

1 Tuesday, 8 July 2025

2 (10.05 am)

3 LADY SMITH: Good morning and welcome back to our evidential  
4 hearings in relation to this case study which is looking  
5 into provision of residential care for children with  
6 healthcare needs, additional support needs and  
7 disabilities.

8 We return this morning to oral evidence and I think  
9 we have a Webex link ready for our first witness to give  
10 evidence over.

11 Ms Innes.

12 MS INNES: We do, my Lady, the first witness has the  
13 pseudonym 'Evan'. He was a teacher at Ovenstone between  
14 1982 and 1988. He does have convictions, which, if we  
15 might refer to those now, JUS-000000245.

16 LADY SMITH: Yes.

17 MS INNES: He has convictions from August 2021 following  
18 trial at the High Court in Edinburgh in respect of seven  
19 sexual offences against five female complainers, three  
20 of whom were aged between 12 and 16 at the relevant  
21 time.

22 Your Ladyship will see from JUS-000000245 that in  
23 respect of the first three charges on page 1, the time  
24 overlaps with the time that 'Evan' was a teacher at  
25 Ovenstone, and, in fact, in relation to charge 2, the

1       offence of rape is said to have occurred at -- one of  
2       the locus mentioned is Ovenstone school. However, the  
3       complainer was not a pupil at Ovenstone and none of  
4       these charges relate to pupils who were at Ovenstone.  
5       Just for completeness --  
6   LADY SMITH: But they all appear to be in relation to  
7       children in the Kirkcaldy area; is that right?  
8   MS INNES: That's correct, that's correct, my Lady.  
9       And if we go to JUS-000000243, we see there the  
10      sentence, going down to the bottom of the page,  
11      confirming the conviction and sentencing 'Evan' to  
12      a period of imprisonment of eight years commencing as at  
13      5 August 2021.  
14      So as I say, these are his offences but they do not  
15      relate to children who were in care in Ovenstone at the  
16      relevant time, albeit the time period overlaps.  
17      Other than that, I think 'Evan' is ready to give  
18      evidence, my Lady.  
19   LADY SMITH: Thank you.  
20      'Evan', good morning.  
21   A. Good morning.  
22   LADY SMITH: Can you see me and can you hear me clearly?  
23   A. Yes, thank you.  
24   LADY SMITH: Good. I'm Lady Smith and I Chair the Scottish  
25      Child Abuse Inquiry here in Edinburgh.

1           Thank you for coming along to join us this morning  
2           over the Webex link. As you know, there's some evidence  
3           that we would like to take from you. Before we move to  
4           that, could I ask you whether you would like to swear  
5           an oath to God to tell the truth or whether you would  
6           like to promise to tell the truth, what we call  
7           an affirmation, which?

8   A. An affirmation, please.

9   LADY SMITH: Could you raise your right hand and repeat  
10           after me.

11                           'Evan' (affirmed)

12   LADY SMITH: 'Evan', thank you for that. Now, just before  
13           I hand over to Ms Innes, a couple of things I want to  
14           say. First, importantly, as you'll be well aware, we're  
15           investigating and gathering evidence about whether or  
16           not children were abused in residential care, including  
17           a place that, at one point, you worked for a number of  
18           years, and we're interested in what evidence you can  
19           help us about that place and what memory you have of  
20           what happened there.

21           I do know we're asking you about things that  
22           happened, I think, when you would have been in your late  
23           20s, early 30s --

24   A. Mid 30s.

25   LADY SMITH: Mid 30s and you're a bit older than that now.

1 A. Yes.

2 LADY SMITH: So I understand not everything will be fresh in  
3 your memory and there may be things that you can't  
4 remember clearly, but I'd ask you to do your best to  
5 help us remembering what we're doing here is for the  
6 interests of all children now and in the future to be as  
7 well protected as they can.

8 Something else that it's important that you bear in  
9 mind is that, although this is a public inquiry and it's  
10 not a court, you have the same rights that you would  
11 have if it was a court setting and that includes the  
12 right not to admit that you've committed a crime. So  
13 you don't have to tell us that you committed any crime,  
14 unless you've been convicted and I should say, of  
15 course, we know that you have been convicted of crimes  
16 against children in the past and sentenced to  
17 imprisonment in relation to that.

18 We know what they were.

19 Now, you don't have to answer any question if it  
20 would incriminate you and, by that, I mean if it would  
21 mean you would be telling us you had committed a crime,  
22 but it's entirely your choice as to whether you do so or  
23 not, but of course if you do answer the question,  
24 I expect you to do so fully.

25 Now, if you've got any doubt at any time as to



1       whether we're asking you one of those sorts of  
2       questions, just ask and we can deal with that as we go  
3       along.

4           But likewise, 'Evan', if you've got any questions  
5       about anything at any time, please do tell us. We don't  
6       want you to be left in the dark and worrying about  
7       something that's happening that you don't understand.  
8       So speak up if you've got any concerns. If you need  
9       a break, that's absolutely fine, you just tell us and we  
10      can deal with that as well.

11          I do take a break at about 11.30 each morning in any  
12      event, and it may be that your evidence will have  
13      finished by then, but if you want a break before, just  
14      say.

15          Do you have any more question -- any questions for  
16      me at the moment?

17      A. Not at the present time, no.

18      LADY SMITH: Good. Well, I'll hand over to Ms Innes and she  
19      will take it from there. Ms Innes.

20      A. Thank you.

21                      Questions by Ms Innes

22      MS INNES: Thank you, my Lady.

23           'Evan', we have a Section 21 response that was  
24      completed for the Inquiry and I think we find this at  
25      WIT-1-000001623, and I think this may have been typed up

1       for you, but can you confirm that this is a response  
2       that you provided to a notice sent to you by the  
3       Inquiry?

4   A.   It was, yes, issue 3, yeah.

5   Q.   Just for completeness, the questions, the notice sent is  
6       at INQ-0000001094.

7       You tell us in your response to the questionnaire  
8       that you were born in 1948; is that right?

9   A.   That's correct.

10   Q.   Okay. And you tell us that you obtained a diploma in  
11       primary education in 1974.

12   A.   That's correct, yes.

13   Q.   And I think until 1979, you worked in various primary  
14       schools?

15   A.   That's correct, yes.

16   Q.   And then from 1979 to 1981, you worked at Rimbleton  
17       House and also at the Dysart Support Centre?

18   A.   That's correct.

19   Q.   Did this involve teaching children with additional  
20       support needs?

21   A.   It did, yes. Rimbleton House was an assessment centre  
22       for teenagers and Dysart Support Centre was for primary  
23       school children who were not managing to survive in the  
24       primary school, resulting -- we were only allowed --  
25       I think it was 12, I had a teacher with me. So I worked

1           on both of them.

2   Q.   You worked on both of them at the same time?

3   A.   I'm trying to remember.  Yes, I did.  I worked at

4           both -- eventually I landed up going to Dysart full-time

5           because it was a new thing set up by Fife Education.  It

6           hadnae been tried at that time and -- were putting

7           support centres in various primary schools and it was

8           just getting off the ground and I was asked by Mr More

9           to take over the support centre in Dysart.

10  Q.   I think -- Mr More, was, I think, maybe the Assistant

11          Director of Education at the time?

12  A.   Yes, at that point -- depute, he was depute in charge of

13          special educational needs.

14  Q.   Okay.  And then you tell us from 1981 to 1982, you went

15          to Moray House.

16  A.   Yes.

17  Q.   Am I right in understanding that you obtained a Diploma

18          in Special Education?

19  A.   Sorry, could you -- repeat that question, please?

20  Q.   When you were at Moray house, was that for the purpose

21          of obtaining a Diploma in Special Education?

22  A.   Yes, that's correct.  Diploma in Special Educational

23          Needs, yes.

24  Q.   Okay.

25               And then, after that, you went in 1982 to Ovenstone

1       and you were there until 1988; is that right?

2   A. 1988, correct, yes.

3   Q. And then after that, we can see, going on to page 2 of

4       your response, that you went on to work at a support

5       centre in Beath high school and then to other jobs?

6   A. Yeah, I was teacher in charge of the support centre at

7       Beath high school, which was obviously a high school.

8       And then, in 1992, I became SNR at Piershill

9       School which was a school for SEBD, social, emotional,

10      behavioural difficulties, a day school where the

11      children went home every day.

12   Q. Okay.

13   A. That's in Edinburgh.

14   Q. Yes.

15       If we look down to question 2 on page 2, you talk

16      about your appointment to Ovenstone and you describe it

17      as a school for children with social, emotional and

18      behavioural difficulties.

19   A. Yes, that's correct. At that time, I don't know what

20      it's like now, but it was put into sections, so you had

21      blind, deaf, sensory deprivation, then you had children

22      whose -- as it says, social, emotional, and behavioural

23      difficulties, so children that couldn't cope with

24      mainstream education.

25   Q. Okay.

1 A. That is why the bit in the middle, where they had the  
2 support centre, that was the next step and then if they  
3 couldn't manage there, then they were recommended to  
4 come to Ovenstone.

5 Q. Was Ovenstone just for primary aged children?

6 A. Primary aged -- primary, 5 to 7, 9 to 12-year-old, yeah,  
7 that was primary school, yeah. 24 children.

8 Q. Okay. And you describe it in your statement, you say:  
9 'I first thought it was a little village type  
10 school. It was fresh, clean and in a calm rural  
11 setting'.

12 Can you tell us what you mean by it being a little  
13 village type school?

14 A. At that time, we still had little village schools and  
15 they tended to be very inward looking but develop the  
16 children and all the rest of it, and normally they were  
17 quite calm, everybody knew everybody, there was a lot of  
18 interaction between the children and the adults, and  
19 when I came to Ovenstone that's exactly the effect  
20 I felt when I came.

21 Q. Okay. You say that you felt that the culture was caring  
22 and child-centred?

23 A. Very much caring and child-centred. The children  
24 couldnae go anywhere else. This was the end of the  
25 line. It was our job to do the best job we could to

1       reintegrate them back into mainstream education and  
2       society.

3   Q.   And in terms of that goal of reintegrating children into  
4       mainstream education, was that something that happened,  
5       did children go back into mainstream?

6   A.   Yes.   Normally when it came -- when they were due to go  
7       back into -- they reached 12, they were due to go to  
8       high school, there was an integration process there, if  
9       we thought they were capable of surviving.   There was no  
10      point in giving them, you know, the chance to succeed  
11      and then pull it away from them.   So we used to liaise  
12      with high schools of the children's area, because they  
13      came from all over Fife.   One of the things we also did  
14      to help the children was we had a liaison thing going  
15      with the Pittenweem primary school, so we could put the  
16      odd child in there so they werenae suddenly going from  
17      our setting right back into a full blown mainstream  
18      setting.

19   Q.   Okay, so at primary school stage, some of the children  
20      might do what one might call a staged reintegration to  
21      primary school --

22   A.   Yes.

23   Q.   -- by going to the local primary school in Pittenweem --

24   A.   That's correct, yes.

25   Q.   Okay.

1 A. That was quite -- that was quite successful, yes.

2 Q. Okay.

3 Now, you also talk about the attitude of staff  
4 towards children and you say that that was to develop  
5 a positive take on life. The relationship between them  
6 was based on mutual trust and respect. Was that your  
7 impression of the relationship between pupils and staff  
8 throughout the time that you were there?

9 A. Yes, very much so. We were all aware that we were the  
10 outpost to try and get these children back into  
11 mainstream society and all the staff were very much  
12 a caring -- had a very much caring attitude to help the  
13 children be the best they could be.

14 Q. Okay.

15 Now, moving on to question 3, you talk about your  
16 responsibilities at Ovenstone. You say you were a class  
17 teacher?

18 A. Correct.

19 Q. And how many children would there be in your class?

20 A. The maximum was six in the class.

21 Q. And I assume there was more than one class of children  
22 at Ovenstone?

23 A. Yeah, they were in portable cabins, the teaching  
24 classrooms were outside the main building, portable  
25 classes. There were four classes.

1 Q. Four classes. And how were children put into -- divided  
2 into these classes? Was it their age or something else?  
3 A. Yeah, it tended to be age and when a new child came in,  
4 they'd fit into whichever age group they were suitable  
5 for.  
6 Q. What age group did you teach?  
7 A. I had the older ones. That's the 11/12-year olds,  
8 primary 6/7.  
9 Q. Was that the same for the whole time that you were at  
10 Ovenstone?  
11 A. Yes, it was.  
12 Q. And were you teaching that class on your own or did you  
13 have other classroom assistants or other people coming  
14 into the classroom?  
15 A. The -- I'm not 100 per cent certain but at one point we  
16 used to get volunteers coming in.  
17 Q. Okay.  
18 A. And they would come in and help in the classroom. But  
19 that's -- yeah, most of the time there were two adults  
20 in classroom, most of the time.  
21 Q. You said most of the time there were two adults in the  
22 classroom?  
23 A. Yeah.  
24 Q. So who else was in the classroom with you?  
25 A. That would be a volunteer.



1 Q. A volunteer, okay.

2 LADY SMITH: What did the volunteers do?

3 A. Basically, what the teaching assistants do now, they

4 would do one-to-one reading and one-to-one number work

5 or art work or whatever was on the go. Sometimes they

6 used that as their reward, you can go and work with

7 Ms So-and-So, or whatever.

8 LADY SMITH: Thank you.

9 MS INNES: Now, you have mentioned Mr More already, and you

10 tell us that you were asked by Mr More to go to

11 Ovenstone.

12 A. Yes.

13 Q. Why was that?

14 A. Right, when I went to -- when I went to Dysart, Mr More

15 had asked me to go in, because it wasn't working and he

16 asked me to go in and he said to me that he would -- if

17 I did well, I'd get to go on the diploma course.

18 Normally you had to be an SEN for five years before

19 they'd let you go, because they paid you a full salary

20 and everything. So I went in there, I did the job and

21 he said 'right, you can go to Moray House'. Then

22 one day he called me into his office and said 'I'd like

23 you to go up to Ovenstone, it's a residential school,

24 and support the headteacher, he'll look after the whole

25 school and you keep an eye on the education for me'.

1 Q. Okay.

2 A. And I agreed to that. At that point, I mean, I asked  
3 him something, I said 'would you do me one favour' and  
4 he said 'what's that?' I said would you put a slip of  
5 paper in my file saying that you're moving me at your  
6 behest, and he went, why? I said 'because if you look  
7 at my -- the career path, it looks like I'm only two or  
8 three years in any one place'. And he went, 'oh aye  
9 right', so that was put in and that's how I landed up at  
10 Ovenstone.

11 Q. Okay.

12 Now you mentioned there that there was maybe  
13 a policy maybe at the time in Fife that you had to be in  
14 special education for five years before you got to do  
15 a diploma. Did I understand that correctly?

16 A. Yes, that's -- that was what was understood. You had to  
17 be in the system, basically, to prove you were going to  
18 stay in the system. It was hard work getting into SEN,  
19 or working in SEN.

20 Q. And then, so if you'd worked in SEN in a Fife school, or  
21 anywhere perhaps, for a period of five years, then Fife  
22 Council would send you to do the diploma and they would  
23 fund that for you?

24 A. Yes.

25 Q. Yes. Or you would carry on with your salary?

1 A. Yeah, they'd just carry straight on with your salary,  
2 yes.

3 Q. Okay.

4 A. That's probably why they waited five years -- make sure  
5 you were going to be there, yes.

6 Q. Okay.

7 And did you know anything about Ovenstone before you  
8 went there?

9 A. Never even heard of it.

10 Q. And you mentioned SNR [REDACTED]. Were you interviewed  
11 by SNR [REDACTED] before you went there or, as you say,  
12 were you just sent?

13 A. I first met Mr LUS [REDACTED] when I applied for the job at  
14 Playfield House, which is a psychiatric school in the  
15 Cupar, inside the psychiatric set-up and I applied for  
16 a job there and Mr More and Mr LUS [REDACTED] interviewed me.  
17 I didnae get the job, and that was the first time  
18 I'd actually met him face to face and then when Mr More  
19 said 'LUS [REDACTED]'s SNR [REDACTED]', 'Well, that's  
20 good', and that was the second time I'd actually come  
21 across him.

22 Q. You mentioned, I think, that Mr LUS [REDACTED] was -- he was  
23 working at Playfield hospital, but in perhaps  
24 an educational role at Playfield?

25 A. Yeah, they had -- within Playfield House, within that

1           was an educational centre for children in -- who needed  
2           psychiatric help but needed to keep their education  
3           going.  
4   Q.   Okay.  
5   A.   He was SNR [REDACTED] of that.  
6   Q.   Okay. And by this time, he had moved to Ovenstone and  
7           he was SNR [REDACTED] there by the time you --  
8   A.   That's correct, yes.  
9   Q.   Okay.  
10           You say that you would -- you met weekly with  
11       Mr LUS [REDACTED] to discuss the children. Was that on  
12       a one-to-one basis?  
13   A.   Yes, basically, most of the time, you would sit down  
14       with Mr LUS [REDACTED] and he would say how are the kids  
15       getting on -- most of the time it was okay. There were  
16       no issues. Issues came up and they were sorted there  
17       and then. They were not allowed to drag on.  
18   Q.   Was that -- did he do that with each of the teachers?  
19   A.   Yes.  
20   Q.   You say at the bottom of this page that you received no  
21       training from Ovenstone for the position that you had.  
22       Did you feel that you had adequate training and  
23       experience for the role that you were -- that you then  
24       undertook at Ovenstone?  
25   A.   Yes, because of the situation I'd had at Dysart, at the

1 support centre, plus the working with teenagers at  
2 Rimbleton and then going and getting the theory and  
3 everything at Moray House, I felt quite confident in my  
4 abilities to do the job.

5 Q. Okay.

6 Now, if we go over the page in your statement, you  
7 refer to the staffing at the school and you mention  
8 Mr LUS [REDACTED] again. What was your impression of  
9 Mr LUS [REDACTED] in terms of him as SNR [REDACTED]?

10 A. I thought he was excellent. He was very outgoing. He  
11 was very caring. He had a collegiate style [REDACTED]  
12 [REDACTED], where he took on what you said. He might  
13 not do anything about it, but he would take it on board  
14 and discuss it with you. He got on well with everybody,  
15 had a lot of contacts and he was very good with the  
16 children as well as the staff.

17 Q. You then go on to say that you didn't have involvement  
18 in recruiting staff or volunteers?

19 A. That's correct. You know, basically I was a class  
20 teacher.

21 Q. And you say that you didn't manage anyone in a position  
22 of care or responsibility; you didn't manage the other  
23 teachers. Were there times when Mr LUS [REDACTED] was away  
24 where you had maybe more of an ad hoc [REDACTED] role?

25 A. I would say that was true, yes. He would ask me to look

1       after [REDACTED] while he was gone for a wee while, which  
2       I don't think went down too well.

3   Q.   Why did that not go down too well?

4   A.   A wee bit of why is he getting to do that job, and I'm  
5       not ... between the staff. And basically I was more  
6       than happy to do the job. Whether he'd asked them or  
7       not asked them, I didn't know and it wasnae as if I was  
8       going to be doing it for weeks or anything, just, you  
9       know, LUS [REDACTED]'s away for the day or a couple of days, and  
10      just keep an eye on things. Keep an eye on things.  
11      I wouldn't make any major decisions.

12  Q.   Okay.

13           Were you the most experienced teacher out of the  
14      teachers who were there at the time?

15  A.   That's difficult to say. I can't -- I can't answer that  
16      question in -- fully.

17  Q.   Okay. Now, just going back to the children who were at  
18      the school, were they all staying on a residential basis  
19      or did some pupils come on a day basis?

20  A.   No, purely residential. They would go home every  
21      weekend, Friday afternoon.

22  Q.   Okay. Did any of them ever stay over the weekend at --  
23      when you were there?

24  A.   No. Nobody stayed there. The place was locked down  
25      tight at the weekend.

1 Q. In terms of your own working hours, were you there from  
2 Monday to Friday, during school hours, or did --  
3 A. Yeah.  
4 Q. Were hours --  
5 A. My timetable was Monday to Friday, I was there from 9.00  
6 in the morning till 4.30, 5.00 -- I beg your pardon --  
7 except a Tuesday, when I worked till about 6.30, doing  
8 a bit of extracurricular work with kids, playing chess  
9 with them. In the summer time, we'd play games outside  
10 and have fun, and that was the ongoing routine.  
11 Q. Okay.  
12 And to what extent, as a teacher, did you have  
13 involvement with care staff who were looking after the  
14 children when they were staying there?  
15 A. Yeah. The care staff and the teaching staff were very  
16 much of -- as a one, very, very good interaction between  
17 them. The two care staff that I interacted with were  
18 excellent, two young people, early 20s maybe. I won't  
19 name them but they were great and there was a lot of  
20 passing of information between us, 'Oh, you know, so and  
21 so's had a bad night, so you might have bother in the  
22 class', or I would say, 'Oh so and so's had a fantastic  
23 day in school', so and so forth. I'd a very -- quite  
24 close liaison between us.  
25 Q. If we look down to the topic of training, you say that

1       you weren't involved in training other staff. While you  
2       were there, was there training provided in school on any  
3       specific topics; can you remember?

4   A. No. I can't remember that one at all.

5   Q. Can you remember any going away to any training provided  
6       by the Local Authority --

7   A. One of the things we did do is -- you know, going away  
8       and what not, we were all sent on a CALM course, I don't  
9       know if that is still in existence, which was working  
10       with anger management with children and adults. And you  
11       were taught how to calm situations down, and I don't  
12       know if it's still on the go. It probably is under  
13       a different name. That's the only one course I can  
14       remember off the top of my head.

15  Q. Was that provided in school or did you have to all go  
16       somewhere for that?

17  A. I think bits of it were in the school and bits were  
18       somewhere else. I think, if my memory serves me right  
19       on that one.

20  LADY SMITH: When, 'Evan', you refer to CALM, that's the  
21       acronym C-A-L-M, standing for crisis aggression  
22       limitation management; is that what you're talking  
23       about?

24  A. It's the first time I'm -- right.

25  LADY SMITH: I just wondered, in the 1980s, is that what it



1           was being called or was it something else?

2   A.   Yeah, we knew it as CALM.

3   LADY SMITH:   You called it CALM?

4   A.   Yeah, 'you're going on a CALM course', then we'd say

5           'well what is that' and they'd say ...

6   LADY SMITH:   You called it CALM when you were at Ovenstone?

7   A.   Yeah.

8   LADY SMITH:   Okay, thank you.

9   A.   Well, yeah, that's my memory of that particular thing.

10  MS INNES:   Other than that, can you remember any other

11           courses or training that was undertaken when you were at

12           Ovenstone?

13  A.   No.   None.

14  Q.   Now, if we move on to question 6, just briefly, you say

15           there that you weren't involved in supervision,

16           appraisal or evaluation of staff.   You've already

17           explained that you might have an ad hoc [REDACTED]

18           the school if Mr LUS [REDACTED] was away for the day, but

19           nothing beyond that.

20  A.   Yeah -- no, that's correct, yes.

21  Q.   And you didn't have involvement in making policy or

22           making strategic decisions about the school?

23  A.   No.   Didn't have anything to do with policy, policy

24           decisions.

25  Q.   Now, if we go on to page 4 at question 9, you talk about

1 children being assessed by child guidance services?

2 A. Yes.

3 Q. What did that assessment involve? Did that provide

4 a written report to the school?

5 A. Yeah, there would be children -- children would be

6 identified in the mainstream through their behaviour,

7 et cetera, et cetera, and then the child guidance

8 service would be brought on board and they would assess

9 the child and try and help the child in mainstream. And

10 then they would -- gradually it would come down until

11 they landed up with us and there would be written

12 reports and assessments done and all the rest of it

13 before they came anywhere near us and we would know the

14 history.

15 Q. Did you have access to those reports in respect of the

16 children who were in your class?

17 A. Yes. Yes.

18 Q. And how did those inform your teaching?

19 A. Basically they would give us some guidance as to areas

20 that the children were not comfortable in, so we would

21 know 'no, don't push it there just now,' until you've

22 got their confidence and their respect and they're

23 working with you, and so we had to be -- because it was

24 very much six individuals in the class, it wasn't taught

25 as a class. Every child had their own education

1 programme, individual education programme.

