

Tuesday, 19 August 2025

(10.00 am)

LADY SMITH: Good morning and welcome back to Phase 9 of our case study hearings looking into the provision of healthcare, additional support needs and disability residential accommodation for children.

As we mentioned, I think, at the end of last week, we move on to more evidence. Today we will touch on I think both Harmeny School and Starley Hall; is that right?

MS INNES: That's correct, my Lady, in relation to the first witness, because he was at both of these institutions. So the first witness is Robert Taylor. He was SNR SNR at Harmeny School from April 198. From about 199, he was SNR. He was then suspended in January 199 and dismissed from his post in April 199. He then worked as a teacher at Starley Hall School from April 199 until January 200.

LADY SMITH: Thank you.

Robert Taylor (affirmed)

LADY SMITH: Bob, you've already found what I was going to draw your attention to.

A. Oh, sorry.

LADY SMITH: That's alright. I know that the way the sound comes out of the system it can be difficult to locate

1 who it is that is speaking, but thank you for coming
2 this morning to help us with your evidence.
3 A. You're welcome.
4 LADY SMITH: That red folder has got your written statement
5 in it and we'll be referring you to that as we go
6 through your evidence.
7 A. Yes.
8 LADY SMITH: We'll also bring the statement up on the
9 screen, so you can use either or neither, whatever you
10 find helpful. They'll be there for you, all right?
11 A. Yes.
12 LADY SMITH: Now, a couple of practicalities, Bob. As we go
13 through your evidence, I know it can be tiring to have
14 to answer questions in an environment like this and if
15 you need a break at any time, please tell me.
16 A. Okay.
17 LADY SMITH: I will have a break at about 11.30 anyway.
18 A. Yes.
19 LADY SMITH: But if you want a break at any other time,
20 that's not a problem, just speak up.
21 A. Okay.
22 LADY SMITH: If there's anything else I can do to help
23 making the giving of evidence more comfortable, do say.
24 It's important that you're as comfortable as you can be
25 in doing what's difficult.

1 A. Okay. Right.

2 LADY SMITH: Bob, there may come a point at which we have to
3 ask you questions, the answers to which could
4 incriminate you. Now, although this isn't a court, you
5 have all the protections you would have in relation to
6 a court procedure and that means you don't have to
7 answer these questions if you don't want to. It's your
8 choice, all right?

9 A. Yes.

10 LADY SMITH: And if you're in any doubt as to whether it's
11 that sort of question we're asking you, please say and
12 we'll help you and let you know whether it is or it
13 isn't. We're not trying to trick you or trip you up, we
14 just want to help you be as clear as you can and avail
15 yourself of the protections you're entitled to if you
16 want to do that, all right?

17 A. Right.

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

20 Questions by Ms Innes

21 MS INNES: Thank you, my Lady.

22 Bob, if we can start by referring to your statement
23 and it has the reference WIT-1-000001637 and if we look
24 to the final page of the statement first of all, at
25 paragraph 362, we see that it says:

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

5 And I think we can see that you signed your
6 statement on 16 July of this year; is that correct?

7 A. Yes.

8 Q. If we go back to the beginning of your statement now,
9 you tell us that you were born in 1948?

10 A. Yes.

11 Q. And then at paragraph 2, you tell us about your
12 qualifications and after school we can see that you
13 studied art and drama and that in 1970 you graduated
14 with a Bachelor of Education degree; is that correct?

15 A. Yes.

16 Q. You then go on to talk about your initial teaching post
17 and you say that that didn't work out and you then went
18 back to Nottingham and you worked as an unqualified
19 social worker in the children's department --

20 A. Mm-hmm.

21 Q. -- for a year or two. What sort of work were you doing?

22 A. Sorry?

23 Q. What sort of work were you doing when you worked there?

24 A. Well, I worked with the Children and Families
25 Department, Nottingham Social Services, and I used to

1 visit houses in quite a deprived area of Nottingham to
2 check on families to see if there was any resources that
3 we could help the families with from the
4 Social Services.

5 Q. Then you tell us at paragraph 4 that you went on -- you
6 moved to Bournemouth and you then worked for a time at
7 an independent school for children with behaviour and
8 learning difficulties?

9 A. That's right.

10 Q. Was that the first time that you had worked with
11 children who had, as you say, behaviour and learning
12 difficulties?

13 A. Yes, it was. My wife was working there as well, as
14 a care worker, and I had a class of youngsters. We
15 actually lived in the house, the school, and it was --
16 I think that was the first time that I did work with
17 children with behavioural and learning difficulties,
18 yes.

19 Q. And then, after that, you say that you taught at
20 a number of schools in the south of England. Were these
21 all special schools or not?

22 A. Nazeing Park was a special school, yes, yeah.

23 Q. If we go on over the page to page 2 and paragraph 5.
24 You say that you didn't receive any special training
25 to deal with children with learning and behavioural

1 difficulties. You mostly learned in service. However,
2 when you were at Nazeing Park School, as you've just
3 mentioned, you completed a course and obtained
4 an advanced diploma in the teaching of what, at that
5 time, were called 'maladjusted children'?

6 A. That's right, yes.

7 Q. And that was a year-long part-time course?

8 A. A year-long part-time, yes, at Hatfield College, uh-huh.

9 Q. Then you moved to another school, you mention, at
10 paragraph 6, and then in 1984 you came to Scotland and
11 you'd moved to Scotland for family reasons, but in terms
12 of your work, at paragraph 7, you tell us that you were
13 employed at Harmeny School --

14 A. Mm-hmm.

15 Q. -- initially; is that right?

16 A. Uh-huh.

17 Q. You tell us, I think, that you worked at Harmeny School.
18 We know that you started there in April 198█ and
19 initially you were SNR █ at the school; is that
20 right?

21 A. That's right, yes.

22 Q. And there was a time that you became SNR █?

23 A. Yes.

24 Q. I think that was maybe in about 199█ or so?

25 A. Let me think, 199█ -- possibly 199█, end of 199█,

1 beginning of 199█, yes.

2 Q. And why was it that you became SNR █?

3 A. Because KVJ █, SNR █, went off sick.

4 He wasn't well and I was just substituted in his place.

5 Q. And then you tell us that after your time at Harmeny,

6 and we'll come back to this later on in your evidence,

7 you had a year out of teaching and then you went to work

8 at Starley Hall School?

9 A. That's right, yes.

10 Q. And you worked there from 199█ to 200█?

11 A. Yes.

12 Q. And then after that, you went to work at a mainstream

13 school --

14 A. Yes.

15 Q. -- until you retired.

16 Now, if we can move to the part of your statement

17 where you tell us about your time at Harmeny. You've

18 mentioned KVJ █, who I think was SNR █

19 for the time that you were there?

20 A. That's right, yes.

21 Q. And if we look at page 3 and paragraph 11, you talk

22 there about Mr KVJ █ and you say he was a very

23 charismatic man?

