

Scottish Child Abuse Inquiry

Witness Statement of

KYN

Support person present: Yes.

1. My name is KYN. My date of birth is 1949. My contact details are known to the Inquiry.

Background

2. I obtained a teaching certificate from Wall Hall College, a satellite of Cambridge University. I graduated with a Bachelor of from Cambridge University and then gained an from Cambridge Institute of Education.
3. I started off my education working career as a primary school teacher. I then moved to run a special education unit located in another primary school. I then became SNR at a day school for profoundly handicapped children, as it was called then. Through negotiation, I changed its name so that it developed independence from the Hospital it was based in. Leading on from that, I became SNR at a residential special school and then I moved to a secondary age college, which provided special education for young people with social, emotional and behavioural difficulties.
4. After that I moved with my wife to Scotland where, between 199 and 200, I was employed at Harmeny School, Balerno, Edinburgh. I started off there as SNR SNR, working for the Save the Children Fund (SCF), until two or three years into my employment when the nature of the establishment changed and we became an Education Trust. My role developed into that of SNR. My role changed purposefully to become, partly, a manager and fundraiser for the school, Harmeny Education Trust (HETL), with the intention of improving what I recognised early on as

a need to develop the Care and Education facilities. This also meant facilitating leaders running the day to day education and care departments.

5. When I left Harmeny, I started my own business and also became [REDACTED] and then, in 2001, [REDACTED] of the Social, Emotional and Behavioural Difficulties Association (SEBDA). I have provided the Inquiry with a copy of SEBDA News 2002 (WIT-3-0000005816), which provides some detail of my involvement with the association.
6. I have been provided by the Inquiry with a copy of an extract of the book [REDACTED] (HET000000015). I have a copy of the foreword of book, which was been written by [REDACTED], Chair of the Board of Trustees and former Inspector of Education, which makes a number of key observations.
7. Harmeny based in Balerno, just outside Edinburgh, is set in its own extensive grounds at the foot of the Pentland Hills. When I was employed in this Special School for children with emotional and behavioural difficulties, the nature of such provision needed to change.
8. It is useful to note the work and aspirations of Sidney Hill, a [REDACTED] Headteacher, who I met to discuss with him his thoughts and aspirations for Harmeny. Sidney Hill understood the unique nature of the task he was undertaking and wrote about his work in a number of ways. At the time of the 50th anniversary celebrations, his family gifted much of his collection of documents to the school and it is from these documents that it is possible to comment upon how his thinking shaped the early development of the ethos of Harmeny School.
9. When I met him, he described there being three main factors that help shape the school experience: Physical surroundings, the importance of staffing and group living.
10. I am aware that in a speech to the Scottish Council of Save the Children Fund following the official opening of the school in April 1958, Sidney Hill observed the following: *"The group will have its standards embodied in rules and regulations. It is better that the non-conformists should feel the displeasure of his peers rather than the righteous*

indignation of the adults. In the group too, these children learn to live together and gain practical experience of the impossibility of indulging their fancies regardless of others."

11. I do not have a copy of this, but I believe it can be found online.
12. As is highlighted in the book '[REDACTED]', the successful learning of rules, counting scores during sporting events, etc. were seen as integral to the successful completion of more routine classroom tasks. Education under Sidney Hill's leadership was both a formal and informal process – each working to build the self-esteem of the child.
13. When I arrived, the school closed every fortnight and the children all went home. It was while it was closed and before my interview that I first visited the school and walked around the grounds. I immediately realised that the accommodation was absolutely unsuitable for the children, because, for example, it had shared bedrooms and the classrooms were located in a rectangular block of poor wooden buildings, which were entirely inadequate. I also realised from talking to one of the volunteer Managers, Kerr Cowan, that staff morale was very low.
14. After I had been in the job for three days, the Scottish Office, as it was then, invited me and my SCF boss, Alison Davies, alongside Bill Grieve, to a meeting and told us they were thinking of 'closing' the school and withdrawing the grant. Dr Frank O'Hagan, who was a Scottish Office inspector, was at the meeting along with other people and, after we had long discussions, it was agreed [REDACTED] a year. [REDACTED] therefore had a pretty tight schedule to formulate [REDACTED] plans and get the staff and children working together positively.
15. However, I had no idea of the state Harmeny was in and, although I can't now explain in detail how I felt, I was shocked but hopeful. It was almost being run by the children. There was a lot of negative behaviour, in terms of staff not being sure of themselves and children having a lot more power and control in the setting. There was also quite a negative culture in terms of children not being able to cope and staff not understanding that this was because the children were very damaged young people.

16. There was a 'division' between care staff and teaching staff. Care staff were seen to be subservient to education staff, which was a nonsense, and one of [REDACTED] principal tasks early on was to find ways of bringing staff together. [REDACTED] wanted them to work together in a way that was child-centred and therapeutic so [REDACTED] on a Head of Childcare, Peter Doran, and SNR [REDACTED], PNC [REDACTED], and their brief was that they had to work together and not separately.
17. The relationships that existed between staff and children were a mixed bag. There were staff who had been at Harmeny for years, some of whom expected the children to behave as an ordinary child would. There were also younger staff who wanted to be there and wanted to help but felt intimidated by the current regime and they lacked leadership.
18. Sadly, I believe, SCF were operating at arm's length and weren't in touch with the turmoil Harmeny was going through. A few months after I started, my wife saw someone coming in the gate, so I approached him and he told me he was there to inspect the property because SCF were planning to sell it as an old-people's home. I duly found out that the idea was they were going to move Harmeny to a closed, penal, setting somewhere. The understanding of the needs of these children by SCF was poor.
19. Early on, [REDACTED] developed a behavioural strategy, through which staff and young people were encouraged to work together towards a joint Behaviour Management purpose. In this particular strategy, we found a company that manufactured a special vehicle that children could drive. [REDACTED] introduced a points system, whereby if a child reached the points threshold, they would be able to drive this vehicle under supervision. It worked and within a number of weeks, the children were focussed on being able to drive this vehicle. Staff were motivated to support the children for points for good behaviour and that gave me time to be able to appraise what was happening and could happen.
20. Children sharing bedrooms, as they were, is potentially dangerous with young people with SEBD, especially when you haven't got night-awake staff on duty all the time, as was the case. It was difficult at Harmeny because money was not forthcoming.

However, immediately and without permission, [REDACTED] night-awake staff because it was the only way to ensure that the children could be properly supervised.

My role and recruitment at Harmeny School

21. I had to provide references when I applied for the position of SNR [REDACTED] at Harmeny, but I don't know if my referees were contacted, I presume they were. I think I was one of five people who were asked to come for interview by a large panel.
22. I was interviewed by Alison Davies, Head of SCF Scotland, Kerr Cowan, Manager, the head of childcare at Harmeny, and Barbara Kahan – SCF advisor. They were supported by Rosemary Fitch, who was the head of Admin and Finance plus a couple of other people who were independent. It was quite daunting and when I came in and saw them all I told myself that I couldn't be nervous, I had to be straightforward and honest, which was always the way I needed to be.
23. I can just remember a couple of the questions at the interview, which were very interesting because they had significance for the future. One was a scenario that a member of the catering staff was suspected of having a drinking problem. [REDACTED]
[REDACTED]
[REDACTED]. My immediate response was that [REDACTED]
[REDACTED] this was a serious matter and staff needed to be visibly supported and the matter was hardly a Care Manager's job. I think the fact that I was prepared to take on such an issue was a turning point in the interview.
24. In fact, after I started work at Harmeny, I found out that the scenario was a real one and it was a significant one. The member of the catering staff concerned lived on site with her husband, who was the groundsman. When I approached her about it, she told me it was medication that I was smelling. However, it was clearly not, I did deal with it in consultation with SCF, and the lady left on a health related issue.
25. I said in my interview, after having visited Harmeny and seen the Education and Care facilities, that we were going to have to raise over £1 million to upgrade them. There were no telephones for example and no means of communication between buildings,

which meant that staff were vulnerable. Communication in an establishment such as Harmeny is vital and I believe we actually became the first school in Scotland to install what I call 'copper wires', so that all staff could communicate between both the classrooms and the residences.

