

1 Friday, 15 August 2025

2 (10.00 am)

3 LADY SMITH: Good morning and welcome to further evidence in
4 relation to Phase 9 of our case study hearings.

5 Now, as we said yesterday, we move to two witnesses
6 in person today, one here and this afternoon there'll be
7 a Webex link.

8 I think the person who's giving evidence here is
9 ready to do that; is that right, Ms Innes?

10 MS INNES: Yes, my Lady.

11 The first witness has the pseudonym 'Andrew'. He
12 attended Harmeny School from [REDACTED] 1976 until 1978.

13 LADY SMITH: Thank you.

14 'Andrew' (sworn)

15 LADY SMITH: 'Andrew', before we turn to you giving your
16 evidence, can I just say thank you again for coming this
17 morning to help us with the work that we're doing here
18 at the Inquiry. It's very good to see you.

19 One or two practical things to think about before we
20 start. I think you've found the red folder already in
21 front of you. It's got your written statement in.
22 Thank you for that, because that's already evidence
23 before me and it's helped me to prepare for hearing you
24 today.

25 It also means that we don't have to go through every

1 detail that you've already told us about. We'll be
2 looking at some specific parts of it, but if there's
3 anything that you want to mention that we've not
4 actually pointed you to, do feel free to say so.

5 A. Yes, there is a few things I'd like to say at the end.

6 LADY SMITH: Well that's really helpful, but you must be
7 comfortable in doing what you can to give your evidence
8 and part of my job is to make it as comfortable as I can
9 for you to do so.

10 Because I know this isn't easy. You've agreed to
11 come into a public place to talk about things in your
12 own life and your own life a long time ago and not all
13 of which were exactly a great time for you. I know
14 that. And I know it can get difficult and I know you
15 might want a break. I know you might want to stand up,
16 have a breather. You must feel free to do what works
17 for you. You just let me know. Will you?

18 A. Okay, thank you.

19 LADY SMITH: All right.

20 We'll also bring the statement -- parts of it up on
21 screen. You might find that helpful.

22 A. Yeah.

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

25 A. Okay. Thank you.

1 LADY SMITH: Ms Innes.

2 Questions by Ms Innes

3 MS INNES: Thank you, my Lady.

4 'Andrew', I'm going to start by referring to your
5 statements and just dealing with something formal first
6 of all. So you've given two statements to the Inquiry.
7 The first one has the reference WIT.001.002.4340.

8 And if we go on to the final page of that statement,
9 page 22, and paragraph 130 --

10 A. Yeah.

11 Q. -- we see there that you say that you've got no
12 objection to your witness statement being published as
13 part of the evidence to the Inquiry and you believe the
14 facts stated in this witness statement are true. And
15 you signed your first statement on 28 February 2019; is
16 that right?

17 A. Yes.

18 Q. And then you gave the Inquiry a further statement and
19 the reference for that is WIT-1-000001468 and if we look
20 again to the final page of that statement, and
21 paragraph 38, we see again that you say there:

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

1 And you signed that statement on 30 July of last
2 year; is that right?

3 A. Yes.

4 Q. Okay. So, we can take these statements, together with
5 what you're going to tell us today, all as your evidence
6 to the Inquiry.

7 A. Okay.

8 Q. I want to go back to the first statement now, and you
9 tell us that you were born in 1965 and because of
10 difficulties that you faced at home, you were taken into
11 care and you say at paragraph 5 that you first went into
12 care in 1970?

13 A. Yes, correct.

14 Q. And initially, you went into a family group home in
15 Tranent; is that right?

16 A. Yes.

17 Q. Now, we're going to move on in your statement to page 7
18 and paragraph 39. You tell us that there was a time
19 that you moved from the family group home to
20 East Fortune Hospital?

21 A. Yeah.

22 Q. Is that right? And you think you spent a couple of
23 years there?

24 A. Possibly, but I don't know whether it was called
25 East Fortune because I think I recalled in a later

1 statement -- I can't remember the actual name of that
2 place, 'cause -- they put me on medication and
3 everything at the time. So I really don't know whether
4 it was East Fortune or called something else.
5 I remember Dr Wolf -- you know, but it's quite difficult
6 to remember -- I think it was called East Fortune,
7 I'm not too sure.

8 Q. Okay. Was Dr -- you mentioned Dr Wolf and you say that
9 she was a psychologist working in the hospital?

10 A. Yes.

11 Q. And do you know why you were at the hospital or what
12 sort of treatment you were getting?

13 A. They just placed me there because of my childhood
14 behaviour. I was out of control.

15 Q. And we know that you left the hospital after a couple of
16 years and then you went back to the
17 family group home and then you went to Harmeny, which is
18 what we're focusing on in your evidence today.

19 A. Yes.

20 Q. If we move on to page 11, paragraph 58, you talk about
21 arriving at Harmeny School. Do you know why it was that
22 you went to Harmeny School?

23 A. So they were trying to find a home for me to go in
24 because obviously I'd got expelled from infant school
25 and primary school, and they were going to put me in

1 a borstal at first, but then obviously they found out
2 about Harmeny and obviously they've let me visit it
3 a few times with a social worker and that's why I ended
4 up getting placed in Harmeny, because I thought it was
5 going to be okay, but obviously, as you know, it wasn't.

6 Q. I think you were saying, 'Andrew', that there had been
7 discussion about you going to a borstal; is that right?

8 A. Yeah.

9 Q. But then a decision was taken that you would go to
10 Harmeny?

11 A. Yes.

12 Q. And did you visit it a couple of times before you went
13 there?

14 A. Yeah, I went with Larry McCaffey, the social worker, and
15 visited a few times.

16 Q. Can you remember what you thought of it when you were --
17 visiting?

18 A. I thought what's this big place they're sending me to
19 and why is it so big, and why's there so many kids here.
20 So it was quite scary.

21 LADY SMITH: Harmeny was a big, old house, I think.

22 A. Yes.

23 LADY SMITH: Quite unlike where you'd been living before?

24 A. Yeah.

25 LADY SMITH: Thank you.

1 MS INNES: And you say that when you first went to Harmeny,
2 you stayed in the main house.

3 A. Yeah, that's what everybody did, because I think you
4 were there for a two-year cycle, because it was meant to
5 get you ready for high school, so they placed us in the
6 big house to start with.

7 Q. Then, you tell us in your statement at paragraph 58,
8 that after staying in the main house and before you went
9 back to high school, you then moved to a separate
10 cottage in the grounds?

11 A. Yeah, there was a cottage at the bottom of the grounds
12 in Harmeny and I think everybody who was there, that
13 was the last part of you being in Harmeny. You moved to
14 the cottage.

15 Q. And then at paragraph 59, you talk about the main house
16 and you say that there were three floors and the boys
17 and girls were in different floors in the house?

18 A. Yes.

19 Q. Were you in a dormitory with other boys?

20 A. Other boys, yeah. There was a dormitory where it was
21 a wooden bed and it had two beds on each side, so there
22 was like six beds, you know what I mean?

23 Q. You mention at paragraph 60 that there was a lot of
24 ground around the house, a lot of open space?

25 A. Yes.

1 Q. If we move on in this statement to page 12, and
2 paragraph 65, you say there that when you went to bed at
3 night it was chaotic?

4 A. Yes.

5 Q. Are you able to tell us a bit more about that?

6 A. Well, there was always fights or -- because I had
7 bed-wetting issues I used to get humiliated from the
8 staff and then it would carry on through boys through
9 the night.

10 Q. Okay, we'll come back to that issue in a moment in a bit
11 more detail.

12 So were there fights and issues within your
13 dormitory or between --

14 A. Yes, because, at the end of the day, we were all
15 fighting to survive, so you had to see who the top guy
16 was or the top boy. So there was always a fight every
17 night. When the staff weren't there.

18 Q. And you say here that the staff would come in and tell
19 you to calm down and sometimes a staff member would stay
20 in the dormitory?

21 A. Yeah, would, like, stand in the doorway.

22 Q. And when you were in the main house, do you know where
23 the staff were staying? Were they staying in the house
24 overnight?

25 A. So staff had rooms at the highest part of Harmeny and

1 up -- there was flats and things, they had their own
2 rooms up there, but I don't know if some staff stayed
3 out and came in to work.

4 Q. So there were staff there overnight?

5 A. I think there was permanent staff there who had their
6 accommodation there.

7 Q. I see. And then you say in the next paragraph, at
8 paragraph 66, that meals were okay, but it was unruly
9 during meal times as well?

10 A. Yeah, there'd be food getting thrown everywhere.
11 There'd be guaranteed a fight every -- because it was in
12 the main house. There was girls as well fighting and
13 lads.

14 Q. And what did the staff do about this?

15 A. Well, they'd try and control it or they would grab you
16 physically, put your arm at your back, you know, if you
17 were the one that was in the fight, try and kneel on you
18 or sit on you, and then obviously there was a room that
19 they used to take you to try and calm you down.

20 Q. And you say sometimes they would stop it and there would
21 be punishments, so you've described, you know, staff
22 members grabbing you or restraining you, I think, and
23 going into this room, which we'll talk about in
24 a moment.

25 Were there other punishments for fighting?

1 A. Well, they would just physically restrain you, maybe one
2 on each arm and they'd be digging their nails into the
3 back of your neck or in the back of your legs, you know,
4 just to try and say: we're in charge, not you. And it
5 was constant all the time. Every time there was trouble
6 or a fight, that's the way they used to deal with you
7 and female staff would sit on you and things. There was
8 one particular female staff used to sit on me and dig
9 her nails into my legs and everything.

10 Q. And did this sort of thing go on for the whole time that
11 you were at Harmeny --

12 A. Yes.

13 Q. -- or did it ever change?

14 A. There was never a change.

15 Q. And how did this chaotic atmosphere that you've
16 described with fighting between the children, how did
17 that make you feel?

18 A. Terrified, you know.

19 Q. Now, if we go on to the next page, you talk about some
20 things that you did, so at paragraph 69, you talk about
21 getting involved in boxing and was that at the school or
22 was that at a club nearby?

23 A. That was at a club nearby.

24 Q. And then at paragraph 70, you talk about a couple,
25 Harry Leask and his wife Muriel.

1 A. Yeah.

2 Q. Did they work at the school?

3 A. So they were teachers in the school, so they only worked

4 in the school. They weren't, you know, staff.

5 I think -- I'm sure they stayed on the grounds in

6 a cottage at the top of Harmeny. As you come in the

7 main drive, there's a cottage on the right-hand side.

8 I think Harry and Muriel used to stay there.

9 Q. And you say that they taught you how to play chess --

10 A. Yes.

11 Q. -- and you describe going up --

12 A. So they were actually all right, you know. They were

13 never physical or violent or anything. Muriel was

14 a world chess champion, if you look back in history, so

15 ...

16 Q. And you say that you would go up to their house to do

17 that and spend time with them?

18 A. Yeah, so eventually they'd try and get one of us to go

19 maybe once a week to do -- learn to play chess, because

20 they said it would help you with maths and everything.

21 So they did try and -- some children, they did try and

22 help us, you know. I don't know whether they were aware

23 of what was going on. But I never told them because

24 I was too scared.

25 Q. And then if we go down to paragraph 74, you talk about

1 the education at Harmeny and you describe the education
2 as chaotic?

3 A. Yeah, 'cause --

4 Q. Why?

5 A. -- there was never any structure. Even though they
6 tried, there was nothing -- there was no way anything
7 was getting done.

8 Q. Why was that?

9 A. Because there was too much disturbance with other kids,
10 because -- obviously from different backgrounds, so we
11 couldn't -- they wouldn't know how to behave properly in
12 the class.

13 LADY SMITH: 'Andrew', I'm sorry to interrupt, I just want
14 to make an enquiry, with the stenographers. My Realtime
15 has stopped.

16 (Pause).

17 Ms Innes.

18 MS INNES: Thank you, my Lady.

19 What did the staff do in the classroom to try to
20 control behaviour?

21 A. So when -- we used to line up in the mornings to go into
22 different classes, but then you'd get teased off some of
23 the staff, like SNR [REDACTED], KVJ [REDACTED], he used
24 to come along and think it was funny to hit you in the
25 arm or the leg. So we'd be agitated and wound up, and

1 make us stand in a line and: if you don't behave, you'll
2 be getting it, you know, or we'll put you in the room
3 out the way. So obviously we would -- other boys would
4 try and wind you up to see you getting hit, as I would
5 do to another boy, you know, because we were just out of
6 control really.

7 Harry and Muriel did try their best to try and teach
8 us, but obviously once there was a disturbance in the
9 class, it would disturb the whole day really.

10 Q. Now, if we go on to page 14, at the very bottom of the
11 page, at paragraph 83, you refer to your social worker,
12 Larry, and you've mentioned him already in the evidence,
13 he's the person that took you to visit Harmeny, and you
14 say that he would visit you to see how you were getting
15 on?

16 A. Yeah.

17 Q. You say that he was a positive influence on you. Did
18 you feel able to talk to him honestly about how you were
19 feeling at Harmeny?

20 A. No, because again I was scared. He used to try and take
21 me out for days and things when he visited, but I think
22 he was only limited to what he could do. And again
23 I was too scared to tell him.

24 Q. What did you think was --

25 A. He did do a report and I've seen it once, quite a number

1 of years ago, I would like to try and -- if that was
2 ever found -- he done a report on us all and I seen it,
3 I think it was late 80s, and it disappeared somewhere.
4 I don't know if it can be found again.

5 Q. Do you know if he said anything in that report about how
6 you were getting on at Harmeny, or was it a report about
7 something --

8 A. It was mentioned about my other siblings as well and it
9 was just a report on the whole family.

10 Q. On the whole family. Okay.

11 If we go on over the page, to page 15, and
12 paragraph 87, you talk there about the room -- a bit
13 more about the room you've been mentioning, the calm
14 down room?