2 Q. Okay.

3 And did they have that at Ovenstone, the individual

4 education programme?

5 A. Yes.

6 Q. Okay. And was that a written document; can you

7 remember?

8 A. Yes, it would be a written document, everything had to

9 be recorded, what you did with them.

10 Q. Okay.

11 And in terms of the curriculum that you followed,

12 were you following a curriculum that was -- would be the

13 same as mainstream or --

14 A. Yes.

15 Q. -- or was it different?

16 A. No, you had to follow -- you had to follow the

17 mainstream curriculum, but obviously, because it was

18 individually tailored, then we'd give more help in

19 certain areas to get them to build up their confidence.

20 But we had to follow -- because you couldn't ask the

21 children to go back into mainstream that hadn't seen

22 mainstream education being taught. So we taught from

23 the mainstream curriculum.

24 Q. And you tell us here that there were about 24 children

25 at the school?

1 A. That's correct, 24 children.

2 Q. Was that pretty much constant, through the time that you  
3 were there?

4 A. Yes. Yes, 24. There was always people trying to get  
5 children in, from schools -- but we could only take 24  
6 and that was it. You know?

7 Q. So sometimes there might not be space for a child?

8 A. Correct.

9 Q. And there were both boys and girls?

10 A. That's correct.

11 Q. Now, you go on to talk about professionals being  
12 involved with the children. So this is towards the  
13 bottom of the page at R.

14 You say:

15 'Professionals involved with the children would  
16 visit them as per their individual care plan.'

17 A. Yeah. Yeah.

18 Q. What professionals are you referring to?

19 A. Social workers, psychological/psychiatric services.  
20 That's the most obvious ones that I can think of.

21 Q. Were you ever involved in meetings with professionals  
22 such as those?

23 A. They would ask me how the children were getting on, they  
24 would ask me to report to them how the children were  
25 settling in, how their education was coming on, how they

1           were socially adapting and stuff like that. Every  
2           child -- I needed to know what every child -- or the six  
3           I had, were doing in the school.

4   Q.   So you would report to them, but you can't remember  
5           being at meetings with children and these professionals?

6   A.   No, it -- the children -- they came in and worked with  
7           the children and then would come and talk to us about  
8           how the children were getting on. I can't recall having  
9           them, myself and the children. Just off the top of my  
10          head, I don't remember that.

11   Q.   Okay.

12               And did they -- as far as you were aware, did they  
13          speak to the children on their own?

14   A.   Did the professionals?

15   Q.   Yes?

16   A.   Speak -- yes, they did.

17   Q.   So were children perhaps going out of your classroom to  
18          speak to a social worker or a psychologist?

19   A.   Yes. Yes.

20   Q.   What was the purpose of those meetings; do you know?

21   A.   Basically to keep a liaison between home and the school.  
22          Even though the children were going home every weekend,  
23          the social work and the psychologists and psychiatrists,  
24          they all worked as a team to do the best they could for  
25          the children.

1 Q. Were social work involved with all of the children that  
2 were taught there?

3 A. Yes.

4 Q. Okay.

5 You go on to -- on page 5, to talk about the living  
6 arrangements. Did you -- you didn't live on site at the  
7 school?

8 A. No. The teaching staff -- sorry, the teaching staff,  
9 what do you call it, the support staff, they all lived  
10 at home. The care staff were the ones that were on  
11 site.

12 Q. Okay.

13 You say that you believe that everyone had access to  
14 children's residential areas?

15 A. Yes.

16 Q. Can you remember going into the residential areas where  
17 the children stayed?

18 A. Yes, we would wander through, after school finished, we  
19 would wander through, and if the boys wanted to play  
20 table tennis or anything, or whatever, you would be  
21 available and you'd sit down and chat to them, whatever,  
22 very much social interaction with them.

23 Q. Okay.

24 Now, question 11 on page 5 --

25 A. Yes.

1 Q. -- you explain that there was a system in place called  
2 red and black marks.

3 A. Right.

4 Q. Can you explain that to us, please?

5 A. Right. The exact nature -- is a wee bit, I can't mind  
6 if we started off with a full card and worked our way or  
7 not, or we built up.

8 Basically children would come into school on  
9 a Monday morning and they would have a card, and the  
10 card would be -- it used to have squares on it. If you  
11 got a red one, a red mark, that was good. If you got  
12 a black mark, you had misbehaved, you had done something  
13 silly and that would be recorded. At the end of the  
14 week, if you got, I think it was more than 15, which was  
15 75 per cent, you were given a prize, usually sweets or  
16 something.

17 The good thing about that was that you rewarded good  
18 behaviour and being kind and stuff like that and the  
19 other good thing was that if you had a bad Monday, then  
20 you could wipe out the bad Monday come  
21 Tuesday/Wednesday, because you could get the black mark  
22 taken back and replaced with a red mark. And the  
23 children -- because it was quite simple, the children  
24 could work it out, that, well, the trick is to try and  
25 get as near a full card as possible. And normally, by

1       the time they'd been with you a wee while, most of them  
2       were getting a full card. You know, at the beginning,  
3       you'd try and get this understanding that if you  
4       misbehave, you are liable to get a black mark. If you  
5       behave and all the rest of it, you got red marks and  
6       that's how it worked.

7   Q.   What sort of things --

8   A.   And it did work.

9   Q.   Okay, what sort of things constituted misbehaviour?

10  A.   Kicking over chairs, shouting and swearing at somebody,  
11       trying to start a fight, throwing paint around, just  
12       things that children would do but not normally as often  
13       as they would.

14  Q.   Okay.

15       Do you -- you mention the system of red and black  
16       marks. Do you remember a points system being in place?  
17       So, for example, a system in terms of which, if a child  
18       had to get 12 points by the end of the day and if  
19       they --

20  A.   I think that was linked to the red and black, but, you  
21       know, as I said to you, I'm not 100 per cent clear now  
22       how it worked. I do remember giving children black and  
23       red marks, but I don't remember how it all fitted in  
24       with the points system.

25  Q.   Okay, so there may have --



1 A. It could have been linked, but I don't know. I can't  
2 remember.

3 Q. Yes.

4 So if we've heard evidence that at the end of the  
5 day, if they hadn't got the 12 points, they wouldn't be  
6 allowed to engage in activities after school?

7 A. That's very possible. Again, I don't recall that  
8 situation.

9 Q. Okay.

10 Were you aware of a system which required children  
11 to get a certain number of points before they were able  
12 to leave the school and return to mainstream?

13 A. No, that's never -- that doesn't ring a bell at all.

14 Q. Now, you've mentioned that if somebody had a certain  
15 number of red marks, that would result in a treat, which  
16 might be sweets as you mention.

17 A. Yes.

18 Q. What would happen -- you've mentioned that a child  
19 perhaps might not go to activities -- what would happen  
20 if they had too many black marks?

21 A. Basically, the -- we would talk to them, as teachers,  
22 and the care staff would talk to them as carers, as  
23 such. And go around -- what set you off on Monday  
24 morning. So we'd do counselling type work with them,  
25 talk to them, 'why were you upset, 'what fires you off',

1       and so and so forth. And gradually when they began to  
2       realise that we did actually listen to them and we did  
3       try and make it better, then they began to open up which  
4       was obviously part of the socialisation situation.

5   Q.   Okay, you mention here that a child who had black marks  
6       would be taken to a quiet area?

7   A.   Yeah, that's right.

8   Q.   Now, was that a specifically designated area or do you  
9       just mean an area where it happened to be quiet at the  
10      time?

11  A.   I am not 100 per cent certain that there was actually  
12      an area. I think we went up to the recreation area  
13      which is all carpeted like this and we would sit and  
14      talk to them there, or the care staff would sit and talk  
15      to them, because obviously I couldnae leave the school  
16      or leave the classroom, so they would sit down. But  
17      I cannae remember if there was a designated area.  
18      I don't think there was.

19  Q.   Okay.

20       So you mean that that's a place where children would  
21      be spoken to?

22  A.   Yeah.

23  Q.   Would children be left on their own or put in a room --

24  A.   Tended not to be.

25  Q.   Okay. Did it happen that children were put in rooms on

1           their own?

2   A.   I don't recall. I don't recall that at all. You

3           know -- no, I can't remember that.

4   Q.   Do you remember if children were perhaps sent back to

5           their dormitory?

6   A.   That may have happened. But again, it wasnae something

7           that sticks in my memory.

8   Q.   And you mentioned there in your evidence that perhaps

9           a member of the care staff would speak to the child.

10          Why would a member of the care staff speak to the child

11          about what had happened perhaps at school during the

12          day?

13   A.   Right, I couldnae -- I, the teacher, couldn't leave the

14          classroom, so I would ask the care staff to take the boy

15          or girl away, sit down and find out what was upsetting

16          them and so on and so forth. And if they got some sort

17          of answer, bring them back in again.

18          So that the one child might fire off and we didnae

19          want the other children to join in. And the care staff

20          would come down and talk to them. Normally we would

21          sort it out in class. We wouldnae -- we didnae tend to

22          send children out of class. That was the point.

23          Because, you know -- because that's just moving the

24          problem one side. It's not dealing with it.

25   Q.   Okay.

1           Can you remember daily meetings taking place with  
2           the whole of the school all together in the morning and  
3           evening?

4   A. Morning assembly-type stuff?

5   Q. Yes.

6   A. Yeah, we had them.

7   Q. Okay, and what was the purpose of that morning assembly?

8   A. Community. We are all in this together. We are all  
9           here to help each other. And that was in -- and  
10   Mr LUS           tended to be very positive and he'd say, so  
11           and so has had a very good week and he didn't dwell on  
12           the negative. He did not dwell on the negative.

13   Q. Okay.

14           And were issues -- were negative issues about  
15           individual children mentioned at those assemblies?

16   A. No. No. Not to my recollection. We were working with  
17           children who'd spent their whole life living with  
18           negativity and the one thing we didnae want to bring  
19           into that environment was negativity. Obviously if they  
20           are firing off and all the rest of it, you have to sit  
21           down with them, find out what's causing, 'why are you  
22           losing the plot', and then talking them through it. And  
23           most of the children had never had an adult who actually  
24           sat down with them and said 'What's the problem, talk to  
25           me?'

1 Q. So we are talking about the morning assembly. Can you  
2 remember a meeting at the end of the school day?  
3 A. With the children?  
4 Q. With all of the children present.  
5 A. No, that doesnae ring a bell at all, no.  
6 Q. So, for example, at the end of the school day, when the  
7 number of points accumulated or lost during the day  
8 might be discussed?  
9 A. Oh yeah, yeah, I'm sorry, that doesnae ring a bell at  
10 all. It may have happened, but I don't recall it.  
11 Q. And what was your impression or view of the  
12 effectiveness of the morning assembly meeting that  
13 you've mentioned?  
14 A. I thought it was okay. We were trying to, as much as  
15 possible, be mainstream orientated, so we wanted to get  
16 the children used to being -- coming in, sitting down,  
17 being spoken to and talked about and then going to a  
18 class. So, I personally -- morning assemblies seemed  
19 like a good idea.  
20 Q. Okay. Now, at the bottom of page 5, you mention  
21 a school logbook that recorded serious incidents.  
22 A. Oh yeah.  
23 Q. Did you ever write in the logbook or was that somebody  
24 else that did that?  
25 A. No, that was the headteacher's responsibility.

1 Q. Okay, and do you know what sort of things would be  
2 recorded in the logbook?

3 A. What the headteacher considered important.

4 Q. Okay.

5 A. Incidents that may have happened, et cetera, et cetera,  
6 would be recorded in the logbook and what the outcome  
7 was.

8 LADY SMITH: 'Evan', can you give me an example of such  
9 a serious incident that would be recorded?

10 A. Right, for example, normally this happened when a child  
11 first came in, a child who persisted in fighting,  
12 bullying, not cooperating, that would go up to the  
13 headteacher and, say, this is five days on the trot he  
14 has been doing this, we really do need to sit down and  
15 find out why it's going on. That would be recorded in  
16 the book. What we considered serious incidents within  
17 the school.

18 LADY SMITH: But in the end of the day, it was for the head  
19 to decide whether or not it got written down in this  
20 book; have I got you right?

21 A. Yes. Yes.

22 LADY SMITH: Thank you.

23 MS INNES: Now, if we can move over the page, 'Evan', to  
24 page 6, and you were asked questions about restraint,  
25 and you've already mentioned this in the context of

1        discussing the CALM method, which you mention here in  
2        one of the answers that you provide.

3    A.    Yeah.

4    Q.    And you say that restraint was used at your time in  
5        Ovenstone.

6    A.    Yes, that's my recollection, was the CALM method, it was  
7        used and I've written down here that, basically, tried  
8        to stop an escalation of anger and temper and what not.

9    Q.    And did you -- how many staff would be involved in  
10       a restraint?

11   A.    Normally just one. It'd depend upon how big the boy  
12       was. Sometimes it would -- a couple would have to move  
13       in and sort it out.

14   Q.    Okay, and were all staff trained in this CALM method?

15   A.    To my knowledge, yes.

16   Q.    Both care and education staff?

17   A.    Yes.

18   LADY SMITH: Well, how did it work, 'Evan'? Were there  
19       courses at the school, did people go away for training  
20       somewhere else?

21   A.    My recollection is that we went away for it.

22   LADY SMITH: Where?

23   A.    We went to somewhere in Fife. Fife organised these  
24       courses for us, and we would go to it after -- what do  
25       you call it, after work because we couldn't do it during

1           the day because -- I'm almost certain we had somebody  
2           come to the school and show us various techniques.

3   LADY SMITH: That would be in addition to a course somewhere  
4           else in Fife?

5   A. Yeah, yeah.

6   LADY SMITH: Were these --

7   A. It'd have been -- what do you call it, Fife House would  
8           organise the courses, right, and we would go to them.  
9           But I'm almost certain we had people coming in doing  
10          work with us as well.

11   LADY SMITH: Okay, thank you.

12   MS INNES: And did you ever see restraint being used during  
13          your time at Ovenstone in a manner that you considered  
14          to be excessive?

15   A. No, I didn't.

16   Q. And you were also asked about medication.

17   A. Yes.

18   Q. Were you aware of any children being given medication to  
19          sedate them or calm them down?

20   A. At that time, I wasn't aware of it, no.

21   Q. Okay.

22   LADY SMITH: Well, are you suggesting that you became aware  
23          later that it had been happening, 'Evan'?

24   A. No.

25   LADY SMITH: I just wondered why you said 'at that time'.



1 A. Oh yeah, sorry, no, the -- I wasnae aware of any of the  
2 children were on medication, right, simple as that.  
3 I didnae -- I know it sounds -- it wasn't part of my  
4 knowledge that they were on medication.  
5 LADY SMITH: Could they have been, without you knowing about  
6 it?  
7 A. They could have been without me knowing, yes.  
8 LADY SMITH: Thank you.  
9 MS INNES: Would issues in relation to medication have  
10 fallen within the responsibility of the care staff?  
11 A. Yes.  
12 Q. Now, at question 13, you're addressing the question:  
13 were you aware of any concerns about the way in which  
14 Ovenstone was run or how children were treated at the  
15 time that you were at the school?  
16 A. No, I was not aware of any problems at all at Ovenstone.  
17 I think I've made it clear to people, probably the  
18 happiest six years of my life as a teacher. It was  
19 great.  
20 Q. Now, I am going to ask you about a couple of entries in  
21 a logbook relating to issues between or amongst staff,  
22 okay.  
23 A. Right, okay.  
24 Q. So the first document I'm going to refer to is  
25 FIC-000001439, and at page 15 -- sorry, page 17, and

1 looking at an entry dated 17 May 1983.

2 So I am going to read this out to you, because  
3 I understand that you may not be able to follow along in  
4 the copy that you have with you. So I will read this  
5 out. So 17 May 1983, a row developed between you and  
6 a visiting psychologist in the school staff room.  
7 Apparently you lost your temper and left the school  
8 taking your class group with you.

9 Then it goes on:

10 'School staff complain that Mrs Boggis the  
11 psychologist is frequently lacking in tact and assumes  
12 an air of authority over them which they feel is  
13 inconsistent with her role.'.

14 Can you remember there being issues between you and  
15 the psychologist Mrs Boggis?

16 A. I remember there were differences of opinions between  
17 us, yes.

18 Q. Okay.

19 A. Develop that further. She gave the impression that we  
20 didn't know what we were doing and can give I  
21 an example? We had a child who was severely disturbed  
22 and we asked if he could be taken to Playfield House and  
23 she said there was nothing wrong with him. We had  
24 a meeting and, as she walked out to the car, the boy was  
25 throwing bricks at her in the car and he was removed to

1 a psychiatric unit the next day. Her attitude was we  
2 were not on top of it at all -- and she was very much  
3 looking down on our very professional staff.

4 Q. And I don't know if you can recall this incident where  
5 there's a row in the staff room between you and  
6 Mrs Boggis, I don't know if you can remember that  
7 happening?

8 A. I can't remember it in detail, but the problem I had was  
9 I was passionate about the kids, I wanted the best for  
10 them and I hated people looking down on the kids. We  
11 were their last hope. We were the people who were  
12 trying to get these kids back into mainstream and for  
13 somebody to come in and criticise the staff and the  
14 children and then sit there like she had all the  
15 answers, she didn't have all of the answers, that's why  
16 the poor kids were in with us, because we were there to  
17 support them, not cast them aside.

18 Sorry.

19 Q. And I suppose in relation to Mrs Boggis, it might be  
20 said she's a psychologist and she has particular  
21 expertise to assist you in dealing with the children.  
22 So, you know, why was there this clash?

23 A. Very good on the theory; debatable on the  
24 practicalities. That's all I'm going to say. We dealt  
25 with the practicalities. The theory's fine, but we've

1       now then got to go and be there for the children, be  
2       supportive of the children and support them all the way.

3   LADY SMITH: 'Evan', did you leave the school taking your  
4       class group with you? That's what this log says.

5   A. Yes, I did.

6   LADY SMITH: Where did you go?

7   A. I went down to the harbour, Pittenweem harbour.

8   LADY SMITH: Did you have the head's permission to take them  
9       out?

10   A. I did not. But at that point, it was the safest option.  
11       I had to take my class because I couldnae leave them  
12       behind. I was so angry at this woman putting down the  
13       children, putting down the school, the class and she  
14       comes in there once a month, or whatever it is, and has  
15       got all the answers.

16       So I left the premises -- and I apologised to the  
17       headteacher and the -- and I got a -- I got more than  
18       a row, I got a roasting for doing it, but for safety  
19       reasons I wanted my class with me. We sat and we went  
20       down the beach and we played and then we came back up  
21       the road.

22   LADY SMITH: 'Evan', I am sorry, it's probably my fault.  
23       I am not following why this was a matter of safety that  
24       you had to take them out of the school?

25   A. I took them away from where I was. I was the one in

1 charge and I had to be in control, so I took the  
2 children out the road with me. I was the person that  
3 was not in control at that point, right, and I had to be  
4 aware that I was looking after these children, it was my  
5 responsibility as an adult to make sure that I didn't do  
6 something stupid.

7 LADY SMITH: Such as?

8 A. Well, tell the -- tell Mrs Boggis exactly what I thought  
9 of her.

10 LADY SMITH: Thank you.

11 A. Sorry, I was passionate about the job I had. I was  
12 right up until 2018. Because these children were  
13 castaways. They were -- these were children that, at  
14 the end of the day, we had to look after them. We had  
15 to care for them. And with people coming in and  
16 castigating these kids. Sorry -- even after 40 years  
17 I still get upset with that. Sorry, right.

18 LADY SMITH: Ms Innes.

19 MS INNES: Okay, I'm going to ask you about another entry in  
20 the logbook, it's on page 24, and on the right-hand side  
21 of the page, there's reference to an entry,  
22 15 September 1986, and it says there was a teacher's  
23 meeting abandoned due to discussion on tensions in  
24 school, and then it goes on:

25 'The headteacher interviewed Eileen Clow ', who

1 mentions Leslie gets uptight about things, we think  
2 that's Leslie Gilbert, and it then says:  
3 'Eileen Clow agrees with what Leslie Gilbert teacher  
4 is complaining about.'.  
5 Basically, it goes on, first of all, that you are  
6 never in the classroom, that you abuse the use of the  
7 telephone, that the routine of the school cannot be  
8 maintained under circumstances, there's abuse of use of  
9 the minibus and then it says that you discriminate  
10 against children that you don't like, and then there's  
11 a note of a discussion with Leslie Gilbert, who's  
12 a teacher, who says team teaching is not working because  
13 you lack professional attitude and ability to work as  
14 a team.  
15 So I'm going to break this down a little bit. First  
16 of all, can you remember a staff meeting being abandoned  
17 due to discussions about tensions in the school?  
18 A. No.  
19 Q. Okay. Do you remember Leslie Gilbert, the person who's  
20 mentioned here?  
21 A. I remember Leslie, yes.  
22 Q. And was she another teacher?  
23 A. She was another teacher, yes.  
24 Q. And did you have to work with her?  
25 A. Yes, we all worked together.

1 Q. Okay. And what's your response to her saying that you  
2 lacked a professional attitude and an ability to work as  
3 a team?

4 A. Well, obviously disagree with both. Basically, I wanted  
5 things done and I knew the situation I was in, I was not  
6 in a -- I had not been officially -- I didnae have  
7 a different role from the rest of the teachers, I wanted  
8 to push things forward, and people would just say, we'll  
9 leave it, we'll leave it -- no, don't leave it, move it  
10 forward, move it forward.

11 I was always trying to get the best out of the kids  
12 and then hopefully give some sort of guidance to the  
13 teaching staff, and myself.

14 Q. Why do you think she would say that you lacked  
15 a professional attitude?

16 A. I don't know. Maybe the fact that I was pushy. I was  
17 very passionate about what I was doing and maybe she  
18 considered I'd overstepped the mark sometimes.

19 Q. Okay. And then in relation to what Eileen Clow, the  
20 part that refers to different complaints about you, one  
21 of those was that you discriminated against children  
22 that you didn't like.

23 A. You see, that is a horrendous allegation. I treated all  
24 the children as equals. I did not have favourites.  
25 I did not have kids that I didnae like. I'm sorry, that

1       was -- it's a horrendous allegation. And I was  
2       probably, at that time, I would probably have said the  
3       same thing. Because as a child, I had been  
4       discriminated against. I was not going to discriminate  
5       against any child in my class or anybody -- any kid in  
6       the school.

7   Q. Can you remember this issue being discussed with you by  
8       Mr LUS , perhaps?

9   A. No, is the answer to that. Knowing Mr LUS , I'm  
10       certain he would have sat me down and started chatting  
11       to me.

12   Q. Okay.

13       Now, I'm going to move back to the statement at  
14       WIT-1-000001623, and page 8. You are asked about, you  
15       know, whether there was a complaints procedure. You  
16       weren't aware of any formal complaints procedure; is  
17       that right?

18   A. Yes, that's correct.

19   Q. And during the time that you were at Ovenstone, were you  
20       aware of any complaints being made against any members  
21       of staff -- any other members of staff?

22   A. I was not aware of any allegations, no.

23   Q. And if we go on over the page, please, to page 7, and  
24       question 16, I think you were asked about whether there  
25       was a definition of abuse at the school and you say that



1       you weren't aware of there being any formal definition  
2       of abuse; is that right?

3   A.   That's correct, yes.

4   Q.   Was any training provided in relation to what might  
5       constitute abuse?

6   A.   Not to my knowledge, not to my knowledge.

7   Q.   Was there any training provided in relation to what to  
8       do if an allegation of abuse was made?

9   A.   Sorry, could you repeat that question?

10   Q.   Was there any training or guidance provided in relation  
11       to what to do if an allegation of abuse was made?

