 A. Taking a young person down the stairs is not part of any
8 physical intervention. You don't use stairs on
9 a physical intervention.

10 LADY SMITH: What are the issues you are talking about?

11 A. The issues if you were holding a young person and going
12 down a flight of stairs, there'd be probably a member of
13 staff at either side and you're creating trip hazards.
14 The young person could try to trip you up, try to push
15 you off balance. That's the potential issues that may
16 arise from that.

17 LADY SMITH: So did that happen sometimes?

18 A. Young people tried to put staff off balance, yes, yeah.
19 One of the houses was designed so there were sort of
20 stairs in the house anyway that you had to use
21 regularly.

22 LADY SMITH: Okay, thank you.

23 MR SHELDON: Certainly, my Lady, in the inspection report --
24 the citation of which I've just given you -- there is
25 a reference to this issue, that young persons had to be

1 carried to the segregation suite, and I'm quoting:
2 'Struggling down flights of stairs and through
3 several doors, endangering themselves and staff.'
4 So would you say that was a fair characterisation of
5 what might happen in that kind of situation?
6 A. Yeah, absolutely.
7 Q. From the child's point of view, they might well think
8 they were being dragged down the stairs?
9 A. Yeah.
10 Q. So I suppose the conclusion that one might draw from
11 that is that really the segregation suite, the cell, was
12 first of all unsuitable as accommodation and, second, in
13 an unsuitable, because unsafe, place, within the unit,
14 would you accept that?
15 A. Yes, I would accept that. That was used at that time
16 and, you know, I think at that time there was
17 a different viewpoint from what there is now. There is
18 no way that anything like that would be ever used now,
19 I would hope.
20 Q. So when did the cell cease to be used?
21 A. We would have -- when we moved into the new building.
22 Q. This is about 2007?
23 A. Yeah.
24 Q. What are the arrangements now for -- I think it might be
25 called single separation in more modern practice. What

1 are the arrangements for that?

2 A. That would be the young person -- that's always been the
3 arrangement if the young person was going into single
4 separation, that they would be pretty much locked in
5 their bedroom.

6 Q. In their bedroom?

7 A. Yes. The cell as such wasn't used for single
8 separation. The single separation happened in the
9 houses as well, in the units as well.

10 Q. Right, so at a time when the cell was still in use, what
11 was the difference in the circumstances where you'd have
12 single separation as opposed to use of the cell?

13 A. The use of the cell would be used if there was a lot of
14 high-level, extreme violence displayed towards other
15 young people or the staff and there was a pattern of
16 this. It wouldn't just be used routinely.

17 Q. You go on in your statement to talk quite a bit more
18 about restraint and we've discussed that already.

19 I just want to ask you -- and I apologise if
20 I'm repeating myself -- but in your practice, in your
21 experience, particularly perhaps in the early days, were
22 there ever restraints that you felt concerned about that
23 you felt this is not a safe situation?

24 A. Erm, in the early days I wasn't really that aware of
25 restraints as such and, given that I wasn't trained in

1 any form of physical intervention, I didn't know what
2 was appropriate and what wasn't appropriate.

3 I didn't see any examples of staff deliberately
4 hurting young people as such.

5 Q. Page 16, paragraph 90. We're back to the statement of
6 this same young person. He says -- and this is talking
7 about 2006/2007:

8 'There were a lot of restraints. The staff grabbed
9 you and put you on the floor. They put your arms up
10 your back and your head on the floor. You got carpet
11 burns.'

12 Again, is that a description or a statement that you
13 recognise or would accept?

14 A. Er, no. The carpet burns, yeah. The carpets were
15 really rough and everybody got carpet burns if they were
16 involved in a restraint.

17 Q. That was quite a common thing to happen?

18 A. Yeah, staff and young people.

19 Q. I suppose particularly with a prone restraint, if you're
20 putting someone's face on the ground effectively?

21 A. Yeah.

22 Q. I suppose that begs the question: why is their face, as
23 it were, forcefully on the ground as opposed to, for
24 example, their shoulders their --

25 A. Their face wouldn't forcefully be put on the ground.

1 Q. Well, I'm sorry, that's perhaps an unfair
2 characterisation. How did their face happen to be so
3 firmly on the floor that that might happen?