15 A. Yeah.

16 Q. Was that in the main building at Harmeny?

17 A. That was in the main building. As you go through the
18 doors it was on -- you turned right, there was
19 a corridor you went down and it was at bottom of the
20 corridor and you can actually see it if you come past,
21 there was a big glass window. It was, like, you know,
22 like squares and triangles, like a kids' playroom.

23 Q. You say that it had soft cushions in it?

24 A. Yeah.

25 Q. Was there anything else in the room?

1 A. No, just like plastic balls and things. No, it was like
2 a room to play in, but they tried to use it as a calming
3 down room for anybody.

4 Q. And why would you be taken to the calm down room?

5 A. Because if you were in a fight or you were out of
6 control, they think -- they thought they could put you
7 in there to calm you down.

8 Q. And if you were in the room, would a member of staff be
9 in the room with you?

10 A. So one time three staff got me, put me in the room, said
11 to me: oh, you won't get out of here, and I laughed and
12 I said: I'll be out of here in five minutes, and
13 I actually punched my way through the glass in the door
14 and opened the door and walked down and I had to go to
15 hospital and get stitches in my hand. And I said -- I
16 said: I told you you wouldn't keep me in here. That's
17 how violent it got and how destructive I was about them
18 locking me in that room.

19 Q. So would the -- so from what you're saying, no staff
20 member would stay in the room with you, you would be
21 left --

22 A. No, they used to lock the door and they would tease you
23 a bit as well.

24 Q. Can you --

25 A. That was -- other children had been locked in there as

1 well, you know, but I thought if I get put in there
2 I'm not staying in there.

3 Q. And can you remember how long you would be left in the
4 room for?

5 A. Well, they'd try until other children had calmed down.
6 I wasn't even in there -- like I said, I told them, you
7 know: you're not keeping me in there. I don't think it
8 was five -- I wasn't even in there five minutes.

9 Q. And then on page 16, at paragraph 89 of your statement,
10 you talk there about wetting the bed and in your initial
11 statement, you said that the staff weren't aggressive
12 towards you. However, I think that we'll see, when we
13 come on to your next statement --

14 A. Yes.

15 Q. -- that you've had memories about that and what's said
16 here isn't correct?

17 A. Yeah, because -- I've been getting mental health
18 treatment and through that treatment they helped me
19 remember a lot more about Harmeny School and obviously
20 I had that treatment last year.

21 Q. We'll come back to that, when we look at your second
22 statement.

23 At paragraph 90, you tell us about an incident with
24 some [REDACTED], I think?

25 A. Yes.

1 Q. Can you tell us what happened?

2 A. So I'm not going to name the -- there was four of us and
3 obviously we knew about [REDACTED] because it
4 was at a fort at the back of Harmeny where kids could
5 play on, and obviously we'd had enough and we thought if
6 we [REDACTED], we're going to be out of this world or out
7 of there. So we all went up and we obviously knew about
8 [REDACTED] and we were [REDACTED], and then two
9 members of staff saw us through one of the windows and
10 they obviously realised what we did, so we had to go to
11 the hospital and get our stomachs pumped. But we did
12 want to end our lives then because of what was going on
13 at Harmeny.

14 Q. And when you were at the hospital, did anyone speak to
15 you about why this had happened?

16 A. No, I just remember going to the Edinburgh Hospital and
17 getting us stomachs -- and making us sick to bring
18 obviously -- because there was a number -- we had to be
19 there by a certain time because obviously [REDACTED] were
20 in our stomach.

21 Q. And you say that after this happened you went back to
22 Harmeny. Can you remember anyone speaking to you about
23 what had happened?

24 A. No, nobody really -- sort of seemed to carry on, you
25 know, nobody seemed to -- I can't remember what happened

1 or anything; which I find disturbing really, you know.

2 Q. Now, in the next part of your statement, you refer to

3 some of the things that happened and you mention at

4 paragraph 92 a staff member and I think this is maybe

5 a person that you've already mentioned in your evidence.

6 You say that this staff member would grab you by the

7 hair and sit on you?

8 A. Yeah.

9 Q. She would dig her nails into your legs and tell you to

10 calm down?

11 A. Yes.

12 Q. Did that happen to you?

13 A. That happened to me quite regularly off her. She seemed

14 to pick on me a lot and, you know, use the bed wetting

15 thing, call me a 'pee the bed' and everything.

16 Q. And --

17 A. She was a bully. Really well built for a woman, you

18 know. We were only small, skinny kids.

19 Q. And do you know what her job was at Harmeny, was she --

20 A. She worked -- so she worked in the house, but I think

21 she worked on the middle floor.

22 Q. And were other staff members around when she was

23 behaving in this way?

24 A. Yeah. They didn't seem to bother. They just, you know,

25 she's calming him down.

1 Q. And did --

2 A. It happened a lot. When a staff member got hold of

3 a kid, other staff just seemed to carry on.

4 Q. And did you see this happening to other children?

5 A. Oh, yeah, I seen her doing this to several -- because

6 I knew what was happening to them when she was doing it.

7 Q. Now, in the next paragraph of your statement, at

8 paragraph 93, you talk about being asked to go to staff

9 members' rooms and you refer here to an MWG [REDACTED],

10 a MWH [REDACTED] and a MWI [REDACTED], okay, so --

11 A. No, I don't think MWI -- I can't remember MWI's

12 name, because he had a girlfriend called KVH [REDACTED], they

13 both worked in the home as well.

14 Q. So maybe it wasn't -- that's maybe not his name, it may

15 be his surname, maybe it's something else?

16 A. Yeah.

17 Q. So if we talk then about MWG [REDACTED] and

18 MWH [REDACTED], you say that you'd been invited to go

19 to their rooms?

20 A. Yeah, so what was happening is -- this is why I refer

21 to -- I think it was grooming from day one in Harmeny.

22 You seemed to start at the bottom, you know, the home,

23 when you first moved in and as you moved round you were

24 getting -- all the things seemed to develop with staff

25 where they would -- like one of my pals at the home said

1 to me: oh, you go up to one of the rooms and you have
2 juice and biscuits and everything. And I thought: oh --
3 I didn't bother at first because I wanted to be on my
4 own and then I saw other people doing it and I thought:
5 I'm going to try this, you know, and then obviously this
6 is where it developed into this.

7 Q. You say that you would be asked to dance with the staff
8 members?

9 A. Yes.

10 Q. And what else would happen other than that?

11 A. So they would -- in a sexual way they would try and get
12 you as a young boy, you know, and then they would
13 humiliate you, you know, if you got sexualised towards
14 them and things.

15 Q. Okay, and --

16 A. You'd be laughed at and pointed at.

17 Q. And were you there with other children?

18 A. Yeah, there was other children and they would ask me to
19 dance with one of the girls -- other girls in the home.

20 LADY SMITH: 'Andrew', I was thinking about the timing here.
21 You'd be, what, about 12 years old --

22 A. Yes.

23 LADY SMITH: 11/12 years old, something like that?

24 A. Yeah.

25 LADY SMITH: Just growing up, yes?

1 Thank you.

2 A. They used to make us lie on the floor at first, listen
3 to music, and laugh and joke about it and then ask you
4 to kiss a girl next to you. This MWI used to sit on
5 the windowsill and KVH just sort of stood in the
6 background and then eventually this is when MWG and
7 MWH started coming in.

8 MS INNES: Sorry, I didn't quite catch the -- you said: this
9 is where somebody --

10 A. So this is where eventually, when they were doing this,
11 then eventually they would have the other two females
12 coming in and asking us to dance and everything, after
13 the period of time sort of -- it was like they were
14 gaining your trust.

15 Q. Now, in the next part of your statement, at
16 paragraph 94, you talk about a member of staff called
17 MWJ and you say that he was the worst staff
18 member?

19 A. In Harmeny, yes.

20 Q. Why was that?

21 A. Because from day one everybody was speaking about him.
22 Everybody was terrified of him because he was the way he
23 was, a very aggressive bully from day one and the first
24 time I ever came across him I was terrified. I was
25 terrified even before I seen him because other children

1 would say about MWJ

2 Q. And then -- so you say that you were terrified even

3 before you saw him?

4 A. Yes.

5 Q. And then the first time that you actually saw him, how

6 did he behave?

7 A. Well, I saw him grabbing a kid and throwing him against

8 a tree and that was, as you come from Harmeny, you go

9 down towards the cottage. There was a lot of trees

10 there and there was a sports field in the middle. So

11 I've seen him physically throwing somebody and

12 I thought: I don't want to come across him, you know.

13 But obviously, as you know, we did.

14 Q. And then at paragraph 95, you talk about something that

15 happened one night after you had moved into the cottage.

16 So this was towards the end of your time at Harmeny and

17 you say that you'd got up to go to the toilet?

18 A. Yeah.

19 Q. And what did you see?

20 A. So there was a boys' dormitory in the cottage and they

21 had a middle -- staffroom in the middle. Obviously if

22 they were on nightshift, they'd be sitting there. So

23 I sort of opened the door and I've seen him with

24 MWH kissing and cuddling, and I was nervous,

25 I needed to go to -- and I banged the door and the next

1 thing he got up and grabbed me and just severely beat
2 me, because I saw what was going on. And then obviously
3 I wet myself and then he was -- he battered me even more
4 and he said: if you tell anybody about this, I'll kill
5 you. That's exactly what he said.

6 Q. And what did MWH do during this?

7 A. Nothing, just sat there. Never said anything.

8 Q. Now I'm going to move on to your second statement,
9 'Andrew', so this is WIT-1-000001468 and you've already
10 mentioned in your evidence that whilst I think you were
11 having treatment for your mental health, during the
12 course of that, some of that touched on your experiences
13 at Harmeny and you remembered things that had happened?

14 A. Yeah.

15 Q. Is that why you gave a second statement?

16 A. Well, Mike, the psychologist, said to me straightaway:
17 you need to get back in touch with the Inquiry because
18 there's a lot of stuff that's gone on here, we've
19 remembered -- you've remembered even more. And he said
20 it was really serious. He was going to do it hissel,
21 but he said that I should do it.

22 Q. Now, if we go on to page 2 of your statement, you start
23 speaking there again about Harmeny and you talk about
24 the layout and where the staff members and where the
25 pupils stayed.

1 If we go on to page 3, at paragraph 8 you say that
2 the classes were in a separate building at the back of
3 the main house?
4 A. Yes.
5 Q. You think they were made of wood?
6 A. Yeah, they were like wooden hut things, the classrooms.
7 Q. And you say that -- at paragraph 9 that you missed the
8 first year of high school because of being at Harmeny?
9 A. Yeah.
10 Q. Can you --
11 A. So when I actually went to high school, I was a year
12 older than people.
13 Q. So you left Harmeny when you were 13 and should have
14 been going into second year?
15 A. Yeah.
16 Q. But did you go into first year at high school?
17 A. I went to first year, but they put me in like a remedial
18 class at high school.
19 Q. And you say at the end of this paragraph that you
20 weren't ready for high school when you left?
21 A. No, nowhere near.
22 Q. Why was that?
23 A. Because of the lack of education and the abuse as
24 a child, all through my childhood.
25 Q. And how did you cope at high school when you went?

1 A. I didn't really cope well. I used to get the belt every
2 day.

3 Q. And were you able to complete your education at high
4 school?

5 A. Only just, I think, because of getting involved in
6 sports and trying to channel the aggression.

7 Q. Now, at paragraph 10, you talk there about bed wetting
8 and what happened and you say that you were wetting the
9 bed, as you've already told us, when you were at Harmeny
10 and you were put on some medication for it?

11 A. Yeah.

12 Q. Was that for a long time or a short time?

13 A. Yeah, it was for a long time. It was to try and prevent
14 -- yeah, you know, bed wetting.

15 Q. Did it work?

16 A. I don't think so, no. I don't -- I can't -- I don't
17 have the name -- it's on there, Tofranil, or something.

18 Q. Tofranil you say -- you think, yeah?

19 A. Yeah, something. And they used to try and give you it
20 at night, but then some staff would laugh at you and
21 call you 'pee the bed': here, come and get your
22 medicine, son. And then again in the dormitory, all the
23 boys laughing and joking, you know, humiliating you. So
24 it was like a constant cycle of that, you see.

25 Q. So if we go over the page, you mention what you've just

1 told us there in your evidence and you say that some of
2 the staff members would say: he's peed the bed again,
3 and you say this left you feeling isolated and wanting
4 to be alone?

5 A. Yeah.

6 Q. And then at paragraph 12, you say what would happen, if
7 you wet the bed, that would you be made to strip it?

8 A. Then put the -- they used to tell you to put it on the
9 floor in front of the bed and then you'd get everybody
10 else in the dormitory coming round to see if you had and
11 then all laughing at you.

12 Q. Okay, because it would be obvious that you've had to
13 strip your bed?

14 A. Yeah. Some staff would be okay about it, but most of
15 the time they would like the humiliation part. Like
16 they wanted to be in control all the time.

17 Q. And then if we go down this page in your statement, you
18 talk about going back to the family group home.

19 And at paragraph 14 you tell us that your sister and
20 your brother, who I think had been at the family group
21 home as well --

22 A. Yeah.

23 Q. -- they were adopted during your time at Harmeny?

24 A. Yeah.

25 Q. And you then say in this paragraph:

1 'When I found out that they had been adopted that
2 really got to me, but staff would throw this in my
3 face.'

4 Was that staff at Harmeny?

5 A. Yes, because we got told, when we first went in care,
6 that they would try and keep us all together, we would
7 never get split up, and then to be lied to when I found
8 out they got adopted, then -- and I had to go back to
9 Harmeny, you know, and they knew about it. They would
10 use it as a weapon against you.

11 Q. What sort of things would they say?

12 A. Oh, you're going to be alone all the time, now they've
13 gone, they're adopted and everything else, nobody's
14 going to be bothered about you. Then I would start
15 punching walls and start harming myself and I'd be
16 humiliated about that, just saying I'm seeking attention
17 all the time.

18 I need to have a break if that's all right.

19 MS INNES: Okay, my Lady.

20 LADY SMITH: Let's have a break. Do you want to leave the
21 room or do you want to have a break where you are,
22 'Andrew'? That's fine, you do that.