12   A.   Not to my knowledge. I don't have memory of that, no.

13   Q.   Okay.

14       Now I'm going to ask you a couple of questions which  
15       relate to other people, not you.

16       So did you ever see any staff member at Ovenstone  
17       abuse a child?

18   A.   No. No, never saw that.

19   Q.   Did you ever see any child at Ovenstone abuse another  
20       child?

21   A.   There was bullying, there was fighting, but whether that  
22       comes under the term 'abuse', I'm not sure. No, because  
23       we were very hot on bullying. I wouldn't call it abuse,  
24       no. That's my answer to that question. If children  
25       were being bullied or what not, we cut that off very

1       quickly because these children were fragile in many  
2       ways.

3   Q.   When you say you cut that off very quickly, what did you  
4       do?   How did you intervene?

5   A.   Well, we took the child aside, that was bullying, and we  
6       explained to them that being a bully was a coward and  
7       why they always seemed to pick on the weakest child, or  
8       the child that is different, and can you tell me why  
9       you're doing that or do you like him -- no, you didnae  
10      have to bully somebody because you didnae like them.  If  
11      you don't like them, avoid them.  So we were trying to  
12      gain socialisation within that.

13  LADY SMITH:  'Evan', when bullying happened, what was it  
14      that children were doing to each other?

15  A.   Well, basically, a lot of the children were streetwise,  
16      so they would go up behind somebody and they would punch  
17      them in the kidneys or they would trip them up -- I beg  
18      your pardon -- or whatever else, you know, and if they  
19      were wee, if there was a big boy and a wee one, they  
20      would just go up and punch them in the face.  It was  
21      really quite cruel at times.

22  LADY SMITH:  Did you say they would 'strap them up'?

23  A.   Sorry, trip them up.

24  LADY SMITH:  Trip them up.  I'm with you, yes.

25           And when you -- when you say if they wee, if they

1           were smaller?

2   A.   Smaller, yes.

3   LADY SMITH:   So a big boy might pick on a smaller --

4   A.   A big boy would be setting about the wee boy, you ken.

5   MS INNES:   Did any child ever report to you that they were

6           being abused by any other member of staff at Ovenstone?

7   A.   No.   No.

8   Q.   Did any child ever report to you that they were being

9           abused by another child, so the type of bullying that

10          we've been discussing?

11   A.   No.

12   Q.   Okay.

13                Can you recollect any guidance or training in

14          relation to child protection while you were at

15          Ovenstone?

16   A.   No, I can't, actually, no.

17   Q.   At page 7 of your statement, in question 18, you were

18          asked some questions about external monitoring.

19   A.   Yes.

20   Q.   And you talk about care professionals coming to the

21          school. Can you remember any inspections taking place

22          while you were there?

23   A.   No.

24   Q.   No, so HMIE coming into the school, anything like that?

25   A.   No. I don't recall that.

1 Q. Yes.

2 Now, I'm going to give you an opportunity to respond

3 to some of the allegations of which the Inquiry is

4 aware. All of -- these are allegations against you --

5 A. Yep.

6 Q. -- relating to Ovenstone --

7 A. Right.

8 Q. -- and you will remember, before I start asking you

9 these questions, the warning that Lady Smith gave to you

10 at the beginning of your evidence, okay?

11 A. Right.

12 Q. So I'm going ask you, first of all, about evidence that

13 has been given to us by a person who has the pseudonym

14 'Fred', okay?

15 A. Right.

16 Q. 'Fred'. Did you ever make him stand outside your

17 classroom for lengthy periods?

18 A. No.

19 Q. Did you ever make him stand outside your classroom for

20 things like answering back?

21 A. No.

22 Q. Or staring out the window?

23 A. No.

24 Q. Did you ever forcibly drag him from the classroom?

25 A. No.

1 Q. Did you ever physically assault him?

2 A. No.

3 Q. Now, I'm going to ask you to look back at the logbook  
4 again and page 15 of it, and an entry dated 18 February,  
5 this is 1983, on the right-hand side of the page. And  
6 it's redacted, but this relates to 'Fred', and this  
7 entry says that you brought 'Fred' to the office as  
8 'Fred' had accused you of assault. 'Fred' denied saying  
9 such a thing in front of Mr LUS and, I think,  
10 Mrs Dyce. So Mr LUS would be SNR.

11 Can you remember 'Fred' making an accusation of  
12 assault against you while you were there?

13 A. At this point, I would wish to make no comment on that.  
14 It's an ongoing situation.

15 Q. Okay.

16 Now, I'm going to ask you about some allegations  
17 that have been made against you by -- in a statement  
18 given to the Inquiry by a person who has the pseudonym  
19 'Rab', and 'Rab's son attended Ovenstone.

20 So I'm talking about 'Rab's son here.

21 Did you ever grab him by the back of the head?

22 A. No comment.

23 Q. Did you ever hit his head off the desk?

24 A. No comment.

25 Q. Did you ever slam the lid of the desk down on his hands?

1 A. No comment.

2 Q. Did you ever press your finger into his forehead making  
3 him bend his head back?

4 A. No comment.

5 Q. And whilst doing that, did you shout in his face?

6 A. No comment.

7 Q. Did you ever hit him with a pool cue?

8 A. No comment.

9 Q. Did you ever sexually assault him with the pool cue?

10 A. No comment.

11 Can I make a comment at this point, please? This  
12 has been investigated, right, and all I'm going to say  
13 is my lawyer said I have to say 'no comment' because  
14 it's all up in the air and I am finding it very  
15 difficult to say 'no comment' because that list of stuff  
16 you have given me is a load of rubbish. And I'm stating  
17 it on record.

18 LADY SMITH: Okay, 'Evan', I've got that.

19 A. Sorry, sorry, I just --

20 LADY SMITH: Please bear with us, it is actually a matter of  
21 fairness to you that the questions that Ms Innes is  
22 asking you are asked, to give you an opportunity. If  
23 anything we're asking you is something you want to talk  
24 about just now, you have the chance to do that.

25 A. Right, okay, well --

1 LADY SMITH: As I said, if the question would lead, if you  
2 answered it, to you incriminating yourself, as I said  
3 earlier, of course you don't have to do that, but bear  
4 with us.

5 A. Yeah, it's just -- I'm sorry, it's just so frustrating  
6 that I can't unload myself to you in terms of what's  
7 going on, and obviously I've got to do what my lawyer  
8 tells me to do, and it is very uncomfortable for me to  
9 say 'no comment'. Okay? So -- thank you, sorry,  
10 I just ...

11 Right.

12 LADY SMITH: Okay. Ms Innes.

13 MS INNES: Thank you, my Lady.

14 I've just got a couple -- a few more questions for  
15 you, 'Evan'. So these are more general questions. Did  
16 you ever assault any child physically who was a pupil at  
17 Ovenstone?

18 A. No.

19 Q. Did you ever physically discipline any child who was  
20 a pupil at Ovenstone?

21 A. No.

22 Q. Now, we know about the convictions that you have and we  
23 know that these did not involve any children attending  
24 Ovenstone. Did you commit any similar offences against  
25 any child who was attending Ovenstone?

1 A. No.

2 Q. Okay.

3 We know that some of the offences in respect of  
4 which you were convicted took place at the same time as  
5 when you were teaching at Ovenstone. And in one case,  
6 in the premises at Ovenstone.

7 How was it that you were able to commit these  
8 offences at the time and not be detected?

9 A. Right. No comment on that, because a piece of  
10 information you have -- the police threw it out, it  
11 never went to court.

12 LADY SMITH: Sorry, I didn't hear what you said just there,  
13 'Evan'.

14 A. Right, sorry, there's a -- I think, the question I was  
15 asked was if something happened at Ovenstone, right? So  
16 the crimes I was allegedly committed, okay.

17 LADY SMITH: No, hang on a minute. I'm going to interrupt  
18 you there, 'Evan' because you may not have picked up  
19 what Ms Innes was trying to make clear at the beginning.  
20 You're only being asked about the matters which were  
21 offences of which you were convicted in 2021.

22 A. Yes.

23 LADY SMITH: She's not asking you about anything of which  
24 you weren't convicted.

25 Now, there are two points she has made. One is that



1 the time span of those offences includes when you were  
2 working at Ovenstone --

3 A. Correct.

4 LADY SMITH: And in relation to, I think it's one of the  
5 charges which covers a number of offences, the locus,  
6 the place at which some of them happened was Ovenstone.  
7 Right? That's what Ms Innes --

8 A. Okay.

9 LADY SMITH: You were convicted of these, 'Evan', and  
10 I promise you, Ms Innes's question is confined to  
11 looking at that and I am only listening to these  
12 matters. So please don't worry that we're trying to  
13 trick you into talking about something which is only  
14 an allegation; we're not. All right?

15 A. All right. Okay.

16 LADY SMITH: Okay. Ms Innes, do you want to just help  
17 'Evan' again with what you are asking him about?

18 MS INNES: Yes, so just to go over that question again,  
19 'Evan', I was asking about the convictions that you  
20 have. We know that they don't involve children who were  
21 living at Ovenstone. However, the time of some of the  
22 offences is over the same time as you were teaching at  
23 Ovenstone, okay, and what I was asking was how was it  
24 that you were able to commit those offences at the time  
25 that you were at Ovenstone and for them not to become

1       apparent or detected at the time?

2   A.  No comment on that.  No comment.

3   Q.  In terms of the -- there is one offence of which you

4       were convicted which says that it took place in the

5       premises at Ovenstone and again, in relation to that,

6       how was it that you were able to commit those offences

7       at Ovenstone and not be detected?

8   A.  Quite simply because it never happened.

9   Q.  Okay.

10  LADY SMITH:  Can you help me with this, 'Evan'?

11  A.  Yes.

12  LADY SMITH:  There must have been evidence at your trial in

13       relation to that charge, the one of which you were

14       convicted that has Ovenstone as the place in it, from

15       somebody or some people about where in Ovenstone it

16       happened.

17  A.  Yes.

18  LADY SMITH:  What was that evidence, where in Ovenstone was

19       it said to have happened?

20  A.  No comment.  No comment, sorry.

21  LADY SMITH:  Just a minute, 'Evan'.  Is it that you don't

22       remember?  I'm not asking to you incriminate yourself

23       because this is something of which --

24  A.  No -- no I --

25  LADY SMITH:  'Evan', if you speak at the same time as me,

1       the people who are making a transcript find it really  
2       hard to pick it up.

3             Right, listen. It's this question of what was said  
4       in evidence at your trial about where in Ovenstone  
5       things happened that they said were offences, and it's  
6       the particular charge about rapes --

7   A. Right, yes.

8   LADY SMITH: -- and sexual assaults. I think it was  
9       charge 2.

10            Where in Ovenstone was a witness or witnesses saying  
11       that that took place?

12   A. No comment.

13   LADY SMITH: Well, that answer doesn't make sense.

14   A. No --

15   LADY SMITH: I can see -- 'Evan', wait. Don't talk if I am  
16       talking.

17   A. Sorry. I'm sorry. Right.

18   LADY SMITH: Hang on. 'Evan' -- 'Evan' if it is you don't  
19       remember, I can understand that, but if you do remember,  
20       I'm asking you to tell me.

21   A. This is all being recorded? Good.

22            Sorry, I'm -- I'm saying now that that allegation  
23       was not -- did not happen, right?

24   LADY SMITH: I know that, 'Evan', and that's not what I'm  
25       asking you. I'm asking you to think back to what was

1       said by at least one witness at your trial about where  
2       the matter that you say didn't happen, where it took  
3       place? What the person actually said in evidence. You  
4       were there, I wasn't. Can you remember what they said  
5       about where?

6   A. I can't.

7   Q. All right.

8   A. That's the point. I am sorry, but you are confusing me  
9       with what I remember of the trial and --

10  LADY SMITH: I promise you, I'm not trying to confuse you.

11  A. No, the question's valid, according to the paperwork  
12       you've got, but I have to say to you now, that was one  
13       of the most traumatic periods of my life, going to that  
14       trial.

15  LADY SMITH: Okay.

16  A. Right, sorry.

17  LADY SMITH: Ms Innes, it is almost 11.30. How much longer  
18       do we need 'Evan' to be giving evidence?

19  MS INNES: I just have one more question.

20  LADY SMITH: Let's just do that then.

21  MS INNES: One final question for you, 'Evan', and this is  
22       something that you were asked more generally in this  
23       statement that you've given. Obviously you know that  
24       we're looking at abuse of children in special  
25       educational settings and that's an area that you worked

1 in. Do you have any comment on the lessons that the  
2 Inquiry can learn as to how to better protect children  
3 from abuse in the future?

4 A. Interesting. Looking back, I would say that there is  
5 an ongoing need for closer -- what's the word I'm  
6 looking for -- closer inspection, that might be the  
7 word, where there's an ongoing need for the ability for  
8 somebody to go, even once a month, just go -- there has  
9 got to be an ongoing oversight, that's the word I'm  
10 looking for, oversight as to what is going on in the  
11 residential setting.

12 It's a very intimate setting because obviously you  
13 are there 24 hours a day and all the rest of it and  
14 I would say that also the -- so I've been away from it  
15 for 20 years? 22 years, I have been out of education,  
16 in terms of that stuff.

17 So these things may be going on, but there needs to  
18 be an ongoing oversight of what happens in residential  
19 settings, both council and private. And you've got to  
20 be quite rigorous. That's the only thing I can think  
21 that would come out of the Inquiry. I hope it will come  
22 out of the Inquiry here.

23 MS INNES: Okay, thank you very much 'Evan'. I've got no --

24 A. Can I make a statement now?

25 LADY SMITH: Yes, do go on, 'Evan'.

1 A. Yes, six years I spent at Ovenstone were the happiest  
2 six years of my life. We had a great time. We built  
3 an adventure playground, the kids developed emotionally,  
4 physically, the whole lot and I look back on that time  
5 with fond memories. I loved it and I still have got  
6 kids today who are in contact with me to see how I'm  
7 getting on.

8 So Ovenstone was a great place, I wanted to say.

9 LADY SMITH: Thank you 'Evan'. Thank you for answering our  
10 questions today and bearing with us. I'm sure it has  
11 been difficult for you and hard work to do it, but  
12 I repeat what I said earlier, we're all here doing our  
13 best, the best we can, in the interests of children who  
14 for one reason or another have to be in residential  
15 care.

16 So you can now go and relax, I hope, for the rest of  
17 the day. Thank you.

18 A. Thank you for your time. Thank you.

19 LADY SMITH: We will stop now for the morning break, but let  
20 me raise one thing at this stage in the documents that  
21 were displayed from the log, people may have noticed  
22 that 'Evan's identity was not redacted, but that doesn't  
23 mean he can be identified as referred to in our evidence  
24 outside this room. Just treat what you saw as though  
25 his real name was redacted.

1 I'll rise now for the break. Thank you

2 (11.35 am)

3 (A short break)

4 (11.50 am)

5 LADY SMITH: Now I think we're moving on to a read-in; have  
6 I got that right?

7 MS MCMILLAN: Yes, my Lady, you do have that right. The  
8 read-in I am going to do is for John Tollan, who is also  
9 known as Jack Tollan, and the reference for his  
10 statement is WIT-1-000001622.

11 He is an experienced teacher, a headteacher,  
12 housemaster and psychologist. He was the headteacher at  
13 Linwood Hall for a period of six years, between 1988 and  
14 1994, which he details in his statement.

15 LADY SMITH: Thank you.

16 MS MCMILLAN: He sets out on the first three pages of his  
17 statement his employment history, his qualifications,  
18 his experience, which your Ladyship will see is quite  
19 extensive. So I'll start his statement from  
20 paragraph 11 on page 3.

21 So he says:

22 John Tollan (Read)

23 'Linwood Hall school was located in Leven, Fife.  
24 Its purpose was to provide short term residential  
25 education and support for vulnerable young people with

1 special educational needs associated with social,  
2 emotional and behavioural difficulties, and to promote  
3 their reintegration to home, school and community.

4 'With the agreement of the Education Department,  
5 before taking up post, I had the opportunity to run  
6 a one day in-service training day on "Organisational  
7 stress management" for the full Linwood Hall school  
8 staff complement which informed my first impressions of  
9 the school and its culture.

10 'On arrival at the school, I was greeted by a sense  
11 of gloom and apprehension, where the building appeared  
12 shabby and rundown and the staff were wary of this  
13 person who would be becoming their new headteacher. As  
14 a result, initially they were suspicious and reluctant  
15 to open up about their concerns. However, as the day  
16 progressed, the various exercises enabled them to feel  
17 that they could be more open about their thoughts and  
18 feelings and a more transparent connection was  
19 established.

20 'The concerns outlined by the staff indicated the  
21 kind of stressors they were experiencing and what they  
22 were hoping for from the appointment of a new  
23 headteacher. It also gave me an opportunity to explore  
24 the available resources and examine how the teaching,  
25 care and domestic staff interacted and what the main



1 sources of stress were for each group.

2 'The main stressors expressed by the full staff  
3 were: the authoritarian management style of the previous  
4 head where staff had been unable to express their own  
5 views, lack of consultation by the Education Department  
6 as to the future of the school, lack of the requisite  
7 resources and staffing needed to fulfil their role,  
8 differentiation in status between the teaching and care  
9 staff, a domestic staff who saw the vital role they  
10 played in supporting the lives of the young people and  
11 the running of the school as undervalued and  
12 unappreciated, an overall sense of lack of staff  
13 direction and focus, attributable to having had to work  
14 for many years within an ethos where keeping your head  
15 down was the safest option. Apprehension about the  
16 expectations of the new headteacher.

17 'With regard to the culture of the school, my  
18 initial observation were that despite the concerns  
19 expressed by staff, overall there was a strong caring  
20 ethos present among all staff in relation to supporting  
21 the young people in the school at the time. However,  
22 beneath the caring ethos, there also were specific  
23 issues affecting the school's effectiveness in meeting  
24 the needs of the young people placed there. The  
25 education programme needed to be better coordinated and

1       personalised with individual educational plans put in  
2       place for each young person. The teaching role also  
3       needed to be broadened to that of mentoring to enable  
4       IEPs to be specifically tailored to meet the needs of  
5       the young people and fit the developmental structure of  
6       a personalised developmental curriculum.'

7   LADY SMITH: The IEP will have been the independent  
8       education plan?

9   MS MCMILLAN: Yes, I think that's the individual education  
10       plan.

11   LADY SMITH: The individual, sorry, education plan for each  
12       child, yes.

13   MS MCMILLAN: So he goes on:

14       'Better resources and equipment also were needed to  
15       allow a more integrated curricular programme to be  
16       developed and implemented:

17       'Care was largely provided by unqualified care  
18       staff, with only two qualified staff in promoted posts.  
19       A third member of care staff was undergoing professional  
20       social work training and would be returning to the  
21       school shortly on completion of her course. Clearly,  
22       significant ongoing in-house and on the job staff  
23       training and development would be required to promote  
24       the staff knowledge, skills, and confidence required to  
25       establish a key worker role within the care system in

1       Linwood Hall.

2       'In addition, care was provided in a large, somewhat  
3       soulless building where young people had little sense of  
4       privacy or dignity. Care staff also lacked a base from  
5       which to offer the level of professional interaction  
6       needed to provide the care and support individual young  
7       people needed. Quite radical change would be needed in  
8       this area to enable care practice to prove effective.

9       'There was little interaction between teaching and  
10      care staff, with the teaching staff seeing themselves as  
11      superior, a tradition established under the previous  
12      regime: a perception that would have to be challenged if  
13      multidisciplinary collaboration was to be achieved.

14      'The domestic staff felt unappreciated and  
15      undervalued by the other staff, given the vital role  
16      they played in meeting the needs of the young people and  
17      the running of the school. Again, a misperception that  
18      would need to be addressed to promote overall staff  
19      satisfaction.

20      'Despite these concerns all staff expressed a highly  
21      caring attitude towards the young people and obviously  
22      made a huge effort to meet their needs. They believed  
23      that the wellbeing and safety of the young people should  
24      always take precedence and resulting in a sense of  
25      mutual respect where the young person responded

1 positively to the caring support of staff and school  
2 ethos. I shared the outcomes of this day with my line  
3 manager who indicated that the Education Department  
4 would do all that it could within existing budgets to  
5 resolve some of these issues.

6 'I spent six years at Linwood Hall as headteacher  
7 (1988-94) using my psychological skills to support  
8 individual youngsters and staff as appropriate.

9 'I formally applied for the position using the  
10 documentation provided by Fife Education Department.  
11 The job description specified the need for teaching and  
12 management experience. References were provided by  
13 college staff and a previous headteacher.

14 'My line manager was Mr James W G MacGregor, the  
15 Senior Assistant Director of Education, who was  
16 answerable to Mr Magnus More, the Director of Education.  
17 I met with the line manager each term, plus additional  
18 informal contacts as required. Ongoing informal monthly  
19 monitoring was provided by an adviser in special  
20 education.

21 'No induction programme or formal training was  
22 provided.

23 'My performance as head was supervised termly using  
24 the above procedure plus an annual appraisal was  
25 undertaken by the line manager at the end of each year.

1 I was supervised and monitored to ensure that the  
2 Education Department expectations and requirements were  
3 met but allowed the autonomy to introduce and develop  
4 a more personalised approach to education and care which  
5 enhanced the school's ability to meet the needs of its  
6 young people.

7 'Following Education Department directions I was  
8 actively involved in the day-to-day running of Linwood  
9 Hall school, beginning with a morning assembly to set  
10 the scene and structure of the day ahead. I chaired all  
11 case conferences and attended all teacher and care staff  
12 meetings and coordinated all interaction with the local  
13 and wider community.

14 'I interacted professionally with the young people  
15 individually through interview, counselling when  
16 required and regular case reviews. I also participated  
17 in house group meetings when requested by staff or  
18 youngsters and interacted with the whole community  
19 through daily assemblies and specific meetings. At  
20 a more personal basis, I also supervised intervals and  
21 ate with the young people to help build a better  
22 rapport. At all times the wellbeing and safety of the  
23 young people was paramount with the school's reputation  
24 being based on its ability to meet the young people's  
25 special education needs, learning disabilities,

1 emotional, social, behaviour and learning needs and  
2 prepare them to meet the school's stated aim of  
3 achieving reintegration to home, school and community.

4 'Initially the approach I was advocating for, the  
5 development -- initially the approach I was advocating  
6 for, the development of the school was presented to and  
7 accepted by the line manager with the proviso that it:  
8 complied with the existing departmental regulations  
9 regarding the purpose of the school, conformed to  
10 specified Education Department guidelines regarding  
11 discipline and punishment, specified how staff  
12 interacted and supported the young people admitted to  
13 Linwood Hall, ensured the protection of young people  
14 being admitted to the school from abuse and ill  
15 treatment.

16 'With the agreement of the Education Department in  
17 place, I introduced the Linwood Hall staff and its young  
18 people to the concept of an educative community. Within  
19 this ethos, the school community enables a more  
20 therapeutic emphasis to be placed initially on the  
21 support provided for the emotionally, socially and  
22 behaviourally vulnerable young people with special  
23 educational needs admitted to the school.

24 'As the young person progresses, he/she becomes  
25 gradually more involved in the local community to

1 promote his/her personal and social skills before  
2 reintegrating into his own wider community and  
3 completing his/her placement.

4 'Consequently I had to provide personal influence  
5 for both staff and young people to ensure that they  
6 understood and felt confident and equipped to undertake  
7 this new approach.

8 'As a result I sought to develop with staff a more  
9 collegiate approach to continuing professional  
10 development. This strategy ensured, through ongoing in  
11 house and external training and support, that staff were  
12 aware of, understood and were fully committed to  
13 implementing the new policies and practices regarding  
14 discipline, support for young people and protection from  
15 abuse and ill treatment associated with this approach.

16 'Innovations designed to promote the ethos of  
17 an educative community included: the introduction of  
18 a house system designed to provide the level of enhanced  
19 support for young people and interaction with staff that  
20 could not be provided in the existing block school.

21 'The introduction of a key worker system within the  
22 house structure to ensure that personal care plans could  
23 be developed and monitored via three-monthly case  
24 reviews, and support provided at the initial stages of  
25 the planned reintegration.

1           'The development of a care team whose staff felt  
2           more valued and equipped to meet the needs of their  
3           young people.