4 A. Erm, the young person could have their face firmly on
5 the floor and they could be moving their face and that
6 would create carpet burns.

7 Q. But they would have to be held so tightly on the ground
8 that that would be a possibility?

9 A. It is a possibility.

10 Q. Moving on again to page 18, you talk about reporting
11 complaints and concerns. You tell us at page 98 that
12 there was a process in place if any child wanted to make
13 a complaint:

14 'The complaint [paragraph 99] might initially be
15 verbal, responsibility of staff receiving to record it.'

16 In that kind of case, what was the process? The
17 complaint might initially be verbal, perhaps in
18 a complaints form or in an email. What happened then?
19 How was the complaint dealt with in terms of the line of
20 management?

21 A. If a complaint came to me, I would forward it on to the
22 appropriate person, that could be the house manager of
23 that house, and basically then it was out of my hands.
24 I didn't have any further dealings with the complaint as
25 such.

1 Q. You tell us in paragraph 100 that you didn't receive
2 many complaints, '... but I did receive some'.
3 Were some of the complaints you received what we
4 might call child protection matters?
5 A. Yes.
6 Q. What sort of thing, if you can tell us that?
7 A. Erm, there was a member of staff came to me that a young
8 person had spoken to them and said that when they were
9 out in the car with a female member of staff, she had
10 touched them inappropriately.
11 Q. What about complaints of violence, for example, violence
12 during a restraint?
13 A. Erm, I can't recall of receiving complaints regarding --
14 violence of staff; I take it you're talking about
15 towards a young person?
16 Q. Yes.
17 A. No. The young people had -- they had access to
18 a complaints pack so they could also write their
19 complaints.
20 Q. Sorry, complaints?
21 A. Pack.
22 Q. Oh, pack, I'm sorry.
23 A. They could write their complaints and they could seal
24 that envelope and that envelope would be then put into
25 the postbox or whatever it was for the person to deal

1 with that complaint.

2 So there may have been complaints that went that
3 route of violence or whatever, but I can't recall any
4 young person verbally making that ...

5 Actually, no, I do recall once actually, yeah.

6 Q. Can you tell us about that?

7 A. Yeah, a young person made a complaint that a member of
8 staff had assaulted them, punched them.

9 Q. Okay. When was that?

10 A. I want to say probably 2019 onwards, roughly about that
11 time.

12 Q. Okay, so quite recently?

13 A. Yeah, quite recently, yeah.

14 Q. What happened in that instance?

15 A. I informed the senior manager on shift. I removed the
16 member of staff from the house and spoke to the young
17 person and basically it was then taken out of my hands.

18 Q. Do you know what happened ultimately, either to the
19 young person or the member of staff?

20 A. I'm not sure. I don't have any -- I know the member of
21 staff left shortly after. I don't think I've got --
22 I don't think the complaint was upheld. I don't think
23 there was any substance to the complaint, but I think
24 the member of staff just, 'No, it's not for me'.

25 Q. We certainly know that -- as I think I've said -- in the

1 thousands, up to about 2013/2014, there were some staff
2 who were dismissed because of either an assault or
3 roughness in restraints.

4 Again, can I just ask you, were you not aware of
5 staff being there one day and not there the next, as it
6 were?

7 A. Erm, yeah, I mean, there was a couple of staff that
8 I thought: where have they gone? I've never seen them
9 again.

10 Q. No one spoke to you about that or told you what had
11 happened?

12 A. No.

13 Q. I mean, did anyone come up to you at any point and say,
14 for example, 'We've had to let someone go because they
15 didn't restrain properly and you better, you know, be
16 careful'?

17 A. No, no. I would never be part of that group that would
18 get that information. The most information I would get
19 would be: don't use that worker again.

20 Q. Paragraph 102, page 19. You tell us that if a young
21 person had filled in a complaints form themselves and
22 swore in it, that form would be ripped up?

23 A. Regularly.

24 Q. And you think it wouldn't be investigated?

25 A. It would be rejected because of the language that the

1 young person had used.