23 (10.40 am)

24 (A short break)

25 (10.53 am)

1 LADY SMITH: 'Andrew', welcome back. Are you ready for us
2 to carry on?
3 A. Yes.
4 LADY SMITH: Thank you very much. Ms Innes.
5 MS INNES: Thank you, my Lady.
6 'Andrew', I wonder if I can take you to page 5 of
7 your second statement, and paragraph 15 and 16. You
8 talk there about going to the cottage, and you say at
9 paragraph 16:
10 'Everybody wanted to go to the cottage, they didn't
11 want to live in the main house. That is what you
12 thought until you got there. It was actually worse.'
13 A. Yes.
14 Q. What was worse about it?
15 A. I think because it was smaller numbers and you would
16 seem to be picked on more or humiliated more.
17 Q. By the staff or by other pupils?
18 A. Yeah, by the staff who seemed to work in the cottage.
19 They wanted that power and control over you.
20 Q. Now, you mention when you were in the cottage that there
21 was a separate bathroom and shower for the boys and
22 girls in the cottage?
23 A. Yes.
24 Q. You had privacy there. I should have asked in relation
25 to when you were in the main house, were the showers and

1 baths private --

2 A. Yeah, they were separate. Boys and girls.

3 Q. You say at paragraph 18, at the bottom of this page, and

4 then going on to the next page, that there was

5 an occasion that you went back to the cottage and the

6 only person there was MWH [REDACTED] and you say:

7 'I was a bit nervous because she was there on her

8 own.'

9 And then going on over the page, you then talk about

10 what then happened?

11 A. Yeah.

12 Q. So at paragraph 19, you say that you went into

13 a staffroom and MWH [REDACTED] was in there with you?

14 A. Yeah. So there was like -- you come in one door in the

15 cottage, you walk along the corridor and then the boys'

16 dormitory room was there, there was a communal bit in

17 the middle and then there was a little corridor and then

18 a door on the left. That's where the staff would make

19 their cups of tea and things. We weren't supposed to go

20 in there. She said: oh, do you want a drink of juice

21 and things? And obviously there was a two-seater seat

22 there, I think it had yellow covers on it, but it was

23 like them wooden chairs, you know, with a gap at the

24 end, more like a wooden rest to lean on.

25 Q. And then you say that she sat down next to you and first

1 of all there was a gap between you?

2 A. Yes.

3 Q. But then she started getting closer to you?

4 A. Yes.

5 Q. And you say that you began to get a bit scared?

6 A. Yeah. I, like, wanted to get out of there. But then

7 previously to what they were doing in the rooms in the

8 big home, I thought: what's going on here, you know?

9 Because in the back of my mind, because MWJ

10 worked in the cottage and knowing he was on that day, he

11 could have walked in and caught me in there and said:

12 what you doing in the staffroom? He wouldn't have

13 worried about her and I -- I could imagine then I would

14 have got another severe beating. So it's just things

15 that she started to do to me then. I just wanted to get

16 out of there.

17 Q. Are you able to tell us what she started doing to you?

18 A. Yes.

19 Q. What happened?

20 A. Well, she started getting -- do I want to -- touching me

21 on the cheek and wanting me to kiss her and everything

22 and trying to kiss me and then: do you want to see my

23 bra and everything? And I was, like, I'm getting close

24 to this to try and get in between this gap to escape.

25 And then she put her arm across, you know, on the handle

1 so I sort of couldn't get up, but then I managed to
2 slide out and said: I need the toilet. This happened
3 quite quickly. It wasn't, like, a long time, do you
4 know what I mean, that she changed? And then she sort
5 of smirked, you know, thinking: oh, I've got power over
6 you, and that was terrifying, to be honest with you.

7 Q. And you say in this paragraph that she told you that
8 nobody needs to know?

9 A. Yes.

10 Q. And did you feel able to tell anybody about what had
11 happened?

12 A. No.

13 Q. Why not?

14 A. Terrified, scared, fear was the biggest thing in that
15 home. That was the thing that got you through things.
16 You were just scared all the time. You were feared or
17 scared to what would happen if you stepped out of line
18 or anything happened. By the time you moved to the
19 cottage, after being through all that, you were just
20 fearful every day.

21 Q. Then if we go on over the page, on page 7 you talk at
22 paragraph 21 in a bit more detail about being called up
23 to staff rooms or the rooms that staff were living in,
24 as you've already told us about, and in paragraph 22 you
25 say there that it began innocently?

1 A. Yes.

2 Q. But then you describe in this paragraph what you've

3 already mentioned in your evidence, that you would be

4 lying down on the floor. So it's in paragraph 22 in the

5 middle of the paragraph --

6 A. Yes.

7 Q. -- you'd be lying down boy, girl, boy, girl, on the

8 floor?

9 A. It's like they seemed to organise it, do you know what

10 I mean, it's like -- and they would watch. It's like

11 they wanted us to do it.

12 Q. Then, as I think you've already mentioned in your

13 evidence and you tell us here in your statement, they

14 would say: if you like the girl next to you, give her

15 a kiss?

16 A. Yes.

17 Q. And this became a regular occurrence?

18 A. Yeah. It seemed to be like once a week or then it would

19 be two evenings a week.

20 Q. And then if we go on over the page, at paragraph 25, you

21 say, I think, that you've already -- as you've already

22 mentioned, that thinking -- reflecting back on this,

23 this seems to you to have been grooming?

24 A. Yes.

25 Q. Is that your reflection on it?

1 A. Yeah, definitely.

2 Q. And you say at the end of this paragraph, 'Andrew', that
3 Harmeny was one of the worst homes that you were ever
4 in?

5 A. It was the worst home. Now when I think back, you know,
6 because obviously when I done my statement last year it
7 makes you think even more and obviously to myself, yeah,
8 it was the worst home, especially what happened while
9 I was in that home and what was taken away from me.

10 Q. And then at paragraph 26, you talk about the fighting
11 that was going on at Harmeny and you say that there
12 would be fights, including, you mention, remembering
13 a fight where you were fighting with sticks and
14 presumably --

15 A. Yeah, so this other lad I had a fight with, I'm not
16 going to say his name, we were wanting to see who
17 was the hardest and all, you can understand what's going
18 on, so we just decided to have a fight and we were there
19 for about 20 minutes fighting with each other, covered
20 in blood, just picking up anything and keep hitting each
21 other, kept hitting each other. And then Mr MWJ
22 appears at this archway. There was like a -- as you
23 come round the back, I think there was an archway with
24 brick and all of a sudden we saw him standing in the
25 doorway and he just physically grabbed us and put us

1 against the wall and said: if I see you two fighting
2 again, I'll kill you.

3 Q. And --

4 A. And the look, I can remember that look he gave me, it
5 was like a terrifying look, like, looking right into
6 you, to say, you know: I've got you now, I'm in control
7 of you, you're going to do whatever -- you know, it was
8 that sort of terrifying look, and that stayed with me
9 all my life.

10 Q. And was he trying to separate you, do you think?

11 A. He got us both and just pinned us against the wall like
12 that.

13 Q. Were any other staff members around at that point?

14 A. No, no, because we wanted to fight on our own, so we
15 went round the back.

16 Q. And after this, did anybody speak to you or sit down and
17 speak to you about the fight that had happened?

18 A. No, he just told us to go and get cleaned up and shut
19 up, basically, because after he's reprimanded you in
20 that home, you didn't want to say anything to anybody,
21 because he was the one that everybody was terrified of
22 from day one.

23 Q. And then, over the page, you say a bit more about that
24 and you describe him as being a big bully and you were
25 always scared of him, you say, at paragraph 27?

1 A. Yeah.

2 Q. You say that he said that you were doing it on purpose
3 when you punched walls and things?

4 A. Yeah, he always used to say: oh, you're just doing this
5 to get attention. You're just doing -- punishing
6 yersel. And I actually said to him: I'll be dead and
7 I won't be around to see you.

8 Q. And can you --

9 A. And he just sort of, 'oh, really', you know, expression.

10 Q. And you say you're not sure what role he actually had at
11 the school but he was involved with sports?

12 A. I know [REDACTED] at the home and
13 then he sort of organised, like, when we done sports
14 once a year, you know, [REDACTED].

15 Q. You said later on, when you went to high school, that
16 you became involved in sports at that stage, and that
17 sounded like a positive experience for you at high
18 school, getting involved in sport?

19 A. Yeah, because obviously rugby and things helped channel
20 the aggression. I think the only way I got through high
21 school was with doing sports and things and then joining
22 the army cadets.

23 Q. And was that not the same at Harmeny?

24 A. No.

25 Q. Why not?

1 A. Because it was just done at Harmeny, something to do, to
2 escape. When I was running I felt like I was escaping
3 from things. At Harmeny, I was just using that to get
4 away, trying to escape from it.

5 Q. And then at paragraph 28 of your statement, you talk
6 about SNR [REDACTED] ?

7 A. Yeah.

8 Q. And you say that you remember one time that you fell
9 over and cracked a bone and had to go to hospital --

10 A. Yeah.

11 Q. -- and SNR [REDACTED] took you to the hospital?

12 A. KVJ [REDACTED].

13 Q. And what was his reaction?

14 A. You done it deliberately. You just wanted attention.
15 He was the one that seemed to want to punch you in the
16 arm and legs, give you a dead leg or a dead arm, you
17 know, as you were lining up for school in the morning
18 and think it was funny. And that was his -- he thought
19 he was joking, but he wasn't, he was actually hurting
20 us.

21 Q. And you talk about this in your statement and you go on,
22 after you've talked about this behaviour, that you say
23 that you remember one day he said to you that you wet
24 the bed as a proactive act?

25 A. Yeah.

1 Q. And did you understand what he meant by that?

2 A. No, not really. I just thought -- I remember him saying

3 it and as I think back now, you can't -- if you're in

4 that sort of environment as a child, you can't help it,

5 you know. He liked to humiliate other kids as well, it

6 was, sort of -- because he was SNR. He'd say

7 things to them, you know. If you had a weakness, or

8 whatever, he'd try and pick on it.

9 Q. And you say that if you were humiliated for wetting the

10 bed you would go off on one and he grabbed you --

11 A. Well, I used to lose my temper with him. I used to kick

12 him in the shins and everything.

13 Q. You say that he grabbed you by the neck and twisted your

14 arm?

15 A. And then he used to put his nail on the back of my neck

16 and -- yeah, and dig his nail into me.

17 LADY SMITH: That was his thumbnail, you said?

18 A. Yeah. Because he used to do it -- that with his finger,

19 and he used to, like -- you know, like, punching you in

20 the arms and he used to go like that as you were lining

21 up: who's going to get it this morning? And we'd all be

22 like this, nervous, you know, waiting to go in, and that

23 was terrifying.

24 MS INNES: Then if we go on to page 10, at paragraph 30, you

25 say that he called you thick and said you were useless.

1 A. Yeah, I remember him saying -- he called me a disturbed
2 young lad and he said I'd never get anywhere in life.
3 He said: you're mental.

4 Q. And you say --

5 A. And actually -- one day when he said that I actually
6 kicked him in the shin and I ran off. I remember that,
7 clearly. I kicked him in the shin and ran off. He
8 never got me.

9 Q. Did you run away from Harmeny completely or just run
10 in --

11 A. No, in the grounds, because that was sticking my fingers
12 up to him.

13 Q. And you say that he complained that you couldn't sit
14 still?

15 A. Yeah, it was, like: you never sit still, you're always
16 on edge. I said: well, no wonder, you know, because of
17 the way yous are. But then, if there was a visit or
18 anything, they always seemed to be so nice to everybody,
19 like everything was all rosy, yet, we were still scared
20 to say things. That's what was really disturbing as
21 well. That was a big thing at Harmeny.

22 LADY SMITH: So you're talking about if there were visitors
23 coming into the school?

24 A. Yeah.

25 LADY SMITH: It was different then?

1 A. It was like: oh, they're all nice, dead rosy and making
2 everything look all right, you know, in the home.

3 MS INNES: Then you go on in your statement to tell us about
4 leaving Harmeny, as you've said, and going to high
5 school.

6 And you tell us about some of the things that you've
7 done subsequent to being at Harmeny.

8 Coming up to more recent times, at paragraph 37, you
9 talk about your experience with Redress and I think
10 initially you -- there was no mention, you say, of your
11 time at Harmeny when you had a response from Redress?

12 A. Yeah, so the first sort of Redress thing I got off them,
13 it was only about the other homes and Harmeny wasn't
14 even on that first part of the Redress.

15 And then obviously I didn't -- I thought oh, maybe
16 because of it's going to be part of the -- you don't
17 know what to think, do you? Then all of a sudden
18 I realised oh, why is it missing and then I started
19 questioning it, started writing to them and it took
20 a year and a half to, you know, eventually get
21 a response to say: oh, we made a mistake. They had to
22 sit panels. Then they said Harmeny was included in it
23 and I said: well, it can't be if you've signed -- if
24 an official panel's signed it and you've agreed to it,
25 how can you include it? So I've kept having to fight,

1 you know, in regards to what went on at Harmeny and
2 obviously I've had an offer from the Redress regarding
3 Harmeny now. You know, as you can see what I mean. So
4 I was really annoyed at that. So if they'd included it
5 in the first place, I would have thought okay, do you
6 know what I mean, but they never. So that was a big
7 mistake they made.

8 Q. And in terms of your experience at Harmeny, what things
9 do you think that the Inquiry should learn from your
10 experience there?

11 A. So Harmeny was the worst home we were placed in during
12 our childhood. We were in and out of children's homes
13 all our childhood. I'm referring to all my siblings, so
14 I'm just saying it that way. Up until high school, the
15 system failed us. You know, the whole system of --
16 during childhood. The system failed all my siblings.

17 To this day I don't know them properly, so can you
18 imagine that? So it lives with me every day.
19 Flashbacks, nightmares, constant in my life.