24 A. Uh-huh.

25 Q. How did you find his █ style?

1 A. [REDACTED]'s [REDACTED] style, it was encompassing.
2 He was fatherlike. He was a big man and embraced the
3 staff and the children alike and he was a very -- he had
4 a big presence and, as I say here, very charismatic.
5 And he'd been there for a long, long time so everybody
6 knew him and looked up to him and, you know, he was
7 quite a special guy.

8 LADY SMITH: Bob, when you say embraced, do you mean
9 physically embraced or are you figuratively speaking?

10 A. No, socially embraced, yeah.

11 LADY SMITH: Socially embraced. Thank you.

12 A. The school was [REDACTED], if you like, it was his major
13 concern.

14 MS INNES: And you mention at paragraph 11 that his wife
15 also worked at the school?

16 A. Yes, she did.

17 Q. And I think you describe her as the school social
18 worker. I think we've also seen some evidence that
19 describes her maybe as a family counsellor.

20 A. Uh-huh.

21 Q. But what did her job involve?

22 A. As far as I'm aware, she visited families of some of the
23 children and kept case notes and information about
24 individual children's families' needs, uh-huh.

25 Q. And was she formally employed by the school, do you

1 know?

2 A. Was she formally employed by the school?

3 Q. Was she an employee of the school?

4 A. Yes.

5 Q. Now, you go on in your statement to describe the groups

6 of children and you say at paragraph 13 that there were

7 three houses with different names?

8 A. That's right.

9 Q. And each group was led by a senior care worker?

10 A. Uh-huh.

11 Q. Was there somebody in charge of these care workers?

12 A. At that time, no. There wasn't a care manager per se.

13 If there was, then it was KVV. He

14 everything. There was an individual key worker,

15 senior care worker, for each group, but there was no

16 manager over them, if you understand what I mean. There

17 was later on, following an inquiry, but at the time,

18 there wasn't. So they worked independently of each

19 other.

20 Q. And did the three care workers have other care staff

21 below them --

22 A. Oh, yes.

23 Q. -- who reported to them?

24 A. Yes.

25 Q. At paragraph 14 of your statement, you say that you

1 found the culture to be close-knit and family
2 orientated?

3 A. That's right, yes.

4 Q. Can you describe what you mean by that?

5 A. Well, each house was run like a house, a home. They
6 would sleep there. In the morning, get up and have
7 breakfast and then they would be brought to school by
8 the care workers and they would spend the day in the
9 classroom, have a break in the middle of the morning and
10 then lunch, they would go to the dining room, which was
11 in the main house. They would have lunch together, and
12 then back to class after lunch and then after class they
13 would then go back to their houses, their groups. So --
14 and they would have a little meeting and talk about what
15 their day had been like and ...

16 Q. We'll come back to that, I think, a wee bit later on.

17 So at the bottom of page 3 in paragraph 15, you talk
18 about your recruitment and you were interviewed by
19 Mr [KVJ] and somebody from Save the Children who was
20 on the board of governors?

21 A. That's right, yes.

22 Q. At paragraph 16, you say that you were in charge of
23 education?

24 A. Yeah.

25 Q. So what did your role involve?

1 A. Well, I think there were one, two, three -- five classes
2 and there were five teachers. None of the other
3 teachers lived on the premises. They lived locally.
4 But I lived on the premises. And we would have a weekly
5 teachers' meeting to discuss the curriculum, what
6 children were -- what level they were working at in
7 reading and writing and number. So my particular job
8 there was to manage and support the rest of the
9 teachers, yeah.

10 Q. And at the same time as you had this role, you were
11 teaching one of the classes yourself?

12 A. Yes.

13 Q. And was that a full timetable that you were teaching?

14 A. Yes.

15 Q. And how did you find being able -- you know, were you
16 able to balance the two roles, your role as a class
17 teacher and SNR ?

18 A. Yeah. It was somewhat difficult, because you had to
19 wear two hats, but one got used to it, it's -- yeah.
20 I ran a class and was there to support my colleagues as
21 well.

22 Q. And then you say at the end of this paragraph 16, that
23 you used to work alternate weekends?

24 A. That's right, yes.

25 Q. So what did your duties involve when you were on at

1 a weekend?

2 A. If I was on duty at a weekend, I was -- I didn't have to
3 go round all the houses and check on the children or the
4 staff, but I had to be available to the care staff if
5 they needed me for support or if they wanted me to drive
6 the school minibus somewhere with the children in it.
7 But they knew that I was there on duty, available in --
8 in the grounds.

9 Q. So that sounds a bit more like perhaps being on call --

10 A. Yes.

11 Q. -- if you were needed --

12 A. Yes.

13 Q. -- as opposed to actively working all of the weekend?

14 A. That's right, yeah.

15 Q. At paragraph 17, you talk about the transition to the
16 role of SNR [REDACTED]. You say that you weren't given any
17 specific training and you felt in quite a vulnerable
18 position. Why was that?

19 A. Well, KVJ [REDACTED]'s role as SNR [REDACTED] had been very much
20 administrative, so he spent a lot of time in the office
21 with the school secretary and her assistant and so there
22 was a lot of things to do with money and finance and
23 general organisation and interworking with the
24 Save the Children Fund.

25 Now, KVJ [REDACTED] went off sick so I was given the role, if

1 you like, as SNR in his place, but I didn't have
2 any of the administrative experience or the connections
3 that he had with Save the Children Fund or the financial
4 groups or with Edinburgh City Council, and I still had
5 a class to look after. So it was quite difficult,
6 I suppose.

7 Q. So no one was brought in to cover your class, for
8 example, to free you up for this role?

9 A. No, no.

10 Q. And in paragraph 18, you say that it was difficult for
11 you to fill Mr KVJ's shoes and several staff found
12 it difficult to adjust to your new role?

13 A. That's right, yes.

14 Q. Can you explain that?

15 A. As I've said earlier, KVJ was a very charismatic man
16 and had a big presence and I used the word 'embraced'
17 the school, if you like, and suddenly he wasn't there
18 anymore and I was taking his place. Several of the
19 staff, including his wife, found that very difficult to
20 take on board, because I wasn't him. As far they was
21 concerned, I was still just a teacher and I was put in
22 a managerial role, which they found difficult to accept,
23 if you like.

24 Q. And how did that impact on your ability to [REDACTED]
25 school effectively?

1 A. I should imagine it did. I don't think at the time that
2 I was making mistakes or anything like that, but I just
3 don't think that I had the same presence as KVV and
4 that some of the staff resented my position as SNR
5 SNR, as it were.

6 Q. At the bottom of page 4 and paragraph 20, you say:
7 'Staff were split into teaching staff and care staff
8 and there was very much a different culture between the
9 two groups.'

10 Can you explain what the different culture was?

11 A. Well, the teachers were professionally trained and had
12 a job to do from 9 till 3.30 and that was to teach the
13 youngsters and then they went away from the premises.