4           'The appointment of a returning qualified member of  
5           staff as a third SNR [REDACTED] to enable the full  
6           implementation of a house structure and allow the  
7           opportunity to personalise the support and guidance  
8           provided by the care team for young people and staff.

9           'The broadening of the teaching role to a mentoring  
10          one, to enable the development of individualised  
11          educational plans in a more personalised way in a more  
12          supportive classroom setting.

13          'The implementation of a more personalised  
14          integrated curriculum which ensured that each young  
15          person was able to obtain the range of learning  
16          experiences necessary to prepare him/her for  
17          reintegration. The curriculum design subsequently was  
18          awarded a UK national curriculum award for its  
19          development of a unique learning programme that sought  
20          to obtain the school's stated aim of effective  
21          reintegration to home, school and community through  
22          interaction with the local and wider community.

23          'The development of a weekly multidisciplinary  
24          senior staff meeting structure to involve both care and  
25          teaching managers in promoting more effective



1 whole-organisational planning and implementation of  
2 further requisite developments.

3 'The expansion of an inter-agency review system on  
4 to a three monthly basis to better consider progress  
5 made, issues experienced and future action required  
6 towards obtaining the school's aim of obtaining  
7 reintegration for those young people who had reached  
8 that stage of development.

9 'The introduction of a pupil support centre was  
10 established in an old building on the school grounds to  
11 support the local secondary schools. The Linwood  
12 support centre offered part time support to 10 pupils  
13 experiencing difficulties in mainstream education at the  
14 same time as promoting the reintegration of young people  
15 from Linwood Hall school back to their local high  
16 schools.

17 'Opening the growing range of school resources to  
18 the local community as a means of helping change the  
19 negative impressions of the setting as a school for bad  
20 boys and girls.

21 'Ensuring that such developments were recognised  
22 through a variety of means: presentations ...  
23 publications, talks with local groups to promote  
24 awareness of the developments being made in Linwood Hall  
25 school towards obtaining educative community and centre

1 of excellency status.

2 'Using the guidelines provided by Fife Education  
3 Department, I was given responsibility for developing  
4 the full range of policies and practices required to  
5 manage such a therapeutic supportive community. These  
6 included developing the requisite policies on education  
7 and care necessary to ensure that every young person's  
8 range of special educational needs, learning  
9 disabilities and associated social, emotional and  
10 behavioural needs were met.

11 'This process was undertaken through consultation  
12 with staff, education advisers and other agencies to  
13 address short falls in existing policies and practice.  
14 Over time the resulting guidelines enabled staff to  
15 accept the positive changes to existing policies as well  
16 as the development of a range of new policies relating  
17 to the changes taking place in the school's practices to  
18 address such issues as abuse and child protection.

19 'In consequence, a full range of policies was  
20 produced and implemented by staff to promote the  
21 development of more effective supportive strategies on  
22 admission, training, recruitment, staff appraisal,  
23 complaints, restraint, discipline and punishment,  
24 whistle blowing and recording. The related practices  
25 were also implemented to ensure that these policies took

1 full effect.

2 'Unfortunately over time change had to be made to  
3 several policies and practices as in the latter stages  
4 of my involvement as head, the nature of the population  
5 admitted to the school changed. The focus moved from  
6 supporting vulnerable young people with special  
7 educational needs, learning disabilities and emotional,  
8 social and behavioural difficulties who were responding  
9 very well to the new school ethos, to managing a more  
10 challenging population.

11 'Instead older youngsters who had presented more  
12 extreme, challenging and delinquent behaviour were  
13 involved with the Police and Children's Panel system and  
14 had been placed in external settings outside the region,  
15 were brought back and relocated in Linwood Hall owing to  
16 financial reasons. This decision, which was made  
17 without consultation with the headteacher or preparation  
18 of staff, resulted in a significant increase in numbers  
19 of young people and challenges for staff and existing  
20 pupils.

21 'As a result school policies on behavioural  
22 management and restraint had to be adapted to enable  
23 staff to cope with the kinds of behaviour now being  
24 faced daily which affected the wellbeing of both the  
25 young people originally in the school and personal

1 safety of staff.

2 'Strategic planning was a preserve of Fife Council.  
3 However, at the initial stages of the school's  
4 development, when the focus was placed on developing  
5 a more therapeutic approach, I was given the opportunity  
6 to introduce, develop and evaluate the effectiveness of  
7 an educative community approach to enhancing young  
8 people's learning and promote their social, educational  
9 and behavioural development. At the same time, it also  
10 was stated that the continuation of such a development  
11 would be determined by its effectiveness in enhancing  
12 each young person's learning and sense of personal and  
13 social wellbeing.

14 'Linwood Hall's own strategic approach was to  
15 develop an educative community ethos which reduced the  
16 potential for abuse by providing at a school community  
17 level a more therapeutic supportive caring environment  
18 within which vulnerable young people could thrive by  
19 feeling safe in their interaction with staff and school  
20 community.

21 'As they progressed, each young person could then  
22 become involved in the local community and eventually  
23 their own wider community as they moved towards  
24 reintegration. This arrangement further enabled the  
25 young people to be gradually involved in the local

1 community activities to increase their self-control,  
2 emotional stability and social confidence before  
3 becoming involved in activities in their own community  
4 as they moved towards reintegration.

5 'In addition, the development of an off campus pupil  
6 support centre enabled local young people to be  
7 supported during the reintegration to local high  
8 schools, enabling the local community to access the  
9 school's developing range of resources in turn promoted  
10 a more positive interaction with those young people and  
11 the support staff involved in the community groups.  
12 With young people being involved with staff in  
13 supporting local activities such as 'Pre-school group'  
14 and a 'twins group' hosted by the school, this level of  
15 interaction also led to a positive change in the  
16 perception of the nature of the young people and the  
17 role of the school by the members of these groups and  
18 the wider community.

19 'The funding for these developments was raised by  
20 Linwood Hall taking several people on a short term basis  
21 from outside the region, which enabled a multigym, art  
22 studio, dark room, video editing suite and an off air  
23 radio station, (Radio Linwood) to be developed in an  
24 unused stable block. It also allowed minor adaptations  
25 to the main building to be made to make it more

1 secure by relocating the main office to the entrance  
2 hallway to stop people walking unobserved into the  
3 building. All developments that otherwise would not  
4 have taken place given the existing regional financial  
5 restrictions.

6 'On appointment as headteacher the school management  
7 structure comprised a SNR [REDACTED], KZZ [REDACTED]  
8 KZZ [REDACTED], SNR [REDACTED], KNG [REDACTED], SNR [REDACTED]  
9 SNR [REDACTED], KZP [REDACTED] and KNH [REDACTED] and  
10 SNR [REDACTED] and SNR [REDACTED] were responsible for  
11 supervising and supporting the educational programme and  
12 teaching staff while the two SNR [REDACTED] had  
13 responsibility for the supervision and development of  
14 care practice in Linwood Hall.

15 'Initially, I took responsibility for working  
16 directly with the care team, with the teaching staff  
17 being supported in adapting to the new ethos by SNR [REDACTED]  
18 SNR [REDACTED] and SNR [REDACTED], both groups of senior  
19 managers reported to me each Friday. The SNR [REDACTED]  
20 SNR [REDACTED] reporting on teaching staff progress regarding  
21 the mentoring role and new curricular developments,  
22 ie key progress, and any other emerging issues,  
23 concerns, recommendations and staff suggestions as to  
24 improvements in practice enabling the requisite action  
25 to be taken.

1           'SNR [REDACTED] provided an update on house  
2 matters, key working personal support plan development  
3 and ongoing staff training initiatives.

4           'With the agreement of the Education Department, the  
5 return of a third qualified SNR [REDACTED] to the  
6 care team enabled a house structure to be put in place.  
7 This development replaced the original more impersonal  
8 block school structure where the young person had  
9 restricted privacy and a more limited sense of dignity  
10 in their living accommodation. The introduction of  
11 a key worker role also enabled care staff to work more  
12 effectively with individual youngsters on personal  
13 support plans, record their progress and represent their  
14 interests at case reviews.

15           'With the support from Education Department  
16 officials, I was able to undertake the planning of  
17 a five year whole school developmental programme  
18 designed to promote the implementation of an educative  
19 community initiative and obtain 'Centre for excellence'  
20 status. A development that was monitored informally by  
21 a special education adviser.

22           'With my reading for an MBA in Human Resource  
23 Management, I already had developed a good understanding  
24 of recruitment policy and practice.

25           'Consequently, for the appointment of new care

1 staff, the management team was now able to check that  
2 applicants had appropriate qualification or previous  
3 relevant experience. With regards to teaching posts,  
4 the management team already knew that applicants had  
5 been registered by the General Teaching Council as  
6 qualified, while their references illustrated their  
7 relevant experience.

8 'However, decisions regarding the subsequent  
9 appointment of senior managers to Linwood Hall school  
10 were made directly by Fife Education Department council  
11 and politicians. I had no say in who was appointed as  
12 SNR [REDACTED] and SNR [REDACTED], when the first  
13 one retired and the other one moved on to a promoted  
14 post in another setting. Not a good situation when  
15 a headteacher needs to work hand in glove with his  
16 management team.

17 'No volunteers were involved in Linwood Hall school,  
18 but students from teaching and social work courses were  
19 encouraged to undertake their practice placement in the  
20 setting with vetting provided by the placement  
21 organisation. References were always picked up by the  
22 depute headteacher who had responsibility for ensure  
23 this was done. The depute headteacher also made sure  
24 that all referees were spoken to prior to selection for  
25 interview and provided feedback to all applicants on



1 interview performance.

2 'Initially I was heavily involved in staff training  
3 and subsequently in promoting personal and professional  
4 development of staff.

5 'With the agreement of the line manager, I became  
6 involved in staff training from before taking up post,  
7 running a full day programme on organisational stress  
8 management to obtain a staff perspective on issues  
9 facing young people and the staff that needed to be  
10 addressed. These topics formed the basis for the  
11 subsequent initial staff training activities undertaken  
12 on taking up post.

13 'For teaching staff, with my contacts in special  
14 education, I was able to arrange for well-known speakers  
15 to deliver presentations on identified concerns until  
16 a staff training committee comprising the principal  
17 teacher, care staff, development co-ordinator and head  
18 was appointed to take on this function.

19 'I was also able to ensure the Local Authority staff  
20 development courses were accessible to teaching staff,  
21 while specific sessions were provided by staff tutors as  
22 requested to ensure individual teachers remained  
23 familiar with current educational developments.  
24 Subsequently, the principal teacher was given  
25 responsibility for developing the training programme for

1 the teaching group.

2 'With regard to the care staff, there was  
3 a significant lack of qualified staff. This issue meant  
4 that initial planned changes could not be implemented  
5 until a qualified member of staff had returned from her  
6 social work qualification course, as no replacement had  
7 been put in place to cover her secondment. This  
8 difficulty unfortunately slowed the planned pace of  
9 change required to ensure that care staff were  
10 adequately trained, supervised and supported.

11 'An initial in house care staff training programme  
12 in booklet form was provided by myself for existing care  
13 staff on the role of houseparents and key working.  
14 Subsequently with a full care management team in post,  
15 it also became possible to give each senior house parent  
16 an area of professional responsibility, namely: "Care  
17 staff development co-ordinator; designated child  
18 protection manager, social work liaison officer".

19 'The care staff development coordinator took  
20 responsibility for training the care team with support  
21 from myself and other promoted colleagues, as required.  
22 The Education Department funded a sampling range of  
23 non-care related activities for individual care staff  
24 members from the school's education budget.

25 'Throughout my time as head of Linwood Hall school,

1       there was a continuing shortage of care staff, with  
2       little recognition by the Education Department of the  
3       need to upgrade their number, training and status to  
4       meet the needs of the changing nature of the young  
5       people being admitted to the setting.

6       'To ensure that staff felt supported during the  
7       changeover of approaches, I was heavily involved in both  
8       supervision and training.

9       'With Education Department agreement, I was involved  
10      in setting up each of the following components in  
11      Linwood Hall school: monthly supervision was offered by  
12      myself to senior members who in turn offered supervision  
13      to care and teaching staff. Monthly supervision was  
14      also provided for myself by the visiting Consultant  
15      Adolescent Psychiatrist regarding psychological support  
16      provided for specific youngsters. A formal annual  
17      appraisal system was set up with myself offering all  
18      staff an opportunity to discuss mutual accountability  
19      while receiving in turn supervision and annual appraisal  
20      by my line manager each term. In addition after  
21      discussion with the line manager and principal  
22      psychologist, it was agreed that an external evaluation  
23      of Linwood Hall school's effectiveness in meeting its  
24      stated aim and goals would be conducted by the  
25      psychological service. A senior psychologist would

1 undertake a baseline and summative evaluation to provide  
2 an independent account for education and care outcomes.  
3 This overall evaluation would provide an assessment of  
4 the effectiveness of the changes made by Linwood Hall  
5 school as perceived by young people. Staff, external  
6 professionals and parental ratings of positive changes  
7 made; an ongoing school based evaluation conducted by  
8 the headteacher throughout his term of employment. No  
9 volunteers were involved in the school.

10 'Initially the young people place in Linwood Hall  
11 school were referred there by the regional psychological  
12 service, a process that operated very effectively during  
13 the first three years of the school's five-year  
14 developmental plan when the young people came on  
15 a voluntary basis. Subsequently its role became more of  
16 a gatekeeper regarding access to the school. However,  
17 as the psychological service had publicly stated that  
18 they did not see the need for residential education,  
19 this became a source of continuing concern as  
20 increasingly the young people referred to the school  
21 were not the group for whom Linwood Hall had originally  
22 been designed.

23 'Instead the population changed from vulnerable  
24 abused young people with a range of special education  
25 needs, associated learning disabilities and social,

1 emotional and behavioural issues who could benefit from  
2 involvement in such a therapeutic community to  
3 an increasingly challenging and delinquent group.

4 'As a result staff were regularly faced by older  
5 youngsters with no identification with the school, who  
6 resented the compulsory placement order on which they  
7 had been placed in the setting and from whom staff felt  
8 inadequately trained to meet their needs. A situation  
9 which generated increasing staff stress, absence and  
10 related mental health issues regarding the future of the  
11 school and their own security as well as the increased  
12 anxiety in the original group of young people in the  
13 school.

14 'Initial assessment was carried out by the case  
15 psychologist who referred the young person to the school  
16 together with the requisite background paperwork and  
17 recommendations. An initial case conference was then  
18 held in Linwood Hall, involving the psychologist, young  
19 person, parents and other agencies chaired by myself, at  
20 which it was determined whether the placement was  
21 appropriate.

22 The outcomes of the case conference and information  
23 provided by the psychologist, social work, school, young  
24 people and parents were then used by mentors to develop  
25 individual educational programmes for use in the

1 lessons.

2 The key workers similarly developed appropriate  
3 personal support plans with which to provide each young  
4 person with the personal and social activities required  
5 to prepare him/her for eventual reintegration to home,  
6 school and community. Further advice on the design and  
7 development of each programme was available for both  
8 groups from myself in my psychological capacity.

9 'Initially the length of placement was reasonably  
10 short (15 months), with much of that time spent on daily  
11 attendance once the young person had proved  
12 himself/herself ready to return home. However, as the  
13 population changed a lengthier residential placement was  
14 increasingly required (20 months), since many of this  
15 new group did not want to re-integrate to school, nor  
16 did the schools want them returned.

17 'With regard to the number of placements initially  
18 at Linwood School worked with up to 24 young people who  
19 had agreed to attend the school voluntarily. On my  
20 arrival, this comprised 11 males and five females which  
21 made providing each young person with appropriate  
22 learning, care and therapeutic support easier to manage.

23 'However, gradually the school population increased  
24 to over 40 as the council found the cost of external  
25 placements in other settings too expensive and pulled

1 the young people back to use existing Fife resources.  
2 This number also included young people who had moved on  
3 to a daily basis, those on a phased reintegration, plus  
4 young people being educated in the Linwood support  
5 centre.

6 Mentors worked with a maximum of six pupils which  
7 enabled IEP structure to be implemented in each case.  
8 In contrast care staff worked in a house team of one  
9 senior house parent and three members of care staff  
10 supporting each house group of a maximum of eight young  
11 people. The introduction of a key worker role within  
12 the care team enabled a personal support plan for each  
13 young person to be developed, monitored and assessed by  
14 team seniors, before presenting at case reviews.

15 Linwood Hall school had its own cook and kitchen  
16 staff who provided excellent meals for the young people  
17 and were very accommodating in providing specific meals  
18 for young people with a range of allergies and specific  
19 needs. As part of the vocational programme, some older  
20 youngsters chose to work in the school's walled garden  
21 and greenhouses with a qualified gardener growing a  
22 range of fresh fruits and vegetables for use in the  
23 preparation of meals.

24 'Initially sleeping accommodation in the school was  
25 provided within three units in the main school building.

1        These offered little provision for privacy and dignity  
2        for each young person as the groups shared large rooms  
3        in groups of four. After discussion with line manager  
4        regarding changes in sleeping arrangements, the main  
5        building was adapted to provide two house units: one for  
6        the younger boys and the other for the more mature  
7        group. Both groups of males slept in their own  
8        structured personal areas created by installing  
9        specifically designed furniture placement within larger  
10       rooms in the main building to provide as much privacy as  
11       possible, paid for through external placement funding.

12       The females lived in the former school house where  
13       it was possible to have their own room and greater  
14       privacy.

15       As required by Education Department guidelines,  
16       wherever possible, additional showers and toilets were  
17       provided in each house unit which enabled youngsters to  
18       use these in greater privacy. Residential placements in  
19       Linwood Hall school was for the first three years  
20       initially on a five day per week basis. This  
21       arrangement was kept as short as possible to allow young  
22       people to move on to a planned reintegration to home,  
23       school and community as soon as they had demonstrated  
24       the relevant personal and social development and  
25       behavioural self-management. While in the school, each



1 young person was encouraged to use his/her leisure time  
2 as profitably as possible, taking part in the range of  
3 activities on offer.

4 'However as the population changed, the level of  
5 residential involvement increased with the time spent  
6 residentially in Linwood Hall by an older group lasting  
7 longer before they began a planned reintegration process  
8 to home, college and the world of work. So a more  
9 structured use of leisure time was required to encourage  
10 their participation in the range of leisure activities  
11 on offer.

12 'A wide range of risk assessed leisure activities  
13 was offered during evenings and weekends. These enabled  
14 the young people to participate in formal activities  
15 like the Duke of Edinburgh Award or more informal ones  
16 such as canoeing, hill walking and gym activities. They  
17 were also given the opportunity to develop areas of  
18 personal interest such as photography, art, chess and  
19 reading.

20 'Additionally opportunities were provided for  
21 youngsters to use local swimming and gym facilities with  
22 support staff while others were encouraged when ready to  
23 take part in local groups (Scouts, Sea Cadets) in  
24 preparation for reintegration to home and community.  
25 Celebration of achievement was a significant part of the

1 affirmation process for all young people, for example,  
2 the UK Olympic Athletics presenting the Duke of  
3 Edinburgh certificates to each young person who had  
4 completed the award requirements.

5 'With the agreement of the Education Department,  
6 a range of organised trips also was provided varying  
7 from educational visits to outdoor activities and annual  
8 camps. In addition, one group of ten Linwood Hall  
9 youngsters had the opportunity to participate in a  
10 student exchange visiting and living in the Chekhov  
11 School in Moscow for 10 days.

12 'Full details of the school and planned visit  
13 itinerary have been obtained from the school and  
14 educational officials prior to the trip. The following  
15 year, 10 girls from Chekhov School spent ten days living  
16 in Linwood Hall with funding raised by the school from  
17 sponsorships by local businesses and community groups as  
18 the Education Department could not fund it from existing  
19 budgets.

20 'This experience proved mutually beneficial for both  
21 groups. The Linwood group gained some insight into the  
22 restrictions and freedom experienced by girls in the  
23 Russian setting, while the Chekhov students indicated  
24 they would undertake such an exchange on a permanent  
25 basis if it were possible. In addition to support staff

1        accompanying the Chekhov girls were the Headteacher and  
2        Director of Education for Moscow and the Deputy Director  
3        of Education for St Petersburg. Both of these officials  
4        indicated to Education Department managers how much they  
5        appreciated being given the chance to see a school  
6        operating at the cutting edge of residential education  
7        provisions. No informal trips were allowed, each had to  
8        be planned in terms of risk assessments and implications  
9        for medication, meals and toileting issues, to ensure it  
10       met Education Department requirements. No staff member  
11       was allowed to take individual young people out on their  
12       own to participate in organised activities, whether  
13       outdoors or in their own homes.

14       'No volunteers were involved although students from  
15       a variety of university and college courses participated  
16       fully in the work supervised by staff in the relevant  
17       university and college.

18       'As specified by the Education Department, Linwood  
19       Hall youngsters participated fully in the five day  
20       educational programme. This programme covered the main  
21       components of the secondary school curriculum to promote  
22       reintegration with a learning support specialist on the  
23       staff available to help meet the range of learning  
24       difficulties and disabilities experienced by many of the  
25       young people in the school. In addition several

1 teachers had completed an additional diploma in special  
2 education qualification to enable them to work more  
3 effectively with children and young people with a range  
4 of additional support needs.

5 A school doctor made regular visits to the school to  
6 advise on appropriate medication and treatment. The  
7 three senior care staff were trained and accredited to  
8 manage and administer any medication for the young  
9 people in their houses while the school had a named  
10 first aider to deal with minor medical issues during the  
11 day.

12 'Linwood Hall school also had a visiting Consultant  
13 Adolescent Psychiatrist who advised on issues such as  
14 abuse and specific emotional issues and also provided  
15 formal monthly supervision for the Head.

16 'The young people were involved in maintaining their  
17 own personal living area while resident, but all  
18 cleaning was undertaken by the school's team of school  
19 cleaners. However, as part of their vocational  
20 training, older youngsters were expected to participate in  
21 horticulture, landscaping, joinery, catering, and sport  
22 and leisure activities in preparation for transition to  
23 college or relevant work experience.

24 'On the advice of the case psychologists, and social  
25 worker, family and parental presence were encouraged at

1 the appropriate stage of a young person placement.  
2 Although placement in number Linwood Hall was on  
3 a volunteer basis, initially parents were unable to take  
4 the young person out of the school until such an action  
5 had been cleared at the initial case review. Case  
6 psychologist, social workers and school psychiatrists  
7 did see young people individually on a planned basis  
8 with feedback given to appropriate staff afterwards and  
9 general reports provided when relevant, which were held  
10 in the case files. The professionals' own notes were  
11 held by themselves with discussion of more private  
12 outcomes held with myself as appropriate.

13 'The three monthly case reviews were the forum where  
14 decisions on reintegration were taken and the timing of  
15 reintegration determined.

16 'A summative case review was held prior to placement  
17 completion to plan the best form of supported  
18 reintegration for each young person.

19 'Continuing support for the young person during the  
20 reintegration process was provided by his/her key  
21 worker, whether in the home, community or school, as  
22 appropriate and by staff in the Linwood support centre.

23 'I was initially required by the Education  
24 Department to live in the school house provided on the  
25 school grounds. However, to allow for a third house

1 unit to be made available for girls, it was agreed that  
2 I could move off campus to an easily drivable distance  
3 from the school, with on call duties shared.

4 'No other staff member lived on the school grounds,  
5 with the on duty manager being the only one in contact  
6 with both staff and young people overnight.

7 'Access to the young people's residential areas was  
8 restricted to only on duty house staff and if required  
9 the on duty manager. A member of the house team covered  
10 each house overnight with a duty manager on call to  
11 support staff with any concerns.

12 Using the guidelines provided by the Education  
13 Department, initially my preferred approach to  
14 discipline and punishment was to review the  
15 situation once the crisis had been reduced rather than  
16 provide a crisis escalation.

17 'Conflict resolution and conflict mediation was my  
18 preferred strategy, within which issues could be  
19 resolved more easily following the initial use of a time  
20 out for the young person concerned. During the time out  
21 the young person was supported by a key worker or  
22 manager to help reduce the recovery period and enable  
23 the young person to be ready for the subsequent conflict  
24 mediation session.