20 So the system did take away my childhood. It was
21 meant to protect us. It took away our chance of knowing
22 all my brothers and sisters growing up. I hated Harmeny
23 from day one. Fear was the only thing that got us
24 through being there

Secondary Institutions - to be published later

25 Secondary Institutions - to be published

1 I find it an utter disgrace that what we endured as
2 children that the Redress scheme cap the whole thing at
3 £100,000. How can you ever put a price on abuse? You
4 can't.

5 And the pain and suffering will continue with me
6 through my life. All because the system failed us.
7 Only thing that drove us, as I've said, is fear through
8 the significant treatment and control. We have been
9 truly let down by the care system and in life I have
10 major trust issues. I struggle with relationships and
11 trust and once again due to the horrible childhood, but
12 I would like to thank the Inquiry, especially [REDACTED]
13 and [REDACTED], and I can't remember the other guy's name, for
14 their support, and especially Future Pathways because
15 without that I wouldn't be here today.

16 And just thanks for giving us a voice.

17 MS INNES: Thank you very much, 'Andrew'. I think you've
18 covered the notes that you wanted to add to your
19 statement, so thank you for that.

20 LADY SMITH: 'Andrew', can I add my thanks. I'm really
21 grateful to you for the trouble you've taken to give us
22 what you've just given us. That can't have been easy,
23 either to write it or deliver it, but it's very powerful
24 and it captures so much.

25 And thank you for coming here today, for going

1 through the difficult exercise of giving your evidence.
2 It has made a difference and it's added value to the
3 work that we're doing here. I'm really grateful to you
4 for that.
5 I'm now able to let you go and I've got one
6 instruction for you and that's to try to relax for the
7 rest of the day, because this will have taken a lot out
8 of you. Be good to yourself, okay?
9 A. Thank you.
10 LADY SMITH: Thank you.
11 (The witness withdrew)
12 LADY SMITH: Ms Innes.
13 MS INNES: My Lady, the next witness who will be giving
14 evidence by Webex is scheduled to start at 12 noon.
15 LADY SMITH: 12, right. Well, shall I rise now until 12?
16 We haven't got time to do anything else in the meantime
17 I don't think.
18 MS INNES: Exactly, there's no read-in evidence for today,
19 so perhaps if we could break now and then we can test
20 the link and suchlike.
21 LADY SMITH: Thank you very much indeed. We'll do that. Oh
22 actually, rather than wait until this afternoon, before
23 I forget, some names of people whose identities are
24 protected by my General Restriction Order that we've
25 used so far today: MWG , MWJ

1 KVJ and MWH . I think that was
2 everybody.

3 MS INNES: I think there was a reference to MWI .

4 LADY SMITH: A MWI , but we don't know who the MWI was.

5 MS INNES: Yes.

6 LADY SMITH: Could be male or female, could have different
7 surnames, but whoever the MWI was.

8 Thank you very much.

9 (11.15 am)

10 (A short break)

11 (12.00 pm)

12 LADY SMITH: Ms Innes.

13 MS INNES: Thank you, my Lady. As your Ladyship can see,
14 the next witness is ready to give evidence. This
15 witness has the pseudonym 'George'. He was employed at
16 Harmeny initially by Save the Children in 199█ as
17 SNR . Thereafter, he transferred to the Harmeny
18 Educational Trust Limited and his title changed to
19 become SNR at some point thereafter. He
20 left Harmeny in 200█.

21 LADY SMITH: Thank you very much.

22 'George', can you see me and can you hear me?

23 A. Both, I can see and hear you.

24 LADY SMITH: Good. Good afternoon. Thank you for joining
25 us over the Webex link today.

1 'George' (sworn)

2 (Evidence via Webex)

3 LADY SMITH: 'George', just before we start your evidence,
4 one or two things. If you've got any problem with the
5 link of course do let us know, because it's really
6 important that you can hear and see properly. But
7 separately from that, if you want a break at any time,
8 you must say, whether just a breather, sitting on
9 screen, or us stopping the link and then coming back,
10 because it's important that I do what I can to make you
11 as comfortable as possible, carrying out what I know is
12 a difficult task, casting your mind back to the time
13 that you were at Harmeny, some, some years ago and
14 you'll know that we've got some difficult questions to
15 ask you as well.

16 If at any time you can't remember specifics, dates
17 or people or whatever, that doesn't matter. Just do
18 your best and I do understand that it's very normal for
19 witnesses not to remember every detail.

20 It could be that we have to ask you questions, the
21 answers to which would incriminate you, depending on
22 what they were. Now, although this is a public inquiry,
23 it's not a court, it's not a civil procedure or
24 a criminal procedure. You've got the same rights and
25 protections in this procedure as you would have there

1 and that means you don't have to answer any such
2 question. It's your choice. You just say whether or
3 not you want to answer, but of course, if you do,
4 I expect you to give a full answer. Does that make
5 sense to you?

6 A. Perfect sense.

7 LADY SMITH: Thank you. If you've got any doubt as to
8 whether any of the questions we're asking you stray into
9 that territory, please just say and we'll explain. All
10 right?

11 A. Thank you.

12 LADY SMITH: If you're ready, I'll hand over to Ms Innes and
13 she'll take it from there.

14 A. Fine.

15 Questions by Ms Innes

16 MS INNES: Thank you, my Lady.

17 Good afternoon, 'George'.

18 If I can take you first of all to your statement,
19 which has the reference WIT-1-000001646.

20 And if we go to the last page of that statement, we
21 can see that you say there:

22 'I have no objection to my witness statement being
23 published as part of the evidence to the Inquiry.

24 I believe the facts stated in the witness statement are
25 true.'

1 I think we can see that you signed your statement on
2 30 July of this year; is that correct?

3 A. That's correct.

4 Q. Now, if we can go back to the start of your statement
5 now, please. We can see that you were born in 1949; is
6 that correct?

7 A. It is.

8 Q. And you tell us that you, in paragraph 2, obtained
9 a teaching certificate and you say that you graduated
10 with a Bachelor of [REDACTED] from Cambridge University
11 and that you also gained an [REDACTED]
12 [REDACTED] from Cambridge Institute of Education.

13 I don't need to know the times of this, but
14 I wondered if you did the [REDACTED] immediately
15 after your degree, or did you do it later on?

16 A. Certainly after my degree, I was teaching at that point.

17 Q. And then you tell us, at paragraph 3, that you started
18 off your education career as a primary school teacher
19 and you then moved to run a special education unit in
20 a primary school and you then say that you became
21 SNR [REDACTED] at a day school for profoundly handicapped
22 children, as it was then called, and you talk about that
23 school developing independence from the hospital it was
24 based in.

25 So am I right in thinking that you were [REDACTED]

1 a school that formed part of a hospital for children?

2 A. Yes and no. The school was a local education authority
3 school, so it wasn't part of the hospital, but to all
4 intents and purposes at that time it was physically part
5 of the hospital, but in separate buildings on one site
6 in four.

7 Q. And were the pupils at the school essentially living at
8 the hospital?

9 A. Yes.

10 LADY SMITH: 'George', we're just going to get a screen set
11 up that will be helpful to the stenographers.
12 (Pause).

13 MS INNES: If we can carry on now, 'George'. We were just
14 trying to deal with something technical in the room
15 here.



16 So you then say after you had been at this school
17 that was at the hospital, you then moved to
18 a residential special school, then a secondary education
19 college, where again special education was provided for
20 young people and then you moved to Scotland?

21 A. Yeah. They were all EBD settings.

22 Q. They were all, you've said, EBD settings, so that would
23 be children with emotional and behavioural difficulties?

24 A. Yes.

25 Q. And you then tell us, at paragraph 4, that you moved to

1 Harmeny School in Edinburgh. Then if we move on to the
2 next page, please, at paragraph 5, you say that after
3 the time that you were at Harmeny you became involved
4 with the Social, Emotional and Behavioural Difficulties
5 Association and you also set up your own business and
6 ran your own business. Is that correct?
7 A. I was part of SEBDA whilst I was still at Harmeny.
8 
9
10 Q. Then you continued that involvement once you left
11 Harmeny; is that right?
12 A. With a break in between, yes, yeah.
13 Q. Now, if we look down to paragraph 7, you say that when
14 you were employed at Harmeny, the nature of such
15 provision needed to change?
16 A. Uh-huh.
17 Q. Can you explain a bit more what you mean by that?
18 A. Yes, when I went to Harmeny, the school itself was not
19 particularly well-functioning. The social and education
20 sectors weren't functioning properly and change had to
21 take place.
22 Q. Then, at paragraph 8, you say that you note the work of
23 and aspirations of Sidney Hill, who I think was maybe
24  headteacher at Harmeny?
25 A. He was indeed, yeah.

1 Q. And at paragraph 9, you say that you met him and he
2 described three main factors which helped to shape the
3 school experience and he said physical surroundings, the
4 importance of staffing and group living, and was he
5 referring to schools in general or Harmeny in particular
6 when he referred to --

7 A. SEBD schools he was referring to. He was obviously
8 basing it on his time at Harmeny, but it's a generic.
9 You'll see later I mention the work of Robert Laslett
10 and other people. They all have a similar attitude to
11 the need for special education establishments, like
12 Harmeny, to follow patterns.

13 Q. And then at paragraph 10, you quote from a speech that
14 he gave at the opening of Harmeny and the quote is:

15 'The group will have its standards embodied in rules
16 and regulations. It is better that the non-conformists
17 should feel the displeasure of his peers rather than the
18 righteous indignation of the adults. In the group too,
19 these children learn to live together and gain practical
20 experience of the impossibility of indulging their
21 fancies regardless of others.'

22 What did you -- or what do you take from this
23 observation that you've quoted?

24 A. Well, I think it's quite self-explanatory. In so much
25 as in a mainstream school, for example, you'd say to

1 a child: don't do that. And there would be
2 an expectation they don't do that. In an EBD setting it
3 doesn't work like that. The individual concerned can be
4 very damaged, can be very angry and also can be very
5 conformist at times. So it's a different -- but what he
6 is referring to effectively is the basis of the
7 therapeutic community, and that is the area that I was
8 looking for Harmeny to develop into.

9 Q. And then if we go down on page 3, to paragraph 13, you
10 say that when you arrived, you talk about the school
11 being closed down every fortnight and it was actually
12 while it was closed and before your interview that you
13 visited the school for the very first time, and what was
14 your first impression when you visited the school?

15 A. It was Hogmanay and basically we visited the grounds,
16 visited the school and I got the impression that it was
17 a wonderful site. I had very little or no impression at
18 that time of the way the place was run and I only found
19 that out bit by bit, partly in the interview, partly
20 through talking to Kerr Cowan and Rosemary Fitch who
21 showed me around.

22 Q. And you say in this paragraph that you immediately
23 realised that the accommodation was absolutely
24 unsuitable for the children?

25 A. Yes. There's no doubt about that. I was just coming

1 from a set-up that had just been completely newly built,
2 so you can imagine the contrast was quite dynamic, but
3 yes, it just didn't feel right and also the education
4 block was -- well, it was a shambles.

5 Q. And you describe some of the accommodation in this
6 paragraph. So the examples that you give are that there
7 were shared bedrooms.

8 A. Uh-huh.

9 Q. And did you have a concern -- an immediate concern about
10 having shared bedrooms in a school of this nature?

11 A. Well, in any school, frankly. But particularly when
12 I was in Cambridgeshire, I'd only been in a particular
13 school for some weeks after a holiday time and one of
14 the boys had a sexually transmitted disease, gonorrhoea,
15 that was it, and so -- and they were shared bedrooms
16 then in that place. So, I think, yes, I had a very
17 strong feeling that shared bedrooms were not suitable in
18 that sense, that there's a possibility -- but, more
19 importantly, people also needed their individual space
20 at times just for themselves and for, you know, adults
21 to be able to talk with them and whatever. And, yes, so
22 I did have a strong feeling about it, but also if you
23 saw the rooms you would have realised that they were
24 a bit poky.

25 Q. And you've also mentioned the classrooms in your

1 evidence and in your statement in the same paragraph.
2 You say the classrooms were in a rectangular block of
3 poor wooden buildings and were entirely inadequate.
4 What was inadequate about them?

5 A. Well, partly the fact they were falling apart, the odd
6 leak would happen physically in the buildings, but more
7 importantly, when you see a classroom set-up, you expect
8 to see good space in it for children, not just a desk
9 but have some -- primary schoolchildren we're talking
10 about -- to have some play space, for the teacher to be
11 able to get around children and it just -- it wasn't
12 possible. And so a lot of the day was spent children
13 being in their seats all the time, which I guess to
14 an EBD child is probably the worst thing you could have.

15 I can bring you back to a government inspection by,
16 I think, Dr Frank O'Hagan where one of his team was new
17 to EBD settings and he apparently said in the classroom:
18 just ignore me. I'm not here really. So one of the
19 children got up, went under his chair, banged on the
20 underneath of the chair and he said: can you hear me
21 now, sort of thing. So, yes, it wasn't an ideal setting
22 and it couldn't have been good to teach in.

23 Q. I think you mentioned there that that was a Mr O'Hagan
24 who was an inspector who came into the school?

25 A. Dr O'Hagan, yeah. Yes, Dr O'Hagan.

1 Q. Dr O'Hagan, sorry.

2 LADY SMITH: You mentioned the wooden buildings for the
3 classrooms. Had you any impression of how old these
4 buildings were?

5 A. Frankly, no, but they were old when I went there, so you
6 could see physically that the buildings were not in
7 a good shape.

8 LADY SMITH: All right, thank you. Ms Innes.

9 MS INNES: Thank you, my Lady.

10 You also say in this paragraph, in the final
11 sentence, that you realised from talking to Kerr Cowan,
12 who was showing you around, that staff morale was very
13 low.

14 Did he say to you that morale was low, or what was
15 he talking about?

16 A. Oh, no, he was a very honest chap, super bloke. Yes, he
17 said, you know: things are low here, you know, all
18 around and staff haven't got much confidence, and he
19 wasn't an educationalist at all, in fact he was
20 an accountant, and, it seems, being honest.