14 They were by and large an older group of
15 professional people and were fully qualified because
16 teachers have to be. At the time, the care staff were
17 mostly younger people who maybe didn't have
18 a professional qualification in -- I don't know if there
19 was a professional qualification in childcare at that
20 time. They might be doing SVQs. I know that one of the
21 workers was a trained nursery nurse, but I don't know
22 what other qualifications any of them had.

23 So they didn't work together, the teachers and the
24 care staff. I don't mean that in a negative way. They
25 just didn't physically work together. The children came

1 out of the classroom at break time and went with the
2 care staff to play and out of the classroom at evenings
3 to go back to their houses. So there was no connection,
4 if you like, between the staff -- the teaching staff
5 and --

6 LADY SMITH: Bob, you earlier talked about there being
7 weekly meetings to discuss the children's educational
8 progress. I take it there were no care staff at those
9 meetings, were there?

10 A. The care staff weren't involved in the teachers'
11 meetings, no. But I think SNR and his wife
12 would have a weekly meeting on a Friday afternoon,
13 I think, by and large, with all the care staff together.

14 LADY SMITH: But you didn't have meetings with care staff
15 and education staff coming together?

16 A. No, no.

17 LADY SMITH: Thank you.

18 MS INNES: Now, if we go on over the page, you talk about --
19 a bit more about the care staff and at paragraph 23, you
20 mention there that the care staff, as you've just said
21 in your evidence, were mostly young people --

22 A. Yeah.

23 Q. -- you say, who had come from a similar sort of
24 background as each other. Can you explain what you mean
25 by that?

1 A. I don't know really. I didn't have very much to do with
2 the recruitment of care staff, if any, and I don't know
3 if they had any relevant qualifications to do that, but
4 they were mostly younger people, in their 20s, uh-huh.

5 Q. And would you have been involved in recruitment of
6 teaching staff?

7 A. Yes.

8 Q. And did you ever do that on your own or were you -- did
9 you always do that with Mr KVV or --

10 A. With -- I never did that on my own. I always did that
11 with KVV and a member of the governing body.

12 Q. If we go on over the page, please, to page 6, and
13 paragraph 29, you talk again there about qualifications
14 and you say that you think that the care staff had the
15 opportunity to study for some qualifications. Can you
16 remember them going to courses or?

17 A. Not particularly, no, not specifically.

18 Q. Do you think that the training, or the opportunities
19 that they had for training, were adequate or not?

20 A. Good question. The fact that they didn't have the
21 opportunity for further training made it inadequate, and
22 because of that I think some of the young people that
23 came to work as care staff found it quite difficult,
24 because they hadn't known what to expect from the
25 behaviour of some of the children and the way that they

1 behaved and acted. There was quite a lot of aggression
2 and volatile youngsters and I think a lot of the care
3 staff were -- the young people who worked with them were
4 taken aback. They hadn't known what to expect. They
5 weren't prepared for it.

6 Q. So how did they know what to do if they weren't given
7 any formal training? Were there any sort of training
8 days at the school?

9 A. I think they had training days, but, again, I think
10 I said some -- a lot of them trained on the job, as it
11 were, as they went along, they were guided by the older
12 care workers that were there with them.

13 Q. At paragraph 30, you say that you didn't directly manage
14 anyone, either when you were SNR or SNR
15 SNR, and you didn't complete any staff appraisals or
16 have any one-to-one management of any of the staff?

17 A. No, that's right.

18 Q. I just wondered if that's correct, because you said
19 a moment ago that when you were SNR there were
20 the other teachers who you had responsibility for?

21 A. I continued the management of the teaching staff, but
22 not so much the care staff.

23 Q. So when you were SNR, who was managing the care
24 staff?

25 A. Nobody. I was there as a manager if they needed me, but

1 I didn't necessarily physically manage them or -- I just
2 supported them.

3 Q. And why did you not -- why did you not step into the
4 role of managing them as Mr KVVJ had been their
5 manager?

6 A. I don't know. I didn't know whether or not it was
7 expected of me. It was a very difficult time, because
8 the school was also at that time being subject to
9 an inquiry, which had been organised by the
10 Save the Children Fund, but I think that came a bit
11 later when KVVJ had left. I'm not sure. I can't
12 remember very well.

13 But, as I said before, a lot of the care staff, the
14 older ones, didn't accept me as a manager, so it was
15 quite a difficult time.

16 LADY SMITH: Bob, there must have been somebody organising,
17 for example, the practicalities of their rotas, when
18 they could take leave, dealing with these sorts of
19 management tasks for the care staff --

20 A. I'm sorry, Lady Smith, I can't quite pick you up.

21 LADY SMITH: Sorry, did you not hear that? I'll try again.
22 There must have been somebody doing the practical tasks
23 of, for example, organising the rotas for the care staff
24 or when they could go on leave. Who was doing that?

25 A. The rotas were organised by the leaders of each group,

1 right --

2 LADY SMITH: So that's the three --

3 A. -- the three groups and each group had a senior worker

4 and it was their role to organise rotas and activities

5 and -- so it was pretty much left up to them as a sort

6 of internal job.

7 LADY SMITH: But so far as you're aware, within that, there

8 was nobody senior directing the care staff how to do

9 their job or guiding them --

10 A. No, there wasn't.

11 LADY SMITH: -- as to different strategies to use.

12 A. Not at that time, no. It did happen later, but not at

13 that time.

14 LADY SMITH: Thank you. I think I've got the picture.

15 MS INNES: Now, Bob, if I can go down on page 6 to

16 paragraph 32, where you say:

17 'All the children at Harmeny School had behavioural

18 or learning difficulties, or both, and they would come

19 to the school after they had been excluded from

20 mainstream ...'

21 So was it your understanding that the children had

22 been at mainstream and then had been excluded from

23 there?

24 A. Yes.

25 Q. And you say they would normally come from about the age

1 of 7 and then stay for their primary education.

2 A. That's right, yes.

3 Q. Was there any impetus for them to move back to the

4 mainstream during --

5 A. Absolutely, yes. Most of them did go back to mainstream

6 after they left Harmeny School, but they would have

7 all -- I would assume they would have all been in

8 mainstream before they came to Harmeny and that's where

9 the failure -- that's where they failed, so that they

10 had to come to Harmeny School. So at quite a young age,

11 they might have been 5 or 6 or 7, before the schooling

12 broke down for them to be coming to Harmeny in the first

13 place.

14 Q. And in terms of an impetus to get them back to the

15 mainstream school, was that just to get them to

16 mainstream and secondary, or was it to get them back to

17 mainstream as soon as possible?

18 A. No, mainstream secondary by and large. They would stay

19 at Harmeny until they were of secondary school age, then

20 leave and go to mainstream. I can't think of anybody

21 that's left before then and gone back to mainstream

22 primary.

23 Q. Do you know why it was that the approach was to -- for

24 them to complete their primary education at Harmeny

25 before going to mainstream secondary?