26. After I learned I had been successful, SCF negotiated with my previous employer for me to leave and start at Harmeny immediately. I believe they agreed they would pay the three month's salary that would be due. I was told, however, that I would have two years' probation with SCF and it was made clear that if it didn't work I would lose my job.
27. Ironically, I spent the first few weeks of my time in the job partly away from Harmeny, visiting all the other similar schools I could find in Scotland to see what they were doing and how they were doing it, looking for best practise. I spoke with inspectors and I asked them to come out and inspect the school as a starting point in a new development process.
28. I tried to build up my knowledge, which was very difficult to do because staff of the school were guarded. They wondered who I was, coming in, watching what they were doing. Notwithstanding that, there was the behaviour of the children themselves and their attitude to the staff. I wanted to develop my understanding of the relationship between the staff and young people.
29. There had been a breakdown in [REDACTED] the place because [REDACTED] SNR had left with, I believe, a medical difficulty. Management had then been left to [REDACTED] SNR [REDACTED] SNR, Bob Taylor, who was interviewing people for jobs, as I understand, some in the local pub, without any proper application process.
30. My position when I started was peculiar, because I was [REDACTED] SNR [REDACTED] under the control of SCF, who genuinely didn't understand the nature of the client group. My line manager for SCF was Bill Grieve, who had been appointed by Alison Davies. They also appointed the late Barbara Kahan, as a consultant for Harmeny and for SCF and she was quite supportive.

31. I reported to them and I had regular meetings with them in both SCF offices and in Harmeny. My performance was monitored regularly by Bill Grieve, who would interview me every month or every couple of months. He would also come in for chats and ask what was happening every so often. He was a good man, but he had no experience in the Education or in this type of Care set up.
32. However, I had a vision of what [REDACTED] needed to achieve and I hoped SCF would not get in [REDACTED] way, unless they sacked [REDACTED]. We moved along a continuum whereby Harmeny had to be in control of its own future for all sorts of reasons, not the least of which was fundraising. SCF fundraised for itself, not for Harmeny School.
33. The property at Harmeny was previously owned by Nora King, whose husband was the Chair of Scottish and Newcastle Breweries. After consultation with her husband, she donated the property to SCF because she was on their national committee, but on the understanding that it remained a school. That critical factor was what saved the school. I told her about the intention to sell it as an old people's home and she informed SCF they couldn't do that and she won.
34. Perhaps a year or two later, we realised that Harmeny had to become an entity in its own right, albeit still attached to SCF. Nora King suggested Gavin Reid to the Management task and he was one of the most significant figures in the success of Harmeny. Gavin was the deputy chair of Scottish and Newcastle Brewery and an ex-fighter pilot. He walked round the building with me the first time he came and asked me if I knew what [REDACTED] taken on, because 'it was dangerous'. I assured him [REDACTED] [REDACTED] I could do with help which he gave willingly. He also had good presence in many business communities, all of which we employed to Harmeny's benefit.
35. Gavin became Chair of Harmeny and the Harmeny Education Trust was formed. I still have a photograph of that meeting with Alison Davies who was head of SCF at that time. It was a major moment in the life of the school, because then we could fundraise ourselves and then we could look at a proper philosophy, outside a large organisation. We were also then able to look at recruitment and employ good staff directly, rather than through SCF.

36. Within six months of the formation of the Trust, I became SNR [REDACTED], because there was a realisation that my role was now not just about [REDACTED] the school but more about providing for the future. SCF still had an interest in Harmeny, albeit not a controlling interest and Alison Davies and thereafter Gavin Reid remained on the governing committee. There were regular board meetings and eventually we had a Consultant Psychologist come in to speak and support staff. His name was Chris, but I can't recall his surname.
37. My performance was not only monitored by SCF, I also met with the Chair of Governors of HETL about once a month. We would talk about my performance and what was happening in the school. My role became more strategic [REDACTED] allowing the [REDACTED] to provide day to day running of the School.
38. We developed a senior management team (SMT) at that point, which consisted of the Care manager, Peter Doran, SNR [REDACTED], PNC [REDACTED], and the finance manager, Rosemary Fitch. We also had the voluntary service of Kerr Cowan, who was an accountant, because progress revolved around finance. [REDACTED]
[REDACTED] It was quite an open environment in that each member of the SMT would come to the meetings with any issues they may have had or that may have been raised by other staff with them and it was probably more influential in that regard than in most establishments.
39. I don't think I could ever say that I acted autonomously, other than in specific situations when a decision had to be made through consultation at all levels. That might be, for example, regarding staff performance or a change in policy. In those early days, it was important to have someone in the lead, [REDACTED]
[REDACTED]. [REDACTED] approach was holistic and therapeutic and we worked together to form ideas and to give people an opportunity to move on those ideas. The Therapeutic Community was advised by Robert Laslett and indeed Richard Rollinson from a parallel setting.
40. It was the same style of process with the children. I started a weekly meeting with all the children, which had never been done before. The meeting was held at handover

time on a Friday, so that both the care and education staff would be there, part of the programme to develop an equal management setting. I led all of those meetings, every week. I took my guitar and we had a sing and we asked staff and children questions about what was good and what was bad at the school. As part of positive behaviour management, certificates were given out at this meeting in recognition of good behaviour and personal achievement. We got different groups to perform in the meeting on study they had undertaken or trips, or outdoor work.

41. At first, quite a lot of the children resented Harmeny not just being a school but being more than that and I had to work at changing attitudes. When my wife and I had our second child, we took him into one of those meetings and introduced him as a new member of the 'family'. We did the same when we got a dog because I wanted to bring things into human terms and the children responded well.
42. At the beginning, I had a huge involvement in the [REDACTED] Harmeny and I met children every day. I was a figure of authority and I was called Mr KYN [REDACTED]. I often worked seventeen, eighteen hours days. After [REDACTED] recruited the care and education managers [REDACTED] moved the control of both Care and the Education settings to them jointly. I was still SNR [REDACTED], but [REDACTED] able to stand back because they were on the ground and I was able to concentrate on raising funds to develop and build new facilities.
43. I cannot emphasise enough how fundamental to the development of Harmeny that building work was. Much of my work from early on involved fundraising for the school, because it appeared to me that that was the only way forward. At one point in my time at Harmeny, just before an election, we were awarded £2 million by the Scottish Office. That money meant we could immediately launch into building projects and that was to make made an enormous difference to implementing change.
44. We built an architecturally designed, circular education facility, for which the school won a national award. When children wanted to run out of the classroom, they would run into the circle where they would be seen by care staff and they would then respond. Children were therefore more secure.

45. We were able to build or convert five excellent residences for the children. We were able to build a staff building and later on we were able to build an outdoor centre because the children needed outdoor activities. While the builders were there, they were charging us money to get rid of the waste earth and rubble, so I managed to persuade them to put it in a field and make a wildlife pond.
46. Progress is built partly on luck, partly on vision, and partly on strategy as well as having the willpower to make things happen.
47. The normal methods of education and care management did not work at Harmeny and so a critical factor early on was to look at ways that could work. If a child was in distress, or very angry, we would probably remove them into a quieter place. We set up something we called the 'support room' which is referenced in a lot of inspection reports on Harmeny. That support room had cameras in it, which were always viewed whenever a child was in there with staff. Once we completed the building works, we moved that support room into a much better designed environment that included play facilities.
48. With [REDACTED] made sure that the idea that Harmeny was just an education establishment was dispelled almost immediately. I facilitated staff towards working cohesively with each other and we provided the opportunities for staff to have many sorts of professional training. In just about every inspection report on Harmeny, you can see that there were stepping stones to improve practise and to make staff more confident. We kept moving forward and we did so reasonably quickly. Within the first few years, the relationships between the children and the care staff developed significantly and there was a warmth, rather than the confusion here had been. My hope is that the progress through change has continued.
49. The major problems that we had, the buildings and the use of buildings, took time to sort. Much of my time was spent raising money to provide new buildings and to get extra staff. We needed to create a homely setting, with individual bedrooms for everyone and night-awake staff on in all those buildings. For example, we needed a team leader in each establishment to give continuity, independence and child protection in each 'home'.