21 Q. Then at paragraph 14, you say that after you had been in
22 the job you were invited to a meeting with Dr O'Hagan
23 and at this meeting you were told that the
24 Scottish Office were thinking of closing the school?

25 A. Yes.

1 Q. And you say that after long discussions it was agreed [REDACTED]
2 [REDACTED] a year. So is that an agreement between the
3 school and the Scottish Office?

4 A. Well, that committee. I don't know what standing they
5 had in the Scottish Office at the time, but, yes,
6 I mean, I'd only just arrived a few days before. The
7 last thing [REDACTED] wanted was to be told it was closing. So
8 [REDACTED] some space to be able to do something, but what
9 [REDACTED] was going to do was not formed at that point.
10 It wasn't even formed in [REDACTED] mind.

11 LADY SMITH: 'George', might it have been that they made it
12 clear that they were only committing to the grant
13 continuing for one year and they'd see how things were
14 going before they extended that?

15 A. I can't -- I can give you what I surmised the situation
16 to be, but I can't tell you for reality, because that
17 wasn't discussed. What I do remember was that the grant
18 itself was absolutely critical in the school continuing.

19 LADY SMITH: I can imagine that must have been so and the
20 trust would need that when it got to the stage of it
21 being the trust.

22 A. Well, it wasn't part of the trust at that point --

23 LADY SMITH: Not at that stage, no.

24 A. -- it was part of Save the Children Fund who --

25 LADY SMITH: Yes, at that point, yes.

1 A. Yes.

2 LADY SMITH: Ms Innes.

3 MS INNES: If we go down to paragraph 15 of your statement,
4 you say that you had no idea of the state Harmeny was in
5 and although you can't now explain in detail how you
6 felt, you were shocked but hopeful.

7 A. Yes, and I think that's just a straightforward
8 statement. I've always liked a challenge, but seeing
9 a wonderful site with so very -- so poor a residential
10 and teaching space was kind of difficult to come to
11 terms with. You know, one expects a school to be pukka,
12 you know, to be able to be used in a way that it should
13 be used and it wasn't possible to do that at that point
14 in time.

15 Q. And then you go on in this paragraph to say that it was
16 almost being run by the children. So this would have
17 been when you actually arrived at the school and met the
18 children. Was this what you discovered?

19 A. Physically when I arrived -- yes, physically when
20 I arrived at the school. I'd come up in my Land Rover
21 and, er, trailer, yeah, um, and, erm, got to the school
22 and the first thing that happened was a couple of kids
23 got up on the vehicle physically, no sign of staff being
24 visible and in fact they were all in having a cup of
25 coffee together and the kids were just all over the

1 place.

2 Q. You say that there was a lot of negative behaviour.

3 Staff weren't sure of themselves and children had a lot

4 more power and control in the setting. So that was the

5 impression that you gained.

6 Then you go on to say:

7 'There was also quite a negative culture in terms of

8 children not being able to cope and staff not

9 understanding that this was because the children were

10 very damaged young people.'

11 A. Yes, I think one of the impressions I got was that some

12 people on the staff in all sections wanted children to

13 behave -- I'm not sure how easily to put this -- they

14 wanted children to behave as if they were in school and

15 in a residential setting, maybe something like Eton

16 perhaps, I don't know, and of course they weren't those

17 sort of children. It was not possible to see them in

18 that way and neither would the authority have sent

19 children there if they hadn't been concerned about them

20 themselves.

21 Q. Then over the page, page 4, in paragraph 16, you say

22 that there was a division between care and teaching

23 staff --

24 A. Yes.

25 Q. -- with care staff being subservient to education staff.

1 And did [REDACTED] identify this as a particular issue early
2 on?

3 A. Yeah. I think it's actually -- it's -- it was at that
4 point in history a common issue in lots and lots of
5 establishments, you know, that teachers were the
6 professionals and care staff generally were less trained
7 and just looked after children. So that was the
8 difference.

9 Q. And you say that one of [REDACTED] principal tasks early on
10 was to find a way to bring staff together and [REDACTED] wanted
11 them to work together?

12 A. Yes.

13 Q. So why was it that [REDACTED] saw that this needed to change?

14 A. Well, [REDACTED] don't know that it was just [REDACTED] who saw it needed
15 to change, [REDACTED]
16 [REDACTED].

17 Q. And then you say that [REDACTED] a Head of Childcare
18 and SNR [REDACTED] [REDACTED] and their brief was
19 to work together?

20 A. That's right.

21 Q. At paragraph 18, you say that sadly you believe that
22 Save the Children were operating at arm's length and
23 weren't in touch with the turmoil that Harmeny was going
24 through. What gave you that impression?

25 A. Save the Children Fund didn't seem to know what was

1 going on in Harmeny and that's what I meant by arm's
2 length and they hadn't got any experience of that type
3 of education in their brief.

4 The reason they got that education was because
5 Nora King and her husband had, if you like, willed it to
6 Save the Children Fund for running a school.

7 Q. And then you tell us in this paragraph that a few months
8 after you started somebody arrived at the school and
9 this was a person from -- who had been asked by
10 Save the Children to potentially sell the building?

11 A. Indeed. My wife saw them out the window. I shot out.
12 It was a Sunday, I think, and there weren't any children
13 there. And I said: can I help you? What are you doing?
14 And he said: oh, I've come to do a survey of the school.
15 And I said: for what reason? He said: Save the Children
16 Fund are considering turning it into an old people's
17 home, and I just didn't believe it.

18 Q. At paragraph 19, you say that early on [REDACTED] developed
19 a behavioural strategy, through which staff and young
20 people were encouraged to work together towards a joint
21 behaviour management purpose.

22 Can you tell us what [REDACTED] did in terms of this
23 strategy?

24 A. Okay, prior to going to Harmeny, [REDACTED] had run a behavioural
25 unit, using behaviour modification as a process right

1 the way through and although very effective, it didn't
2 have the warmth or the homeliness, but it could provide
3 change quite quickly and there was advertised -- I can't
4 remember where or how -- that some people were going
5 round schools and establishments with a car that they've
6 created whereby children could drive, but they could cut
7 them off, you know, if they wanted to. And so [REDACTED] used
8 that as a behavioural technique for staff and children,
9 although the staff thought it was just for the children,
10 I think. And basically young people earned points every
11 day and these built up to a set point where they got the
12 permission to use the car in a day of people doing it.

13 Q. You say at the end of this paragraph that this meant
14 that staff were motivated to support the children for
15 points. So is that what you mean when you say it wasn't
16 just for the children, it was for the staff?

17 A. Yes. You have to give staff confidence in what they're
18 doing and if they feel they're achieving with the
19 children, that's the essence of that confidence and so,
20 yes, that's right, it wasn't just for the children.

21 Q. And then in the next paragraph, you refer to the issue
22 of sharing bedrooms. You then talk about night-awake
23 staff?

24 A. Uh-huh.

25 Q. So, going on over the page, did [REDACTED] start [REDACTED]

1 night-awake staff?

2 A. Yes. [REDACTED] thought that was absolutely vital to making sure

3 that children were safe at night and that there was

4 knowledge of what was happening in the buildings.

5 Q. And then you go on to talk about your recruitment at

6 Harmony and at paragraph 22 you talk about your

7 interview.

8 A. Yes.

9 Q. Why was it that you had decided to apply for the role at

10 Harmony?

11 A. I'm not sure. I mean, I discussed it with my wife at

12 the time and we thought it was a challenge, but

13 I honestly don't know the answer. I think sometimes

14 these things happen and it happens. I can't give you

15 a sort of set reason why.

16 Q. You said, I think a moment ago in your evidence, and you

17 say in your statement, that more things or more issues

18 became apparent during the course of the interview, in

19 terms of how Harmony was operating?

20 A. Yes.

21 Q. So what became clear to you during the interview?

22 A. Well, I can only point to a few things in the interview,

23 but one of them was there was obviously a concern from

24 the interviewing panel that this was an opportunity to

25 either succeed or not succeed.

1 Secondly, one of the questions, or one of the
2 questions was a discussion about a member of staff who
3 wasn't teaching or care and it appeared that she may
4 have a drink problem and it wasn't being tackled and it
5 seemed wrong to me that -- at this point it was only
6 a proposition, but it seemed wrong to me that [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]. And, as I say in it, it turned out to be a real
10 situation.

11 Q. Then you ultimately had to deal with that, as you say,
12 after you started at Harmeny.

13 And you also say at paragraph 25, at the bottom of
14 this page, from what you've already said about the
15 actual facilities at Harmeny, it became clear that a lot
16 of money was going to have to be spent on upgrading the
17 facilities; is that right?

18 A. That's absolutely right. And, frankly, I would not have
19 taken the job if there wasn't an understanding of that
20 at that point. If they'd said: oh, no, no, no, no,
21 I would have said: no, thank you.

22 Q. At paragraph 26, over the page, you say that after you
23 learned you had been successful, Save the Children
24 negotiated with your previous employer for you to leave
25 and start at Harmeny immediately.

1 And then you say:

2 'I was told, however, that I would have two years'
3 probation with Save the Children and it was made clear
4 that if it didn't work I would lose my job.'

5 What was your reaction to that?

6 A. I don't think that concerned me at all. I mean, I think
7 if I didn't do the job properly then I shouldn't have
8 kept the job. If I did do the job properly, I would
9 have expected to keep the job. I think the most
10 important thing in that statement is to realise how
11 concerned Save the Children Fund were about handling
12 Harmeny.

13 Q. And then you say, when you actually started at Harmeny
14 -- at paragraph 27, you say you actually spent time
15 going round other similar schools in Scotland?

16 A. Exactly, yes. I think I've answered it in the past, but
17 the bottom line was I needed to know what the style of
18 education, what the style of care was in Scotland and
19 the best place to do it was from the ground up, rather
20 than from people telling me.

21 Q. And did you feel that that was beneficial, your visits?

22 A. More than beneficial. I could see first hand how
23 establishments were or were not dealing with children
24 and in the end that was one of the reasons [REDACTED]

25 [REDACTED]

1 Q. So did you have some concerns about how other
2 establishments were dealing with children?

3 A. Possibly. Maybe probably. But also I think I also saw
4 some good styles of working, which really was the
5 emphasis on what I was looking at. I wasn't going there
6 to judge anyone, I was trying to find out information
7 that I could use.

8 Q. If we go into the next paragraph, paragraph 28, you say
9 you tried to build up your knowledge but it was very
10 difficult because the staff were guarded?

11 A. Yes, they were definitely guarded in the sense they
12 didn't know who I was, what I was really there for.
13 Just being SNR is not an answer to a question,
14 it's just a role. What they wanted to know was what was
15 going to happen, you know. And I think it was to do
16 with the unsure -- I think the uncertainty of whether
17 I could do the job.

18 Q. And then you talk about what you understood had happened
19 before you came, that SNR had left
20 because of a medical difficulty and then you say that
21 management had been left to Bob Taylor, who was
22 interviewing people for jobs, you understand, without
23 any proper application process?

24 A. I actually knew of one person that that was the case
25 for, but one of the things I must tell you is that

1 I wasn't looking at the past, I was looking only at the
2 future. So I was more than prepared to say that's
3 Save the Children Fund's issues, not mine. I needed to
4 work forward. I didn't want to have the baggage.

5 Q. If we move on to page 7 of your statement, and you talk
6 about -- for example, at paragraph 31, you say that you
7 were involved in meetings and your performance was
8 monitored regularly by Bill Grieve, so he was somebody
9 who was around at the start of your time at Harmeny; is
10 that right?

11 A. Well, he was actually [REDACTED] the school before I got
12 there [REDACTED] Bob Taylor going and me coming.

13 Q. And then at the bottom of this, or towards the end of
14 this page, at paragraph 34 you say that perhaps a year
15 or two later, you realised Harmeny needed to become
16 an entity in its own right. And then you say at
17 paragraph 35 that the Harmeny Education Trust was then
18 formed and you say that was a major moment in the life
19 of the school?

20 A. Absolutely. I would say the step before that was that
21 Gavin Reid was appointed by Nora King, I might say, she
22 told him he had to do the job. He worked for Scottish &
23 Newcastle, he'd just retired and he worked under her
24 husband at that time and she knew he was a man of good
25 decision-making. So I'm getting away from the business

1 in hand.

2 It had to become an entity in its own right because
3 Save the Children Fund was involved in earning money for
4 Save the Children Fund, not for Harmeny, and it needed
5 to be in Harmeny's hands and provide evidence that it
6 was all going to be spent on Harmeny. So that's the
7 reason why it needed that independence. And secondly,
8 and I suppose just as important, it wasn't the normal
9 part of Save the Children Fund's work.

10 So it had to have its own identity as well.

11 Q. You then go on to describe at paragraph 36, over the
12 page, that within about six months of the formation of
13 the trust, I think you then -- that your role changed to
14 become SNR [REDACTED], because there was a realisation
15 that your role wasn't just about [REDACTED] the school, but
16 was about more than that?

17 A. Mm. [REDACTED] the school would not have provided a future
18 for the school, because the resources and facilities
19 would eventually have just collapsed and been nowhere.
20 So it wasn't a question of just staffing, it was
21 a question of making sure that the school progressed
22 physically, emotionally and staff felt they wanted to be
23 there. Good-quality staff at the bottom of the day --
24 at the end of the day, rather, sorry, is so important.

25 Q. And then you say at paragraph 38 that you developed

1 a senior management team at that point, Peter Doran
2 became [REDACTED] -- or the care manager at that
3 point and [REDACTED] SNR [REDACTED] as well and
4 there was also a finance manager and then you also had
5 the ongoing assistance of Kerr Cowan.

6 You say it was quite an open environment in that
7 each member of the senior management team would come to
8 meetings with any issues that they had. So did you feel
9 that you were sort of all on the same page working
10 together?