2 Q. Why was that?

3 A. I've got no idea. Again, I wasn't part of that process,

4 but I was aware that that was what was -- don't swear on

5 that, because if do you, we would tell the kids

6 regularly, 'Don't swear on that because if you do, it

7 will be ripped up' or --

8 Q. I suppose for many young people swearing is just

9 an everyday part of life, it may just be part of their

10 vocabulary?

11 A. Yeah.

12 Q. Perhaps not just for young people either, but it seems

13 a pretty unfair way to proceed, wouldn't you agree?

14 A. Yes, yes.

15 LADY SMITH: What if the parent of a young person had

16 written in on a complaint's form and included a swear

17 word, what then?

18 A. I've got no idea, Lady Smith, I'm sorry.

19 LADY SMITH: What do you think should have happened?

20 A. I think the complaint should have been dealt with,

21 regardless of the language used.

22 LADY SMITH: Same for the young person?

23 A. Absolutely.

24 LADY SMITH: Thank you.

25 Mr Sheldon.

1 MR SHELTON: Thank you, my Lady.

2 You go on to talk about trusted adults, confidantes

3 and you talk particularly about Who Cares? Scotland, the

4 advocacy agency. When did they start coming to Rossie,

5 when did that begin?

6 A. Sorry, I couldn't recall.

7 Q. Just thinking about your own time at Rossie, was it

8 towards the start, middle, end?

9 A. I think probably -- I do remember a lady that used to

10 come to Rossie, early 2000s. I think -- I can't --

11 I think she was Angus -- she worked for Angus Council, I

12 think.

13 Q. Rossie would still be in Angus, wouldn't it?

14 A. Yes.

15 Q. You tell us that, this is page 20, while formally young

16 people's access to phones was limited, it's now

17 unlimited. But do young people have mobile phones at

18 all or is it just -- in the secure unit I'm thinking of

19 particularly?

20 A. Not when I left.

21 Q. Okay, so they just have unlimited access to a -- is it

22 just one cordless phone?

23 A. No, I think they were to have a phone each, but it was

24 also their responsibility to look after it and not break

25 that phone.

1 Q. Are the calls monitored?

2 A. Er, no.

3 Q. They're not?

4 A. No.

5 Q. Page 21, moving on again, you say that staff also had
6 an involvement in Children's Panels and you say that you
7 attended several over the years.

8 First of all, can I ask you why you attended over
9 the years?

10 A. I attended over the years initially as a key worker. As
11 the person that had wrote the report on the young
12 person, I was there to basically back up my report and
13 answer any questions and support the young person
14 through the whole process.

15 Q. Would you be present throughout the process or only to
16 speak to your report?

17 A. I would be present for as long as the young person had
18 wanted me in that room.

19 Q. Right, and how was that judged, as it were?

20 A. The young person could say who they wanted in the room
21 basically and I could be asked to leave.

22 Q. Okay, and did that happen?

23 A. Yes.

24 Q. Were you asked to leave?

25 A. Yes, yes.

1 Q. You say that you found it quite a daunting experience?
2 A. Yes.
3 Q. So I suppose young people perhaps even more so might
4 have found it so. Can I ask you why you found it
5 daunting?
6 A. Just again, it's the whole experience of working with
7 this young person for a matter of months, writing
8 a report on them and having to back it up to people that
9 are lay people that are, you know, it could be anybody
10 that doesn't really know this young person and having to
11 back up your report to them. It was just not a great
12 experience for me. I didn't really enjoy that part of
13 the process.
14 Q. How did you feel panels were with the young people? How
15 did they speak to them?
16 A. I think the panels with the young people were normally
17 good, but it was -- they had to reach a decision based
18 on what I had written or what I was feeding back and
19 that was the bit that I wasn't comfortable with so much.
20 Essentially that is, you know, we could secure
21 a young person for a further three months because of the
22 report that I had created really.
23 Q. Well, it's interesting you put it like that, was it your
24 experience that the panel always followed the
25 recommendation in the report?