50. However, [REDACTED] we had good Care and Education managers and we worked with each other as a team and we had all sorts of ideas that often emanated from the group leaders. They would come to the team and say what they needed and if we agreed, we sought a financial solution.

51. If we didn't have the money, I would raise it and that is what I became quite good at.

Policy at Harmeny School

52. Along with the SMT, I was always involved in the development of policy in relation to the Care and Education, including residential care, of children. I was, of course, [REDACTED] [REDACTED] for inspections, so I had to be well briefed on I was talking about.

53. There were few relevant policies available when I started, but we produced, over time, a series of needed policies. For example, Induction, mentoring and appraisal policies. I joined what at that time was called the Association of Workers for Children with EBD (AWCEBD), which then became SEBDA, and I attended meetings that were mostly in London. We viewed shared and supported other people's policies and would take relevant ideas from them to develop and enhance our own. [REDACTED]
[REDACTED]
[REDACTED]

54. There is, however, a big difference between having a policy and making it work. SCF had brought in its own child protection policies when I started, but they weren't being put into practice. Many of the policies were meaningless, not in terms of the words within them, but because they didn't necessarily apply to the perceived needs of children or staff.

55. It is difficult to explain how policies developed, but I was always of the opinion that we couldn't stay where we were, because what we had was not good enough. It can be clearly seen in the various inspection reports on Harmeny, particularly the Scottish Office inspections, how much ongoing policy development there was.

56. We worked as a team and each team had its own sub-teams. A good example was the appointment of a wonderful social worker, Anita Roweth, who wrote with Pauline Gilruth a book called 'Timmy Bear'. The book was for children and showed them what they could do and what they could not do, what their rights and responsibilities were, and what the Child telephone numbers were if they had any concerns. Prior to that, SCF had someone called 'Jack' who a child could phone, but there wasn't even a telephone in every establishment when I started.

Strategic planning

57. Strategic planning was a joint issue and the SMT became a successful working partnership. I have never been SNR who wanted to decide everything for everyone, although when it came to critical financial issues, I had to be very tactful and careful in getting successful results. We were careful with the planning and the development of buildings and there were 'blue sky' inset days, when staff were provided with the opportunities to suggest design and content of the new buildings.
58. The potential for abuse did feature in our strategic approach, we were very considered on that issue.
59. You have to realise that if you are working with young people with difficulties, particularly emotional and behavioural difficulties, you are almost bound to be working in or around those issues. Whether that be child to child or, potentially, adult to child. The staff had to know that if something happened, it would be dealt with, it would not be hidden. That was absolutely fundamental to the working relationship that we had.

Structure and recruitment of staff at Harmeny School

60. In each of the major departments, Care and Education, there was a clear, identifiable leader. Under the Care Manager and his Deputy, there were also five leaders linked to each residential property who had autonomy for their property and who had their own staff. In terms of education, there was a head and a depute head, seven teachers and five assistants.

61. The senior care staff person when I started was Kvj's wife. He had been SNR who had gone off sick. I knew from the beginning that she wasn't going to stay and she did not.
62. I knew everyone and everyone knew me, management was with the team leaders. Decisions as to how staff carried out their work were made by their immediate managers.
63. I was involved in the recruitment of staff. If an interview was for a member of care staff, the Senior Care manager and probably Education Manager would be there, I would be there. A member of the Board would usually be represented and there would also be two independent people from the community. If it was for a teaching post, the same set up would prevail. All staff would be verified under CP rules.
64. It was the same for everybody because there needed to be no distinction between care and teaching. We were aiming for all the staff to be thought of equally because whenever there is a division in the thinking, there is a division in the attitudes and respect of the children.
65. Teaching staff normally came to us from other schools, but I have no idea what the background of many of the care staff was when I first started at Harmeny. Some, I believe, had been interviewed in the local pub by SNR, Bob Taylor. As time went on, however, care staff tended to come from other establishments. People wanted to come to Harmeny because it was small enough to attract them and we paid slightly more than other establishments and had established good training recognised by training bodies.
66. Potential staff could see the nature of what we were doing and I think that made a difference to attracting qualified staff. They knew they could get more training and, at the end of the day, people with more training get better jobs.
67. Volunteers also worked at Harmeny, but they had to provide references and those references were checked. However, you knew immediately whether someone was going to be able to relate with the children. We set up a group called 'the Friends of

Harmeny', which comprised of local people who were involved in fundraising and events at the school. We involved the local community because we wanted to be part of the community.

68. No volunteer was left on their own with children, although I believe one or two people were totally trustworthy. One, Ron Smith, was a former director of a big finance group who happened to come on site one day. I approached him and he told me he had [REDACTED]. She had recently died and he wondered if he could walk around. I told him he could, but that I would walk around with him. Ron was also an engineer and we found we had common interests and he decided he would like to develop a craft workshop at Harmeny within the Outdoor Centre brief.
69. Child Protection checks were completed out and after that he came every week and taught the children how to make various things and the children loved it. It was an eye-opener. We then started to look for the money to build a new outdoor centre and to develop a large bit of land as an outdoor resource. We brought in an outdoor education instructor, Matthew, who was wonderful and who brought in other volunteers, all of whom were checked out.

Training at Harmeny School

70. When I started, the care staff tended to be nice people generally, who had a range of ideas about children. Teaching staff, conversely, were qualified. [REDACTED] wanted to merge the working operation so that, although the children knew there were care staff and there were teaching staff, they were all working together. That took time and a huge amount of internal and external training. It was also the crux of developing a therapeutic setting.
71. We did not, when I started at Harmeny, have sufficient appropriately qualified and trained staff, but we worked on it and we got there. We became involved in National Vocational Qualification (NVQ) training and were recognised for this and became a training organisation for NVQ. We also got external organisations in to take the training. By the time I left, just about every member of staff was qualified.

72. I took part in the training and attended classes with the rest of the staff because it was important [REDACTED]. Even when my role was mostly fundraising, I was still involved in training. I participated in Crisis and Aggression Limitation Management (CALM) training and I led on one of the NVQ courses as well.

Supervision/appraisal/evaluation at Harmeny School

73. I was involved in the appraisal and evaluation of [REDACTED] staff. I would have monthly one-to-one meetings with each of my [REDACTED] colleagues. I also sat in on any meetings if they asked me to, perhaps if there were issues or if they weren't sure or needed support. Sometimes, if I thought it necessary, I would have minuted meetings with the care and education managers together. It was quite fluid, we would all know what the purpose of each meeting was and what the issues they wished to raise might be.
74. I feel it necessary to point out that Harmeny went through a lot of change, developing a broader Care set up with a Social Worker involved and the use early on of a Trainee Child Psychiatric worker, who was supervised by the University. On the journey to Therapeutic Provision, we became involved in the work of SEBDA and with the other grant maintained schools. When issues arose, either to do with grant aid or development work, I was interviewed on television for [REDACTED], at the [REDACTED] [REDACTED] and in meetings with [REDACTED] to support Harmeny and other establishments.
75. You will note my increasing involvement with SEBDA [REDACTED]
[REDACTED]
[REDACTED]
76. I am proud of the work I did and indeed of my colleagues at all levels. I have not returned to Harmeny for the past [REDACTED] years despite being asked to go there. I started my own [REDACTED] business. I wanted to respect and empower the new leadership team and focus on my own future working endeavours.

77. Care Leaders in each of the residencies would supervise their staff and, in turn, they would be supervised by their Head of Care or his Deputy. Volunteers would be supervised by permanent staff. For example, Ron Smith, the volunteer craft workshop person, was supervised by the Head of the Outdoor Centre, Mathew.