1 A. I don't know if there was any specific thinking behind
2 that. I think that's just what happened.

3 Q. Now, if we can go over the page, please, to page 7 and
4 paragraph 35, you talk there about the meeting that
5 you've already mentioned in your evidence. You say:
6 'After school they would go into their houses and
7 attend house meetings at which they would talk about
8 their day and any upsets they may have had.'

9 A. Uh-huh.

10 Q. Were you ever at these meetings?

11 A. Yes, I used to go to them quite often.

12 Q. And what would your input to these meetings be?

13 A. Well, if you remember, I had a class of my own, who were
14 the older group. It was the last class and I used to go
15 to the meeting where they would be in their groups and
16 we would talk about what sort of day they had had, and
17 I would often talk about what sort of work they'd been
18 doing in the classroom or how they'd behaved in the
19 classroom or -- and pass on information to the care
20 workers, who were looking after the children in those
21 groups. So I'd be a part of that meeting as well.

22 And likewise, sometimes, occasionally, not always,
23 I think that some of the other teachers attended
24 meetings as well in the other houses, if they had
25 children in those classes, if they had a particular

1 piece of information that they wanted to pass on about
2 how they'd been in school.

3 Q. So it was up to the individual teacher to decide whether
4 to go to the meeting or not?

5 A. Yeah, uh-huh.

6 Q. And from what you've said, if there had been
7 a behavioural issue during the school day, that would be
8 discussed at the meeting?

9 A. Yes, it would.

10 Q. With all the children in the group present?

11 A. Sorry?

12 Q. And all the children in the group would have been
13 present at that?

14 A. Yes.

15 Q. Do you know if any children felt uncomfortable about
16 issues like that being discussed in a group setting?

17 A. I should imagine that -- yeah, and some of them
18 expressed their displeasure and discomfort by getting up
19 and leaving the meeting if it was their behaviour that
20 was being discussed.

21 Q. And why was it thought to be a good idea and beneficial
22 to the children to have such discussions at a group
23 meeting?

24 A. I don't think it was thought it was a good idea.
25 I didn't think it was a good idea. But it was something

1 that probably shouldn't have happened for an individual
2 child's behaviour to be discussed in a negative manner
3 in front of the rest of the group. That was probably
4 not right.

5 Q. And is that your reflection looking back on it now or
6 was that something that people were raising at the time
7 and saying this isn't a good idea?

8 A. No, it's my reflection. I can't remember anybody having
9 said that at the time. But in hindsight, I should
10 imagine that it probably wouldn't have been a good idea
11 to be discussing children's individual behaviour in
12 a group setting.

13 Q. If we can move on, please, to page 9 of your statement,
14 and -- well, first of all, at paragraph 47, you mention
15 that you lived in a bungalow in the grounds of
16 Harmony School and so did Mr KVVJ ?

17 A. Uh-huh.

18 Q. And all the rest of the teaching staff lived elsewhere?

19 A. That's right.

20 Q. And then you say at paragraph 48 that some of the care
21 staff had their own accommodation outwith the school --

22 A. Uh-huh.

23 Q. -- and would only come in for work, but most of the care
24 staff lived in?

25 A. That's right, they did.

1 Q. And they had their own rooms in the main building?

2 A. Yeah.

3 Q. Then you go on to deal with questions that you were

4 asked in relation to discipline and punishment. And you

5 say there was no formally prescribed method of

6 discipline?

7 A. No.

8 Q. Can you remember there being any rules about types of

9 punishment which were acceptable and ones which weren't?

10 A. I don't know if it was ever discussed or talked about in

11 meetings, but I don't think KVV ever sort of

12 got everybody together and said: this is not what we're

13 going to do, but this is what we are going to do.

14 I don't -- I don't recall that there was ever

15 a prescribed method of punishment or -- it certainly

16 wasn't formal, formally used. There was no physical

17 punishments formally used.

18 Q. At the end of this paragraph you say that punishment or

19 discipline would be up to the people who were running

20 the individual houses?

21 A. Yeah.

22 Q. So are you meaning if an issue arose in the individual

23 house, then it would be up to the care staff there to

24 decide how to deal with it?

25 A. Yes, yes.

1 Q. And then in the classroom, was it up to the teacher to
2 decide?

3 A. By and large, yes, I would have thought. You know, if
4 children were misbehaving in class then what I would
5 have -- what I did was not let them go out to play and
6 they would stay in the classroom with me. That sort of
7 thing. It was just -- mostly time-out was used as
8 a form of punishment.

9 Q. And would that be at break time or lunchtime?

10 A. Break times, yeah.

11 Q. You say at paragraph 50 that time-out could mean that
12 a child would be told to spend some time in their room?

13 A. Yeah.

14 Q. So would they be sent back to their room from the
15 classroom?

16 A. No, that would -- that method -- time spent in their
17 room would be during time that was outwith the school
18 day.

19 Q. So outwith the school day they could be sent back to
20 their room?

21 A. Yes.

22 Q. And would anybody go with them or would they go on their
23 own?

24 A. Well, they wouldn't be left alone in their group houses.
25 There would always be care staff around, so ...

1 Q. And do you know if children ever missed lunch or dinner
2 because they were being punished?

3 A. No, I don't think that would have been acceptable.

4 Q. Then if we go on over the page, you say that you think
5 that by and large -- so at paragraph 51, you think that
6 by and large staff would have been aware of what methods
7 of discipline were permissible?

8 A. Yeah.

9 Q. And why do you think that?

10 A. They would use their own common sense, I would have
11 thought, and they knew what was acceptable and what was
12 not acceptable as far as discipline's concerned.
13 I don't ever recall ever seeing a member of staff
14 hitting a child or ... they would know that that
15 wouldn't be acceptable.

16 Q. At paragraph 52, you say that corporal punishment was
17 not used at Harmeny?

18 A. No.

19 Q. Did you ever use corporal punishment at Harmeny?

20 A. No.

21 Q. At paragraph 54 you go on to talk about restraint.

22 A. Uh-huh.

23 Q. And you say that there was no formal training in
24 relation to restraint?

25 A. No, there wasn't.

1 Q. Did you ever have any discussions or meetings about what
2 was acceptable or not acceptable?

3 A. I don't recall that we did, no.

4 Q. Then you go on, at paragraph 55, to give your own
5 understanding of the use of restraint and at the end of
6 that paragraph you say:

7 'There was no accepted practice as such as to how
8 many staff might be involved in a restraint, or the
9 manner in which restraint would be used.'

10 A. That's correct, yeah.

11 Q. So how did staff know what to do or not do?

12 A. I should imagine that they just had to use their common
13 sense and if, say, two children were fighting and
14 hurting each other, they would have to be separated,
15 preferably by at least two members of staff, and held in
16 such a way that they weren't going to be harmed or
17 inflict further harm, you know. That happened.

18 Q. Then going down to paragraph 57, you're asked about the
19 use of restraint. Did you see restraint being used at
20 Harmeny?