25 I have been never been in favour of corporal

1 punishment nor used it with young people to establish  
2 discipline. Following Education Department policy, no  
3 corporal punishment was ever administered in Linwood  
4 Hall in my time which myself, young people and staff  
5 agreed was a most effective strategy.

6 'Deprivation of privilege was usually found to be  
7 the most effective form of punishment, together with  
8 rewards for appropriate performance.

9 'The established policy ensured that no staff member  
10 could use corporal punishment at any time.

11 'Using the guidelines provided by the Education  
12 Department, an agreed set of rules as to appropriate  
13 acceptable behaviour was discussed with all staff and  
14 young people, which was then applied in the event of  
15 an incident taking place which broke these rules. For  
16 most situations of defiance, challenging behaviour and  
17 refusal to participate in lessons or activities, a range  
18 of sanctions and rewards was sufficient to promote  
19 appropriate behaviour. No senior youngster was involved  
20 in the disciplinary process, although group disapproval  
21 proved an effective strategy. The types of behaviour  
22 likely to lead to deprivation of privilege included  
23 challenging behaviour, verbal abuse of staff, refusal to  
24 undertake or complete appropriate work and leaving the  
25 class or house unit without permission.

1           Discipline was administered for the exhibition of  
2           such behaviour with the appropriate setting as far as  
3           possible, where the behaviour was extreme, either  
4           removal from the classroom or group setting or removal  
5           of the group from the setting was the strategy adopted.

6           'On the education side of things, the principal  
7           teacher was responsible for discipline with the deputy  
8           head available for back up if required on any required  
9           action. On the care side, the senior house parent had  
10          the responsibility for advising on and implementing any  
11          required discipline in the house unit with the duty  
12          manager available for support for staff and young person  
13          as required.

14          'Action usually took the form of the young person  
15          accounting for his/her behaviour, followed by a decision  
16          on an appropriate sanction by the appropriate manager,  
17          with an apology given if merited to the staff member  
18          involved.

19          No staff physical punishment or discipline was  
20          acceptable with the staff member disciplined  
21          subsequently if the action was substantiated. Time outs  
22          were utilised when appropriate, but only for long enough  
23          to allow a manager/key worker to help the young person  
24          stabilise sufficiently for a subsequent conflict  
25          resolution/conflict mediation session to be implemented.



1           'A record of discipline was maintained by the deputy  
2 headteacher for significant decisions requiring further  
3 action, such as suspension. This specified the date,  
4 behaviour exhibited and the action taken. However,  
5 incidents requiring such extreme action were very rare  
6 and were seen as a failure by the school rather than by  
7 the young person.

8           'Unfortunately as required by the Education  
9 Department because of growing council financial  
10 pressures over time the population referred by the  
11 psychology department to the school became increasingly  
12 more challenging, aggressive and threatening. As  
13 a result, different behavioural management policies and  
14 strategies became necessary to restrain young people who  
15 were exhibiting highly aggressive and physically  
16 challenging behaviour.

17           'With the agreement of the Education Department,  
18 specific staff members including myself were fully  
19 trained in the use of therapeutic crisis intervention  
20 for utilising in the event of a young person requiring  
21 to be restrained to prevent injury to him/herself and  
22 other young people and staff.

23           'The initial training was delivered by registered  
24 TCI trainers with regular follow-up sessions each term  
25 to ensure maintenance of techniques and standards plus

1 an annual reassessment of staff competence to retain the  
2 requisite qualifying criteria. Payment for this  
3 training was paid for out of income generated from  
4 external placements.

5 Restraint was carried out as safely for as short  
6 a time as possible, preferably using a standing  
7 restraint before the young person involved was allowed  
8 a cooling-off period supported by a member of staff  
9 prior to the conflict resolution/conflict mediation  
10 strategy with myself.

11 'No medication was administered as a means of  
12 restraining or sedating a young person. Although  
13 qualified to use TCI, I was not directly involved in  
14 restraint. My function and that of the deputy head was  
15 to operate the subsequent conflict resolution/mediation  
16 process and record any details in the school's record of  
17 discipline. The school's policies and practices  
18 requiring restraint followed exact TCI specifications  
19 with the trained staff becoming more skilled and  
20 confident about preventing physical aggression resulting  
21 in fewer restraints being required. In addition, the  
22 young people quickly accepted that the violence against  
23 other youngsters or staff would invariably result in  
24 intervention of staff trained to manage such behaviour  
25 which both youngsters and staff agreed was necessary.

1           'As a result, at no time did I ever witness the  
2           excessive use of force, rather, what I saw was a  
3           well-trained competent staff carrying out only the level  
4           of restraint required to bring a challenging situation  
5           under control.

6           'As required by the Education Department, all  
7           instances of restraint were recorded by the deputy head  
8           teacher as part of Linwood Hall school's record of  
9           discipline.

10          'In my time as headteacher, initially I was unaware  
11          that Linwood Hall school was the subject of concern  
12          regarding the treatment of its young people as I was  
13          emersed in trying to ensure that the young  
14          person-centred treatment provided was as effective and  
15          supportive as could be.

16          'However although no concern was expressed directly  
17          to me about the way the children were treated in Linwood  
18          Hall, I was aware that the school was the focus of  
19          negative discussion by other agencies regarding what  
20          they perceived as the limited value of residential  
21          education and the increased benefits of community care.

22          'To help counter such negativity and illustrate the  
23          flexible support that could be provided by a residential  
24          school, with the agreement of the line manager,  
25          I approached the local high schools with a view to

1       setting up an off campus day support centre.

2       An initiative they were happy to support.

3               'This facility provided support for 10 pupils from  
4       local high schools who were finding it difficult to cope  
5       with mainstream education. It also provided two young  
6       people from Linwood Hall school with an opportunity to  
7       use this resource as part of their phased reintegration  
8       to local high schools. The parents of the two young  
9       people reaching this stage of planned reintegration were  
10      informed of this new facility at the summative case  
11      conferences and offered the opportunity to visit Linwood  
12      support centre before the planned reintegration process  
13      was implemented.

14             'The resulting visit gained parental support for  
15      this proposal, together with obtaining the high school  
16      rector's recognition of the effectiveness of Linwood  
17      Hall school's curriculum and practice in preparing its  
18      young people for reintegration.

19             'The reintegration process for each young person did  
20      prove difficult but with parental support and knowing  
21      staff in the support centre to share their concerns  
22      with, each of them returned to their high schools with  
23      continuing support from the support centre staff for  
24      reassurance.

25             'Initially, as Head of Linwood Hall School, I was

1 concerned with the educational programme with its lack  
2 of focus on the needs of the children, which remained on  
3 following the mainstream school curriculum in order to  
4 attain the aim of promoting reintegration. This was  
5 an understandable stance but this was unsuitable  
6 initially for the young people placed there given the  
7 extent of their special educational needs, learning  
8 disabilities and associated emotional, social and  
9 behavioural and learning issues.

10 'Instead, the structure of a new more personalised  
11 integrated curriculum in Linwood Hall was adopted  
12 through discussion with the teaching staff on the value  
13 of following a more person-centred supportive approach,  
14 focusing on the themes of myself, group memberships,  
15 home and family, independent travel, leisure and  
16 recreation, returning to school, going to college, work  
17 and independent living.

18 'These themes enabled the curriculum to reflect the  
19 developmental stage and level of progress reached by  
20 each young person better, while still working towards  
21 attaining the reintegration to school aim specified for  
22 the school by organising the traditional curricular  
23 areas into four cognate areas that better reflected the  
24 needs of the young person.

25 'Summarily I was concerned about the lack of care

1 support provided in the school which was  
2 under-resourced, understaffed and undervalued and so  
3 constantly sought support from my line manager to gain  
4 additional support for this area of the school's work  
5 with little effect. As a result, a range of Linwood  
6 Hall initiatives were introduced to make the care  
7 provisions more person-centred and supportive of the  
8 emotional and social needs of the young people.

9 'These developments included the setting up of  
10 a coherent care staff management structure, a house unit  
11 structure and a key worker system which facilitated the  
12 development of personal support plans for each young  
13 person.

14 'In consequence, I was confident by the end of the  
15 fourth year of the school's organisational development  
16 plan that the school was making steady progress in  
17 meeting the needs of its young people. It was also  
18 gaining increasing recognition as an educative  
19 community, centre of excellence and an effective  
20 Education Department resource. Developments which  
21 I foresaw progressing steadily over the next two years.

22 'However, I became increasingly aware during the  
23 fifth and sixth years of Linwood Hall school development  
24 of growing concerns expressed by staff regarding the  
25 changing nature of the young people admitted to the

1        setting. Also of their feelings that they were not  
2        being sufficiently protected by the Head for such  
3        placements. Something that I no longer had any  
4        influence over, as admission increasingly was now  
5        decided for many young people by the Education  
6        Department and Children's Panel system.

7        'I also recognised that despite the introduction of  
8        therapeutic crisis intervention support, the teaching  
9        staff in particular were experiencing significant  
10       challenges regarding classroom management and also  
11       continued to resent the change in their status towards  
12       equivalence with care staff. This was exacerbated by my  
13       decision to move the location of the teaching staff room  
14       into the main education building to provide additional  
15       support for teaching staff.

16       'This arrangement was undertaken to enable a Care  
17       Team Office to be established in the main building from  
18       which the growing numbers of care staff could operate  
19       during the day. As a result, the teaching staff sought  
20       union support to regain this office space and to seek  
21       additional support for their classroom management  
22       issues.

23       'The union representative met with the Deputy Head  
24       and myself to discuss this grievance and was unhappy  
25       that the school would not change the use of the office

1 space back to the teachers' staff room and took this  
2 complaint to the Director of Education. An education  
3 adviser subsequently visited the school on several  
4 occasions to observe the situation and to advise on this  
5 decision.

6 'Her suggestion to the line manager was that the  
7 main office where all personal papers were kept, review  
8 meetings and interviews held, counselling and conflict  
9 mediation sessions carried out, visitors welcomed and  
10 visiting groups hosted, should be made available to the  
11 teaching staff with the headteacher being located to  
12 a smaller administrative office upstairs.

13 'My line manager dealt with the education adviser's  
14 report and made no recommendations for change as the  
15 suggestions advocated had been considered inappropriate  
16 in the circumstances.

17 'All staff rightly expressed further significant  
18 concern about the Linwood Hall School's future role,  
19 given how it was being seen by other agencies and  
20 officials and the changing nature of its population.  
21 They also were well aware that the school that is not  
22 being allocated the level of resource and staffing  
23 necessary to enable it to become a permanent, evolving  
24 part of the Council's development plan.

25 'As a result it became increasingly apparent to all



1 staff that Linwood Hall's existence was time-limited no  
2 matter how effective everyone had been in trying to  
3 support the new population they had been required to  
4 take responsibility for managing. They also were aware  
5 that a more "community-based" support model was being  
6 advocated outside the school, which negatively affected  
7 staff morale, absence and ill-health on an increasing  
8 basis.

9 'In consequence, the incidence of staff absence and  
10 ill-health increased during this time with both factors  
11 affecting the wellbeing of other staff members. A sad  
12 reflection on all of the effort and commitment made by  
13 Linwood Hall staff to introduce and develop a highly  
14 effective and unique approach to providing residential  
15 support.

16 'Unfortunately this ongoing issue was not resolved  
17 before the Head too became ill and was forced to retire  
18 on grounds of ill-health in 1994.

19 'Using the guidelines provided by the Education  
20 Department, a "Complaints Procedure" and "Record of  
21 Complaints" was put in place within Linwood Hall on  
22 which a young person or someone acting on his or her  
23 behalf could make a formal complaint.

24 'This procedure was rarely used following the  
25 introduction of Childline with the young people

1 preferring the novelty of this new medium to share any  
2 concerns with staff.

3 'As a result, no formal complaints were made  
4 directly to staff.

5 'To my knowledge, no formal complaint of abuse was  
6 received during my time as Head.

7 'Therefore, no formal complaints of abuse were  
8 recorded in the school's "Record of Complaints"  
9 maintained by the Deputy Headteacher.

10 'Linwood Hall school had access on a one day per  
11 week basis to a consultant adolescent psychiatrist who  
12 was a recognised expert on abuse and child protection.  
13 She was available for young people to speak to regarding  
14 any personal concerns and had access to the Head to  
15 report any significant issues that she felt the young  
16 people needed to have addressed.

17 'This level of professional support continued  
18 throughout my time in Linwood Hall.

19 'As far as I am aware, young people did raise  
20 concern with her regarding their feelings and anxieties  
21 but she did not refer them on to me as she was able to  
22 resolve these herself.

23 'No young person raised such concerns with me  
24 directly.

25 'However the consultant psychiatrist did recommend

1       that an ongoing staff development programme on abuse  
2       should be provided to ensure that all staff had a much  
3       better understanding of the issue and how abused young  
4       people could best be supported. Together with myself,  
5       she also provided advice and materials for the  
6       designated child protection manager as he developed the  
7       setting's abuse and child protection policies.

8       'In addition, she felt that the ethos and setting of  
9       Linwood Hall was highly suitable for the relocation of  
10      the Playfield House Adolescent Psychiatric Unit where  
11      she was based and together with myself presented  
12      a proposed four-year developmental plan to the Education  
13      Department to enable this development to occur.

14      'Since prior appointments were made for all visits  
15      to the school as part of its monitoring process, I was  
16      aware when inspectors, officials and other professionals  
17      were due to visit the school.

18      'Later when social workers were more involved in  
19      cases where young people were involved with the  
20      Children's Panel, drop-in visits took place when  
21      I was unaware of such a visit to ensure that no prior  
22      preparation had been undertaken for such visits.

23      'After an initial welcome meeting with myself,  
24      visitors were always offered the opportunity to meet the  
25      children in the form requested, whether individually or

1       in a group. Staff were usually present at these  
2       meetings but visitors could request a meeting with  
3       an individual young person or a group of young people  
4       from myself.

5       'They also had the opportunity to speak with me on  
6       both their observations and the results of their  
7       discussion with the young people.

8       'Predominantly, the focus of such feedback was on  
9       the observation of the safety and wellbeing of the young  
10      people as well as on observed school policies and  
11      practices.

12      'Concerns were raised initially regarding  
13      recruitment of care staff and training of these staff.  
14      As visitors quickly recognised that fewer of the  
15      existing care staff had been trained and that few  
16      qualified applicants were applying for such positions.

17      'No concerns initially were expressed about  
18      discipline and restraint until after the school  
19      population had changed, following which these became the  
20      main source of concern. As a result concerns regarding  
21      school governance increased as staff became increasingly  
22      concerned about their personal safety and the future of  
23      the school.

24      'The school had one informal visit by two HMI's  
25      during the second year of this school's development.

1       They saw around the school, met with care and teaching  
2       staff as well as a group of young people and  
3       subsequently held an informal discussion with myself on  
4       proposed developments. They noted that, in their  
5       opinion, what was being attempted at Linwood was a "tour  
6       de force" in residential school practice. They  
7       expressed no concern about the safety and welfare of the  
8       young people but commented on the need for recruitment  
9       of more care staff in particular.

10       'Visits by education officers and advisers took  
11       place on a regular basis to monitor organisational  
12       change and young people's progress. They were able to  
13       speak with children, relevant staff and school managers,  
14       listen to concerns, discuss any observations and make  
15       any relevant recommendations thought appropriate to  
16       myself.

17       'Initially the school had access to a consultant  
18       psychologist who spent one day a month in the school to  
19       observe practice, assess the effectiveness of the  
20       programmes provided by teaching and care staff advise on  
21       how the school's organisational development plan could  
22       be developed more effectively. A valuable support  
23       service subsequently withdrawn by the principal  
24       psychologist as the service's philosophy now favoured  
25       community care rather than residential support for young

1 people with additional support needs associated with  
2 social, emotional and behavioural difficulties.

3 'As a result the service provided was then  
4 restricted to case psychologists referring young people  
5 to the school and attending case reviews to monitor  
6 progress. However, the depute principal psychologist  
7 did carry out a baseline summative evaluation of the  
8 effectiveness of the school's five-year organisational  
9 development plan as a means of providing an independent  
10 evaluation to add to the school's ongoing assessment of  
11 developments made.

12 'The outcome of these studies illustrated that,  
13 predominantly, Linwood Hall School had proved effective  
14 in meeting the needs of the majority of young people  
15 referred to it and had promoted a better understanding  
16 of its function within the local community.

17 'As the school began to develop the care side of its  
18 service, access to social work support was sought  
19 initially through access to in-service training, with  
20 staff undertaking individual programmes such as child  
21 protection. Additionally, full-time training was  
22 provided for a member of staff who was undertaking a  
23 professional social work qualification.

24 'Increasingly, however, as the population changed at  
25 the latter stages of the school's development towards

1 the increased placement of a more challenging  
2 population, case social workers attended more case  
3 reviews and got a better understanding of what Linwood  
4 Hall was attempting to achieve. Unfortunately, they had  
5 little influence over changing the developing social  
6 work commitment to community care, which was  
7 subsequently to affect the future of the school.

8 'Using the Education Department's recommended  
9 guidelines, record keeping became a major source of data  
10 collation regarding the developments made by individual  
11 young people during their placement in Linwood Hall  
12 School.

13 'The information was gathered from initial referral  
14 documents, case reviews, staff and parental ratings of  
15 progress made by young people together with performance  
16 on internal assessments and external examinations as  
17 a further indicator of personal achievement.

18 'The collated information was used to shape Linwood  
19 Hall School's organisational development plan for the  
20 following year and support its request to the line  
21 manager for enhanced staffing and resources to take the  
22 setting to the next stage of evolution.

23 'This development was a substantial improvement on  
24 [precious] record keeping in the school which had  
25 focused predominantly on recording basic educational

1 performance and the behaviour of the young person.

2 I saw no record of incidents of abuse, ill treatment or  
3 staff inappropriate conduct in the previous  
4 documentation.

5 'In 1988, on my appointment to Linwood Hall School,  
6 abuse was only just becoming recognised as a major  
7 issue, leading subsequently to the publication of the  
8 1989 Children's Act one year later.

9 'As a result, the definition of abuse used in  
10 relation to the treatment of young people in Linwood  
11 School was initially that advocated by the school's  
12 consultant adolescent psychiatrist: She was a recognised  
13 expert on abuse and child protection and quickly became  
14 the staff adviser on abuse, helping them to understand  
15 that this behaviour involved more than just physical and  
16 sexual abuse, but also included emotional and social  
17 abuse as well as neglect.

18 'Her definition, which stated that: "Abuse involves  
19 the physical, emotional, sexual and exploitation of  
20 young people by adults in a position of trust," really  
21 resonated with staff, who fully took that concept on  
22 board.

23 'I did not witness any abuse of any kind taking  
24 place in Linwood Hall during this period.

25 'No child ever reported abuse to me during my time



1 in the school.

2 'I feel confident that no young person was abused or  
3 ill-treated at Linwood Hall during this time, given the  
4 level of input and guidance provided for and by staff.

5 'I believe that the focus on abuse and child  
6 protection delivered through the initial staff  
7 development programme and documentation produced by the  
8 designated child protection manager proved effective in  
9 reducing the occurrence of abuse.

10 'However, it is possible that abuse could have been  
11 taken place in Linwood Hall during my time there and  
12 gone undetected, despite all the precautions and  
13 continuing training put in place for established and new  
14 staff members.

15 'This definition of abuse was used to help Linwood  
16 Hall to develop a coherent child protection policy and  
17 to implement an appropriate ongoing staff development  
18 programme designed to heighten staff awareness of the  
19 issues relating to abuse and child protection. It also  
20 ensured that all staff were given consistent sound  
21 advice and guidance by managers, consultants and myself  
22 as to how the young people should be protected from  
23 abuse and how to help them handle it.

24 'Under my direction, a senior houseparent was named  
25 designated child protection manager and given the

1 responsibility for the implementation of this strategy.  
2 Together with the care staff development co-ordinator,  
3 he was also responsible for setting up both an ongoing  
4 staff development programme for existing staff and  
5 a staff induction programme for all staff newly  
6 appointed to Linwood Hall School.

7 Following participation in a course on child  
8 protection run by the Council social work department,  
9 the new manager was given direction by myself to develop  
10 a specific child protection training programme based on  
11 the guidelines provided during his own training and the  
12 advice provided by the Consultant Psychiatrist and  
13 myself. This programme was updated regularly for all  
14 staff to ensure that their skills and expertise remained  
15 current and that they felt able to deal with such  
16 situations autonomously, following the specified  
17 procedures.

18 'Some of the materials provided by the consultant  
19 psychiatrist and myself were incorporated into the child  
20 protection programme developed by the child protection  
21 manager. These included guidelines on: symptoms of  
22 child abuse; supporting abused young people; recording  
23 and reporting abuse; action to be taken if abuse  
24 observed; and who to contact in the event of such an  
25 incident. Awareness of such arrangements helped the

1 staff feel more confident about preventing as much as  
2 possible the occurrence of abuse, ill-treatment and  
3 inappropriate conduct by staff.

4 'With the use of social work guidelines and the  
5 further help from the consultant and myself, the  
6 designated child protection manager further outlined  
7 Linwood Hall School's structure for dealing with  
8 internal allegations. He also evolved with the social  
9 work liaison co-ordinator a reporting procedure to link  
10 with the other external agencies involved in recording  
11 and investigating the impact of such an incident,  
12 together with clarifying the communication system with  
13 other agencies activated by such a report.

14 'As a result, the effectiveness of these social work  
15 guidelines and the process of training and provision of  
16 clear policies and practices ensured the development of  
17 a staff whose awareness of the needs of the youngsters  
18 had been heightened. Consequently, during this time  
19 I feel that the arrangements put in place proved  
20 effective and that I cannot recall any young person or  
21 staff member ever reporting to me directly an experience  
22 of abuse.

23 'Looking back, given that the staff member had been  
24 aware of previous abuse by former staff members of which  
25 I knew nothing on appointment, not having been informed

1 of this situation by the Education Department, their new  
2 heightened awareness of abuse meant that it was unlikely  
3 that young people would be exploited during this time.  
4 However, I believe that the designated child protection  
5 manager, consultant psychiatrist, staff and myself had  
6 done their best to set up a robust child protection  
7 system which could ensure that such an incident would  
8 not reoccur.

9 'I have never been the subject of an allegation of  
10 abuse or ill-treatment of children and young people.

11 'I was never involved in the investigation into  
12 abuse allegations during my time as Head of Linwood Hall  
13 School.

14 'I was never made aware of a complaint of abuse or  
15 ill-treatment of young people by a member of staff, so  
16 there was no reason to make a report to the police.

17 'There were no occurrences of alleged abuse while  
18 I was head of Linwood Hall School. As such no  
19 references were ever given to a person subject to  
20 a child protection concern.

21 'No member of staff resigned because they were the  
22 subject of a complaint or an investigation into abuse  
23 while I was Head of Linwood Hall School.

24 'I was not involved in any other investigation.

25 'To my recall, no reference was given for any staff

1       who was the subject of a child protection concern.

2       'I have never been involved in the handling of  
3       reports to Linwood Hall School by former residents.

4       'I was never involved in the handling of civil  
5       claims made against Linwood Hall School.

6       'During my time at Linwood Hall School, I was  
7       unaware of any police investigations into alleged abuse.

8       'I subsequently became aware once the case was in  
9       the public domain that David Murphy had been convicted  
10      of child abuse in 2001.

11      'I met with David as part of a group of houseparents  
12      during an induction programme I ran following my  
13      appointment to Linwood Hall School. Subsequent  
14      interaction with David Murphy took the form of  
15      monitoring the evening groups he ran prior to his  
16      resignation. During these activities he gave no  
17      evidence of any inappropriate behaviour.

18      'Throughout the three-month period, he did nothing  
19      to stand out or give cause for concern.

20      'I don't know how this person was recruited to  
21      Linwood Hall School. I cannot recall which care  
22      qualifications he had gained. I believe that he had had  
23      training in a previous setting. He was subject to  
24      regular monitoring by the Deputy Head. I was unaware of  
25      any previous allegations of abuse.