Children at Harmeny School

78. All of the children were referred to Harmeny by local authorities after a period of assessment by those authorities to establish whether it would be the best placement for them. It was expensive to place a child at Harmeny. Assessments would normally be carried out by an educational psychologist. Parents would then be invited to see Harmeny. The local authorities would then link in with our social worker.
79. Children tended to stay at Harmeny for at least two years. Some stayed longer, but at the point of moving on we always tried to match children in other provision, outside Harmeny to see if they could cope in a mainstream school. It wasn't always successful.
80. When I went to Harmeny there were twenty-six children attending, but then we changed [REDACTED] and we had thirty-two children. [REDACTED] quite a lot of the children were there all year. It wasn't a money-making venture, it provided continuity for the children and allowed [REDACTED] to employ more staff.
81. Boys formed the majority of referrals, there were perhaps five or six girls, and the age range was from six to thirteen. More often though, the age range was from six to ten. Many of the children we received were emotionally damaged according to LA information and our own pre-school entry checks. A child being with us for 'classroom learning' was a minor part of our work. Our aspiration was to try and turn these children into positive, hopeful, forward-thinking people, where they could trust adults around them.
82. At first there were three residences, but once the building work was finished, there were five and there were roughly six or seven children in each. I can't remember

exactly when the building work was finished, but I am aware that there is reference to children moving to single rooms in an inspection report of 1997. In each residence, there were five staff, a senior member of staff and one other who would come in and help out. Overnight, there would be at least three staff, one a qualified member of staff and two night-awake staff. This level of staffing meant that children were better protected from any difficulties that may arise.

83. The age of the children in each of the cottages varied. The head of childcare, the social worker and the head of each cottage would decide whether a new child would be suitable in the environment in a particular cottage. For example, if the new child was a girl and there was the potential for sexual activity with the boys, she would not be put in there. The head of each cottage would also have meetings with their own staff about potential placements, to get their views. Ultimately, however, it would depend on whether there were appropriate places available.
84. The children ate in their own residences and, when I first went to Harmeny, staff had different food to the children. [REDACTED]
[REDACTED] told the staff that if they wanted different food, then the children must have different food too, otherwise, they would eat the same as the children. One menu was then produced, which was made in a proper, inspected, kitchen on site, then collected by staff and children and taken to each of the residences.
85. The new residences were homely with beautiful extensive grounds outside as well as new cooking facilities inside; the children helped cook their evening meals. They often went shopping, chose what they wanted to cook and took it back to their residences. We had children and staff working together, cooking, wiping up afterwards and cleaning the dishes. However, we then had to put dishwashers in each building, because the Health and Hygiene rules told us that the rules dictated the children couldn't be washing the dishes.
86. The children didn't have showers in their rooms, but there was a bath and a shower room in each of the residences. They had privacy when they showered, but they were supervised. For example, we needed to be sure there weren't two children showering at the same time.

87. We had some really good facilities, including a professionally built outdoor play area, with swings and such like that the children could go and play on. Leisure time activities were dependent on how the child was managing. If a child was prone to running away they would be supervised, although that might be from a window if they were playing outside.
88. The children weren't allowed beyond a certain point on the drive. We didn't allow children to go out of the gate, without supervision. The gates were closed but not locked and there would always be a vigilant member of staff about to supervise children. Children were allowed into the community with staff, but not on their own. Normally there would be two staff because you couldn't have a situation where a child might lose control and support was needed.
89. The volunteers that came to HETL would do activities with the children, although not usually offsite. We built a library, for example, and there would be volunteers in there with other staff. They would read to the children, or the children would read to them. This was part of the new National Curriculum ideas that emanated then.
90. The change to fifty-two weeks was one of the reasons that we opened the Outdoor Centre. We needed to provide children with holidays and recreation outside of school, get the children on holidays because part of living in Harmeny was experiencing the world outside. The Summer Holiday programme was different to school times. There was more recreation and there were more holidays and trips, etc most of which were managed by Care Staff, who effectively were the children's parents.
91. A good Therapeutic Environment would provide a child with experiences outside a cottage and outside Harmeny. giving them opportunities to express themselves. They went canoeing and they did various other outdoor activities. Everything was supervised and there were never any informal trips. Children were never taken to any staff member's home because to do so would put staff in danger.
92. A lot of training support was given to care staff in each of the residences to know how best to work with the children in their care. I recall one holiday when a whole cottage

went to a caravan site in the north of England and other holidays to Fife, where I went to visit the children. Normally the children went with the group they were living with, so there would be five or six at most at any time. It was up to the team who were looking after them to decide where they were going and what they would do and the children would be involved in that decision. These events were often led by Outdoor Centre staff.

93. The children were provided with an education base in the classrooms at Harmeny. They studied a National Curriculum inspected by both the Inspectorate and others. Sometimes the care staff would work in the classrooms with particular children if that child was not coping.
94. There were five classrooms in the school and we had a number of teachers, including some working with special needs, normally in the library. Most children would probably attend classes with the other children they shared their cottage with, although there were exceptions. There was a gym in the school and we had a little football club playing local schools, we had one child as a member of the local running club.
95. After school, each of the cottages would have a group meeting to discuss how people had coped during the day, good or bad, and how they were facing the evening. They would discuss what they might want to do that evening and whether they had any issues about clothing or bedding, etc. Children would also be asked about any challenging behaviour, particularly if it related to another member of the cottage. It would probably last about half-an-hour. We were trying to encourage self-motivation and trust amongst the children, although some children didn't want that and rebelled against it.
96. All the children were registered with the local doctor and they would go there or the hospital if they ever needed specific help. If any child needed medication, it would be kept in a locked cupboard and would be administered by the care staff. When I first went to Harmeny, there were some children on specific drugs to manage their behaviour. As part of a Therapeutic Community, we did not favour the use of medication to moderate behaviour.

97. Like many establishments, the use of drugs other than medicinal ones such as antibiotics was not favoured. If any drugs at all were required to be taken by a child, parents or others with parental responsibilities and rights were asked to consent to their administration and that would be recorded in the child's records.
98. Apart from doing the dishes for a while until the dishwashers were brought into the residences, the children did not do any manual work. They were encouraged to tidy their own rooms, but there were professional cleaners also employed.
99. One of the things I was really proud of was the wildlife pond that we created in the grounds. One of the outdoor pursuits the children engaged in was helping out to clean part of the pond, but they only did so voluntarily.
100. We started whole school Christmas dinners and a Christmas performance for parents and other people to come to including Governors. I always took a lead in music events.
101. We had regular meetings with all of the parents and all of the local authority officials, so that all knew what was happening with each child and what people felt about their progress. Parents didn't always attend, but there would always be a representative from their local authority. The child would be asked to come into the last part of those meetings and they would be asked if there was anything they wanted to bring up, or if there was anything that was troubling them.
102. Parents weren't vetted because we knew who they were and they had a right to come and visit their child. Any other visitor would be asked to sign in and would then be issued with a label that they had to wear so that we knew who they were. Even Malcolm Rifkind, who was the local member of parliament, had to wear a label when he came to visit.
103. Visitors or parents would rarely take children out of Harmeny and there were often good reasons for that. For example, we had a parent who lived very close by in a local blocks of flats. One day, she turned up smelling very strongly of alcohol and I told her she couldn't see her child that day.

104. Some parents came from a great distance and we encouraged them to do so. I believe that after I left, part of the building was turned into a place where parents could stay when they came to visit.
105. Social workers, Psychologists and Psychiatrists visited the children very regularly. There were people in all the time. All the local authorities would have an Educational Psychologist who would keep in touch with each child and check on their improvement. All would speak to the children alone and, any reports about a child, would go through the head of care or through the social worker to relevant staff. If any had any recommendations about a child, they would normally go through the leader of the cottage in which the child stayed, or through the head of care, or the school social worker.
106. Occasionally, a social worker would take a child home to see their parents if their parents didn't come to visit. They would usually be accompanied by another member of staff for safety reasons.
107. Part of my meetings with the children, their parents and social workers and Educational Psychologists, was to review each child's continued residence at Harmeny. Additionally, the local authorities were always keen to move a child because it was expensive for them to remain at Harmeny.
108. When a child arrived at Harmeny, we implemented a personal video and photograph diary that was carried on all the way through to when they left. When leaving, they were given 'their book' officially and everyone said goodbye to them. The Outdoor Centre would also take them on a trip into the mountains and set them challenges to work out how to get from one point to another, albeit while supervised. We were trying to build the independence and character of the child for what was expected of them at that time and beyond. It didn't work for every child, but it did work for most. Staff, including myself, were presented with their own book on leaving.
109. Our internal process for a child leaving Harmeny was a gradual one, working through their diary, moving it through to leaving. We worked with their social workers, the education department and their parents to form stepping stones. Harmeny had no

rights to keep a child, but every child would only leave with the consent and agreement of everyone. It was a very complicated and well-meant service because you could not spend all the time that we did building a child up and then suddenly say 'goodbye' to them.