21 A. Sorry, let me just -- say that again.

22 Q. Did you see restraint being used?

23 A. I think I must have done on occasion, yes.

24 Q. You say that you think that it would have been used more
25 often in the houses at night?

1 A. Yes.

2 Q. Why do you think that?

3 A. Because that's when the groups were together -- were

4 together most and there would be quite often quite a lot

5 of squabbling and fighting and bickering amongst the

6 youngsters. So they might have to be separated or held

7 until they were calm. Because during the day, while

8 they're in the classroom, it's a more formal setting, so

9 children are sitting at their desks, listening to their

10 teacher or doing their work and they're separate from

11 each other. Whereas at night, like children in

12 families, you know, they often fight and bicker at home

13 and they certainly did in this setting.

14 Q. And do you know how long these restraints might last?

15 You'd said that they would be held until they calmed

16 down.

17 A. It wouldn't be more than a few minutes.

18 Q. If we go on over the page, to page 11, and paragraph 58,

19 you say that you didn't make any formal changes to the

20 practices, but you did have concerns on a few occasions.

21 What concerns did you have about the use of restraint?

22 A. Well, I think at the time there were certain persons who

23 were rough in their use of restraint, perhaps

24 heavy-handed.

25 Q. You mention in particular a person who is KLL --

1 A. Yes.

2 Q. -- who was a care worker. What concerns did you have in
3 relation to his use of restraint?

4 A. I think he tended to overreact. He was an older man and
5 heavy-handed and his handling of the children sometimes
6 left a bit to be desired. He was rough and ready with
7 them and perhaps holding them heavily on the floor and
8 that sort of thing. I had intervened once or twice with
9 him and said: I think I'll take over from here, KLL .
10 Yeah.

11 Q. And did you speak to him about --

12 A. Yes.

13 Q. -- his use of restraint?

14 A. Yes.

15 Q. And what was his response?

16 A. I don't remember exactly. It was quite a while ago, but
17 I think he said: or I think 'I acted in the heat of the
18 moment, I'll have to watch myself' and that sort of
19 thing, so -- he didn't get argumentative or angry with
20 me or anything like that.

21 Q. Did you think that you should take matters further in
22 relation to him if it was becoming an issue?

23 A. Perhaps I should have done at the time, and I can
24 remember when KVJ was still SNR , he had
25 had to have words with him as well about his actual

1 presentation of himself to children, if you like, and
2 the way he spoke to them and held them. I don't think
3 I was the only one who had concerns.

4 Q. But Mr KVV had -- other than speaking to him, he
5 didn't do anything more formal than that?

6 A. I think he did. I think KVV once mentioned to me that
7 he had decided to ask KLL and that -- the term he used
8 was 'to mark time', that means he couldn't make any more
9 sort of progress as a worker in the school.

10 Q. Right. So was Mr KLL a senior care worker or was he
11 at a more junior level?

12 A. I think -- now, I'm going to have to be careful how
13 I answer this, because I don't quite remember. He was
14 a senior care worker when I was first there, but because
15 of the rule or the infringement that KVV had put on
16 him to mark time, he was overtaken. So he became -- he
17 didn't have that seniority any more. That was taken
18 from him.

19 Q. Then you talk about some of the -- a couple of instances
20 where, as you've mentioned, you had to step in where you
21 felt that things had gone too far with Mr KLL and
22 a child?

23 A. Yes.

24 Q. If we can go on, please, to page 12, and paragraph 63,
25 you say there that one of the particular issues that you

1 had when you became SNR was that Mr KVJ 's
2 wife remained a member of staff?

3 A. Yes.

4 Q. And you say she refused to communicate with you?

5 A. That's by and large, yes.

6 Q. And how did that impact on your ability to run the
7 school effectively?

8 A. Didn't really have much impact on my professionalism or
9 how I carried on working. It's just that she didn't
10 really accept me as SNR of the school because that
11 was her husband's role, even though he'd gone off sick.

12 Q. Because you said that she was liaising with families and
13 children --

14 A. Yes.

15 Q. -- so that sounds like it would have been -- she
16 potentially could have had quite important information
17 to share with you about children?

18 A. Yes, mm-hmm.

19 Q. Did she stop doing that?

20 A. She never had really imparted information about
21 families -- children and families to me anyway, but she
22 used to produce the notes for her case work and impart
23 the knowledge, if you like, to the head of the houses
24 where the children lived, the senior care people, where
25 the children lived.

1 Q. So did she tend to share that with care staff --
2 A. Yes.
3 Q. -- rather than education staff?
4 A. Yes.
5 Q. Do you think that it would have been helpful to have had
6 some relevant information as a teacher?
7 A. On reflection, yes.
8 Q. Then you say, at paragraph 64, that, around the same
9 time, that you became involved in a relationship with
10 one of the senior members of care staff?
11 A. Yes, I did.
12 Q. And did that have an impact on your ability to [REDACTED]
13 the school at the time?
14 A. I was hoping it didn't, but it may well have done.
15 I don't think I stayed as SNR [REDACTED] for much
16 longer after that anyway. It was difficult.
17 Q. If we move down on page 12, you've already talked, as
18 you mention at paragraph 65, about care staff would have
19 benefited from having somebody managing them?
20 A. Yes, they would have.
21 Q. Then you also say, at paragraph 66, that you think there
22 should have been more than one social worker?
23 A. Yep.
24 Q. And again, speaking about Mrs [REDACTED], it appeared that
25 she had a high level of contact with some children and

1 a low level of contact with a lot?

2 A. That's right, yes.

3 Q. And what was your concern about that?

4 A. I think I remember feeling at the time that she was

5 quite selective about families that she spent most of

6 her social work time with as opposed to not spending

7 social work time with other families, as

8 I've said there, uh-huh.

9 Q. Now, if we go on again over the page, you say at

10 paragraph 69 there, I think, that there were some issues

11 that you continued to have with Mrs [REDACTED] and perhaps

12 another member of staff who would be perhaps drinking to

13 excess?

14 A. Yes.

15 Q. And at paragraphs 69, you say that on your last day

16 working at Harmeny:

17 '... representatives of ... Save the Children ...

18 had ... arranged for us to meet with Mrs [REDACTED].'

19 A. Yes.

20 Q. What was the purpose of that meeting?

21 A. It had to do with Mrs [REDACTED]'s relationship, I think,

22 with another member of the care staff. I think it was

23 centred around the fact that one or two of the other

24 members of the care staff who lived in the building,

25 main building, had complained about -- and I don't know

1 who they complained to -- but they had mentioned that
2 Mrs [REDACTED] and the other care worker would be having
3 an argument following bouts of drinking. They'd be out
4 drinking, come back and have arguments in the house and
5 that came to the attention of the officials of the
6 Save the Children Fund and I think it was decided that
7 myself, because I was SNR [REDACTED] at the time and I had
8 concerns about her, and several members of the governing
9 body and a member of Save the Children Fund ought to
10 have a meet with her to discuss the problems that she
11 was creating.