1 A. Of the social worker, yes. It was my experience quite
2 a few times I had attended a Children's Hearing and the
3 decision was made prior to attending that Children's
4 Hearing.
5 Q. How did you know that?
6 A. Just a feeling, I didn't know that.
7 Q. Okay. What other sources of information did the panels
8 that you dealt with, what other sources did they have?
9 A. They would have social work, they would have historical
10 reports as well, erm, and possibly advocacy, but
11 generally it was just the staff at Rossie and the social
12 worker.
13 Q. What about listening to the views of the child? Did
14 they do that?
15 A. Yes, they did that, yeah.
16 Q. Were you sometimes there when that happened?
17 A. Er, yes.
18 Q. In your experience, how did that go?
19 A. I think a lot of the times they listened to the views of
20 the young person that was attending the hearing. I did
21 think they took that on board, yeah.
22 Q. Okay. You go on to talk about abuse and you tell us at
23 paragraph 116 that abuse was not a word that was ever
24 used when you first started.
25 You yourself say that you define abuse as any

1 treatment that could be considered harmful or
2 potentially harmful to a person, that would include
3 physical, mental and sexual abuse.

4 You do say that you witnessed one incident of abuse,
5 and that's the word you use, about 20 years ago. You
6 walked into a bedroom in Lunan to find a member of staff
7 had a young person by throat.

8 A. Mm-hmm.

9 Q. Could you just talk us through that incident, please,
10 and what then happened?

11 A. Erm, I was out of the unit. I had come back into the
12 unit. I had walked in. I was aware of a situation
13 going on in a bedroom. I went in the bedroom and
14 a member of staff had his hand around the throat of
15 a young person who was lying on the bed. Erm, got him
16 removed from the room, reported it.

17 Erm, the process -- I reported that process to my
18 line manager, and the head of care possibly, at that
19 time. There was an investigation. I don't know who by.
20 Possibly Rossie, possibly child protection, possibly
21 police. I don't know all of that. And I was just made
22 aware of the outcome, where the member of staff had, if
23 I recall correctly, resigned. I can't remember.

24 Q. Okay, do you remember when this was? Might it have been
25 around 2001?

1 A. I couldn't put a date on it really.

2 Q. You think about 20 years ago?

3 A. Yes.

4 Q. Early thousands some time?

5 A. Yeah.

6 Q. You tell us in the next paragraph that you thought this

7 member of staff might be KVR and that he subsequently

8 left Rossie, although you perhaps can't say under what

9 circumstances he left --

10 A. That's correct.

11 Q. -- or what reason was given for his leaving.

12 Can I just ask you a little more about the incident

13 itself. You said that the child was lying on the bed.

14 Was he flat on his back as it were?

15 A. From what I can recall, yeah, I think so.

16 Q. So he wasn't standing up or being held against a wall,

17 anything like that?

18 A. I don't know. I don't think so.

19 Q. What did you make of that. What did you understand to

20 have happened or be happening?

21 A. Erm, I just thought it was bullying. I just thought it

22 was somebody bullying a young person. I don't know what

23 happened, erm, to get into that situation. I've got no

24 idea. I wasn't there. Erm, but regardless of what

25 happened before, it's not justifiable.

1 Q. You tell us in paragraph 122 that you haven't seen any
2 other behaviour that you consider to be abuse of any
3 kind taking place at Rossie.

4 You talk in paragraph 123 about a young person
5 complaining that he had been punched. Is that the
6 incident you were talking about a moment or two ago?

7 A. Yes.

8 Q. All right, thank you.

9 Paragraph 127, page 23, you talk about child
10 protection arrangements and the child protection
11 training that you received.

12 Paragraph 128:

13 'The training included guidance and instruction on
14 how children in our care ... should be treated, cared
15 for and protected against abuse.'

16 What do you mean by 'treated' in that context?

17 A. Erm, I probably misused the word there. It's more so
18 respected and, you know, just your general interaction
19 with them, rather than use the word 'treated'.

20 Q. Okay, so are you using that in a different sense from
21 thinking about possible abuse, possible abusive
22 situations?

23 A. Sorry, I'm not understanding what you're --

24 Q. I'm sure it's me. I've put it badly.

25 Does 'treatment' in that context include potentially

1 abusive treatment?

2 A. Erm, potentially, yeah.

3 Q. So the child protection training specifically deals with

4 abuse, does it?