110. If we knew, for example, six months beforehand that there was a good chance a child would be leaving, whether that was due to their age or due to resources in their local authority, we would write up a programme leading to their discharge. The child would be involved in that process, they would say what they wanted and we would involve and consult the various members of staff involved in their care. We would draw up a series of visits for the child to their new school, or wherever they were to be going, and we would have various meetings with the parents and the child. It was a tailored approach for each child.
111. Generally, the Local Authority would take on responsibility for supporting each child after they had left Harmeny.

Living arrangements at Harmeny School

112. [REDACTED] I lived in [REDACTED] within the grounds of Harmeny. The Head of Childcare, Peter Doran, lived in the property [REDACTED]. At the [REDACTED] of the grounds, the gardener and handyman lived and they [REDACTED] lived on site.
113. Visitors, having made an appointment, if appropriate, had access to the children's Cottages. They would have to meet a member of the staff first. You could walk in the door and inside the building, but a member of staff would by then have approached you, having been called by reception. It wasn't a question of anybody, including myself, just being able to walk in. The visitors would have a badge to wear.
114. The Cottages were not locked during the day. Children could go out and get back in, but there was a good level of supervision and I do consider that child contact was well supervised because there was always one member of staff in each cottage at all times and two during breaktimes. Children were always accounted for. In the new properties

it was even easier to monitor security because all the bedrooms were upstairs and the living accommodation was downstairs. There was a second door out, but entry was only through one door.

115. In each of the properties, the night-awake staff and the sleeping, qualified, member of staff had responsibility for the children overnight. They could also call on a Senior member of staff, if needed.

Discipline and punishment at Harmeny School

116. As is detailed in SEBDA News 2002 (WIT-3-0000005816), a copy of which I have provided to the Inquiry, the late Robert Laslett, a person who I acknowledge as being a truly perceptive person noted: *'with a good deal of inner chaos and internal destructiveness which continually threatens to overwhelm them. Some of them have been involved in situations where relationships have been destroyed by the eruption of hostile and violent feelings. They have not been responsible for that destruction but caught up in it and they have fantasies about the power of their own hostility.'*
117. I have always been a person who would want to discuss with a child, if possible, why they were upset. If a child was very angry, CALM holding techniques might be used, but you would move away from using them very quickly, because you would want the child to start to question why they were behaving in that way and begin to take more self-control of themselves. The longer you hold them, the more difficult that becomes.
118. Corporal punishment was not used in Harmeny, however I'm pretty sure it was used at Harmeny before I went there, although I am not aware of anything specifically. You cannot punish a child for being emotionally upset, it does not work. I never hit my own children and I have never used corporal punishment in any of the establishments I worked in. It is unacceptable and it is unacceptable for other people to use it.
119. We became a 'Therapeutic Community' and there was a formal policy in relation to the use of discipline. We had something called the 'black book', which was in every residence and staff had a copy which contained all relevant information and policies. Anyone, including the children and visitors, had access to that.

120. It would be useful to look at the use of a cognitive-behavioural framework, which we also adopted and offered professional training on. See page 17 of the SEBDA News 2002 (WIT-3-0000005816), with reference to Geldard and Geldard.
121. I am aware that with most children you could tell them to stop if they were behaving badly. The types of behaviour that would result in a child at Harmeny needing to cope and understand their difficulties is more complex. We would consider removing them from the setting and we could then try to diffuse and reflect on their behaviour with them.
122. With some children, see Laslett quote earlier, the rules and regulations don't exist. Instead, their anger determines what they do and whether something is right or wrong is barely a consideration. They don't understand when they are told what they are doing is wrong, it may not mean anything to them.
123. Instead, we tried to get them to sit at arm's length and talk, normally with another member of staff there who could add into the conversation. A three-way conversation is often a lot better than two-way. You would then go through what happened, what is right and what is wrong and how people felt. Generally that worked, but not always.
124. Not letting a child go on a trip would not, to my knowledge, be used as a punishment. However, I cannot be sure whether that may have happened in some instances especially early on. If a child was due to go on a trip and they were upset and not managing, for some reason, they probably wouldn't go.
125. Children were not segregated from other children as a punishment, but sometimes they were CALM held or they went to a place away from others to calm down. That would certainly happen if they were very violent and especially if that violence was towards other children, but they would be brought back as soon as possible.
126. We looked carefully at children who were beyond the stage of being able to cope in a group and we developed a room we called the 'support room'. A child would never be in that room on their own and although staff weren't keen at first, it was set up. We

put padded play items in it and cameras and if any child was taken in there with staff, the cameras would be viewed and it would be noted.

127. We were open about it, even prior to our introducing it, and inspectors came and saw it once we had developed it. When we designed the new building, we created a larger space, again with padded furnishings and children were encouraged to play with things in there. Instead of holding a child while they were in that room, staff would try and deflect their anger by, perhaps, throwing a ball for them to catch.
128. Everything that happened in a classroom or residence would be noted in the daily record book, if it was significant. The daily record book was kept in the classroom or residence and when the staff met to discuss things, they would refer to those notes. They would consider what happened, what didn't happen and what should have happened. At that time, notes were stored.

Holding children at Harmeny School

129. When I first started at Harmeny, the staff had no training in holding children whatsoever [REDACTED] discussed their lack of training [REDACTED]
130. We contacted the Edinburgh and Lothians Registration and Inspection Service (ELRIS), and they suggested we started CALM training. It was difficult for staff and we developed lots of ways in which staff learned to talk a child down from a distance and CALM provided the basis at that point for all holding techniques. I can't remember the timescales or the specifics as to how it changed, but it evolved from there and our Head of Care, Peter Doran, persevered and eventually introduced some better training techniques.
131. I had to trust [REDACTED] in terms of the day-to-day [REDACTED], but we had a philosophy of understanding, listening and calming down any child that was in distress. Over a long period of time, as can be seen in documentation from inspections of the school, we achieved an understanding of who the children were, but most of that was to do with the confidence of staff, it wasn't just the children.

132. [REDACTED] could possibly have trained all staff in restraint [REDACTED] at Harmeny, but that wasn't the issue, it was the application and the appropriateness of holding a child. The key issue is how well Individual members of staff were able to hold and that took months. Some staff, especially the original staff, were frightened and would almost run away. However, over time and with training, each member of staff became confident that they knew what to do and they knew that their colleagues would be supportive.
133. CALM itself is a written policy on holding children and as soon as staff first started at Harmeny they received group training. They received a certificate when they qualified and they received refresher training very regularly thereafter. They were tested, I believe, once a year.
134. If holding a child was used, it would mostly be used to deal with violence or anger. A child would be held until they calmed down and discussion on their actions would follow. That would normally be sufficient. Medication was never administered as a means of restraining or calming a child. Its use would have been entirely contrary to the therapeutic philosophy we began to follow.
135. Early on I did have to hold children, it is likely that I would called over to assist if other staff were not available. It was very rare for me to have to do so, however, and as time went on I became increasingly more detached from personal contact with the children.
136. I have been provided with a copy of an annual inspection report relating to an inspection that had been carried out by ELRIS between 24 September 2001 and 28 September 2001 (CIS-000010050). The Inspection Officer was Lawrie Davidson.
137. The paragraph on page 6 of that report at point 2.17 states: *'There are currently a high number of incidents which require children to be helped to regain self-control. This is evidenced to be done in a number of ways, with successful de-escalation of situations. A number of children currently appear to require to be held by staff. Given the nature of the problems which bring children to Harmeny it is inevitable that during such incidents staff are subject to much physical and verbal abuse. It is a credit to staff that*

they are able to maintain and develop positive relationships with the children and place the children's difficulties in a non-personalised context. Examination of records indicated satisfactory recording of incidents'.

138. We were dealing with damaged and difficult children who could not be managed at LA level. De-escalation after an incident was the standard we worked to, but sometimes children did require to be held as they were in any establishment.
139. I do not remember seeing excessive holding techniques being used at Harmeny at all.

Concerns about Harmeny School

140. I can imagine that there could have been the odd occasion that Harmeny was the subject of concern. However, I know staff treated children with respect and I cannot remember seeing in person any specific incidents but I am sure they would have been recorded.