1           'I do recall David Murphy. He was a housemaster and  
2           a member of care staff at the school when I started in  
3           1988, but he left after three months. I would say he  
4           was around 65 at the time. I actually remember very  
5           little about him. I didn't know him well but would say  
6           he was quiet and non-intrusive.

7           'I did see David with children in the school and  
8           would say he was a competent worker. I didn't see him  
9           discipline children. I didn't see nor hear of him  
10          abusing children.

11          'I only heard that David Murphy had abused children  
12          after he was sentenced in 2001. I am aware he was found  
13          guilty of sexually abusing a number of children in  
14          a previous setting and at Linwood Hall before I took up  
15          post.

16          'I recall KNF [REDACTED] at the school. He was there  
17          when I started in 1988 and was there for the following  
18          six months before I left. I would say he was around 40  
19          years old at the time, he was a house parent, a member  
20          of care staff.

21          'I did see him with children and would say he was  
22          competent, but showed little commitment. I did not see  
23          him discipline children. I did not see or hear of him  
24          abusing children.

25          'I recall KNG [REDACTED]. Our time at the school

1       coincided between 1988 and 1991. [KNG] would have been  
2       in his 40s and was [SNR] and member of the  
3       [SNR]. I remember him being a very  
4       competent science teacher and talented musician. He was  
5       conscientious and hardworking. I only knew him  
6       professionally and would say he interacted with the  
7       young people with great rapport.

8       'I didn't see him discipline children, I did not see  
9       nor hear of him abusing children. I recall [KZZ]  
10      [KZZ]. Our time at the school overlapped between  
11      1988 and 1991. [KZZ] was in his late 50s and was [SNR]  
12      [SNR] of the school of the school and a member of  
13      [SNR]. He was very competent but  
14      he was not committed to the job.

15      'I saw him with children and would say he was  
16      jocular and amusing but able to control a situation when  
17      required. I did not see nor hear of him abusing  
18      children.

19      'I recall [HTZ], our times coincided in the  
20      school between 1988 and 1994. [HTZ] would have been in  
21      his 40s and was a technical teacher and a member of the  
22      teaching team. I would say he was well liked by  
23      children and staff and was always willing to go the  
24      extra mile for young people.

25      'I didn't know him well, only at a professional

1 level. I did see him with the children and would  
2 describe him as very competent and encouraging. I did  
3 not see nor hear of him disciplining or abusing  
4 children.

5 'I only met LUT [REDACTED] once. Our time did not  
6 overlap as he was SNR [REDACTED]. I would say  
7 he was in his 60s when I met him. I remember very  
8 little about him, but I would say he was very forceful  
9 and pushy.

10 'I didn't see him with the children. I didn't see  
11 nor hear of him abusing children.

12 'I recall Thomas George. Our school at the time  
13 overlapped between 1988 and 1994. Thomas would have  
14 been in his 60s back then and he was a gardener and a  
15 member of the ancillary staff.

16 'I remember having to formally warn Thomas for  
17 selling garden produce locally and keeping the income  
18 rather than sourcing the school kitchen. I didn't know  
19 him well but would say he only did what he needed to do  
20 and no more.

21 'I did see him with the children and would describe  
22 him as directive and strict. I didn't see him  
23 discipline children and did not see nor hear of him  
24 abusing children.

25 I recall GLQ [REDACTED], our time at the school



1 overlapped between 1990 and 1994. He was in his 40s and  
2 was a physical education teacher and a member of the  
3 teaching team. I remember he was good with the young  
4 people and with greater commitment in my opinion he  
5 could have been really special with the right effort.

6 'I didn't know him well but would say he was very  
7 amusing and used his sense of humour to build  
8 relationships with both colleagues and young people.

9 'I saw him with the children and would say he was  
10 well organised and a good motivator. I did not see him  
11 discipline children nor did I see or hear of him abusing  
12 children.

13 'I recall GLT [REDACTED]. Our time at the school  
14 overlapped between 1991 and 1994. He was in the late  
15 40s when he became a SNR [REDACTED] and a member  
16 of SNR [REDACTED]. I remember him as being  
17 very experienced, highly motivated and hardworking. I  
18 knew him well and would describe him as reliable and  
19 dependable.

20 'I saw him with the children. He had a real rapport  
21 with young people, so experienced very little  
22 difficulties in motivating them.

23 'I did see him discipline children and he did so  
24 directly and openly with every instant fully recorded.  
25 I did not see or hear of him abusing children.

1           'I recall KNH [REDACTED]. Our time at the school  
2 overlapped between 1988 and 1991. At that time he was  
3 in his 40s and was SNR [REDACTED] and SNR [REDACTED] the  
4 care team. I didn't know him well but would say he was  
5 an excellent member of staff. Quiet and steady and  
6 a committed team member.

7           'I did see him with children and would describe him  
8 as quietly motivational, getting the most out of young  
9 people. I saw him discipline children and would say  
10 that he firmly issued clear guidance and outlined  
11 consequences. I did not see nor hear of him abusing  
12 children.

13           'I recall KZP [REDACTED]. Our time at the school  
14 coincided between 1988 and 1994. He would have been in  
15 his 40s and was SNR [REDACTED] and SNR [REDACTED] the  
16 care team. I didn't know him well but would say he was  
17 very conscientious and hardworking and committed to  
18 fulfilling his job.

19           'I saw him with the children and would say he was  
20 very competent and well organised so that the young  
21 people knew exactly where they were with him. I also  
22 saw him disciplining children. He provided clear  
23 guidelines regarding expectations and consequences so  
24 that the young people knew exactly what was expected of  
25 them. I did not see or hear of him abusing children.

1 'I do not recall a GLU [REDACTED].

2 'I do not recall a HPH [REDACTED].

3 'I do not recall a GLS [REDACTED].

4 'I resigned from my position as headteacher on the  
5 grounds of ill-health and with much sadness and  
6 considerable regret, left Linwood Hall School in 1994.

7 'I did not need references from my time at Linwood  
8 Hall School as I subsequently set up my own part-time  
9 professional psychological practice - "Redcroft  
10 Psychological Consultancy". In due course I sought  
11 part-time employment as an educational psychologist,  
12 using references by local professionals familiar with  
13 psychological practice.

14 "With regard to the situation at Linwood Hall  
15 School, all incidents of abuse took place prior to my  
16 appointment. I now know that such abuse did take place  
17 by David Murphy in a previous children's home, as well  
18 as the previous regime within Linwood Hall. However,  
19 I was never informed of this situation by the Education  
20 Department prior to appointment, nor during my time in  
21 Linwood Hall.

22 'Having worked with many traumatised adults as a  
23 psychologist, I can well understand how such abusive  
24 experiences in early adolescence can result in victims  
25 continuing to have a lasting impact throughout their

1 lives, until they can obtain closure by seeing their  
2 abuser punished, which was achieved in the case of David  
3 Murphy.

4 'In my opinion, the lessons to be learned from  
5 Linwood Hall experience are that, at a personal level,  
6 people put into such a position of trust as  
7 a headteacher need to be fully screened before  
8 appointment. They also need to be fully monitored in  
9 terms of their accountability for the management and  
10 support of vulnerable young people placed in their care  
11 though their time in their office.

12 At an organisational level, the Linwood Hall  
13 experience also illustrates that for the experience to  
14 prove effective in preventing the issues of abuse with  
15 young people, it is essential for such a setting to  
16 have:

17 'Clear policies on everything likely to affect  
18 interaction with the young people and which can protect  
19 their person and interests; fully trained staff  
20 experienced in supporting young people who have been  
21 abused; managers trained in supporting both young people  
22 and staff regarding their ongoing residential  
23 experience; professional support available for both  
24 young people and staff from professionals with expertise  
25 in working with young people who have been abused;

1 opportunities for professional support being available  
2 for young people when required; ongoing staff guidance  
3 to ensure their awareness of the causes of abuse and how  
4 young people can best be supported; effective record  
5 keeping to ensure that any instance of abuse is fully  
6 reported, recorded and actioned; an established support  
7 network of all appropriate agencies and officials is  
8 imperative so that staff needly know who and how to  
9 access the approach resource.

10 'However, based on my personal experience at Linwood  
11 Hall School, I would say that the most important factor  
12 is that an individual appointed to a senior management  
13 position should be fully informed prior to taking up the  
14 post of any person on this staff complement who has been  
15 suspected or found guilty of abuse, so that the  
16 requisite action can be taken.'

17 John Tollan then says:

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

21 He has signed the statement and it is dated  
22 17 June 2025.

23 LADY SMITH: Thank you very much.

24 Before we rise for the lunch break, some names that  
25 we have used in that reading of a statement which show

1 the identities of people whose items were protected by  
2 my General Restriction Order were: KNF [REDACTED], KNG [REDACTED]  
3 KNG [REDACTED], KZZ [REDACTED], HTZ [REDACTED], LUT [REDACTED]  
4 LUT [REDACTED], GLQ [REDACTED], GLT [REDACTED], KNH [REDACTED],  
5 KZP [REDACTED], GLU [REDACTED], HPH [REDACTED] and  
6 somebody called GLS [REDACTED]. These people are not to be  
7 identified as having been identified in our evidence  
8 outside this room.

9 That is all for just now and I will sit again at  
10 about 2.00. Thank you.

11 (1.10 pm)

12 (The luncheon Adjournment)

13 (2.05 pm)

14 LADY SMITH: Good afternoon.

15 Now we return to oral evidence and Ms Innes.

16 MS INNES: Yes, my Lady. The next witness is 'John'.

17 'John' was SNR [REDACTED] of Ovenstone Residential  
18 School between 198 [REDACTED] and 199 [REDACTED].

19 LADY SMITH: Thank you.

20 Good afternoon, 'John'. Could you raise your right  
21 hand and then repeat after me.

22 'John' (affirmed)

23 LADY SMITH: 'John' do sit down and make yourself  
24 comfortable.

25 'John', thank you for coming along this afternoon to

1       help us with your evidence regarding Ovenstone School.

2       It's very good to have you here.

3           I think you know that we want to focus on some  
4       particular parts of your written statement, which  
5       I already have as evidence before me and it's been very  
6       good to be able to study that in advance.

7           I see you've found the statement, it's in that red  
8       folder. It will be available for you to refer to during  
9       your evidence, if you'd find that helpful, and we'll  
10      also bring it up on that screen in front of you, to take  
11      you to the particular parts of it that we are looking  
12      at.

13          So one or the other or both are available to you or  
14      neither; you don't have to use them.

15          'John', can I just assure you that, so far as my  
16      function is concerned, I want to make it as comfortable  
17      as I can for you to do this -- this difficult thing of  
18      coming into public and talking about events in your  
19      life, a long time ago, that have considerable  
20      sensitivity in relation to them.

21          You'll know we're going to have to ask you some  
22      questions which you may find difficult to be asked, but  
23      in relation to those in particular, 'John', I want to  
24      make it clear to you that you have all the rights that  
25      you would have in a court setting, even though this

1       isn't a court, it's a public inquiry. So if any of the  
2       questions that we ask you are questions, the answers to  
3       which could incriminate you, you don't have to answer  
4       them; do you understand that?

5     A. I understand.

6     LADY SMITH: If you just say that you don't choose to answer  
7       or you don't have any comment, whatever form of words  
8       works for you.

9       But if you do choose to answer such a question, I do  
10      expect you to do so fully, of course, and I'm sure that  
11      is also clear.

12      If you've at any time any doubt whether it's one of  
13      those sorts of questions we are asking you, just check,  
14      just ask us. The same goes for any questions you have,  
15      'John', if there's anything you want to ask, or talk  
16      about at any time, do speak up. Don't think you have to  
17      sit there and you can't do so.

18      If you want a break, please say. It's not a problem  
19      to give you a break, if that would help. I normally  
20      take a break at about 3 o'clock in the afternoon anyway,  
21      so you can bear that in mind, but a time other than that  
22      will be absolutely fine if it works for you.

23      If you're ready, 'John', I will hand over to  
24      Ms Innes and she will take it from there. Is that okay?

25      Ms Innes.



1 Questions by Ms Innes

2 MS INNES: Thank you, my Lady.

3 Good afternoon, 'John'. Could I ask you please to  
4 look at your statement which has the reference  
5 WIT-1-000001620 and if we could look, please, at the  
6 final page of your statement, I think we see that you  
7 signed this on 11 June of this year; is that right?

8 A. That's correct.

9 Q. Thank you.

10 Now, can I take you back to the beginning of your  
11 statement now, please, and you tell us that you were  
12 born in 1937; is that correct?

13 A. Correct.

14 Q. And initially you began your working life as a work  
15 study engineer, but you then changed to teaching in the  
16 early 1960s; is that right?

17 A. Yes.

18 Q. Okay. And at the time you changed to teaching, did you  
19 obtain a Diploma in Education?

20 A. Ah, I did. The reason I'm hesitating is I've got  
21 various diplomas, as you can see, and one of the first  
22 ones was a Diploma in Education, yes.

23 Q. Okay, so was that specialising in primary or secondary  
24 education?

25 A. It was general.

1 Q. General. Okay.

2 And you tell us that you initially worked for Dundee

3 and then moved to Fife, and you worked at various

4 schools. You mention that you worked in the pupil

5 support unit at Buckhaven High School?

6 A. Correct.

7 Q. Was that the first time that you had worked with

8 children with additional support needs?

9 A. First time I had worked with them in an exclusive sense,

10 I had met them all through my career prior to that.

11 Q. Okay, and then you say that you went to work in the

12 Department of Child and Family Psychiatry. I think that

13 would be in Stratheden Hospital?

14 A. Yes.

15 Q. Sometimes called Playfield House?

16 A. Playfield House. DCFP, it was called for short,

17 Department of Child and Family Psychiatry.

18 Q. What was your role at Playfield House?

19 A. Officially I was a principal educational psychologist.

20 Q. Did you have qualifications in psychology, as well as

21 teaching?

22 A. Yes, I had a degree in educational psychology.

23 Q. I see.

24 And how long did you work at Playfield House for?

25 A. Seven years.

1 Q. Okay.

2 Presumably you were working with children who

3 were -- were they inpatients at the hospital?

4 A. Yes, they were all inpatients.

5 Q. Okay. They were all inpatients, and were --

6 A. I wasn't -- I was also asked to build an education

7 facility within the unit, the DCFP; that was the main

8 part of my -- there had been an education unit within

9 that establishment but it had fallen apart.

10 Q. Okay.

11 A. And I was to build it up again and liaise with all the

12 other disciplines within the unit in doing so.

13 Q. Okay.

14 Were you employed by the NHS or by Fife Council when

15 you were doing that role?

16 A. Fife Education Authority.

17 Q. Fife Education Authority, and did you then go on to

18 build up an education facility within the hospital?

19 A. I did.

20 Q. Okay.

21 And was that designed to have children who were

22 attending the hospital attend classes like they would do

23 in school?

24 A. That's exactly what it was but, of course, it was

25 greatly different from a normal school, because children

1       were on short-term visits, they may have been given  
2       medication so couldn't attend, et cetera, et cetera.  
3       There were all sorts of reasons why it was unlike  
4       a normal school.

5   Q.   Okay, and were you teaching in the school yourself or  
6       were you supervising teachers?

7   A.   I was supervising and liaising with all the other  
8       disciplines, there were seven disciplines working in  
9       Playfield House, I was liaising with them and  
10      supervising what was going on in the school.

11  Q.   Okay. And did you consider your work there to be  
12      successful, in terms of the work with the children?

13  A.   Yes, I think we built a successful school. A successful  
14      education department within the unit, but there were  
15      grave difficulties in the process because of  
16      interdisciplinary strife within the unit.

17  Q.   I see. And in terms of the children who were coming to  
18      the unit, as you say, they would have been inpatients,  
19      and were they children with a variety of different  
20      psychiatric needs and learning disabilities?

21  A.   Yes, I would say the whole gamut of child psychiatric  
22      disorders.

23  Q.   Okay.

24           And you tell us in relation to your qualifications  
25      that you also obtained a Diploma in Special Education,

1       and a Diploma in Social, Emotional and Behavioural  
2       Disorders.

3   A.   Yep.

4   Q.   Had you done that before you went to work at Playfield  
5       or was that later?

6   A.   I'd done that before I went to Playfield.

7   Q.   Okay.

8       Then, moving on to Ovenstone, you tell us, I think,  
9       that you started working there in 198█; is that right?

10  A.   Correct.

11  Q.   And we'll go on, over the page, you tell us that this  
12       was a school for children with social, emotional and  
13       behavioural difficulties.

14       And did you know of Ovenstone before you went to  
15       work there?

16  A.   Don't think so. I can't remember.

17  Q.   Okay.

18       Over the page, at the top of page 2, and question 5,  
19       you say that your first impression of the school was  
20       that it was regimented and old-fashioned. Are you able  
21       to explain that a bit further, please?

22  A.   My first visit was when I was a student on the various  
23       courses. I had three visits to Ovenstone as a student  
24       of education under the auspices of college or whatever,  
25       and my impression, having been at a boarding school

1       myself, that it was very regimented, yes.

2   Q.   In what way?

3   A.   Children were asked to do things by numbers, like in the

4       army.

5   Q.   Okay.

6   LADY SMITH:   So do you mean more regimented than your own

7       boarding school experience?

8   A.   Much more regimented.  Much, much more regimented.  My

9       boarding school experience was relatively relaxed.

10  MS INNES:   You go on to say that you thought that the

11       culture was both regimented and oppressive.

12  A.   Oppressive, yes.

13  Q.   And that was your impression at the time when you were

14       going there as a student?

15  A.   Yes, and when I went there, I had a -- yeah, as

16       a student, I was a student at all times when I visited,

17       yes, you're right.

18  Q.   And you describe the relationship at that time between

19       the staff and the children being formal and strict?

20  A.   Formal and strict, yes.

21  Q.   Okay.

22       Are you able to expand on that a bit further?  What

23       sort of things were you seeing?

24  A.   I -- I can't remember specific instances, but they stood

25       to attention, the children, when they were told; they

1       saluted staff; they wore a uniform in the original sense  
2       of uniform, a very ugly uniform I might add, and so on.

3   Q.   Was that -- the uniform, was that worn during the school  
4       day and also after school hours, did you know?

5   A.   I don't know. I never visited at evening time.

6   Q.   Okay.

7       Then you go on at paragraph 9 to tell us about how  
8       it came to be that you moved to Ovenstone, and you say  
9       that you were told by the Director of Education that you  
10      were being transferred without any warning.

11  A.   Well, by no warning, is I mean I wasn't given adequate  
12      notice, for example a week or a month, I was told on  
13      Friday, for example, that I was going on the Monday or  
14      the Tuesday.

15  Q.   Okay. Do you know why that happened?

16  A.   I have my -- I have certain ideas on why it happened,  
17      but I can't -- I can't read the mind of the Director of  
18      Education.

19  LADY SMITH: Are you telling me that you didn't apply for  
20      this role?

21  A.   I am telling you that I did not apply for this role.

22  LADY SMITH: I thought that's what you meant, thank you.

23  MS INNES: How did you feel about leaving the work that you  
24      had been doing at Playfield to go to Ovenstone?

25  A.   I was very pleased to get away from the

1 interdisciplinary situation in Playfield House, but  
2 I had no idea of what I was going into.

3 Q. Okay.

4 You describe -- you say your line manager,  
5 throughout the time that you were at the school, was [REDACTED]  
6 [REDACTED]?  
7 A. That's correct.

8 Q. You say that you were provided with no training for the  
9 role. Did you consider, when you went to Ovenstone,  
10 that you had suitable qualifications and experience to  
11 be SNR [REDACTED]?  
12 A. I think I had a lot of experience with that type of  
13 child. But I didn't have the experience and training  
14 for a residential school. So I used books, I used  
15 Dr Bell, who was the Rector of Dollar Academy, for  
16 advice. I asked some of the psychologists in my -- in  
17 Playfield House for advice.

18 And I read this book, which is a book about  
19 a teacher starting a therapeutic community in the  
20 Cotswolds.

21 MS INNES: Okay, and --

22 A. I don't know if you've ever heard of Summerhill,  
23 Summerhill School?  
24 LADY SMITH: Yes.

25 MS INNES: Was it a book about that school?



1 A. No, it was a book about an actual school in the  
2 Cotswolds, built on the principles at Summerhill. In  
3 other words, a therapeutic community school.

4 Q. Okay. Are you able to tell us who wrote that book?

5 A. Yeah, my memory is not very good. It's somebody called  
6 Wills. I can't remember his first name.

7 Q. What's the title of the book; do you have that written  
8 down there?

9 A. What's the?

10 Q. The title of the book?

11 A. Spare the Child.

12 Q. Okay.

13 Did you find this book helpful in terms of what you  
14 were going to do at Ovenstone?

15 A. Yeah. Yes, in fact, this photograph I have taken is of  
16 the back blurb of the book and he gives certain things  
17 that I would -- if you asked me in more detail, I would  
18 tell you about, but one jumps out at me:

19 'What was encountered was violent hostility to such  
20 changes from some of the staff.'

21 Q. Okay. And is that something that you encountered  
22 at Ovenstone?

23 A. That is something I certainly encountered.

24 Q. Okay.

25 A. And I would say the use of the word 'violent' is

1 appropriate.

2 Q. We'll come back to that in a little bit more detail in  
3 due course.

4 Just staying with your statement, you say that you  
5 don't believe that you were autonomous in your role at  
6 Ovenstone, you say that you were accountable or you kept  
7 in close touch with Psychological Services and the  
8 Education Department?

9 A. Yeah, I wasn't autonomous. For example, I couldn't  
10 select staff; I had to account for anything that I did  
11 by way of [REDACTED].

12 Q. Okay. And did that continue for the whole time that you  
13 were at Ovenstone, that you weren't involved in  
14 recruitment of staff?

15 A. That continued for the whole time I was --

16 LADY SMITH: Correct me --

17 A. And sometimes I got staff that I disagreed with but  
18 still had to take. I wasn't given the option of  
19 speaking out -- or if I was given the option, it was  
20 overruled.

21 LADY SMITH: Am I right in thinking that when you took up  
22 this post, or were sent to this post at Ovenstone, you  
23 must have been about 44 years old?

24 A. Yes, you're correct.

25 LADY SMITH: So pretty experienced by then?

1 A. I had a good deal of experience in industry first, and  
2 then in lots of difficult -- I had a leaning towards  
3 children of trauma.

4 LADY SMITH: But not in residential provision for the  
5 children, I think you made that point very clearly --

6 A. Never -- never in residential, always day.

7 LADY SMITH: Have I got your dates right, that you then  
8 stayed at Ovenstone for about 15 years?

9 A. That's correct.

10 LADY SMITH: Right. So this is the second half of your  
11 adult career, effectively; is that right?

12 A. Effectively it is.

13 LADY SMITH: Thank you.

14 MS INNES: Now, in the next paragraph in your statement, at  
15 paragraph 13, you say that, in your role, you were fully  
16 involved in the day-to-day running of the school and you  
17 mention there being a morning assembly and an afternoon  
18 community meeting, which you describe as being the  
19 heartbeat of the school.

20 Just breaking that down, first of all, why do you  
21 describe this as the heartbeat of the school?

22 A. If you're acquainted with the principle of the  
23 therapeutic community, the therapeutic community is  
24 about community -- it seems obvious -- and it was the  
25 community came together twice a day, all children and

1       all staff, in order to discuss problems and good things  
2       as well, and that -- that is what is, very briefly, the  
3       nub of the therapeutic approach.

4   Q.   So you say that problems might be discussed at these  
5       meetings.  What sort of problems?

6   A.   Every kind of problem.  Problems teachers would have in  
7       class, problems care staff had with getting little Jimmy  
8       up in the morning, problems -- problems of all kinds.

9   Q.   And would the children ever raise problems that they  
10       might have at these meetings?

11  A.   The children were first to open up on anything that  
12       caused them difficulty.

13  Q.   Were they expected to speak at these meetings or not?

14  A.   Well, they weren't expected to speak, but they -- they  
15       knew that they were allowed to speak up.

16  Q.   Okay.

17       And in terms of any -- you mention there might be  
18       a problem with somebody not having got up in the  
19       morning, for example.  That would be about an individual  
20       child?