5 A. It deals with child protection matters and how we would

6 go to report them and the processes that were involved

7 in reporting child protection. Who we would report it

8 to and what would happen subsequently with that.

9 Q. You say at paragraph 129:

10 'If somebody reported something and I did nothing

11 about it and then they reported it to somebody else,

12 I would be putting myself at risk.'

13 A. Yeah.

14 Q. Can you just explain that for us, please?

15 A. Erm, if someone had reported or made a complaint to me

16 and I actually didn't carry it forward or didn't deal

17 with it appropriately, the young person could

18 potentially report it to somebody else and they could

19 say to them: 'I've already reported that to [said

20 person] and they've done nothing about it.'

21 And that would then be me putting myself at risk,

22 because I hadn't done my job to the best of my

23 abilities.

24 Q. Over the page, I'm sorry, you talk a little about some

25 of the systems put in place to reduce the likelihood of

1 abuse. That's paragraph 130.

2 Can I move on, please, to 131 and the Care
3 Inspectorate. You say that they did visit regularly,
4 and we know that that was the case. But you tell us,
5 and I know it's jumping around a little bit, at
6 paragraph 181, right at the end of your statement, you
7 say that:

8 'We need independent people to inspect institutions
9 such as Rossie, people who are not employed, who go
10 there unannounced at all times of the day and night.
11 People who have the autonomy to look everywhere and
12 speak to everyone.'

13 Do I take it from that that you don't feel that the
14 Care Inspectorate, or perhaps the Care Inspectorate's
15 powers, are up to the job, that they are adequate for
16 the job of child protection and monitoring?

17 A. No, I think they do. Erm, I think I'm answering the
18 question that I was asked at the time more so than --
19 and I can't quite recall, I think the question at that
20 point was: what do you think --

21 Q. There's no criticism of you at all in this respect, it's
22 just to get your views about that.

23 A. No, not at all. I'm trying to recall at the time of the
24 statement and I think it was like: what do you think
25 would be needed to improve this? And no, that was it,

1 I do think the Care Inspectorate do do a good job.

2 LADY SMITH: I wondered whether you were being asked about

3 CCTV and people wearing perhaps body cameras and

4 microphones, but your answer was well, they may help,

5 but they're not the whole answer?

6 A. No, yeah.

7 MR SHELTON: Again, jumping forward a little bit again, you

8 say in relation to record keeping that you thought it

9 was probably very good, but 135:

10 'I did have concerns that when staff recorded how

11 a night had been, certain managers would reword what had

12 been entered on the computer. To me that changed the

13 context of what had happened the night before, because

14 they would reword what had been typed to make things

15 seem better than they were.'

16 Can you give us an example of that, 'Stan'?

17 A. I can't give you an actual example of it, but I do have

18 experiences of staff coming to me and saying, 'What

19 I've recorded the night before has been changed'.

20 And managers would, from what I was led to believe,

21 and what I was fed back by staff, managers would

22 regularly review what was recorded and change the

23 wording, which at times could change the context of what

24 the staff were trying to say.

25 Q. Can you think of what sort of things were being talked

1 about in those entries?

2 A. It could be incidents. It could be -- normally it would
3 be an incident or normally it would be something that
4 had happened the evening before within the house.

5 Q. So first of all, you say that certain managers would
6 reword some entries.

7 First of all, managers at what level?

8 A. Erm, service managers, assistant service managers.

9 Q. Where do they stand in the hierarchy?

10 A. Above me.

11 Q. One rung above or more than one?

12 A. Erm, I would say more than one, probably.

13 Q. As far as you were aware, was this happening regularly?

14 A. Once it had been brought to my attention it was --
15 I don't know if it was happening regularly or not, but
16 I do know it had happened on occasions.

17 Q. Okay. What did you do about that, if anything?

18 A. I spoke to the staff and I spoke to the managers
19 involved and basically just got, you know, a brushoff
20 answer, you know, 'Well, it wasn't written well' or, 'We
21 needed to change the wording' or, 'The way it was
22 written was maybe a bit aggressively written' and they'd
23 changed the words of it.