Problems at Harmeny School

141. It was clear to me even before I went to work at Harmeny, it was in a mess and I did, as SNR [REDACTED], have concerns. I was not happy with the way the organisation had been left to run and my job was to put that behind us and move the school forward. There was major work to be done, not just physically with the buildings and layout, but with philosophy and approaches. It was a huge task and one which needed great and diverse attention. My colleagues were very supportive in the work that needed to be achieved.
142. I remember having lots of conversations with Bill Grieve about the state of the school and what SCF was doing. I remember asking senior managers how we could change things. It was a very difficult situation to be in, but I worked on a philosophy of people working together, to create a positive ethos within a Therapeutic framework.
143. Some changes, in terms of child staff relationships were continuous, but other things such as building new accommodation took time. However, we did put measures in to

address things, such as children sharing rooms. It was a slowly developing curve of progress.

Reporting of complaints/concerns at Harmeny School

144. There was a complaints process in place originally by SCF and later HETL if any child in the setting or another person on their behalf, wished to make a complaint or report a concern, or there was any issue, the local authority would always have been informed by HETL.
145. Complaints could have been received, but I don't remember anything in particular, other than that complaints were a rare thing and were recorded. It should also be remembered that some parents had real difficulties in coming to terms with a child's placement at Harmeny.
146. Any complaints about concerns would have been treated professionally.
147. However, if a complaint was received it would always be recorded. It was a pretty open system, I believe, and one that Inspectors always checked on. The Scottish Office inspectors, particularly, always checked up on complaints. They met with parents and they gave parents questionnaires. I feel sure that if they suspected anything they would have acted immediately.
148. The annual inspection report relating to the inspection carried out by ELRIS between 24 September 2001 and 28 September 2001 (CIS-000010050) makes mention of our complaints system at point 2.21 on page 7. It states: *'The school is progressing its "child friendly" complaints system through the introduction of "worry cards". This, alongside the booklet for parents/carers and the "whistle blowing" policy, will hopefully ensure all stakeholders have the opportunity to raise concern or comment if necessary'.*
149. The 'worry cards' referred to were in classrooms and residences and were for a child to take and write down any problems they might have had. They would normally then give the card to their keyworker or another trusted member of staff. It was a private

way for a child to be able to share a difficulty and quite often those difficulties related to issues the child might be having at home. You will note that Harmeny was an open environment welcoming good ideas and inspections.

150. The booklet referred to was similar to the 'Timmy Bear' book for the children but written by the social worker Anita Roweth and Pauline Gilruth for parents. It told them their rights and responsibilities and their children's rights and responsibilities.

Trusted adult/confidante at Harmeny School

151. Every child had a 'keyworker' from the care staff who they could go to if they wanted to discuss anything. At first, with SCF, there was a figure called 'Jack', who I don't think was a real person, but was someone on a set phone line who a child could speak with about any worries they had. Later, they could also speak to their local authority social worker and, if we thought it necessary, we would call in an educational psychologist. Similarly, if a child asked to see an LA worker, they would be contacted and the child could speak with them. They could speak with senior staff in the school and they could speak with other members of school staff.
152. Any concerns raised would have been brought up at the senior management group meetings and I'm sure I would have been made aware. Minutes were taken. I do not, however, remember any in particular. It was over [REDACTED] years ago.
153. Children did not usually raise any concerns with me. We encouraged an in-home contact philosophy such that the children considered the cottages they stayed to be more homely and could speak to staff within those homes. Children would usually only raise concerns when they were angry or upset about something, whether they were right or wrong, and would mostly do so to their keyworker. The keyworkers would have developed a warm relationship with their keychild, whereas, by definition, I was slightly distant.

External monitoring at Harmeny School

154. As noted earlier, we welcomed and respected external inspections. I asked the Scottish Office Inspectors to come out to Harmeny right at the beginning and they provided a report. We were very fortunate in that one of the inspectors was Dr Frank O'Hagan and he immediately understood the needs that Harmeny had, albeit he told me he didn't know [REDACTED] going to change things.
155. A lot of local authorities were involved with Harmeny and would check up on the children they had placed there and carry out inspections as well. I wasn't always aware in advance of an inspection taking place, but it was quite a structured inspection environment and one in which we were being tested regularly. We also had ELRIS carrying out regular inspections and [REDACTED] employed one of the ELRIS inspectors, Peter Doran, as the Head of Childcare.
156. I was always open to inspection because they reveal weaknesses you can learn from and respond to. Furthermore, inspections gave local authorities confidence in HETL, which was important because that's where our funding came from.
157. Inspectors would speak with the children both individually and in a group. The inspectors had to do so to know what was happening in the school and it was never a problem for HETL. I don't recall whether staff would have been present when the inspectors spoke with the children, but I would think it unlikely.
158. The inspectors would always speak with me and they would always give me feedback, both verbally and in writing. I am aware that the Inquiry has copies of some inspection reports and letters I have written concerning some of the feedback. I always wanted to make sure that anything that was said was correct.
159. I have been provided with a copy of a draft extended inspection report, conducted by the Scottish Office and dated October 1995 (SCH-000000012). The draft report was sent to me with an accompanying letter dated 11 December 1995 by Martyn Roebuck, HM Chief Inspector of Schools, asking me for comment. As can be seen from the marking up on the report, which I can confirm is my writing, I had a number of points to raise.

160. At different times, concerns were raised regarding the safety and welfare of children, to which we responded immediately, as can be seen in various inspection notes. When I first went to Harmeny, recruitment was not exactly in order. In one of the ELRIS reports, there is note of the changes and the development of recruitment processes. No concerns were raised over the discipline of children or of restraint.
161. Harmeny was open to inspections. Inspectors would also speak with the governors of the school and they would, quite rightly, ask about anything they felt needed explanation at all levels.

Record keeping at Harmeny School

162. Record keeping got a lot better over time, but when I first went to Harmeny there was really very little. By the time I left, a huge number of records were kept and I would like to think that everything was and is still recorded.
163. It was something that developed quite quickly and [REDACTED] encouraged the Heads of Childcare and Education to make sure that all note taking and information gathering was put together well and kept up to date.

Abuse at Harmeny School

164. At government level, there were definitions of abuse and at local authority and SCF level there were also definitions of abuse. Staff at Harmeny would always be aware of definitions or changes in practise and Policy changes thereafter.
165. I don't know what the position was before I started, whether the SCF definition was provided to staff, but it was quickly in place after I started. I think there had probably been an understanding that people would know what abuse was, rather than actually being documented. This changed.
166. Abuse, in the eyes of Harmeny, would include physical punishment, or segregating a child from others when there wasn't a good reason to do so, sexual abuse and the

way people behaved with children, for example persistently shouting at a child. Abuse is a broad headline.

167. We used to have staff meetings outside term times when such matters as abuse would be discussed. Staff would break into groups for discussion and everyone would come back together to put their ideas forward. Points would be made and monitored through the heads of Care and Education.
168. I do not remember seeing any behaviour that I considered to be abuse of any kind taking place at Harmeny.
169. Again in SEBDA News 2002 (WIT-3-0000005816), there is mention of various statistics from a national study of English EBD schools that had been carried out in 1998, which the Inquiry may find useful. This was included in a book called '*Effective Schooling for Pupils with EBD*', written by Ted Cole, John Visser and Graham Upton, following the impact of the 1989 Education Act.
170. No child ever reported abuse to me. Any such report would always have gone through the child's keyworker, the Head of care and our Social worker. Reports would be sent on to the LA.
171. Looking back, I feel confident that, if any child was being abused or ill-treated, it would have come to light in or around the time it was occurring. We had procedures in place, we had people in place, monitoring was thorough. Any report would have been dealt with immediately and appropriately.

Child protection arrangements at Harmeny School

172. We had regular meetings to discuss such topics as how children should be treated, cared for and protected regarding abuse, ill-treatment or inappropriate behaviour towards them. Groups were set up to develop policy. It was an open situation, people talked about things, and they relied on each other to work together and find solutions.