12 But it never happened. The meeting never happened.

13 Q. You say at paragraph 70 that instead you received
14 a phone call from Bill Grieve from Save the Children --

15 A. Yeah.

16 Q. -- who said that they had a few concerns about you?

17 A. Yes.

18 Q. And were you told on the phone call what those concerns
19 were?

20 A. Sorry?

21 Q. Did Bill Grieve tell you on the phone call?

22 A. No, no. He said: 'I think what we should do -- [and it
23 was a Friday afternoon] -- Mr Taylor is cancel that
24 meeting that we're going to have with Mrs [REDACTED],
25 because I need to have a meeting with you, because

1 I have concerns about yourself'. He didn't tell me on
2 the phone what his concerns about myself was, but he did
3 come to the school and we had a meeting.

4 His concerns surrounded the relationship I was
5 having with the other member of staff.

6 Q. And after that meeting with Mr Grieve, were you
7 suspended?

8 A. Yes.

9 Q. Now, moving on in your statement, still staying on
10 page 13, at paragraph 72, you refer to the children
11 having key workers?

12 A. Mm-hmm.

13 Q. And were they each allocated a key worker when they came
14 to the school?

15 A. Yes.

16 Q. And you say that would be one of the care staff within
17 the child's house?

18 A. Within the house where the children were living, yes.

19 Q. And what was the role of the key worker?

20 A. To be there for the child, if they had any concerns. If
21 the child had any concerns, they would feel easy about
22 going to this particular person with their problems and
23 also the key worker would have to do with the child's
24 health and welfare and general presentation.

25 Q. Now, if we move over the page, to page 14, and

1 paragraph 75, you mention the review that was carried
2 out by Save the Children?

3 A. Yes.

4 Q. At paragraph 76, you refer to Barbara Kahan?

5 A. Yep.

6 Q. We know that this report was carried out by Ms Kahan
7 with the assistance of Sandy Jamieson and Bill Grieve.

8 A. That's right, yep.

9 Q. But at the end of paragraph 75, you say that it was
10 a confusing time for you and you wondered at the time
11 what had caused it?

12 A. Yeah.

13 Q. So it appears that you were unclear as to why this
14 review was being undertaken?

15 A. That's right.

16 Q. Okay.

17 A. What I mean by that was that the Save the Children Fund
18 were in possession of information that gave them
19 concerns and led them to believe that there needed to be
20 an investigation or an inquiry into how the school was
21 run from a care-side point of view. What that
22 information was, I don't know, and I don't know how it
23 came to light. But following it, there was a long,
24 protracted inquiry and a book produced -- a booklet
25 produced at the end of it.

1 Q. And you mention, further down this page, Sandy Jamieson
2 being in the school, and at paragraph 78 you say that he
3 suggested to you that you should stop teaching?
4 A. Yeah.
5 Q. And why was that, why did he make that suggestion?
6 A. Because he felt that if I was spending 9 till 3 in
7 a classroom, with a classroom full of teachers, I wasn't
8 really being seen as SNR of the school, that
9 I should be in an administrative role only and available
10 to everybody and I wasn't while I was in a classroom,
11 and that happened, but again only briefly.
12 LADY SMITH: I suppose, Bob, there'd also be the matter of
13 how much of your working time that would take in
14 addition to the preparation you would have to do for the
15 teaching?
16 A. Absolutely. Yeah, it was a very difficult time.
17 LADY SMITH: Were you exhausted?
18 A. Sorry?
19 LADY SMITH: Were you exhausted?
20 A. Probably, yes. I didn't have time to be exhausted, I
21 was -- but I know what you mean.
22 LADY SMITH: Yes. Ms Innes.
23 MS INNES: If --
24 A. But at the same time as well, if I can be candid, I was
25 also in -- in an unacceptable relationship as well and

1 that didn't help my state of mind, if you like. It
2 affected everything.

3 LADY SMITH: That's very frank. Thank you very much, Bob.

4 MS INNES: At the bottom of page 14 and going on to page 15,
5 you say that '[Sandy Jamieson] felt it necessary to
6 break up some of the working relationships between the
7 staff in the three houses.'

8 A. That's right, yes.

9 Q. You go on to say:

10 'There were three or four groups of people who he
11 felt should be separated because they were too close and
12 their work ethic needed to be addressed.'

13 And then he wrote a letter to those people who were
14 to be separated.

15 A. Mm-hmm.

16 Q. Are you able to explain why he thought that some staff
17 should be separated?

18 A. Sandy Jamieson felt that there were groups of people in
19 each of the houses that had become -- what was the term
20 he used? -- partisan was the term that Sandy Jamieson
21 used, and that it affected the working relationship
22 between them and other people in the house.

23 For instance, say there was six people, six care
24 workers, in the Kingfishers and two of them were very,
25 very close and always wanted to work together, that

1 would affect the rota system, because it meant that
2 everybody had to work with the same people every time
3 and they perhaps didn't want to.

4 And what happened then, I remember Sandy Jamieson
5 wanting particularly to split up two of these groups and
6 move them to other groups and wrote a letter to each of
7 these people suggesting -- not suggesting, telling them
8 that it had been decided that it would be in the
9 interests of the school for them to move from the groups
10 where they were to go and work in another group, thus
11 separating the partisanship that they had created by
12 their relationships.

13 But what happened with these letters was he wrote
14 the letters but I had to sign them as SNR or SNR
15 SNR and that caused a lot of resentment amongst some of
16 those staff.

17 Q. Then you say at paragraph 79 that one of the big changes
18 that was brought in was that Head of Care was then
19 brought in at that point?

20 A. That's right. Yeah, he brought in another member of
21 staff, Philip Parkin, who became the manager of the care
22 staff and that was a positive move. It was a big boost.
23 He was very good.

24 Q. Then you say at paragraph 81 that, in retrospect, you do
25 consider that the investigation was probably justified

1 and then you go on to say later in that paragraph that
2 it was probably ultimately a good thing for Harmeny that
3 KVJ left and that you left. You say:
4 'Things had been too complacent for too long and
5 I felt at the time that the school needed to be brought
6 into the twentieth century.'
7 A. That's right. Mm-hmm.
8 Q. So although you didn't necessarily know what the
9 investigation was about or what gave rise to it,
10 ultimately you think that it was positive for Harmeny?
11 A. Yeah. I think so. I think so. It had gone along for
12 too long, if you like, and just needed a change.
13 Q. Now, if we go on to page 16, and paragraph 88, you say
14 that your recollection is that while you were working at
15 Harmeny, you weren't the subject of allegations of abuse
16 or ill-treatment of children.
17 A. That's right.
18 Q. That's your recollection. Okay.
19 If we move on a bit in your statement, please, to
20 page 19, and the bottom of the page, paragraph 108, you
21 talk there about a senior care worker, David Brown, who
22 was there when you joined Harmeny.
23 A. Yes.
24 Q. What was he like as a person?
25 A. Different. I don't know, he was a bit of -- I don't

1 want to use the word 'strange' really, but he was. He
2 was a bit of a loner. He'd been there a long while as
3 well. And he was in charge of the Robins, the older
4 children, when I first worked there, and he was a very
5 religious man -- not saying that there's anything wrong
6 with religion by any means, but he would quote the Bible
7 to the children quite often and he just had an odd way
8 about him.