11 A. We got there. There was -- when it first started there,
12 was still sort of a territorial wish to stay, care,
13 education and whatever, and we had to work hard to bring
14 it into a whole community.

15 Q. And then in paragraph 39, you talk again about the --
16 [REDACTED] approach and the therapeutic community. You
17 say:

18 '[REDACTED] approach was holistic and therapeutic and we
19 worked together to form ideas and to give people
20 an opportunity to move on those ideas.'

21 And you reference, as you've already mentioned, the
22 work of Robert Laslett, and was that work that was quite
23 influential in your own thinking, in your own approach?

24 A. Yeah. Absolutely. Robert Laslett was an amazing
25 person. He had insights into everything and he was

1 a practitioner and ran a school. And Richard Rollinson
2 ran a school in Oxford which is still going now. All of
3 the same philosophy was given to me and it was there,
4 you know, in those establishments that I began to see
5 a way forwards.

6 Q. There was just a slight break in the video connection
7 there. I think you said it was the same philosophy,
8 that they had the same philosophy; what was that?

9 A. It was essentially the concept of the therapeutic
10 community, an all-in-one organisation which looked at
11 the whole child rather than the care and the education
12 and whatever.

13 Q. Now, if we look to the next paragraph, you say that
14 there was a weekly meeting started with all the
15 children, which had never been done before. The meeting
16 was held at handover time on a Friday. Both care and
17 education staff would be there. And what was the
18 purpose of those meetings?

19 A. I suppose it was an evolving purpose. I mean, at first,
20 I needed to bring everyone together so that staff
21 particularly could see that all the children could be
22 together in one room, and it was a success, because very
23 often in establishments where there is concern, it was
24 broken down into small units all the time.

25 But to become a school you need to have the sort of

1 the background of meeting together. But more
2 importantly, I suppose, it was a chance for care staff
3 in all the establishments, the education staff in all
4 the classrooms and for senior managers to see the
5 children do something really positive and that was what
6 the meeting was about. And I led those meetings and
7 over time it was a real success, and I don't know if
8 they're still going on or whatever, but -- all
9 organisations develop different ways, but it was
10 an opportunity to see the whole community working
11 together.

12 LADY SMITH: In what way, 'George', did you feel these
13 meetings gave staff the chance to see the children as
14 something positive?

15 A. Well, for example, maybe every class or every cottage
16 would do something like an event or sing a song or --
17 and I played music for them, or they'd do something
18 which was positive, which wasn't just about surviving.
19 It was actually doing something where they could show
20 their skills and those skills were recognised by the
21 whole community.

22 LADY SMITH: And so that all --

23 A. I don't know if that answers the question.

24 LADY SMITH: Yes, I wonder if --

25 A. Sorry, I don't know if that answers your question.

1 LADY SMITH: I think that what you're describing sounds as
2 though it would also help the children to feel they were
3 part of something bigger than just their own cottage
4 group or whatever?

5 A. Absolutely, and the staff as well getting together and
6 sharing time and space.

7 LADY SMITH: Yes. And that children were valued as
8 contributors, not just as little people who had to have
9 things done to them?

10 A. More than right. That's absolutely right, yes. I mean,
11 they had to develop their own identity to become -- onto
12 the next stage of living, which was going to be, in most
13 cases, independence, possibly of other education
14 systems, even jobs, which was one of the reasons why I
15 started the Outdoor Centre, because I realised very
16 early on that these young people would need to be able
17 to use their space effectively if they couldn't work or
18 if they couldn't do this, that or the other. But they
19 needed to be in control of their own behaviour.

20 LADY SMITH: Of course. Thank you. Ms Innes.

21 MS INNES: Thank you, my Lady.

22 And you say at the top of page 9 that at these
23 meetings, you would ask staff and children questions
24 about what was good and what was bad at the school. So
25 was that an opportunity for people to express their

1 views about things that were going on?

2 A. Yes, that's probably a bit hard. I didn't say what's
3 bad or what's good. I said: what have you been doing?
4 What things have you enjoyed? Is there anything you
5 didn't enjoy? Or -- you know, it was done in a slightly
6 more controlled way than I probably put it in there,
7 because they had to feel part of it and they could
8 speak, and very often they didn't speak about what was
9 good or what was bad, but what they enjoyed.

10 Q. And then you also say that, as part of positive
11 behaviour management, certificates were given out at
12 that meeting in recognition of good behaviour and
13 personal achievement?

14 A. Yes, that was the step forward, when children were
15 earning in the classroom and in the cottages to do well
16 and then they brought it to the meeting or it was handed
17 over at the meeting, normally by me, and they were
18 praised for that.

19 Q. Moving on to -- you then go to talk about the buildings
20 at the school and how those were changed. And at
21 page 10, you go on to talk about methods of care and
22 education.

23 So you say the methods, I think, that you might
24 employ in the mainstream wouldn't work at Harmeny, so
25 a critical factor early on was to look at ways that

1 could work.

2 And you refer to:

3 'If a child was in distress, or very angry, we would
4 probably remove them to a quieter place.'

5 And you set up something called the support room.

6 Can you tell us a bit more about that and the thinking
7 behind setting that up?

8 A. Yeah. The support room is probably a phrase the staff
9 used, but particularly what it was, it was a quiet area,
10 where staff -- where -- sorry, where children who were
11 very angry or very upset or just needed to be away from
12 everyone could be taken. It might well be that they
13 were finding life very, very difficult at that moment in
14 time, either in the classroom or in the cottage, and so
15 it provided a space which was monitored all the time and
16 which allowed them to gradually calm down, to
17 de-escalate their behaviour. So that was the basis of
18 it and although the first room, which was inspected by
19 the way, was not as adequate as it should be, it gave us
20 the need to put something good in the new buildings that
21 we were beginning to consider building.

22 Q. And you mentioned there in your evidence that it was
23 monitored all the time and you tell us that it had
24 cameras in it?

25 A. Yes.

1 Q. Who was monitoring what was going on in the room?

2 A. The cameras were visible in the staffroom all of the
3 time, so they were on all the time, and staff, senior
4 staff particularly, would be monitoring what was
5 happening, and also if someone said: I need help, it
6 would come out and someone would go and help them. So
7 it was a -- it was probably a pretty crude way of
8 monitoring, but at that point in history it was probably
9 considered quite good, but I'm sure that as time went on
10 that it's got a lot better. But it provided a bit of
11 security for the staff or the child and also for the
12 child to know that things were being carefully sort of
13 looked at.

14 Q. And would a member of staff remain in the room with the
15 child?

16 A. Yes, always. Remember that a child who is so angry and
17 so upset might also do damage to themselves, so you have
18 to -- in many, many ways what we're talking about, or
19 what I'm talking about, is it could be quite a dangerous
20 setting if you're not prepared to take responsibility
21 for it and do what's needed. It's not a question of
22 just taking a child out of a classroom and saying: calm
23 down. There is a whole process that needs to go on to
24 make that happen.

25 Q. And at paragraph 49, you talk about the buildings and

1 that took quite a long time to sort, much of your time
2 was spent fundraising. You say that you needed to
3 create a homely setting with individual bedrooms, as
4 you've mentioned. And then you also mention that you
5 would need a team leader in each establishment to give
6 continuity, independence and child protection in each
7 home.

8 So why was a team leader in each home important from
9 a child protection point of view?

10 A. I think it's more than child protection. It's more that
11 the staff could feel they could meet and develop their
12 own way of working in each establishment, because it
13 would depend on who the children were, what the staff
14 team was. What we didn't want was different people
15 coming from different places to do the afternoon shift
16 and then moving on somewhere. They all had to be part
17 of the same establishment. And so a team leader was
18 appointed to run that establishment and everything in it
19 and then they would report to the Head of Childcare or
20 Head of Education, depending on what it was.

21 Q. So it sounds like [REDACTED] more of a management
22 structure in place so that staff in the cottages, for
23 example, weren't reporting directly to the Head of Care,
24 they would report to the team leader, who would then
25 report on up to the Head of Care; is that right?

1 A. Partly right, yes. Certainly on day-to-day issues, yes,
2 they had to be handled in the cottage because the
3 incidents came up very quickly. But there was nothing
4 stopping any member of staff talking to Head of Care,
5 Head of Education. In fact, they would often -- not
6 often, they would regularly go and visit cottages and
7 whatever to see what was going on, to talk to people.
8 I keep using the phrase 'an open system'. It wasn't --
9 although there were positions in place, it was quite --
10 people could talk to anyone.

11 Q. If we go on to page 11, at paragraph 53, you say that
12 there were few relevant policies when you started, but
13 over time a series of policy was produced.

14 And was the production of policy something that you
15 thought was important?

16 A. Well, I think it's legally important, apart from
17 anything else. There have to be ways of working that
18 everyone recognised as being okay and therefore ways of
19 not working which people would understand. So, yes,
20 I mean, a piece of paper is only a piece of paper until
21 staff take it on themselves. So although I say there
22 are bits of paper and regulation, I mean it has to be
23 much more than that.

24 Q. Yes. In the next paragraph you say there's a big
25 difference between a policy and making it work, so

1 essentially --

2 A. Absolutely.

3 Q. -- they had to be put into practice by the staff?

4 A. Yes.

5 Q. And how did you manage to get across to staff, you know,

6 what the new policies were, what the ways of working

7 were and not working were? How did you go about that?

8 A. Regular meetings with staff, either inside or outside of

9 term time, to look at what was happening. It would be

10 led probably by Head of Care or Head of Education

11 normally who were taking on a lot of responsibility at

12 that point for the right policies being in place in the

13 establishment, as well as, of course, remembering --

14 you'll see a whole series of inspections and whatever,

15 and you'll realise that there were external requirements

16 as well. So, you know, it was a two-sided thing.

17 Q. Then on page 12, at paragraph 56, you talk about

18 something that was developed, I think, by a social

19 worker and --

20 A. Yes, a lady called Anita Roweth who -- she'd not had

21 an easy upbringing herself, so you could tell that she

22 had an empathy for working with children and she

23 realised right from the word go that just talking wasn't

24 enough, it had to be set down, and then Timmy Bear came

25 on site, which was just the name of a bear.

1 Q. Sorry, what? If you can tell us a bit more about
2 Timmy Bear and what this was about?

3 A. I can tell you in essence what it was about. I can't
4 remember --

5 Q. That's fine.

6 A. -- I only remember the cover. I think it had --
7 Timmy Bear was a -- I think, a teddy bear, I believe.
8 But anyway, it had a series of questions and answers in
9 it and the opportunity to talk with a member of care
10 staff or social worker or whoever about anything that
11 they were concerned about and eventually developed into
12 other forms of referring, things like the cards they had
13 and things.

14 Q. So this was a way of encouraging children to talk about
15 how they were feeling, for example, was it?

16 A. Certainly, yes. I mean, it was a booklet, of course,
17 that staff could use with a child, you know, that asked
18 questions in a third-party sense, because often two-way
19 communication is not as good sometimes as three-way
20 communication and other times two-way is better.

21 Q. And then, just further down this page, you say at
22 paragraph 58 that the potential for abuse featured in
23 your strategic approach:

24 'We were very considered on that issue.'

25 And then you say in the next paragraph:

1 'You have to realise that if you are working with
2 young people with difficulties, particularly emotional
3 and behavioural difficulties, you are almost bound to be
4 working around those issues.'

5 And you say:

6 'The staff had to know that if something happened,
7 it would be dealt with, it would not be hidden.'

8 A. Absolutely.

9 Q. And how did you get that across to staff that there had
10 to be this culture of openness?

11 A. Oh, I think it was prevalent the whole way through from
12 when I started there, you know, we had to gain trust of
13 children, children had to gain the trust of adults and
14 so it was always there and also, I mean, you know,
15 things happen in any organisation whereby you have to
16 recognise that you probably haven't addressed them
17 properly and so there need to be ramifications as to --
18 how can I put it? There have to be ramifications in,
19 like, staffing training, for example, has to be
20 important in situations like that. But it was evolving.
21 It wasn't day one: you don't do this. It was always
22 a question of: how do we achieve this?

23 Q. And if we go on to page 14, and paragraph 71, the final
24 paragraph on that page, you say there in relation to
25 training -- well, the teaching staff were obviously

1 qualified, the care staff were not, and you say:
2 'We did not ... have [suitably] qualified and
3 trained staff ...'
4 When you got there and that was --
5 A. That's right.
6 Q. -- something you had to work on over time?
7 A. Yes. I mean, everyone deserves the right to have good
8 training and to be recognised for it and so the NVQ, for
9 example -- I think Peter Doran introduced the NVQ -- was
10 a great way of working forward and it was in
11 compartments so that people could build up their NVQ2 or
12 3 or whatever, and obviously at a certain level it was
13 of degree standard. So, I mean, there was an impetus
14 there for young staff particularly to want to take it
15 forward and once they got the certificate it was theirs.
16 MS INNES: I'm conscious of the time.
17 LADY SMITH: This is the point to break.
18 'George', it's now 1 o'clock, so what I propose is
19 we stop now for the lunchbreak and we'll meet again at
20 2; is that all right?
21 A. That's absolutely fine. Thank you for your time.
22 LADY SMITH: Thank you.
23 (1.00 pm)
24 (The luncheon adjournment)
25 (2.00 pm)

1 LADY SMITH: Good afternoon and welcome back, 'George'. All
2 well at your end?
3 A. Fine, thank you very much.
4 LADY SMITH: Good. Are you ready for us to carry on?
5 A. Yes.
6 LADY SMITH: Thank you. Ms Innes.
7 MS INNES: Thank you, my Lady.
8 If I can take you on, please, to page 16 and
9 paragraph 80 of your statement. You say there that
10 there were 26 children attending when you went to
11 Harmeny, but then you moved [REDACTED]
12 [REDACTED] and you had 32 children. Were
13 there any challenges in moving from a [REDACTED]
14 [REDACTED]?
15 A. More with the building programme than the -- people were
16 keen to get children in for [REDACTED], so I don't think
17 that was an issue. But in terms of the building
18 programme, at one point we had to get a whole group of
19 people to go and stay in I think it was a scout camp
20 nearby, very nearby, while the cottage was finished.
21 But no, not really.
22 Q. And that then, of course, meant that children were there
23 potentially for the whole year and you say it wasn't
24 a money-making venture, it provided continuity for the
25 children. So that was the thinking behind it?