173. Guidance and instruction on how to handle, and respond to, reports of abuse or ill-treatment of children by staff, other adults, or other children was written into policies. If a complaint related to something in the care setting, it would be taken to the Care and Education managers, or to the social worker and on to the head of childcare, who would investigate.
174. The amount of autonomy given to staff in relation to these matters would depend on what it was. If a complaint was considered serious, it would immediately be passed to outside authorities. If it had been proven not to have happened, it would probably stop at the head of childcare. Any substantiated report would then go to the governing body and so I do think it was well-managed.
175. The expertise and quality of people involved were by competent and well experienced professionals. Our first social worker actually went on to work for one of the big childcare organisations in Child Protection.
176. The first level of child protection arrangements that was in place was that staff were in sight of each other when they carried out their duties. The second level was the changes to the ethos, policy and philosophy that were taking place all the time. I was content in the knowledge that, if anything did happen, it would be brought to account.
177. There are, however, always improvements to be made. Perhaps we could have introduced better child protection arrangements sooner, but I'm not sure that would have been possible. We sought help from professionals and inspection staff and local authorities. We had a good relationship with child psychologists, and Social Workers who represented the authorities, they were very knowledgeable about such issues and they talked to staff.

Allegations of abuse at Harmeny School

178. I only found out that I was the subject of an allegation of abuse when I was advised by the Inquiry. I was not previously aware that I had been the subject of any such allegation at any time. In all of the years I have worked with EBD children, there has never been a hint of personal misconduct.

Investigations into abuse at Harmeny School – personal involvement

179. I would have been made aware of there being investigations into allegations of abuse, ill-treatment and inappropriate behaviour by staff or others towards children. I was never involved in those or any other investigations. I do not believe it would have been right for me to have been involved in any such investigation.
180. I cannot recall anything specifically. If I had been made aware of a complaint of abuse or ill-treatment of a child by a member of staff, I would have passed it to the Head of Care or the Head of Education in the first instance. They would have then advise me if they considered the Police should be notified and it would probably have been from that if Police were informed.
181. I can remember contacting the police about children who had run off, but I do not recall contacting them about specific complaints of abuse. That is not to say I didn't, I just don't remember.
182. Two members of staff, KLL and KLN were dismissed during SNR because they were found to have abused children. Both were reactive responses, but unacceptable.
183. KLL was one of the 'old guard'. He was a very quiet man who had little idea about working with SEBD children.
184. The incident that happened that led to his leaving Harmeny was in 1996, when he kicked a child in the playground. He came to me via another member of staff who whistle-blew and, when I asked KLL why he had kicked the child, his response was that 'the child had kicked him'. He actually seemed to believe that it was the right thing to do, which I did not accept. I instructed The Head of Childcare to carry out an investigation.
185. I have been provided by the Inquiry with an extract of a document (HET-000000084), which details in the first bullet point: 'Child (identity known) was kicked by staff member

KLL, social care worker, on 1st September 1996, with the staff member being dismissed as a result, on 18 September 1996'.

186. It continues in the second last paragraph in relation to the involvement of the police: *'In relation to the incident whereby Mr **KLL** admitted to kicking a child on 1 September 1996, disciplinary documents indicate the matter being reported to Balerno Police Station, and a PC Bon interviewed the child, with the child's social worker present on or around 5 September 1996'.*

187. I do recall that **KLL** wasn't charged, but finally his time was over at Harmeny and it ended up with him leaving. I do not recall the dismissal procedures taking place as it was **KLL**, but I remember a sense of relief that **KLL** would not continue at the school.

188. Another document that relates to the incidents involving **KLL** and **KLN** **KLN** is titled 'Response to the Scottish Child Abuse Inquiry Part C and D' (HET-000000001). On page 140 of that document, paragraph 5.8 (iii) reads: *'Mr **KLL** admitted to kicking a child on 1st September 1996 and was dismissed on 18th September 1996. The decision to dismiss was upheld at an Appeal Hearing on 7th October 1996'.*

189. It was a similar situation with **KLN**, except that he lost his temper with a child. Leading up to the incident, he had been a good worker and this behaviour did not follow his previous record of behaviour. However, after a second incident occurred, I could not allow a member of staff to remain because the implications for other staff have to be considered.

190. I learned of the second incident with **KLN** from the Head of Childcare, Peter Doran, who had been told by a staff member. I think I had been away in London or somewhere and I was notified when I came back.

191. We had a formal meeting and it was clear that **KLN** was no longer controlling his temper appropriately. **KLN** had to dismiss him.

192. I believe the police would have been involved following the incident with KLN [REDACTED], but I believe they considered they did not need to take any further action.
193. I am aware that in the same document extract I have already referred to (HET-000000084) it details three incidents involving KLN [REDACTED]. The first, at the second bullet point, reads: *'Child (name unknown) was kicked by staff member KLN [REDACTED] (previously known as KLN [REDACTED]), social care worker, date unknown, with the staff member being given a final written warning as a result on 8 October 1997'.*
194. Whilst both KLL [REDACTED] and KLN [REDACTED] had kicked a child, I am aware that KLL [REDACTED] was dismissed KLN [REDACTED] was given a warning as he remained in employment.
195. The third bullet point reads: *KLN [REDACTED] social care worker, removed child (name known) from class in a way which was inconsistent with CALM, and displayed a level of shouting outside the classroom which suggested anger and loss of self-control. The date of incident is unknown, however Mr KLN [REDACTED] was dismissed, with effect from 2 March 1998, because of this incident and the one noted below'.*
196. The fourth bullet point and the third incident involving KLN [REDACTED], reads: *'KLN [REDACTED] social care worker, restrained a child (name known) in a way which was inconsistent with CALM, shouted very loudly and very closely in the child's ear while the child was held on the floor and could not withdraw, and displayed levels of anger which suggested loss of self-control. The date of incident is unknown, however Mr KLN [REDACTED] was dismissed, with effect from 2 March 1998, because of this incident and the one noted immediately above'.*
197. I remember the final meeting. Rosemary Fitch attended along with Peter Doran, who was supporting KLN [REDACTED]. I think KLN [REDACTED] thought he was going to get a warning. However, the fact that this had happened more than once was too dangerous for HETL.

198. The final paragraph of this document in relation to the involvement of the police, reads:
'In relation to the incident whereby Mr KLN [REDACTED] kicked a child (Date unknown but disciplinary outcome of 8 October 1997), it is not clear, since the relevant disciplinary documents contain no details about a police investigation'.
199. I cannot remember whether the police were notified of this incident or not. Local authorities were informed by letter of any incident and they would normally be the people who would ask for the police to be notified.
200. Other than KLL [REDACTED] and KLN [REDACTED], I cannot remember any members of staff who resigned or were dismissed during my time at Harmeny because they were the subject of a complaint involving, or an investigation into, alleged abuse or ill-treatment of a child or children accommodated at HETL.

Reports of historical abuse and civil claims at Harmeny School

201. I do not remember being involved in the handling of reports to Harmeny by former residents concerning historical abuse. I believe I was contacted about someone who used to be on the staff, but only because there is mention of this in the documents I have been supplied with by the Inquiry.
202. I was never involved in the handling of civil claims made against Harmeny by former residents, concerning historical abuse.

Police investigations/criminal proceedings at Harmeny School

203. Other than the incidents involving KLL [REDACTED] and KLN [REDACTED], I do not recall any other police investigations into alleged abuse at Harmeny School.
204. I have not given a statement to the police or the Crown concerning alleged abuse of children cared for at Harmeny and I have never given evidence at a trial concerning alleged abuse of children at HETL.

Convicted abusers at Harmeny School

205. I do not know of any person who worked at Harmeny that was convicted of the abuse of a child or children there. All staff were checked by the authorities before starting at HETL prior to employment.

Other staff etc. working at Harmeny School at the same time

Robert 'Bob' Taylor

206. I would say Bob Taylor was perhaps in his early forties when I started at Harmeny and had been SNR [REDACTED] took up position. He was actually no longer in post when [REDACTED] Bill Grieve of SCF was in charge. I don't know the circumstances of why Bob Taylor left, but I do know that Bill Grieve was worried about the responsibility of [REDACTED] Harmeny and wanted me to start immediately.
207. I did meet Bob Taylor, but I'm not sure I held him in high respect. He wanted to meet me in the local pub and that was not something I was happy to do.
208. I did not feel that Bob Taylor was a competent SNR [REDACTED]. He had been put in the position when [REDACTED] SNR [REDACTED], KVJ [REDACTED], had retired, however I don't know much more about the circumstances of that. He did not have the obvious qualities that SNR [REDACTED] has. He didn't appear to be a good decision maker and he had an over-casual, friendly relationship with staff.
209. I did not see Bob Taylor interact with children and I did not see or hear of him abusing children.