21  A.   Yes.

22  Q.   Why did you consider it to be a good thing for the  
23       problems of an individual child to be discussed in this  
24       setting?

25  A.   I wouldn't think that a problem like that would have

1       been discussed in this setting. That's a day-to-day  
2       work-a-day problem. This setting was for more difficult  
3       areas.

4   Q.   Such as?

5   A.   A child misbehaving in class.

6   Q.   So if we were to take that example, why did you think  
7       that it was a good thing for the behaviour of  
8       an individual child to be discussed at this group  
9       setting?

10  A.   Why did I think that? Because that's what Summerhill  
11       did and that's what the Cotswolds community did. It was  
12       part of the community approach.

13  Q.   Okay.

14       And how did the children respond to this approach?

15  A.   They responded extremely well.

16  Q.   Okay.

17       Did anyone ever say that, or give -- say they were  
18       unhappy with that approach?

19  A.   No. No child ever said to me they were unhappy with  
20       that approach. Or any member of staff for that matter.

21  Q.   Okay.

22       And was this something that came in when you were  
23       there or had this been happening before you arrived at  
24       Ovenstone?

25  A.   It certainly hadn't been happening before I arrived.

1 Q. Okay. And did this approach carry on for the whole time  
2 that you were at Ovenstone?

3 A. I introduced it, and it remained as a central plank of  
4 our approach.

5 Q. Okay.

6 If we can go on to page 3, please, at paragraph 15,  
7 you talk about regular meetings with staff and you  
8 mention the community meetings, but you also refer to  
9 monthly interdisciplinary meetings?

10 A. Yes.

11 Q. Was that between professional staff --

12 A. Yes, each month we had a progress meeting for each  
13 child, to which the various professionals involved in  
14 the case were invited as well, and particularly the  
15 parents, and the parents were usually brought along by  
16 the social worker and that was deliberate in case they  
17 had something that they wanted to raise but they didn't  
18 want to raise it in the forum of an interdisciplinary  
19 meeting.

20 Q. So they could then discuss it separately with the social  
21 worker?

22 A. Yes.

23 Q. Okay.

24 You say at paragraph 16 that, insofar as ensuring  
25 that -- as far as possible, that no child experienced

1        ill-treatment or abuse in the institution, you  
2        encouraged staff to report anything untoward to you.  
3        Did you do that -- was there a policy about that? Or  
4        a procedure? Or was that more on a one-to-one basis?  
5    A. One-to-one basis.  
6    Q. Okay.  
7        At paragraph 17, I think you talk there about the  
8        main influence that you had on the school and you talk  
9        about gradually changing the ethos of the school from  
10       the authoritarian --  
11   A. Yes.  
12   Q. -- ethos that you've told us about to a more relaxed  
13       approach.  
14   A. Yep.  
15   Q. How did you achieve that?  
16   A. Well, probably, the most important thing was that we did  
17       away with the diet of sanctions that were in place prior  
18       to moving over to the therapeutic approach.  
19   Q. Okay. And what were those?  
20   A. Well, these were sanctions that pertained in these days  
21       in every school; in other words, they were, to put it  
22       more crudely, punishments for various bits of  
23       indiscipline.  
24       I've lost my train of thought.  
25   Q. So you were talking about the diet of sanctions, as

1           you described it, that was in place.

2   A.   Yes.

3           Do you want me to describe it in detail or --

4   Q.   And I was -- well --

5   A.   Sorry?

6   Q.   I asked you what were those sanctions.

7   A.   What were the sanctions?

8   Q.   Yes.

9   A.   Well, they consisted of a choice, an option, of

10       restrained corporal punishment or early bed or

11       detention, or an extra school exercise. That's

12       basically as I remember them.

13   Q.   Okay. And did you do away with those over time?

14   A.   Yes. We talked earlier about changing to the community.

15       When we changed from a therapeutic community in 198█,

16       all these sanctions were abolished.

17   Q.   Okay. We'll come on to that in a bit more detail just

18       a wee bit later in your statement.

19       But as you've been saying, your main influence at

20       the school was to change the authoritarian ethos that

21       there had been into a more relaxed environment?

22   A.   Correct. I completely changed the ethos. From

23       an autocratic ethos to a democratic ethos.

24   Q.   Now, if we can go on in your statement, going over the

25       page, at paragraph 22, you say that, as a school, you



1       tried to keep abreast of changing approaches to child  
2       care through regular staff meetings, in-service meetings  
3       and suchlike. So would I be right in understanding that  
4       perhaps training was offered to staff within the  
5       school?

6   A. There wasn't much training about when I [REDACTED] in  
7       Scotland, and the education authority didn't -- wouldn't  
8       look at my staff going to England for training. So --  
9       but as I was there, as you said, for 15 years, the  
10      training became more and more available, as I was at the  
11      school, but at the beginning, there was very little in  
12      the way of training.

13           So I used my education, my experience, my colleagues  
14      from the Department of Health and -- DCFP -- and I used  
15      various other people. [REDACTED] of the  
16      Association of Child Psychologists in Scotland, and  
17      psychiatrists, I used them to come and give talks to  
18      staff, or, if necessary, talk to the children.

19   Q. Okay.

20   A. So there was a whole wide panoply of different training  
21      approaches.

22   Q. Okay.

23           Further down this page, you talk about the  
24      recruitment of staff and you say that the appointment of  
25      a school hierarchy didn't occur until at least 1983.

1 A. Yes, that's correct.

2 Q. What do you mean by a school hierarchy?

3 A. I meant an organised school, in terms of levels of

4 ability and experience and so on and so forth.

5 A hierarchy would mean that there were -- there was

6 such a thing as a depute head, a head of school,

7 a senior teacher or a senior houseparent.

8 Q. And why did you think it was important to have that

9 structure in place?

10 A. Because that dissipated some of the problems that arise,

11 the day-to-day problems that I did not want to deal with

12 as SNR I had more weighty problems

13 to deal with.

14 Q. And that hadn't been in place prior to you coming?

15 A. There had been nothing like that in place. It was an

16 autocracy.

17 Q. At the bottom of the page, at paragraph 27, you say that

18 generally staff came from general teaching roles. Some

19 had come from mainstream or behaviour units. So the

20 implication there is that perhaps the staff that were

21 coming didn't have specialist experience in dealing with

22 children with additional support needs; is that correct?

23 A. Well, they would have been the same as myself in many

24 ways in that they had encountered these children in

25 a normal setting, but wouldn't have had formal training

1           for SEBD children.

2   Q.   And did they undertake that training whilst they were at  
3       the school?

4   A.   I made it a -- made it my job to make sure they got  
5       training, as much training as possible, within the  
6       limits that were imposed by my job and school and so on,  
7       yes.

8   Q.   And then you go on to refer to child care staff because  
9       you would also have been managing staff who were looking  
10      after the children who were residing there, overnight,  
11      and you say they came from a diverse background. Did  
12      you have any involvement or say in the recruitment of  
13      them or was that done through Fife Council?

14  A.   That was done through Fife Council, but generally --  
15      generally speaking it was done with my collusion,  
16      discussion, Director of Education would discuss things  
17      with me, about the appointment of the person and he  
18      would give me certain information on it. But sometimes,  
19      I can't remember how many times, but sometimes I was  
20      given a member of staff with no explanation whatsoever.

21  Q.   Okay. And you've mentioned already that there were some  
22      times where you were unhappy with the staff member but  
23      you weren't able to do anything about that?

24  A.   That's true.

25  Q.   And from what you've just said, it was the Director of

1 Education that was appointing care staff, it wasn't  
2 coming through the Social Work Department; is that  
3 right?

4 A. That's correct. If you want to be more particular about  
5 it, it was the Deputy Director of Education with  
6 responsibility for special education.

7 Q. I see. So he had a specific --

8 A. She.

9 Q. She. What was her name?

10 A. Sorry, I can't remember.

11 Q. That's fine.

12 So if we go on over the page, on page 5 at  
13 paragraph 33, you talk about children being admitted to  
14 Ovenstone. Why were children admitted to Ovenstone?

15 A. There were many reasons. Depending on what your  
16 profession is, you might say it's because they had  
17 psychiatric problems. If you were a teacher, you would  
18 say they had problems in keeping up with normal  
19 education. Does that answer your question, or is there  
20 more required?

21 Q. So what was the purpose of children being at Ovenstone?

22 A. What was the purpose? The purpose was to rehabilitate  
23 them towards a better presentation in school.

24 And to cater for their specific needs. They --  
25 mostly they were children with quite a range of needs

1       and Ovenstone was a place where there was a high or  
2       low -- I'm not sure -- ratio of staff to children and  
3       usually the staff -- or they should have been -- were  
4       experienced in dealing with these children.

5   Q.   Okay.  So when you say the staff ratio, there would be  
6       a higher number of staff to each child than there would  
7       be in the mainstream, for example?

8   A.   Very much so.  One teacher to approximately -- in these  
9       days, approximately nine, ten children.

10  Q.   Okay, and would a teacher have a classroom assistant in  
11       the classroom with them?

12  A.   No.  When we started off, the teacher was completely  
13       alone in the classroom.  But I introduced, very early  
14       on, the care staff to work as adjuncts to the teacher,  
15       particularly behavioural adjuncts, and not necessarily  
16       behavioural, helping the children with reading, tasks  
17       and so on and so forth.

18       The care staff -- I won't say they were unemployed  
19       during the day, but they didn't have the same degree of  
20       commitment to work during the day, so I thought that's  
21       a waste, so let's get them into the classroom to help  
22       the teacher.  And to help the child, of course.

23  Q.   And when you say that they were a 'behavioural adjunct',  
24       can you explain what you mean by that?

25  A.   Most of these children had been excluded from mainstream

1 school for behaviour problems.

2 Q. Right. And so what did that mean in terms of their  
3 behaviour at Ovenstone in the classroom?

4 A. Well, it meant that they got more -- more time from the  
5 teacher and they got more care from the care staff.  
6 There was a much better ratio of teacher to children and  
7 even better when the care staff came in.

8 Q. Okay.

9 A. So children were able to express themselves in a way  
10 that they couldn't do in an ordinary school, because of  
11 the boundaries of discipline.

12 Q. On page 6 at paragraph 35, you say:  
13 'There was no set time that a child would stay with  
14 [you]. As we evolved as a school, the stays got  
15 shorter.'

16 So why did that happen?

17 A. The children settled down very quickly, at Ovenstone.  
18 We had made links with -- this school was in the East  
19 Neuk of Fife, which was a fairly contained community, it  
20 had several primary schools and we worked with the  
21 educational community there to introduce children -- it  
22 was called 'normalisation' -- into ordinary schools, by  
23 degrees and then, when they were ready, we reintroduced  
24 them to mainstream education.

25 Q. Okay.

1           And in terms of the classrooms, how many classes  
2           were there in the school?

3   A.   Two.   Two, but there were little groups as well.

4   Q.   Okay, and how were children divided into these two  
5           classes? Was it to do with age or was it to do with  
6           something else?

7   A.   Yeah, it was related to their primary school form.

8   Q.   Okay.

9           Now, if we go on over the page, please, to page 7,  
10          you talk about issues of discipline and punishment and  
11          at paragraph 46, you mention that discipline was  
12          discussed at the daily community meeting and regular  
13          staff meetings and: 'Our discussions were very much  
14          centred and heavily weighted to positivity'.

15          So in terms of the daily community meeting, what  
16          sort of issues in relation to discipline were discussed?

17   A.   Well, as the staff used to say, it wasn't a 'greeting  
18          meeting', it wasn't a meeting whereby children were  
19          identified as being troublemakers or having caused  
20          trouble or that; it was from -- the atmosphere was  
21          positive -- people were praised for good behaviour.  
22          Certain actions were singled out by a staff member to  
23          tell the whole community about how well a child had done  
24          and so on and so forth.

25          They certainly weren't a meeting whereby children

1        were, as it were, put in the dunce's corner for bad  
2        behaviour and have the rest of the staff sitting round  
3        there commenting on them and looking disapprovingly. In  
4        other words, it was a positive meeting, the emphasis was  
5        completely on -- if there were serious difficulties with  
6        a child, we would probably deal with it on a -- me,  
7        teacher and child in a private setting.

8    LADY SMITH: So when you said it wasn't a 'greeting  
9        meeting', you are using 'greeting' in the Scots sense of  
10       referring to somebody weeping with tears?

11    A. I'm sorry, yes.

12    LADY SMITH: Don't apologise, it's fine.

13    A. 'Greeting' meaning complaints. And that was the staff  
14       who named it, not me.

15    LADY SMITH: Yes, you said that, thank you.

16    MS INNES: Did you employ a system of points at the school?  
17        So if I can explain that a wee bit further, we've heard  
18        some evidence that you had to essentially get to the end  
19        of the school day with 12 points and if you didn't have  
20        12 points at the end of the day, then you didn't get to  
21        do evening activities; is that something that happened?

22    A. That didn't occur in my school that I was aware of. It  
23        may have occurred in the previous regime. I would be  
24        very disapproving of that.

25    Q. Just on the same theme of points, was there any system



1       whereby a child had to accumulate a certain number of  
2       points over time before they would return to mainstream  
3       education?

4   A.  No.  That is categorically not the case.  Although I've  
5       seen people talking about it in the literature.  Not at  
6       all -- as a child psychologist, that wouldn't -- to me,  
7       would not be a suitable incentive scheme.

8   Q.  When you say in the literature, are you meaning the  
9       statements that were provided to you by the Inquiry?

10  A.  No, I'm talking about the literature, educational and  
11       psychological literature.

12  Q.  I understand, okay.

13  LADY SMITH:  So you're saying some people did favour that  
14       approach in the literature?

15  A.  It was very early -- this time last century, nobody  
16       really knew the best way to deal with children like ours  
17       and that had been one of the ways that had been put  
18       forward as a possible -- I didn't approve of it,  
19       I didn't think it worked.  We call it that -- the state  
20       of psychology, child psychology, was very underdeveloped  
21       at that stage of last century.

22  LADY SMITH:  Thank you.

23  MS INNES:  The Inquiry has also heard some evidence about  
24       a system of red and black marks, where the child had  
25       a card that had squares in it, where a red or black mark

1           was put and that then had an impact on whether they got  
2           a reward or a punishment perhaps?

3   A.   Well, if that was the case, that must have been  
4           an individual teacher who instigated that scheme --

5   MS INNES:   That's not something --

6   A.   -- because it was nothing to do with the community  
7           meeting.

8   Q.   Okay.

9           Now, at paragraph 48 of your statement, you say that  
10          corporal punishment, as you have already mentioned, was  
11          permitted for some time during your time at the school.  
12          You say that you were not an advocate, but you had to  
13          employ it during transition.

14          If you weren't an advocate of it, why did you have  
15          to employ it?

16   A.   Once again, we are talking about the 80s of last  
17          century.   It was well established in all schools.  
18          I wasn't an advocate of it, but I had discussed it, as  
19          I said earlier, with Dr Bell, who had been rector of a  
20          boarding establishment for many years, with the head of  
21          a primary school called Mr Clark, I discussed this, and  
22          they felt that with a staff atmosphere, like I was  
23          dealing with, that I had to employ a diet of sanctions.

24          I wasn't an advocate, but they thought it might be  
25          part -- and I discussed this and it was agreed by the

1 Director of Education and the head of the psychology  
2 department, what my diet of sanctions should be and that  
3 was part of the diet of sanctions, but I must emphasise  
4 that it was an option for the child to choose.

5 MS INNES: So --

6 A. They were given the option of a quick slap on the  
7 backside or early bed or a punishment exercise or extra  
8 time in school, deprived of cycling activities,  
9 et cetera, et cetera, a whole diet of sanctions.

10 LADY SMITH: When you talked about the staff atmosphere that  
11 you were dealing with, can you help me understand  
12 a little bit more about that? What was that atmosphere?

13 A. It depends, Lady Smith, whether you're talking about  
14 between 198█ and 198█ or 198█ to 199█. There was  
15 a completely different climate in the school in the  
16 latter section of my time there, because I had enough  
17 staff, I had the right kind of staff who understood  
18 children, and who were able to take on board my  
19 particular training and the training I provided for  
20 them.

21 LADY SMITH: I see that, but I think you were talking about  
22 the earlier period, the 1981 to 1984, when you were  
23 referring me to that staff atmosphere, because you said  
24 with that, as it was, you had to employ a diet of  
25 sanctions.

1           And I wondered if you could help me a little with  
2           understanding that atmosphere: what was it like? What  
3           was it?

4   A. I'm not terribly sure what you're after here, but --

5   LADY SMITH: I'm just trying to understand what you said.

6           Tell me what it was about the way the staff were in  
7           that 1981 to 1984 period that made you feel that you  
8           would have to employ a diet of sanctions?

9   A. Staff were extremely hostile -- and that's putting it  
10          mildly.

11   LADY SMITH: Right, okay. How did they show that?

12   A. They undermined improvements that I made, they were up  
13          in arms because I took punishment -- I took sanctions  
14          away from them completely at one stage, and didn't allow  
15          them to employ any sanctions whatsoever.

16   LADY SMITH: Okay.

17   A. They flooded my office with the bit -- miscreants, that  
18          they had identified as miscreants, as a deliberate  
19          tactic to make my control of the school difficult.

20          There are so many ways and --

21   LADY SMITH: I think I've got the picture.

22   A. Yeah.

23   LADY SMITH: You felt you couldn't just sweep in and do  
24          things differently immediately?

25   A. Absolutely. I felt I had to -- and that was the advice

1 I was given -- retain as much of the previous regime and  
2 move gradually from there into a therapeutic community.  
3 It also said in the book that I mentioned and, as I say,  
4 that was agreed by the Director of Education and the  
5 chief psychologist, that diet of sanctions.

6 LADY SMITH: Thank you.

7 A. And when I instituted these sanctions, the episode was  
8 logged, it was witnessed and logged and sent to the  
9 chief psychologist and the Director of Education.

10 MS INNES: Yes, I think you tell us in your statement that  
11 you wrote this down, or made sure that it was written  
12 down in the school logbook; is that correct?

13 A. That's correct.

14 Q. Okay.

15 I am conscious of the time, my Lady.

16 LADY SMITH: Would that be a good place to break?

17 MS INNES: Yes, it would.

18 LADY SMITH: You may remember that I said earlier that we  
19 would normally have the break at about this time. Would  
20 it work for you if we took a break now?

21 A. If you wish.

22 LADY SMITH: About ten minutes, let's do that.

23 A. Yeah, that's good, thank you.

24 LADY SMITH: And then get back to your evidence afterwards.

25 (3.05 pm)

1 (A short break)

2 (3.15 pm)

3 LADY SMITH: Welcome back.

4 Is it okay if we carry on?

5 A. Yes.

6 LADY SMITH: Thank you. Well, if you're ready, 'John',

7 I will hand back to Ms Innes, again.

8 Ms Innes.

9 MS INNES: Thank you, my Lady.

10 If we could move, please to, page 8 of your  
11 statement and to paragraph 54, 'John', you talk there  
12 about the issue of restraint and you say that it was  
13 used at the school, you have no personal memory of --  
14 personal memory of restraining a child yourself, but do  
15 you recall if there was training in a specific method of  
16 restraint?

17 A. I mentioned earlier that training was very hard to come  
18 by for special schooling in Scotland at that time.

19 And there was -- when I first went to Ovenstone,  
20 I investigated the state of the nation with regard to  
21 that and there was no training, no restraint training  
22 available in Scotland at that time.

23 (Pause for technical issue)

24 MS INNES: Thank you, my Lady.

25 'John' you were saying that there was no restraint

1 training available in Scotland at that time.

2 Did that change later on, did restraint training  
3 become available?

4 A. Yes. I spoke to my ex-secretary some months ago and she  
5 tells me that -- I couldn't remember, but she tells me  
6 that yes, she went on a restraint course, and that  
7 several other care staff members went on the same  
8 course.

9 Now, that would be probably middle 1980s, or even  
10 later before they were -- these came on stream.

11 In the meantime, I invited people from psychology,  
12 psychiatry and paediatrics and so on to come and speak  
13 at self-service meetings on the specific topic of  
14 restraint, so that the staff were getting some training.  
15 And I would have to say at this stage, that after 1983,  
16 when we transferred to a therapeutic community, that the  
17 matter of restraint became almost superfluous.

18 Q. Why did it become almost superfluous?

19 A. That's a good question. Because perhaps the school was  
20 a much happier place than it was prior to then.

21 Q. Okay. And do you recollect, or did your former  
22 secretary say what the method of restraint training was;  
23 did it have a name?

24 A. I'm not aware of any nomenclature for restraint, but the  
25 guiding principle, it had to be minimal, and not

1           injurious to the child.

2   Q.   At paragraph 57, you mention that children were never  
3       placed in a room alone and you say that this was  
4       something which was expressly forbidden. By you?

5   A.   By me, yes. I laid out my rules, right at the  
6       beginning, and I re-emphasised them, and I emphasised  
7       them again, about child abuse.

8           And false imprisonment was one of the major ones  
9       that I insisted upon.

10          It was a regular feature of the previous regime to  
11       mine.

12   LADY SMITH: What, you say false imprisonment was?

13   A.   Yes.

14   LADY SMITH: That would be locking a child in a room or  
15       a cupboard or something like that?

16   A.   Yes, exactly.

17   LADY SMITH: On their own?

18   A.   On their own and --

19   LADY SMITH: And possibly in the dark?

20   A.   In the dark. In fact we had -- if I may add to it, we  
21       had a prime example, after I was there for about a year,  
22       where this happened and I dismissed the member of staff  
23       concerned.

24   MS INNES: Now, if we can move on, please, to page 11 of  
25       your statement, and paragraph 71, where you talk about



1       the definition of abuse at the school, and you mention  
2       imprisonment, as you've just mentioned. Force feeding,  
3       was this something that was forbidden during your time  
4       at the school?

5   A. It was one of my main planks of the new philosophy, yes.  
6       Force feeding had been a feature of the previous regime,  
7       and not only force feeding, but children who refused to  
8       eat were served up the same food the next day.

9   Q. Okay.

10   A. And if they were sick into it, they were forced to eat  
11       it as well.

12   Q. How do you know that that went on before you --

13   A. It was common knowledge in the community.  
14       I can't say much more than that -- how do you know  
15       about anything? People reported it to me at the time.  
16       It was just well-known as a feature of the  
17       establishment.

18   Q. Okay.

19       In the next line of that paragraph, 71, you mention  
20       educational intolerance or ignorance was included within  
21       the definition of abuse.

22       Can you explain a little bit further what you mean  
23       by that?

24   A. What section is this?

25   Q. So paragraph 71, the first sentence, you say:

1           'The definition of the abuse at school included  
2       various things.'

3   A.  Oh yes.

4   Q.  And then you say, 'Educational intolerance or  
5       ignorance.'

6   A.  It was a feature of one of the teachers when I arrived,  
7       to give a spelling test.  It was out of ten and one  
8       little boy, I recall, was being punished for  
9       consistently getting a very low score.  I checked his  
10      educational attainments and discovered that he had  
11      dyslexia.  It wasn't named as dyslexia in these days,  
12      because dyslexia hadn't been discovered at that time,  
13      but that's what it meant.

14  Q.  So did you put a stop to that?

15  A.  I most certainly did.

16  Q.  And then, just going on in that paragraph, you say that  
17      arranged fights were abolished.  Was that something that  
18      occurred?

19  A.  Yes, that was very much a feature of the previous regime  
20      as well, arranged fights.

21           And later in this, I'm asked about arranging a fight  
22      for a boy and I think we broached the subject at some  
23      point before we came in.  It was a ridiculous way to  
24      resolve issues, staged fighting, but it was very much  
25      a feature of the previous regime and it certainly wasn't

1 a feature of my regime.

2 Q. Okay.

3 And then you also mentioned punishment for bed  
4 wetting --

5 A. Although -- sorry to carry on -- although I suspect it  
6 occurred a few times after I became SNR, but I couldn't  
7 prove it.

8 Q. Okay.

9 Do you think that some of the staff were still  
10 maintaining that approach?

11 A. Yes, and that's why I dismissed one of them, for locking  
12 a child in a hot water cupboard, in the dark, on her  
13 own -- and going away to the games field and leaving  
14 her.