1 A. Yes. That was the thinking behind that and as
2 importantly to make sure they had somewhere -- if we
3 didn't have [REDACTED], it was sometimes to make sure they
4 had somewhere to go and it could have been a care home,
5 it could have been anywhere, apart from parents, so that
6 was the issue.

7 Q. And then you talk about, at paragraph 81, at the --
8 about the children who were at the school and you say:
9 'A child being with us for "classroom learning" was
10 a minor part of our work.'

11 Why was that?

12 A. Yes. Well, children were technically referred because
13 they couldn't get on in education in their local
14 authority. However, that wasn't the only reason they
15 came to us. It was because the local authority couldn't
16 control them and I use the word 'control', there were
17 all sorts of bits and pieces there, so it was only
18 a minor part of that, the experience of Harmeny. Hence,
19 the idea of the therapeutic community.

20 Q. And then, if you look over the page, at page 17, and the
21 top of the page, you talk about the number of staff in
22 each cottage. You say:

23 'In each residence, there were five staff, a senior
24 member of staff ...'.

25 As you've already mentioned:

1 '... one other who would come in and help out.
2 Overnight, there would be...'
3 A. That would be a cleaner, or something like that, someone
4 that would come in for cleaning and things.
5 Q. I see. Then:
6 'Overnight, there would be at least three staff, one
7 a qualified member of staff and two night-awake staff.
8 This level of staffing meant that the children were
9 better protected from any difficulties that may arise.'
10 So it looks as though [REDACTED] increased the level of
11 staffing, including overnight?
12 A. Uh-huh. Yes, I mean, the senior member -- the member of
13 staff who would sleep on would be on a roster, so if
14 they slept in, they probably wouldn't be in during the
15 day, and there was a sleeping room for them, and then
16 night-awake staff would be assigned specifically to that
17 particular residence, they wouldn't be moving around
18 residence to residence.
19 Q. So there would be continuity?
20 A. Absolutely, yeah.
21 Q. If we go on over the page, to page 18, and paragraph 91,
22 you talk about what a good therapeutic environment would
23 mean, which would include providing a child with
24 experiences outside a cottage and outside Harmeny and
25 you talk about outdoor activities that the children did.

1 You say:

2 'Everything was supervised and there were never any
3 informal trips. Children were never taken to any staff
4 member's home because to do so would put staff in
5 danger.'

6 Was there consideration that it might also be
7 inappropriate for children to go to a staff member's
8 home without --

9 A. Oh, absolutely, yes. I mean, that leads into that.
10 Everything was supervised and there weren't any
11 informal -- I mean, people wouldn't have said: oh,
12 I've got to go and get something from my home, do you
13 want to come? You know, that's what I mean by
14 an informal trip.

15 Q. And were there any sort of arranged trips or, you know,
16 staff members inviting children to their homes for
17 an evening meal or anything like that?

18 A. Not at all that I can -- well, no.

19 Q. If we go on over the page, to page 19, and paragraph 94,
20 you say that there were five classrooms in the school
21 and you say:

22 ' ... we had a number of teachers, including some
23 working with special needs ...'

24 So I wasn't sure whether all of the -- all of the
25 teaching staff were obviously qualified --

1 A. So were the others.

2 Q. Uh-huh. Did the teaching staff have specific
3 qualifications in special education?

4 A. Not necessarily. And one of the reasons for that was
5 because quite a lot of colleges actually stopped doing
6 special education courses for teachers for a period of
7 time.

8 Q. Do you know why that was?

9 A. No idea at all. I know I wasn't happy about it.

10 Q. At paragraph 95, you talk about each of the cottages
11 meeting after school, there being a group meeting. So
12 this is different to the weekly meeting that you've
13 already told us about. This is just people meeting in
14 their own cottages?

15 A. That's exactly right, and they would discuss a whole
16 range of things, from what's right, what's wrong, to
17 what are you going to do tonight, to any trips that are
18 being organised, et cetera, et cetera.

19 Q. And you say that there would be discussion about what
20 they might want to do in the evening, for example, or as
21 you've mentioned, trips. You say:

22 'Children would also be asked about any challenging
23 behaviour, particularly if it related to another member
24 of the cottage.'

25 So I wondered why these sorts of issues would be

1 spoken about in a group setting, rather than speaking to
2 the child as an individual?

3 A. Well, it would be up to the staff what it was about, but
4 if it was something that affected the whole group, then
5 it would be relevant to bring it up and say what's
6 right, what's wrong, in that setting, because it's the
7 setting that is being questioned at that point by
8 individuals or the group.

9 Q. So if there was an issue with the behaviour of one of
10 the children that had perhaps arisen during the day in
11 the classroom setting, is that something that you think
12 would have been raised at this group meeting in the
13 cottage or would that have been dealt with elsewhere?

14 A. I think it would depend on the situation and the
15 implications of what had happened or not happened.
16 I think it's too broad a question to answer generically.

17 Q. Moving on in your statement, please, to page 23, and the
18 topic of discipline and punishment. And at
19 paragraph 117, you say:

20 'I have always been a person who would want to
21 discuss with a child, if possible, why they were upset.'

22 So rather than proceeding to a sanction or
23 a punishment, was speaking to the child your first port
24 of call?

25 A. If that was possible. I mean, it may well be that they

1 were physically quite aggressive and would need holding
2 in a CALM sense. I think if you go back to
3 paragraph 116, you'll see a quote by Robert Laslett
4 which would explain what I'm talking about there. He
5 says:

6 ' ... with a good deal of inner chaos and internal
7 destructiveness which continually threatens to overwhelm
8 them. Some of them have been involved in situations
9 where relationships have been destroyed by the eruption
10 of hostile and violent feelings. They have not been
11 responsible for that destruction but caught up in it and
12 they have fantasies about the power of their own
13 hostility.'

14 And I think that's the point of reference, you have
15 to decide whether what's happening affects the group or
16 it just affects the individual or two of the individuals
17 maybe.

18 Q. And then how does that quote that you've mentioned, how
19 does that inform your response to the behaviour?

20 A. Well, very simply, you have to make a value judgment.
21 One of the difficulties of this type of work is
22 specifically you cannot always predict what's going to
23 happen. So very often you do have to make a value
24 judgment as to what you're going to do and it may be
25 holding a child. But the point of reference is that you

1 don't hold the child continuously; you, as quickly as
2 possible, move them away from you so that they can begin
3 to be in control of their own behaviour.

4 Q. You mention that at paragraph 117 and you say at the end
5 of that paragraph:
6 'The longer you hold them, the more difficult [it]
7 becomes.'

8 Essentially to allow the child to move away and
9 regain control themselves?

10 A. Yes. That's it. You have to have a plan of action.
11 That's what I'm saying. You have to make a value
12 judgment to work out how you get the child to be
13 self-sufficient in terms of their own behaviour.

14 Q. And then if we move on over the page, to page 24, and
15 paragraph 123, you say that you tried to get the child
16 to sit at arm's length and talk:
17 ' ... normally with another member of staff there
18 who could add into the conversation.'

19 And you say that this involvement of somebody else
20 was beneficial?

21 A. It could well be beneficial, insomuch as, if it's
22 a two-way conversation, then all the responses are
23 charged between two people. If you add a third person,
24 then there's a sort of merry-go-round of responses and
25 it can gradually lower the tenor of the difficulties.

1 Q. Then if we go on over the page, to page 25, at
2 paragraph 129 you say that when you first started at
3 Harmeny, the staff had no training in holding children
4 whatsoever. Had you previously had training in the
5 previous places that you worked in relation to training
6 on holding?

7 A. Yes, I had. The particular training I remember was
8 actually done, I think it was by Leicestershire Police.
9 I went on a training course. But it was totally
10 inappropriate for this setting and I thought I'll be
11 able to transfer it, but I couldn't. When you're
12 dealing with a rather large, older teenager, who may
13 well be physically more capable than yourself -- sorry,
14 more -- less able than yourself to deal with it, you
15 have to -- it's a different set of circumstances and it
16 wasn't appropriate with younger children.

17 Q. Then you say at paragraph 130 that the local inspection
18 service suggested CALM training.

19 And that's what you then adopted; is that right?

20 A. Yes, absolutely right.

21 Q. You say:

22 'It was difficult for staff and we developed lots of
23 ways in which staff learned to talk a child down from
24 a distance ...'

25 So what was difficult for staff in terms of the CALM

1 training?

2 A. Well, it wasn't so much the CALM training. There's two
3 parts. The CALM training is a physical way of holding
4 a child, but that's only the beginning. The next bit is
5 to find ways, especially if angry, find ways of talking
6 to them that gives them a chance to begin to talk. So
7 it doesn't matter what they talk about at that point, as
8 long as they begin the rhetoric and then, after that,
9 move in on the subject. Does that make sense?

10 Q. Did you mean -- do you think before staff had this
11 training that they too quickly moved to a restraint or
12 do you think that they weren't using restraints at all?

13 A. It's difficult to answer, because if they hadn't been
14 taught the CALM methods then they would be using any
15 method they thought, which was -- could be well less
16 than appropriate. I haven't got a straight answer to
17 that, because we moved in on the CALM quite quickly and
18 we realised that what was happening wasn't satisfactory.

19 Q. Then you say over the page, on page 26, at
20 paragraph 132, that [REDACTED] could possibly have trained all
21 the staff in restraint straightaway, but that wasn't the
22 issue. It was essentially how it was applied and
23 whether it was appropriate and all of that and all of
24 the training took a number of months?

25 A. Yes, it did. And they were difficult times for

1 everyone, but I think the other side of that was that
2 the application and the appropriateness of holding
3 a child had to be something you were confident about.
4 You couldn't just grab a child and hold them. There had
5 to be a reason why you did it. There had to be the
6 thought of a way out of that. And they were difficult
7 times, no question about that.

8 LADY SMITH: 'George', am I right in understanding that one
9 of the things you're trying to get me to understand is
10 stopping the child's physical actions is just one thing
11 and that's not enough of itself?

12 A. Uh-huh.

13 LADY SMITH: And perhaps a more important aim is to see if
14 you can make a connection that will get the child
15 talking in whatever way they're able to do, to start
16 explaining what it is that's enraging them; have I got
17 that right?

18 A. You've put it much better than I've managed to put it,
19 thank you. Yes, it was fine.

20 LADY SMITH: Because we often get a picture when we hear
21 about restraint of a child out of control and the only
22 objective is for staff to get that child under control,
23 as in under their control, to stop the child acting the
24 way the child is. But I think from the way you're
25 explaining it, I can see that's not enough.

1 A. It isn't, and I think you've explained the very first
2 part of the procedure, if you want to call it that, but
3 as you say, it isn't enough, and it's getting staff to
4 have confidence in letting go and moving on, which is so
5 much more important than the holding.

6 LADY SMITH: Yes. Thank you.

7 MS INNES: If we can look down, please, on page 26, to
8 a document that you refer to at paragraph 136, which was
9 an inspection in 2001 by the local inspection service,
10 and at paragraph 137 you quote from there and it says:
11 'There are currently a high number of incidents
12 which require children to be helped to [gain]
13 self-control."
14 A. To regain.

15 Q. And then it goes on:
16 'This is evidenced to be done in a number of ways,
17 with successful de-escalation of situations. A number
18 of children currently appear to require to be held by
19 staff. Given the nature of the problems which bring
20 children to Harmeny it is inevitable that during such
21 incidents staff are subject to much physical and verbal
22 abuse. It is a credit to staff that they are able to
23 maintain and develop positive relationships with the
24 children and place the children's difficulties in
25 a non-personalised context.'

1 So I suppose that would be the beginning of the move
2 that you've been describing of moving to more emphasis
3 on de-escalation?

4 A. It's exactly as her Ladyship, I don't know if it's the
5 right term, has explained very well, that you have to
6 make the move otherwise you're going to be holding them
7 forever and that wouldn't work and that would actually
8 make things a lot worse.

9 Q. Can you remember having any concern about the number of
10 restraints that were happening?

11 A. No, but my summary would be that probably at first
12 people were moving quickly to CALM and as they got used
13 to doing work carefully, that would elongate into
14 possibly not holding at all or only holding for a moment
15 or two, so I don't -- that's the only answer I can
16 easily come to.

17 Q. Now, if we can move on again in your statement to
18 paragraph -- to page 30, and paragraph 154, you mention
19 inspections there and you say that these were things
20 that you welcomed when you were there and that you --
21 you have already mentioned Dr O'Hagan and you say that,
22 fairly early on I think, you invited him, or the
23 inspectors, to come to the school to carry out
24 an inspection?

25 A. It's one of the only ways you can get a third-party view

1 of what you're doing, whether it be right or whether it
2 be wrong. Most people, probably including myself, will
3 have thought: oh, we're doing a good job, we're getting
4 it right, don't worry about that. But when someone
5 comes in from the outside who's been to visit lots of
6 establishments, then you do get a much more critical
7 view of what you're doing and often that in itself can
8 give you the way forward.

9 Q. And at paragraph 165, you mention about the local
10 authorities perhaps coming in and you also had ELRIS,
11 which was the local inspection service at the time, and
12 Peter Doran, who became your Head of Childcare, I think
13 you came in contact with through an ELRIS inspection; is
14 that right?

15 A. Sorry --

16 Q. It's at paragraph 165, on page 30.

17 A. I jumped a page. I'm sorry.

18 Q. That's okay.

19 A. Yes, ELRIS carried out regular -- they were the local
20 authority inspectors, as opposed to Dr O'Hagan being
21 a government inspector.

22 And we found them very useful. One of the members
23 was Lawrie Davidson, who, yes, she was very good in
24 pointing things out and talking to people and coming up
25 with ideas, as were her team, who included Peter Doran

1 at that point.