9 Q. If we go on over the page, to paragraph 110, you say
10 that you think he left under a cloud?

11 A. That's right.

12 Q. But you can't remember the circumstances of that?

13 A. No. I just remember Kvj telling me that
14 David Brown had decided it was -- or that he and
15 Kvj had decided it was time for him to
16 consider a move.

17 Q. Okay. Other than the issues that you've mentioned, have
18 you -- did you ever see David Brown abuse children when
19 you were at Harmeny?

20 A. No.

21 Q. Did you ever hear any allegation that he had abused
22 children at Harmeny?

23 A. No.

24 Q. You go on at the bottom of page 20, at paragraph 112, to
25 discuss some minutes of a meeting from November 199 and

1 if we look down to paragraph 114, it talks about
2 allegations of misconduct by staff at the school, made
3 by a Miss KQL, who had been dismissed.

4 Do you have any recollection of KQL
5 or --

6 A. No, none.

7 Q. Do you have any recollection of a member of staff being
8 dismissed?

9 A. Sorry, say the last bit?

10 Q. Do you have any recollection of a member of staff being
11 dismissed around this time?

12 A. No.

13 Q. If we go on to page 22 and paragraph 120, it says there
14 that in the document that you were shown, there's
15 reference to the hitting of children and it said that
16 there had been clear confusion over rules governing the
17 hitting of children. There's reference to a document,
18 which had allowed slapping a child on the bottom if this
19 was thought to be the best way of dealing with a child
20 in certain exceptional circumstances.

21 And a number of the staff said they had done so
22 because they were following the example of senior staff.
23 They felt there should be a complete ban on hitting
24 children.

25 And then it goes on to say 'Staff and the Management

1 Committee' agreed there should be a complete ban.

2 A. Uh-huh.

3 Q. Did you -- were you aware that slapping children on the
4 bottom was a method of punishment used at Harmeny when
5 you were there?

6 A. Not at all. I'd never witnessed it and I hadn't heard
7 of it.

8 Q. And could you remember there being an issue of confusion
9 over corporal punishment?

10 A. No. Until I'd read this, I didn't know it had existed.

11 Q. Now, if we go on again in your statement, please, to
12 page 26 and paragraph 147, you -- this is again at the
13 time when Kvj [REDACTED] was off sick and you were SNR
14 SNR [REDACTED]. You say:

15 'I personally felt very much that I had a lack of
16 support from the Save the Children Fund and the
17 governing body.'

18 A. Yep.

19 Q. To what extent did you have interaction with them when
20 you were SNR [REDACTED]?

21 A. Sorry, I didn't get that.

22 Q. To what extent did you interact with, first of all, the
23 Save the Children Fund --

24 A. None.

25 Q. -- at the time that you were SNR [REDACTED]?

1 A. No. I didn't hear from them.

2 Q. To what extent --

3 A. I heard from the governing body, but not

4 Save the Children Fund.

5 Q. To what extent were you in communication with the

6 governing body over the time you were SNR [REDACTED]?

7 A. That was -- yeah. I had a good rapport with the

8 chairman of the governing body, Enid Fenton. Yeah, so

9 she was very supportive of me, but very little from

10 Save the Children Fund.

11 Q. And did you feel that you could raise some of the

12 problems and difficulties that you were having with

13 Enid Fenton?

14 A. Yes.

15 Q. And did you do so?

16 A. I think so, yeah.

17 LADY SMITH: Bob, did you attend governors' meetings?

18 A. Sorry?

19 LADY SMITH: Did you attend governors' meetings?

20 A. I don't recall that I did, no. I might have done on one

21 or two occasions when certain issues were brought up.

22 MS INNES: Now, going on to the bottom of page 26 and

23 paragraph 149, you refer to a letter that you've seen

24 a copy of, which was dated January 199[REDACTED], from

25 Bill Grieve, and then if you go on over the page, at

1 paragraph 150, you say that: 'The heading of this letter
2 reads:
3 "Suspension from duty".'
4 A. Yeah.
5 Q. And the letter confirmed that you were suspended?
6 A. Yes.
7 Q. And this was the follow-up to the phone call and the
8 meeting with Bill Grieve that you've mentioned?
9 A. Yes.
10 Q. And at the bottom of the page, paragraph 156, you say
11 that there was a full investigation and whilst that
12 happened your family remained in the house that they
13 were living in and you potentially moved elsewhere, did
14 you, at the time?
15 A. Yes.
16 Q. And when the investigation was going on, what was your
17 understanding of the allegations that were being
18 investigated?
19 A. My understanding of the allegations were that I had been
20 in a relationship with a senior care worker at the
21 school and that the relationship between SNR
22 SNR and the girl involved, the woman involved,
23 undermined the morale of the staff of the school and
24 that was the -- I think, the major concern of the
25 Save the Children Fund, as far as I'm aware.

1 Q. And then on the next page, at the bottom of page 28, and
2 paragraph 164, you say that the investigation was
3 conducted over -- between January and April?
4 A. Yes.
5 Q. And you say you weren't spoken to during the course of
6 that?
7 A. Sorry?
8 Q. You say you weren't spoken to during the course of the
9 investigation?
10 A. No. Well, I wasn't kept informed of what was happening
11 of the investigation, is what I mean by that.
12 Q. I see. Then you went to a meeting at Save the Children
13 headquarters?
14 A. Yeah.
15 Q. And what was that meeting about?
16 A. About me. I had a union rep with me, James O'Neill of
17 the EIS, I think it was, and was sat at a table with
18 members of the Save the Children Fund Human Resources,
19 Bill Grieve and Alison Davies, who I think was the
20 chairman of the Save the Children Fund at the time, the
21 Scottish branch anyway, and another human resources
22 person and, one by one, members of staff were invited to
23 come in and give evidence to the group about what it was
24 in my relationship with this person that was making them
25 feel as though it wasn't workable, and that was it.

1 Q. The outcome of that meeting was that you were dismissed;
2 is that right?

3 A. Yes.

4 LADY SMITH: Bob, you've just explained that other members
5 of staff told the meeting what it was in your
6 relationship with this other woman that made them feel
7 that it wasn't workable. Do you feel they were
8 justified in their reaction to working with you in this
9 relationship?

10 A. I don't know, Lady Smith. I -- they had -- several of
11 them had particular misgivings, if you like, towards
12 this other woman, she wasn't popular with some of the
13 members of staff and, being SNR [REDACTED], SNR [REDACTED] of the
14 school, and she being a senior worker, perhaps at the
15 time their resentment probably was justified.