KLL [REDACTED]

210. KLL [REDACTED]'s job title was care worker, but that is far from what he was. There were quite a few people when I first started at Harmeny whose job titles were misnomers. KLL [REDACTED] was at Harmeny when I started and I did not understand why someone like him was working there.

211. He was probably in his early fifties at that time. I knew him as a member of staff who I would say hello to and I would ask what he was doing. He was always 'working in his shed with children, I never saw him disciplining a child and I never saw him abuse a child.

KLN

212. KLN was in his twenties and appeared very soft natured. He was a care worker in Caroline Cottage and was recruited while I was SNR

213. I always kept my role apart from staff, so I didn't really know him, but I did often see him working with children and I do know that KLN was respected by the children. He was 'outside' as much as possible with the children.

PNC

214. I PNC as SNR and he left before I did for a role at a residential school in Fife. I don't recall the years.

215. PNC would probably have been late-thirties, early-forties and, professionally, I knew him well. I am not the sort of person who makes friends in a professional setting, therefore I did not know PNC personally.

216. PNC started off very keen. He worked well with Peter Doran, the Head of Care, and they did some good work together. There came a point, however, when he lost heart. I had brought Peter Doran up to the same rank as him, whereas previously PNC had been above him in rank and I think that made a difference to him.

217. I saw PNC with children and I would say he got on well with them. I do not recall seeing him disciplining children, although he obviously would have been involved in doing so. I did not see or hear of him abusing any child and I would be very surprised if he had.

Leaving Harmeny School, Balerno

218. When I came to leave Harmeny in 200█ I knew that I was leaving the school in a stable and developing condition, and that was a source of great pride for me. I made the decision to leave because I was feeling the time to move on had come. All the building projects were completed, the school was working well and I wasn't sure I had a role left. For those reasons and for a number of personal reasons, my wife and I decided that the moment had come to move on and I started my own business.

Part D response regarding allegation made by █

219. I have been provided with a copy of a redacted extract from documents supplied by Harmeny Education Trust to the Inquiry (HET-000000085), which provides some information in relation to an allegation of sexual abuse made against me by a boy called █.
220. I am named in the document as the '*alleged abuser*' and the document details the alleged abuse as: '*SEXUAL*' – █ *alleged that* KYN █ SNR █ SNR █ *took "wee boys into his house and into his bed".* █ *stated that he had been in* KYN █ *s house*'. The document states that the allegation was made on 11 October 2002 and: '*Reported to Peter Doran (Head of Care) by Pauline Gilruth (School Social Worker). PG (CPO) reported to LA SSW. LA SSW & PG discussed* █ *s comments with him. █ could not recall his original conversation*'. It also details that the outcome following the investigation was: '*No further action*'.
221. I knew nothing about this until I received this document from the Inquiry, but I do know that nothing such as what is alleged to have occurred did happen. I don't even remember who █ was, unfortunately. I do know that Pauline Gilruth who conducted the investigation was totally independent and I am absolutely certain the investigation would have been handled professionally. This information was shared with the LA. The decision was NFA. It would have been totally out of character for me to be in such a situation. I have never been accused of such actions before. I did

not and would not abuse a child in any way. I believe the matter was handled professionally and the result speaks for itself.

222. It is possible that I was made aware of this at the time, but I do not remember it and I would have expected to. If I had known about it, I would have been worried because it was untrue, so out of character, and it would have impacted my whole career.
223. The allegation that I took 'wee boys into my house' did not happen, because staff would have had an eye on any child going near [REDACTED]. My whole family were living at [REDACTED] at that time and given my work load and school timing and indeed [REDACTED] school timing, I could not have taken children into my family home and the passage of time has not affected my recollection of that.
224. My guess as to why such a thing was said is that I was [REDACTED] in the place. Perhaps [REDACTED] objected to being there and perhaps he was angry and wanted to take it out on someone. That is, however, conjecture.
225. I would, of course, accept absolutely that such treatment of a child would be abuse.

Document - Response to the Scottish Child Abuse Inquiry Part C and D (HET-000000001)

226. The document titled '*Response to the Scottish Child Abuse Inquiry Part C and D*' (HET-000000001) states at the bottom of page 140: 'Mr ^{KLN} [REDACTED] kicked a child (date unknown) and was given a final written warning as a result, on 8th October 1997. He was dismissed, on 2nd March 1998, for a further two child-related incidents (dates unknown), whereby he used physical interventions which were inconsistent with CALM, shouted at the children and displayed levels of anger which suggested loss of self-control'.
227. I suppose the reason why ^{KLL} [REDACTED] was dismissed for kicking a child, while ^{KLN} [REDACTED] was given a final written warning must have been because the local authority were content these courses of action were appropriate. However I am unable to recall and cannot make any further comment on the reasons for the different courses

of action. I speculate that ^{KLN} [REDACTED]'s reaction at that time was inconsistent with his usual approach to children. However, when further difficulties arose the moment had come to cease his employment at Harmeny.

228. Pages 147 to 149 of this document contain details of nineteen external investigations into incidents that occurred at Harmeny between February 1996 and November 2013. Thirteen of those investigations were said to have taken place during my time at Harmeny (199[REDACTED]-200[REDACTED]). Given that they were external investigations, I must conclude they were dealt with professionally and proper outcomes followed. At this point in my life, I do not recall having seen details of these investigations.

229. The one thing I am certain of is that we did have a good open system in place for such matters.

The Social, Emotional and Behavioural Difficulties Association

230. SEBDA started off as the Association of Workers for Children with EBD and was an organisation that essentially provided an opportunity for [REDACTED] Special Schools from all over Britain, and beyond, to come together. When I became [REDACTED] [REDACTED] in 200[REDACTED] we changed the name to what it now. In this the role, I negotiated with governments and we helped develop national policies. I also helped on the [REDACTED] enquiries looking at the grants available from Europe. Further I was called to [REDACTED] to discuss a piece of Special School enquiry into the relevance of Special Schools, I believe.

231. In SEBDA, I was based at home, but I attended meetings in London and all over the country with the managing committee and all [REDACTED] various establishments who were able to attend. We also went abroad to various conferences and I chaired various meetings. My role at SEBDA was much more of an administrative and a negotiating one, looking at a more holistic, therapeutic approach to the care, education and development of children, as had been my approach at Harmeny and fitted in with SEBDA's rationale.

232.

[REDACTED]
[REDACTED]
[REDACTED]

Helping the Inquiry

233. At the end of my days at HETL, the building projects enhanced the work we did. The core of the work we did was built around good, well trained staff trusting each other and working together. Staff being so important in any setting involving the care of SEBD children. Children at Harmeny were mostly happy and respected the opportunities they had there. Nevertheless, all of the young people had a wealth of difficulties which made life difficult at times for all staff.
234. We focussed on how we could create a progressive environment built around capable people and one that changes and evolves all the time. By definition, change is the essence of success. Not just finding a formula that works but finding a formula that moves on and adapts despite the continued challenges. The young people we serve are part of a much needed, challenging environment, which I hope the Inquiry accepts.
235. I was embarrassed when I was awarded [REDACTED], because I had one-hundred-and-forty staff at that point and it was only me that was credited. That was difficult to come to terms with but I accepted the honour on behalf of the work in SEBDA and HETL.

Further Information

236. It should be noted that I suffered a stroke and a heart attack thirteen years ago. My memory and sequencing of 'time' and verbal recall is impaired. I apologise that my memory, much of which was triggered by the pre-statement interview notes, may not be totally accurate and indeed may at times be varied in the long term recollections. Please note that these issues were some twenty-nine years ago and now being seventy-six years of age, my physical and mental aptitude has also suffered.

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

KYN

KYN

Signed

Dated

30.7.25