2 Q. And it was through your contact with him, through ELRIS,
3 that ultimately -- well, you first met him and then he
4 became your Head of Childcare?

5 A. Not really. He applied for the job. I hadn't looked
6 for him, but he actually -- he phoned me up beforehand
7 and he said: if it would be difficult for you to have
8 someone like me on your staff, say now and I won't
9 apply. And I said: I always want the best people
10 possible to apply, but you're in a stream with any
11 others, and there were quite a few people who applied.

12 Q. Now, if we can move on, again, in your statement,
13 please, to page 32, and -- well, first of all,
14 paragraph 168, apart from the matters that we'll come on
15 to in a moment in relation to two staff members who you
16 dismissed, you say that you don't remember seeing any
17 behaviour that you considered to be abuse taking place
18 at Harmeny?

19 A. And I really can't. Obviously I'm sure that there were
20 moments -- well, you know of two of them, that happened
21 but not that I saw. And to be honest with you, it
22 probably wouldn't have been if I was around that things
23 like that would happen.

24 Q. At paragraph 170, you say that no child ever reported
25 abuse to you:

1 'But any such report would have always gone through
2 the child's key worker, the Head of Care and our social
3 worker.'

4 So during the time that you were there, did you
5 start a process of children having key workers?

6 A. Oh, yes, a long time -- right at the beginning. I mean,
7 once the cottages had been established with the team,
8 they then had their own key worker children and
9 of course we employed social workers to be available to
10 children and to staff to help with difficulties.

11 Q. And you say at paragraph 171 that looking back you feel
12 confident that if any child was being abused or
13 ill-treated at the time, you think it would have come to
14 light at the time, and why is it that you think that?

15 A. Well, the nature of the working environment was that
16 there would always be more than one person on duty with
17 a child or children. Very often if a child wanted to
18 talk to people, they would talk to two people. It was
19 an open -- I use this phrase 'open environment', in
20 other words, people had to be confident in each other's
21 company, whether it be child to adult or adult to adult
22 or whatever. So I just feel that if there was
23 reasonable cover on for children to see staff working
24 together and for -- be it -- to be able to be confident
25 to talk to them.

1 Q. Now, if we could move on, please, to page 34 and to the
2 two staff members that we've just referred to. Dealing
3 with them at paragraph 182, you mention them. One,
4 [REDACTED] KLL and the other, [REDACTED]
5 [REDACTED] KLN.

6 So first of all, at paragraph 183, you talk about
7 KLL and you describe him as being one of the old
8 guard. Can you tell us --

9 A. People who worked prior to my coming to Harmeny, who had
10 a different way of working with children, I've used the
11 term 'old guard'.

12 Q. And you say that he had little idea about working with
13 SEBD children?

14 A. By the very nature of what -- what he said when I said
15 something like, you know, you kicked a child, he said:
16 well, he kicked me. And that in itself shows a lack of
17 understanding of who they're dealing with.

18 Q. I'm just going to pause for a moment there, 'George', as
19 the -- my transcript has just paused for a moment. It's
20 just a technical issue, so I'm just going to see if
21 that's --

22 LADY SMITH: We just want the transcript to catch up.

23 (Pause).

24 MS INNES: So just going back over something that you said
25 there a moment ago, 'George', you said by the very

1 nature of the work, when you said something to him, you
2 know you kicked a child, he said: well, he kicked me.
3 That was the interaction between you.

4 A. And that in itself would have been anathema to me. So
5 yes. It was obvious that his own ability to understand
6 who he was working with was at fault.

7 Q. And you say at paragraph 184 that this came to light via
8 another staff member who told you about it?

9 A. I think who told the Head of Childcare about it, who
10 then came to me.

11 Q. And then there was an investigation and I think if we
12 move on to the top of page 35, we can see reference to
13 his dismissal. There was a report to the police as
14 well. The social work were involved -- were aware and
15 you say at paragraph 187 that you recall that KLL
16 wasn't charged, but his -- finally his time was over at
17 Harmeny and it ended up with him leaving.

18 As we can see from the paperwork, he was dismissed,
19 and you say that you remember feeling a sense of relief
20 that he wouldn't continue at the school?

21 A. Yeah, I think people who don't understand who they're
22 working with shouldn't be working with them.

23 Q. Then the other staff member that you refer to, if we go
24 down to paragraph 189, is a staff member called KLN
25 and you say there was a similar situation. He lost his

1 temper with a child. Leading up to the incident, he had
2 been a good worker. So was this somebody who you had
3 recruited, or was he already there?

4 A. Well, yes, had been recruited at Harmeny, yeah.
5 I probably was in the interview, but I just don't
6 remember that. But certainly he was a good lad, he
7 liked the children and the children liked him, and
8 I think at the time he said he'd lost his temper, and
9 there's a kind of bit of me that says: how do we get
10 over this? But unfortunately, as it went on, something
11 else happened and that was the end.

12 Q. Yes, so you say, I think, that there were two incidents
13 perhaps with this staff member. So you say there was
14 a first incident where his response, as you've said, was
15 that he'd lost his temper and -- but he remained at the
16 school.

17 A. Yes.

18 Q. And then there was a second incident and you say at
19 paragraph 190 that again this was reported to you, that
20 a staff member had reported the issue to Peter Doran and
21 then on to yourself?

22 A. Yes -- yes -- and -- sorry, I've just spilt some water,
23 I beg your pardon. Okay, carry on.

24 Q. So at paragraph 190 you say that this incident was
25 reported to you, and at paragraph 191, at this point,

1 [REDACTED] dismissed him?

2 A. Uh-huh, yes, sorry.

3 Q. So if we look on to the next page, to page 36 and

4 paragraph 194, you say that you're aware that -- well,

5 both KLL [REDACTED] and KLN [REDACTED] had kicked a child, but the

6 response in relation to KLL [REDACTED] was to dismiss him.

7 The response in relation to KLN [REDACTED] initially was to

8 give him a warning and then it was only when there was

9 a second incident that he was dismissed?

10 A. Yes.

11 Q. Are you able to explain that difference in approach at

12 all?

13 A. I'll try to explain it. In the case of the first chap,

14 he had no idea of who he was working with and I'm not

15 sure he could ever have learnt how to work with them.

16 Whereas with the second chap, he did have

17 an understanding of the children and he'd said that he'd

18 lost his temper, and to be honest with you, anyone can

19 lose their temper and may not, well, kick someone, but

20 there are times when everyone does and you walk away or

21 you do something else.

22 It didn't happen. But unfortunately it did happen

23 a second time and that is the moment to say goodbye.

24 Q. If we move on in your statement to page 38 and to

25 a section where you speak about Robert Taylor and you

1 say that he was no longer in post when [REDACTED]?

2 A. Yes, Bill Grieve was running the place at that time.

3 Q. Yes. And at paragraph 207 you say that you did meet

4 Bob Taylor. What was your impression of him?

5 A. I felt that he was very laissez-faire with people.

6 I felt at that time that he wasn't managing, but was

7 just going through the process of managing, and that

8 wasn't good for Harmeny. Presumably, if he was doing

9 a good job, then they would have kept him on.

10 Q. You say that in paragraph 208 that you didn't feel he

11 had been a competent -- that he was a competent SNR [REDACTED]

12 and he'd been put in this position when [REDACTED]

13 SNR [REDACTED] had left or retired. But that was all

14 before your time at the school, and, as you've said

15 earlier, you were looking forward rather than back?

16 A. Absolutely.

17 Q. If we can move on, please, to page 39 and a section

18 starting at paragraph 214, you talk about the person [REDACTED]

19 [REDACTED] appointed as SNR [REDACTED] --

20 A. Mm-hmm.

21 Q. -- and he remained at the school for a period before he

22 went to another school, we understand that to be

23 Starley Hall in Fife, and you say at paragraph 216 that

24 initially the working relationship between the Head of

25 Care and SNR [REDACTED] was good, but there came

1 a point when he lost heart. And why was that?

2 A. This is guesswork on my part, but I think that prior to

3 [redacted] Peter [redacted] coming, SNR [redacted] was like SNR [redacted]

4 SNR [redacted] of the establishment should have been [redacted]

5 [redacted] as SNR [redacted] was. [redacted] changed the graphics

6 of that situation and I don't believe that PNC [redacted]

7 particularly ever got over that.

8 Q. Now, if we move on to the next page, page 40, and

9 paragraph 219, you say that you've been provided by

10 an extract of documents that were provided to the

11 Inquiry by Harmeny Education Trust, in relation --

12 A. Well, it was actually provided by the Inquiry to me, but

13 they provided them with --

14 Q. Yes, the original source of the document was the Harmeny

15 Educational Trust and the Inquiry showed you an extract,

16 I think, of this document, where, as you say at

17 paragraph 220, that you are named in the document as the

18 alleged abuser and --

19 A. Yes.

20 Q. -- a child [redacted] [redacted] alleged that you

21 took wee boys into your house and into your bed.

22 And he stated that he had been in your house. It

23 says:

24 'The document states that the allegation was made on

25 11 October 2002 and: "Reported to Peter Doran ... by

1 Pauline Gilruth (School Social Worker).'

2 There's discussion about it being reported to the
3 local authority, I think, senior social worker, and then
4 the local authority senior social worker and
5 Pauline Gilruth discussed [REDACTED] comments with him.
6 [REDACTED] could not recall his original conversation and
7 the outcome was no further action.

8 Now, until you had seen this material that was given
9 to you by the Inquiry, did you have any --

10 A. It was -- yeah, it was actually spoken to me by one of
11 your colleagues called [REDACTED], and I said: I have no
12 memory of this at all.

13 Q. And were you surprised that you had no memory of it?

14 A. Yes, yeah, but that's fact and the only thing I would
15 say was that the particular people who obviously carried
16 out the investigation were both very sound, independent
17 people who would not have let anything like that go, so
18 I feel confident that it was handled in a proper way.

19 Q. And you say in paragraph 221 that the alleged actions
20 would have been totally out of character for you and
21 I think your -- if we go on over the page, to
22 paragraph 223, you say:

23 'The allegation that I took "wee boys into my house"
24 did not happen.'

25 A. That's right. It was not something I would ever have

1 contemplated doing -- excuse me -- and neither would, if
2 you knew the location of where I lived and staff
3 checking on people, you'd know immediately that that
4 would be less than remotely possible, especially also
5 that my family all lived in the house with me.

6 Q. And you say at paragraph 222, it's possible that you
7 were made aware of it at the time, but you would have
8 expected to remember it, because if --

9 A. I did.

10 Q. -- you had known about it, you say you:

11 '... would have been worried because it was untrue,
12 so out of character, and it would have impacted my whole
13 career.'

14 A. And that's right, I mean, you know, Peter Doran and
15 Pauline would certainly have, if they'd felt or believed
16 it was true, would have taken it further and of course
17 that would have impacted on my career.

18 Q. Now, just finally, in your statement at page 43, and at
19 paragraph 233, you speak there of the core of the work
20 that you did when you were at Harmeny. You say:

21 'The core of the work we did was built around good,
22 well trained staff trusting each other and working
23 together. Staff being so important in any setting
24 involving the care of SEBD children.'

25 So from what you're saying here -- and I think

1 you've already said in your evidence about the
2 importance of having the right staff --

3 A. Yes.

4 Q. -- to work in this setting?

5 A. Yeah. If you go back to the comments that Sidney Hill
6 had made right at the beginning of our conversation,
7 you'll realise that those were the points that
8 influenced me and influenced many, many people in their
9 work with SEBD children. Don't forget the 'S' was added
10 on years later for social. So it used to be EBD
11 children and then the word 'social, emotional behaviour
12 difficulties' was added because people realised that it
13 wasn't just the education and wasn't just the care, it
14 was the wholeness, the homely feeling, if you like, and
15 all the young people had a wealth of difficulties when
16 they came to Harmerly and it was our job to work through
17 those.

18 Q. And you say at paragraph 234 that you focused on how you
19 could create a progressive environment, built around
20 capable people and one which changes and evolves all the
21 time. So you talk about you don't just find a formula
22 that works, but you find something that's adaptable and
23 changes over time?

24 A. And I think that's the whole essence of a good
25 community, whereby you adapt and you don't have just:

1 oh, this is what we do when we do that. You say: well,
2 because of this and because of that, that's why we acted
3 in that way. And I think, you know, one of the big
4 lessons that anyone working with these young people and
5 with the adults working with young people needs to learn
6 is that you cannot just put it down on a piece of paper.
7 It has to be face-to-face working with people to
8 an agreed formula, if you like. In other words, for me
9 it was the development of a therapeutic community, but
10 for other people it's different and all of them work in
11 their own ways, as long as the people are committed to
12 what they're doing.

13 Q. Thank you very much 'George', I don't have any more
14 questions for you.

15 LADY SMITH: 'George', I'd like to add my thanks to you for
16 engaging with us over the Webex today. It's been so
17 helpful to be able to discuss with you, as frankly and
18 openly as you have done, the work that you did at
19 Harmeny, your learning and your understanding and your
20 beliefs, I've learnt a lot from listening to you.
21 I'm grateful to you for that.

22 Now, do feel free to go and relax for the rest of
23 the day. Thank you.

24 A. Thank you for your time and the way you've done things.
25 That's lovely. Thank you.

1 LADY SMITH: Thank you.

2 (The witness withdrew).

3 MS INNES: My Lady, that concludes the evidence for today.

4 LADY SMITH: Thank you.

5 MS INNES: Next week, on Tuesday, we will continue looking

6 at Harmeny with two further oral witnesses and

7 thereafter we will move to evidence in relation to

8 St Vincent's School.

9 LADY SMITH: Thank you very much. Well, that's it for this

10 week and I'll sit again at 10 o'clock on Tuesday.

11 I look forward to seeing people then. Thank you.

12 (2.48 pm)

13 (The Inquiry adjourned until 10.00 am on

14 Tuesday, 19 August 2025)

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