24 There seemed to be an awful lot of fixation on what
25 words were used, rather than actually what was going on.

1 Q. Was that your perception of what was being done? Was it
2 just changing words or was it changing the sense of what
3 had been originally written?

4 A. I think both sometimes.

5 Q. You use the expression 'to make things seem better than
6 they were'.

7 Again, in what way better?

8 A. I think sometimes if staff recorded an incident,
9 managers would, certainly in my experience, rewrite it
10 in a way that, erm, I don't know how to put this now,
11 they would rewrite it in another way.

12 Staff might be quite, erm, blunt with their use of
13 words and managers could change that and professional --
14 use professional terms, rather than what the staff were
15 writing.

16 Q. Were there cases where, as it were, a gloss was put on
17 an incident, for example a restraint incident?

18 A. Er, I don't know if that's -- I don't know if it's
19 a restraint. I'd say it was more like behaviours of
20 young people that were ... because a restraint wouldn't
21 just be recorded in the house. It would be recorded on
22 a separate form as well. There'd be other recordings
23 avenues.

24 Q. At least it should be recorded on a separate form?

25 A. It would be recorded on a separate form.

1 Q. Okay, and better for the young person, when these
2 entries are changed, or better for the member of staff?
3 A. I can't answer that, I don't know the answer to that.
4 I would say the young person --
5 Q. You don't know or you can't recall?
6 A. I can't recall.
7 Q. In the instances where this did happen, you have told us
8 that you talked to some of the managers concerned, you
9 got a brushoff answer. Did you consider taking it over
10 their heads, going to a higher level in management?
11 A. Er, no.
12 Q. Can I ask you why not?
13 A. Because one of the managers was pretty senior.
14 Q. What did you think would happen if you did escalate
15 matters?
16 A. Erm, I didn't think anything would happen.
17 Q. Moving on then to paragraph 141, page 25, there have
18 been occasions where there have been investigations into
19 certain incidents. You say that you don't recall what
20 they were and you never yourself have taken part in
21 an investigation, although you were trained to do that.
22 I think you have told us that you don't really
23 recall particular incidents. There may have been cases
24 where members of staff were there one day and then they
25 weren't. You have talked about this incident in the

1 early thousands, where you yourself saw something.

2 Apart from that, you didn't really have any
3 involvement in police investigations of matters at
4 Rossie, is that right?

5 A. That's correct.

6 Q. You say you have never given a statement to the Crown
7 and never given evidence at a trial. I'm going to skip
8 the next part.

9 You talk about another member of staff at page 27,
10 paragraph 150. You tell us that you never saw him
11 discipline a young person and never saw nor heard of him
12 abusing a young person.

13 Then, at page 28, you talk about an allegation
14 that's been made, this is from the statement of the
15 young person whose statement we have looked at before,
16 and the young person says:

17 'There was a guy [he names the guy, first name
18 only]. He was horrible. He was kind of bald and a wee,
19 solid guy. He'd fling you about and drag you down the
20 stairs.'

21 Now, I think the first name that the young person
22 uses is your first name.

23 A. Mm-hmm.

24 Q. But clearly you're not bald. Can I ask you if you wear
25 a hairpiece?

1 A. I don't wear a hairpiece. I've not got hair plugs.
2 It's all my own.
3 Q. All right, and what height are you?
4 A. Six foot.
5 Q. So the description doesn't fit.
6 What do you say about -- assuming that that was
7 an allegation about you, we think it's probably not, but
8 assuming it was, what do you say about it?
9 A. Erm, I have got absolutely no recollection of ever
10 throwing any young person about or down stairs or
11 anything or dragging anyone. Erm, and I don't think
12 I've witnessed anybody else doing those things either.
13 Q. Is that something that you would have done?
14 A. Absolutely not.
15 Q. And it's not something that you did do, that's your
16 position?
17 A. No. Yeah.
18 Q. You do, I think, very fairly accept that if a child was
19 treated in that way, then that would be abuse?
20 A. Absolutely.
21 Q. Whoever was doing it?
22 A. Yeah.
23 Q. You tell us about leaving Rossie School and you tell us
24 that wasn't really through your choice, but because you
25 didn't feel safe and you had lost faith in management.