15 Q. And you mention here punishment for bed wetting; was  
16 that something that had happened previously?

17 A. That was very much a feature of the previous regime,  
18 punishment for bed wetting, and not only were they  
19 punished, which consisted of corporal punishment; often  
20 they were punished by such things as having to wear  
21 their bed clothes over their head to take them to the  
22 laundry.

23 Now, that was the laundry lady -- you were asking me  
24 about my sources. The laundry lady told me that, that  
25 that's what used to happen.

1 Q. Okay.

2 Now, at paragraph 73 of your statement, you say that  
3 you've got no recollection of any specific episode of  
4 a child reporting abuse to you.

5 You don't have a recollection of that, but you --

6 A. I don't recall any child coming to me and saying,  
7 'Mr-So-and-So', or, 'Mrs-So-and-So did such to me'.

8 And if my memory is at fault, what I would have done  
9 is immediately got the member of staff on their own  
10 firstly, and then with the child and investigated the  
11 whole situation -- as I did once according to the school  
12 log.

13 Q. Okay.

14 And you say at paragraph 74 that, looking back, you  
15 can be confident that:

16 'If any child was being abused or ill-treated, it  
17 would have come to light at or around the time it was  
18 occurring. It may be possible that abuse went  
19 undetected, but I think highly unlikely.'

20 A. I'm talking about post 1982/1983 here. I very much  
21 suspected that the staff from the previous regime were  
22 still indulging in certain of their old habits.

23 Q. Okay.

24 In the next section you talk about child protection  
25 arrangements and you say that these were discussed on

1 a regular basis. At the end of this page, paragraph 77,  
2 you say that, looking back, improvements are always  
3 possible.

4 Did you have in mind any specific improvements that  
5 you thought might have been possible in relation to  
6 child protection?

7 A. It was something that didn't occur in a therapeutic  
8 community. Just like restraint wasn't required either.

9 Children were very happy in Ovenstone, so such  
10 things didn't arise.

11 Q. Moving to another topic just briefly; in terms of any  
12 inspections of the school, I think you tell us in your  
13 statement that there were no inspections during the time  
14 that you were there -- it's going back in your statement  
15 to page 10 and paragraph 68. You say:

16 'I never had inspectors visit the school whilst  
17 I was SNR [REDACTED].'

18 A. Page 68?

19 Q. Page 10.

20 A. Yes, right.

21 This is true. Whilst my sister school in Glasgow,  
22 the name escapes me at present, there was a school that  
23 was identical to Ovenstone in Glasgow. It had two  
24 inspections during the period I was at Ovenstone but  
25 I didn't have an inspection.

1 Q. Did that surprise you?

2 A. I wouldn't say it surprised me, but it caused me to  
3 wonder why, but it wasn't my decision.

4 Q. Okay.

5 Now, I want to move on to ask you about some staff  
6 members at page 13, at the top of the page, and  
7 paragraph 83. It's redacted in your statement but  
8 you're talking there about the staff member that you  
9 have been mentioning who imprisoned the child, locked  
10 them in a dark cupboard, and you dismissed this person;  
11 is that correct?

12 A. Yes.

13 Q. The next person that you refer to from paragraph 86 is  
14 a person called LUR [REDACTED]. You say at paragraph 87:  
15 'Although I didn't know him well, I remember him  
16 being a confident and assured person. He seemed  
17 a competent teacher and was bright, talkative and brash.  
18 He came with a high personal recommendation from Mr More  
19 of the Department of Education.'

20 When you refer there to 'high personal  
21 recommendation', did Mr More have a personal  
22 relationship with Mr LUR [REDACTED] or not?

23 A. Yes. He gave him the job on the station at Haymarket on  
24 a Saturday morning before a rugby international.

25 Q. That they were attending together?

1 A. No, they weren't attending together.

2 Q. Okay, they just happened to be on the platform at  
3 Haymarket?

4 A. Yes, I remember that because I was at the same game.

5 Q. Okay.

6 And how did you feel about Mr LUR in terms of  
7 his professionalism during the time he was working at  
8 Ovenstone?

9 A. I find it difficult to answer that one. As I say, he  
10 seemed competent and kept his nose clean, for want of  
11 a better way of expressing it.

12 I personally -- which has got absolutely nothing to  
13 do with his professional standing, I personally didn't  
14 like the person. I found him quite unsavoury, but  
15 I have to be objective and that's me being objective.

16 Q. We know from the log books that there were a couple of  
17 incidents. So one example is that Mr LUR had  
18 an argument with the child psychologist, Mrs Boggis, and  
19 left the school, taking his class with him, because of  
20 this argument between him and the child psychologist.  
21 Did you know that there were -- or can you remember that  
22 there were these sorts of tensions?

23 A. I can remember that there were tensions with the  
24 psychologist. Do you wish me to expand on that?

25 Q. Well, in terms of -- what were the tensions with the

1           psychologist?

2   A.   That she was ineffective.

3   Q.   And what was your view of that?

4   A.   She was ineffective.

5   Q.   Okay.  So you were on the same page as the staff in

6           relation to that?

7   A.   Yes.

8   Q.   And then the Inquiry has also heard evidence that there

9           were complaints about Mr LUR [REDACTED]'s professionalism and,

10          for example, that he discriminated against children who

11          he didn't like.  Is that something that you recall or

12          not?

13  A.   No.  That's complete news to me.

14  Q.   Okay.

15               Now, you are aware, I think, that Mr LUR [REDACTED] was

16          convicted of various offences in relation to children

17          who were not at Ovenstone School.  Okay?

18               Some of those offences took place whilst he was

19          teaching at the school.  Do you have any reflections on

20          how that came about or whether -- why there were no

21          concerns raised about him at the time?

22  A.   I was a witness for the prosecution in Mr LUR [REDACTED]'s

23          case, but I was given no information about the details

24          of his crimes.  So that's as much as I wish to say at

25          present.



1 Q. Okay.

2 Now, moving on to some statements and other material  
3 that you have been given by the Inquiry, so if we move  
4 on to page 15 of your statement and paragraph 96, you  
5 refer there to having seen the redacted statement of  
6 a person who has the pseudonym 'Gabriel', so there's  
7 a key at the start of your folder. So this person, who  
8 has the pseudonym 'Gabriel', says in his statement that  
9 he was at Ovenstone, he says that he was there from 1984  
10 to 1988 and that he was taken to see SNR who  
11 had a big redwood desk and two massive Doberman dogs  
12 which were very well trained.

13 What's your response to that?

14 A. My response to that is that SNR had two  
15 massive Doberman dogs. I didn't have two massive  
16 Doberman dogs at all.

17 Q. Did you have any dogs?

18 A. I had a dog for a short time and it -- it caused  
19 a problem, or the boy that was attacking it caused  
20 a problem, according to the laundry lady who was  
21 a witness, so I removed it from thence on.

22 I -- the reason I took a dog was I thought it would  
23 be more homely. It was in the early days when I was  
24 trying very hard to make the place a more homely and  
25 likeable place.

1 Q. Just -- obviously you know the identity of the person  
2 I'm referring to, as 'Gabriel'. Do you have any  
3 recollection of this child?

4 A. No, I don't recognise the name at all, which is very,  
5 very unusual.

6 I've recognised practically every other name that  
7 I have seen and this name doesn't strike a bell, but if  
8 you tell me he was there during my time, I have to  
9 accept that.

10 Q. Well, perhaps if we have a look at his statement and  
11 I will just ask you about a couple of other matters to  
12 give you the opportunity to comment on it. It's at  
13 WIT-1-000001123.

14 If we could look, please, at page 4, at the bottom  
15 of page 4 and paragraph 19, 'Gabriel' says that SNR  
16 SNR explained to him that he had to accrue 2,000  
17 points and then he would get out. So this is what I was  
18 asking you about earlier, this idea of accruing points  
19 over time. Is that something that you recognise as  
20 happening when you were there?

21 A. Absolutely not. This is Pavlovian, from Pavlov, the  
22 psychologist, and it was shown to be not a very  
23 effective means of inciting people to good behaviour.

24 Q. Okay.

25 Then if we move on to page 11 and paragraph 54,

1 'Gabriel' refers there to a pillow fight and then he  
2 says that everyone was called in to see SNR  
3 and that he was shown a belt and warned that:  
4 'If I was sent to see him a second time, I would get  
5 the belt. Seeing the belt and the fact that he still  
6 had the two dogs beside him terrified me.'  
7 Was a belt ever used while you were there?  
8 A. There was no belt. In all my teaching career, I didn't  
9 have a belt. I didn't use the tawse. I didn't approve  
10 of the tawse. I thought it was too barbaric.  
11 Q. I'm going to move away from that statement and back to  
12 your own statement at WIT-1-000001620 and paragraph 98,  
13 you start dealing with material from a statement who  
14 has -- from an applicant who has the pseudonym 'Fred',  
15 and at paragraph 100, 'Fred' refers to not being allowed  
16 to go home, three weekends in a row.  
17 At paragraph 101, you say it was a five-day school?  
18 A. Yes.  
19 Q. So did children always go home at the weekends?  
20 A. They all went -- all the children and all the staff,  
21 except the janitor, went home at weekends.  
22 Q. So there was never an occasion when you were there when  
23 a pupil was in school over the weekend?  
24 A. There was never an occasion when I was there where  
25 children were in the school at weekends. That --

1           certainly that I can recall.

2   Q.   Okay.

3   A.   It just -- no. There was no occasion. They went home  
4           at weekends and sometimes, if there was no home to go  
5           to, as occurred with one of the complainers, I would  
6           take them home with me, to my home.

7   Q.   If we can move on over the page, please, at page 16, at  
8           the top of the page, this is 'Fred' and 'Fred' says that  
9           you would use the belt -- you've said already you never  
10          used the belt -- or 'hit me with a trainer', and you  
11          say, at paragraph 103, that for a minimal time, corporal  
12          punishment with a sandshoe was offered as a choice  
13          rather than detention or early bed, and I think you  
14          mentioned that as being part of the diet of sanctions?

15   A.   This is correct.

16   Q.   That's correct.

17           And why did you use a sandshoe rather than the  
18          tawse?

19   A.   Because it was less barbaric and it was on the outside  
20          of their garments. It was less demeaning.

21   Q.   So it was never -- you never asked them to take their  
22          trousers down --

23   A.   No, there was only one occasion when I asked a child to  
24          remove his trousers and I smacked him on the underpants,  
25          because he had put padding inside his trousers.

1 Q. Okay.

2 Then in the next paragraph, at paragraph 104, 'Fred'  
3 mentions an issue about being given boxing gloves by you  
4 and then being made to box with another boy. What's  
5 your response to that?

6 A. Total nonsense. The staff would never have allowed that  
7 to happen in any case as a back-up to my nonsense -- my  
8 reply of nonsense. It's a complete fairytale.

9 Q. Then if we move on over the page to page 17, and  
10 paragraph 108, you refer there to a statement from  
11 a person who has the pseudonym 'Rab', and he is talking  
12 about his son who was at the school.

13 And, again, there's reference there to him saying  
14 that his son had been told to ask him for a set of  
15 boxing gloves. What's your response to that?

16 A. I don't believe what this gentleman said about the boy's  
17 rear end being black and blue. I just don't believe it.  
18 And if it had been true, why didn't he take him to the  
19 doctor or photographed it or produced some evidence?

20 This was a very aggressive gentleman who, right from  
21 the day that he admitted the child, came to admit the  
22 child in the school, was extremely aggressive to me  
23 personally. And made several threats of violence  
24 towards me.

25 Q. Now, I'm going to ask you to look at another document.

1       You refer to this in your statement at page 18 and  
2       paragraph 115. And this person has the pseudonym  
3       'Stuart' and if we could look please at a document  
4       FIC-1-0000001443. This is material that I think was  
5       shared with you and it was an allegation and it was  
6       an allegation by this boy 'Stuart' that he had been  
7       assaulted by you and then, this appears to be in 1987,  
8       this document, and if we go to page 2 there's  
9       an incident report in relation to this and it says:  
10       'On 6 October 1987, there was a call received from  
11       'Stuart's' mother. She claimed that her son had  
12       returned home this weekend as usual and she noticed  
13       a bruise on his leg and a bruise on his face. The  
14       former, he claimed, had occurred when he fell off his  
15       bike but the latter he wouldn't discuss.'  
16       And after some time, he said that you would give him  
17       a row if he said anything. He then began to cry and  
18       said he was on a yellow card and that you had taken the  
19       pair of them to the bedroom and you had flung the boy  
20       off the bed, and hit his face on the bed head.  
21       Then it goes on in relation to that allegation. And  
22       at paragraph 2, we see that this was passed to the  
23       police, I think you were spoken to, and the conclusion  
24       at the end of paragraph 2 here is that the police said  
25       that the boy's evidence was insufficient for prosecution

1           and unsubstantiated.

2   A.   Do you wish me to reply to that?

3   Q.   Do you have any recollection of this incident?

4   A.   I don't. I don't recall the incident at all because it  
5        didn't happen.

6           However, I was told by one of my staff that the  
7        complaint was investigated by the police on site in the  
8        school at the time and a senior care worker claimed that  
9        the boy had received a very minor black eye, a very  
10       minor bruise to his eye, during a fight with another  
11       boy, and the other boy had agreed that that had  
12       happened.

13  Q.   Okay. So that's your understanding of what happened?

14  A.   That is my understanding of what happened.

15  Q.   Okay.

16  A.   There were no other injuries to the boy and the bruise,  
17       apparently, was very, very light.

18  Q.   Now, I'd like to move to another document, it is  
19       FIC.001.001.6365, and page 8.

20       This is a document that will come up on the screen,  
21       'John', and it's material that was given to the Inquiry  
22       by Fife Council from the logbooks, the extracts of the  
23       logbook. And if we scroll down to, 'In relation to  
24       discipline and managing challenging behaviour', the  
25       paragraph beginning -- there:

1            'In relation to discipline and managing challenging  
2            behaviour, there are at least 12 records of using some  
3            form of physical punishment from 1981 to 1983, referred  
4            to as giving a child "a slipper" and the severity of  
5            punishment is measured by how many slippers a child  
6            receives.'

7            Then it goes on to quote from things that were  
8            recorded in the logbook.

9    A.    Right.

10   Q.    And if we go down to the second bullet point, it says:

11            'It must be noted that in 1984, there are no more  
12            records of children being given the slipper. Different  
13            sanctions are now used.'

14            Would that be correct that, by 1984, this sanction  
15            was no longer used?

16   A.    I think I said earlier, this began in 1983, that this --  
17            that type of sanction was abolished, which was three  
18            years before the Fife region abolished it, incidentally.

19   Q.    And then in the final bullet point on the page, it  
20            says -- and this is the author's reflection, the author  
21            of this document -- it says:

22            'It must be noted that prior to [your] appointment  
23            SNR [REDACTED] in 198[REDACTED], there is no record of any  
24            physical punishment or restraint in the logbook.'

25            So prior to your time, although you've mentioned



1       that there were all these different sanctions, it  
2       appears that they weren't being written down in the  
3       logbook?

4   A.   Sanctions applied by whom?

5   Q.   By [REDACTED] SNR [REDACTED].

6   A.   Are you saying he didn't record his punishments?

7   Q.   That seems to be what Fife Council are saying.

8   A.   Well, what can I say about that?

9   Q.   So, I just wondered if you'd made a deliberate decision,  
10       you know, if you had any memory that hadn't been --

11   A.   Yes, I made a deliberate decision, in discussion with  
12       the chief psychologist and the Director of Education,  
13       about how I should advance, in view of the hostility of  
14       the staff. It was agreed that I would log everything,  
15       have it witnessed, and make it a choice.

16   Q.   Okay.

17   A.   And can I just say that I had a quick look at what  
18       you're talking about in the logbook and that the  
19       intervals between corporal punishment, when it was taken  
20       as a choice, were quite considerable, one month, two  
21       months --

22   LADY SMITH: Now, you're talking about your time.

23   A.   I'm talking about my time here.

24   LADY SMITH: What Ms Innes was interested in was it  
25       appearing to be indicated that, before your time, during

1       which you understand corporal punishment was being used,  
2       it wasn't being recorded, because it wasn't there in the  
3       logbook.

4   A.  It wasn't being recorded, but I think it's in the public  
5       domain already that it was being used liberally, not  
6       just by SNR [REDACTED].

7   LADY SMITH:  Yes.  Yes.  And it should have been recorded?

8   A.  It should have been.

9   LADY SMITH:  As you note, yes.

10  A.  Yes.

11  MS INNES:  If we could move on to page 10 of this document  
12       and a paragraph beginning:

13       'The logbook is also full of entries...'

14       So it says:

15       'The logbook is also full of entries relating to  
16       staff issues, complaints raised by members of staff  
17       against other staff members, including teachers,  
18       houseparents and domestic staff.  These entries conjure  
19       a picture of a dysfunctional team with a number of  
20       issues internally and also some issues with the external  
21       agency, such as the Child Guidance Team.'

22       So this is in 1982/1983?

23  A.  What's the number on --

24  Q.  It's coming up on the screen.

25  A.  Sorry.

1 Q. It says there:

2 'The logbook is also full of entries relating to  
3 staff issues, complaints raised by members of staff  
4 against other staff members, including teachers,  
5 houseparents and domestic staff. These entries conjure  
6 a picture of a dysfunctional team with a number of  
7 issues internally and also some issues with the external  
8 agencies such as the Child Guidance Team.'

9 This is in 1982/1983.

10 A. Yes.

11 Q. Would you agree that it was a dysfunctional team at the  
12 time?

13 A. Yes, I would agree and I explained earlier why.

14 Q. The first bullet point there it says on 6 May 1982, you  
15 spoke to professional staff regarding the discussion of  
16 Ovenstone internal matters with outside parties. This  
17 constituted disloyalty to you, to the staff and the  
18 establishment.

19 Can you recall what your thinking was in relation to  
20 the issue of disloyalty?

21 A. I don't recall this episode at all, who was involved and  
22 who they spoke to outside.

23 Q. Okay.

24 But I think, from your evidence already, you agree  
25 that there were various tensions within the staff

1       grouping over that early period until you had  
2       established the new system that you wanted to put in  
3       place?

4   A.   Indeed.

5   Q.   Is that correct?

6       And if I move on to page 12 of this document, and  
7       towards the bottom of the page, there's a paragraph  
8       beginning 'Overall', so it's coming up on the screen.

9       So this is what Fife Council have said in relation  
10      to their reading of the logbooks, and I just want to  
11      give you the opportunity to comment on it.

12      So it says:

13      'Overall, the logbooks provide some evidence in  
14      relation to how the school was run and particularly  
15      Logbook 3 is very comprehensive, spanning a number of  
16      years. Whilst there is no evidence of proven instances  
17      of abuse, there are a number of issues relating to  
18      practice, for example, overreliance on corporal  
19      punishment such as administering "a slipper".'

20      Pausing there, do you agree or not that there was  
21      over-reliance on corporal punishment during that early  
22      period?

23   A.   Prior to my time?

24   Q.   No, between 198█ and 198█.

25   A.   I certainly don't agree with it.

1 Q. Because I think you mentioned a moment ago in your  
2 evidence that there were gaps between the times when  
3 corporal punishment was administered?

4 A. Yes.

5 Q. It then goes on:

6 'There is a set of complaints raised by the  
7 children's parents that appear to be only superficially  
8 looked at. There is no indication of interviews with  
9 children, apart from an instance where an allegation is  
10 made against [you].'

11 So we've looked at the allegation against you, that  
12 was the document we looked at a minute ago.

13 Would you agree or disagree with the fact that, if  
14 there were complaints raised, they were only  
15 superficially dealt with?

16 A. Who made this evaluative statement?

17 Q. This is a document that the Inquiry has obtained from  
18 Fife Council.

19 A. So somebody in Fife Council?

20 Q. Has --

21 A. It was the opinion of somebody in Fife Council, was it,  
22 that --

23 Q. So this is somebody who is reading the logbooks, but you  
24 were there at the time --

25 A. Uh-huh.

1 Q. -- so what was your view? If complaints were raised,  
2 were they superficially looked at or not?  
3 A. If complaints were raised, they were dealt with. So no.  
4 Q. Okay.  
5 And so would you take steps to investigate any  
6 complaints that were made to you?  
7 A. Could you repeat that, please?  
8 Q. Would you have taken steps to investigate any complaints  
9 that were made to you?  
10 A. I most certainly would and I think the logbook indicates  
11 that.  
12 Q. Now, if we go back to your statement, there are just  
13 a couple of other matters that I wanted to ask you  
14 about. On page 20, at paragraph 132, you refer to  
15 a Mr LUT. Now, Mr LUT, was he SNR at  
16 another school, maybe Linwood?  
17 A. Yes, that's correct.  
18 Q. And did you have many dealings with him during your time  
19 at Ovenstone?  
20 A. Just professional dealings.  
21 Q. And what was he like? How did you get on with him  
22 professionally?  
23 A. Mr LUT was a practical joker.  
24 He -- that consisted of such things as teasing  
25 people. I think there's a mention of him upsetting my

1        secretary at one point, in the log or somewhere. He  
2        played practical jokes on teachers and children. It was  
3        a feature of his [REDACTED].

4    Q. If we move on to page 21, at paragraph 137, you say that  
5        you left the school when you retired.

6    A. Yes.

7    Q. Yes.

8                So over time, you had put this therapeutic approach  
9        in place, had the numbers of pupils at the school  
10       decreased over the time that you were there? Or did  
11       they remain about the same, the 20 or so --

12   A. They remained about the same.

13   Q. And then you -- at the end of your statement, you  
14       address a couple of issues in terms of your broader  
15       reflections and you say at page 22, at paragraph 139:

16                'In order to protect children in the future, there  
17       has to be much higher profiling of abuse: there must be  
18       appropriate channels for children to report. Also,  
19       staff must be trained and made aware.'

20                So from your experience in this area, what lessons  
21       do you think that the Inquiry can learn in order to  
22       better protect children from abuse in the future?

23   A. Children must be able to report abuse without  
24       recrimination, without feeling that it will, in some  
25       way, rebound on them. It's the same in industry and

1 various other places where this climate has changed.  
2 And there was a time when, in the 1980s, when we're  
3 talking about, where children just took punishment and  
4 said nothing, neither to the staff of the school or to  
5 the parents.

6 The Dr Bell that I mentioned earlier, I recall,  
7 I was on -- first on the white list in school, and he  
8 thought I was last on the black list.

9 And I got five or six of the belt and I took that  
10 and went home and told nobody. Because that was the  
11 climate of the time.

12 Q. Okay.

13 Now, 'John', I don't have any more questions for  
14 you. We obviously have your whole statement that you  
15 provided to the Inquiry, together with some additional  
16 reflections that you provided separately. So I don't  
17 have anything else to ask you today.

18 LADY SMITH: 'John', I'd just like to add my thanks to you  
19 before you leave. You've given us a lot of your time  
20 and energy in attending to our work here. And I'm sure  
21 it has been very stressful and tiring for you.

22 But I really appreciate having been able to get your  
23 evidence and thank you for bearing with us as you have  
24 done this afternoon.

25 Now you're free to go and have a relaxing time for



1           the rest of today. Thank you.

2   A. Thank you, Lady Smith.

3                               (The witness withdrew)

4                               (Pause)

5   LADY SMITH: Ms Innes, tomorrow?

6   MS INNES: Tomorrow we have an oral evidence -- an oral

7           witness in the morning. We will only have one witness

8           tomorrow morning. No read-in evidence, and that witness

9           will be from Linwood.

10   LADY SMITH: Thank you very much.

11           I will rise now until 10 o'clock tomorrow morning.

12           Thank you.

13   (4.07 pm)

14                               (The Inquiry adjourned until

15                               10.00 am on Wednesday, 9 July 2025)

16

17

18

19

20

21

22

23

24

25

I N D E X

1	'Evan' (affirmed) .....	3
2	Questions by Ms Innes .....	5
3	John Tollan (Read) .....	59
4	'John' (affirmed) .....	122
5	Questions by Ms Innes .....	125
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