1 Can you just tell us about that, because it does
2 involve, I think, a couple of restraints, a couple of
3 incidents that you were involved in, and difficulties
4 that arose because of that, so I think we're quite
5 interested to get your take on that and what happened.

6 A. Erm, I think in the first 23-and-a-half years where
7 I worked at Rossie, you know, I really enjoyed the job,
8 then there was a change within the management team,
9 maybe in the last three-and-a-half years, and I just
10 felt, or it was made abundantly clear to me over the
11 course of that three-and-a-half years, that I wasn't the
12 fit that they wanted to work in Rossie anymore. I felt
13 like that I was targeted. I felt that -- I was involved
14 in an incident. It was investigated by Angus Child
15 Protection Team. It was investigated by the police.
16 There was CCTV and I was, you know, I had no sorta, erm,
17 case to answer.

18 When I was told that I was being investigated,
19 a senior manager called me at home and was almost
20 laughing on the phone when he told me that -- or it was
21 my perception that he was almost laughing on the phone
22 that when he told me that I was not to come to work on
23 a certain day and I was to come on another day and that
24 was basically it.

25 When I got to work on the day that I was meant to

1 be, I was taken from reception, I was put into
2 an office, away on another part of the building and
3 literally left there for three weeks.

4 Q. This was in the context of an incident, where a boy was
5 restrained?

6 A. Yeah.

7 Q. I think he'd made an allegation; is that right?

8 A. Yeah, that's correct.

9 Q. But this was in a context where the boy, you tell us,
10 was spitting at you and you had put your hand up to
11 protect yourself, is that right?

12 A. Yeah.

13 Q. And that's how it happened?

14 A. Yeah.

15 Q. In the wake of that, and I think I know the answer to
16 this pretty clearly, did you feel then that you had
17 support from management --

18 A. No, absolutely not.

19 Q. -- in coming to terms with the aftermath of that?

20 A. No. I was involved in an incident in 2020/2021 when
21 I got an injury to my shoulder. My rotator cuff was
22 damaged. Erm, it must have been January 2020.
23 I reported that at the time. I was given no support
24 from Rossie, absolutely nothing, until nine months later
25 when they decided to put me on permitted leave so they

1 could carry out an investigation into my injury.

2 Q. What does 'permitted leave' mean?

3 A. Basically stay at home or don't come to work.

4 Q. Okay, kind of gardening leave?

5 A. Pretty much, yeah.

6 Q. I think you tell us that you brought a personal injury

7 claim?

8 A. Yep.

9 Q. That that was ultimately settled in October 2023?

10 A. Yeah.

11 Q. You left Rossie, what, in April/May 2024?

12 A. Yeah, yeah.

13 Q. Just dwelling briefly, if I may, on the earlier -- well,

14 actually both incidents, there is one in which your

15 shoulder's damaged, you are injured.

16 There's another where there is a boy who's clearly

17 exhibiting challenging behaviour, spitting at you.

18 Is that the kind of situation that workers in

19 a place like Rossie face regularly?

20 A. Yeah.

21 Q. It must be difficult?

22 A. It's very difficult.

23 Q. Difficult work?

24 A. Yeah, it's very difficult. Very challenging.

25 Q. How do you and colleagues deal with that?

1 A. Erm, you've just got the relationship with your
2 colleagues and you know that the young people that
3 you're working with have a lot of previous experiences
4 that are not the best and we're there to try and support
5 them and do the best for them.

6 Erm, the relationship that you have with your team
7 is probably the main way of dealing with that.

8 Q. You're confident that your team has your back, as it
9 were, and vice versa?

10 A. And vice versa, yeah.

11 Q. But it sounds as though you didn't feel that about
12 management in this incident?

13 A. Absolutely not. Absolutely not.

14 From October '23, when that claim was settled, in my
15 mind there was a change in everything and it was -- and
16 I just felt that if I got involved in an incident, it
17 was investigated to within an inch. I felt like if
18 I didn't get involved, I would have been disciplined for
19 that.

20 There was -- like I said to you earlier, I was taken
21 out for three weeks. I was then told on the Monday that
22 I would be going back to my substantive post on the
23 Wednesday. I was put back in the substantive post on
24 the Wednesday, told not to attend any incidents.

25 I worked the Wednesday, Thursday, I was there on the

1 Friday as well and I just didn't feel safe. Didn't feel
2 that there was any safety measures in place for me to
3 protect me going forward and I thought if there is
4 an incident and I got involved in that incident, erm,
5 people would have absolutely viewed that and went after
6 me, was my opinion.

7 Q. In the incident, the more recent one, did you feel that
8 you had really a duty to intervene in that situation?

9 A. Absolutely.

10 Q. From what you say in relation to the response to that,
11 in the investigation, the reaction or the feedback that
12 you had was that you should have been standing back from
13 the incident, is that right?

14 A. Yeah, that's correct. Part of my role as duty manager
15 was to attend incidents and manage those incidents, but
16 I was told that I should have taken myself away from
17 that, despite being the only manager involved.

18 Q. What do you think would have happened if you hadn't
19 become involved in the incident?

20 A. I would have been disciplined.

21 Q. Okay, well, what would have happened to the incident, to
22 the young person?

23 A. That, I can't say. Erm, the incident was ongoing before
24 I was involved in it, the incident was happening before
25 I was involved in it.

1 There was, erm, from my memory -- what I remember,
2 there were a few casual workers, which we would have
3 called sessional workers back in the day, that were
4 there, there were a few new members of staff that were
5 there, so the level of confidence when using physical
6 restraint might not have been what it was, given that
7 I was an instructor and it was part of my job to manage
8 that and make sure that everybody applied the holds
9 properly.

10 Q. You were the senior and perhaps the most experienced
11 person there?

12 A. Yeah.

13 Q. Or one of the more experienced people?

14 A. Yeah, the most, yeah.

15 Q. But you were told, you tell us, that you clearly had
16 a lot to learn?

17 A. That's what I was told, yeah.

18 Q. How did you feel about that?

19 A. Shocked.

20 Q. At all events, I think the long and short of it is that
21 you felt you were being ushered out the door, is that
22 fair?

23 A. Yes.

24 Q. In fact you then made efforts to find another job and in
25 fact you did find another job?

1 A. Yeah, that's correct.

2 Q. You are now working, I think, in another, although

3 I think rather smaller residential facility for young

4 people?

5 A. I'm [REDACTED] of a three-bedded

6 farmhouse looking after young people.

7 Q. How are you finding that?

8 A. Loving life. Best move I've made.

9 Well, the best move that Rossie made for me.

10 MR SHELTON: Good. All right.

11 Thank you, 'Stan'. I have no further questions for

12 you. Thank you for your assistance.

13 LADY SMITH: Thank you very much, Mr Sheldon.

14 'Stan', let me add my thanks. We have kept you

15 quite a long time this afternoon. You have been very

16 patient with us and allowed us to explore your memories

17 of your quite lengthy period at Rossie and that's been

18 hugely valuable for me, particularly hearing you talk

19 about the development from late 1990s up to very

20 recently.

21 All that remains is for me to wish you well in your

22 new job and I hope it carries on being as enjoyable for

23 you and rewarding for you as it seems to be at the

24 moment.

25 A. Thank you very much, Lady Smith.

1 LADY SMITH: Now, feel free to go and safe journey home.
2 I hope the cold weather isn't a problem for you.
3 A. Thank you.
4 (The witness withdrew)
5 LADY SMITH: That's it for today, I think, Mr Sheldon.
6 We start again on Tuesday at 10 o'clock. Are you
7 able to give a very high-level indication of what we are
8 expecting on Tuesday?
9 MR SHELDON: There will be two live witnesses, I think
10 probably giving evidence together. These are
11 organisational witnesses for Rossie.
12 LADY SMITH: Very well. I'll rise now until Tuesday
13 morning.
14 I hope you all have a good weekend. The forecast is
15 looking a bit better, so people shouldn't be quite as
16 cold as they've been the last few days.
17 Thank you.
18 (4.23 pm)
19 (The Inquiry adjourned until 10.00 am on
20 Tuesday, 14 January 2025)
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