16 LADY SMITH: I suppose you knew you were also dealing with
17 the difficulty of Kvj [REDACTED]'s wife still being
18 an employee working there and, as you very openly
19 explained to us earlier, other staff generally resenting
20 you being in that position, in any event.

21 A. Yes, mm-hmm.

22 LADY SMITH: Yes.

23 A. So ...

24 LADY SMITH: Not the best set of circumstances --

25 A. No, not at all --

1 LADY SMITH: -- for anybody --

2 A. -- not at all, but I wasn't really in a position to

3 complain about it. You make your bed, you lie on it,

4 you know.

5 LADY SMITH: Yes. Thank you. Ms Innes.

6 MS INNES: Thank you, my Lady.

7 If we could look now please at SGV-001033198 and

8 page 10.

9 So this is a letter dated 30 April 199█ from

10 Save the Children to somebody within the

11 Education Department at the Scottish Office.

12 If we look down into the body of the letter -- well,

13 if we go right to the end, I think we'll see it's from

14 Alison Davies, who's described as the

15 Divisional Director?

16 A. Oh, yes, yeah.

17 Q. So that's a person that you mentioned a moment ago?

18 A. Uh-huh.

19 Q. And she's giving more information regarding

20 a disciplinary case and you'll see a paragraph beginning

21 'The staff member in question', so if we go up again:

22 'The staff member in question is Mr Robert Taylor

23 formerly SNR █ at Harmeny. Following a series of

24 allegations regarding his conduct SCF conducted

25 a comprehensive investigation and a hearing which

1 I chaired.'

2 So pausing there, is that correct, that

3 Alison Davies chaired this meeting that you described?

4 A. Uh-huh.

5 Q. Is that correct, that she was the chair of the meeting

6 where people came and gave evidence?

7 A. Yes.

8 Q. And then she says:

9 'Having considered all the evidence I have now

10 concluded that Mr Taylor is responsible for gross

11 misconduct firstly on the grounds of breach of

12 confidentiality regarding children at Harmeny ...'

13 Do you know what that involved?

14 A. Which bit, sorry?

15 Q. So she --

16 A. Regarding children -- no, I don't.

17 Q. About the breach of confidentiality?

18 A. No, I don't remember. I don't know what that means.

19 Well, I know what breach of confidentiality means, but

20 I don't know what instance she's referring to.

21 Q. Then she goes on:

22 '... and secondly on grounds of mistreatment of

23 children - physical chastisement and verbal abuse - over

24 a period of time.'

25 A. Mm-hmm, and I don't know what she's referring to there

1 either.

2 Q. Can you recollect members of staff giving evidence

3 saying that you had been abusive towards children?

4 A. No. '...to the consequence of staff', I don't know what

5 they're referring to.

6 Q. She goes on:

7 'I also found that he was responsible for serious

8 misconduct in relation to the consequences for staff,

9 and potentially for children, of a personal relationship

10 which he conducted with a member of the care staff.'

11 A. Well, I know what she's referring to there, yes.

12 Q. So the way in which she describes this is it seems that

13 the relationship was one which constituted serious

14 misconduct, but not gross misconduct, so it's slightly

15 less serious than the other allegations?

16 A. Right.

17 Q. But are you saying that the only one that you can

18 remember is in respect of the relationship?

19 A. Yes.

20 Q. Okay. And given that Ms Davies was writing this letter

21 immediately after the disciplinary hearing, do you

22 accept that what she says in this letter must be

23 correct?

24 A. Do I accept that what?

25 Q. That what she says in this letter must be correct in

1 terms of her findings?

2 A. Well, I don't understand what she means by 'on grounds
3 of mistreatment of children' or 'physical chastisement
4 and verbal abuse'. I don't know what that means.
5 I don't know where she's got that from.

6 LADY SMITH: Well, Bob, can I ask you this?

7 A. Sorry?

8 LADY SMITH: Can I ask you this, don't worry about the
9 specific wording there: at that meeting, was there any
10 mention of children being mistreated in any way?

11 A. I don't recall that that happened, no.

12 LADY SMITH: Could that have been mentioned?

13 A. Sorry?

14 LADY SMITH: Could that have been mentioned at the meeting?

15 A. Could it have been mentioned? It could have been, but
16 I don't know what it would have been referring to.

17 LADY SMITH: All right. I've got that. But you think it's
18 possible that there was some mention of the way children
19 were being treated at the school?

20 A. Probably.

21 LADY SMITH: Okay. Thank you very much. Ms Innes.

22 MS INNES: And did you ever physically chastise or punish
23 children at the school?

24 A. Not physically, no.

25 Q. Did you verbally abuse them?

1 A. I might have shouted on several occasions. I was given
2 to shouting.

3 Q. And in any event you were dismissed after this hearing
4 and I think you tell us in your statement that you
5 didn't appeal that decision?

6 A. No.

7 Q. And you didn't take matters to what would have then been
8 called an industrial tribunal?

9 A. No.

10 MS INNES: I'm going to move on from your time at Harmeny so
11 perhaps it might be a good time to take a break.

12 LADY SMITH: You'll remember, Bob, I promised you a break at
13 about 11.30.

14 A. Yes.

15 LADY SMITH: It's now 11.30. Let's have a break. Thank
16 you.

17 (11.30 am)

18 (A short break)

19 (11.45 am)

20 LADY SMITH: Bob, welcome back.

21 A. Thank you.

22 LADY SMITH: Are you ready for us to carry on?

23 A. Yes.

24 LADY SMITH: Thank you. Ms Innes.

25 MS INNES: Thank you, my Lady.

1 Now, if we can go back to your statement, Bob, and
2 if we stay on page -- well, if we go on to page 30, and
3 at paragraph 175, as you say, you left Harmeny
4 essentially in January, which was when you were
5 suspended. You didn't go back after you were suspended
6 in the January 199█?

7 A. Mm-hmm.

8 Q. Is that right?

9 After that, and before you went to Starley Hall, at
10 paragraph 176, you say that you worked in a pub for
11 about 18 months?

12 A. Yes.

13 Q. And then you started applying for teaching jobs again?

14 A. Yes.

15 Q. And you applied for a job at Starley Hall?

16 A. Yep.

17 Q. Why was it that you applied for a job there?

18 A. Why did I?

19 Q. Yes.

20 A. Because I already knew about Starley Hall. Some
21 children from Harmeny School went through to
22 Starley Hall afterwards. I knew SNR █ at
23 Starley Hall, KYU █, and -- because of my
24 background and experience and I saw a job advertised at
25 Starley Hall in The Times Educational Supplement so

1 I applied for it, and I needed the money.

2 Q. If we go on to page 32 of your statement, you talk about
3 how you found Starley Hall.

4 How did you find it as a place to work?

5 A. It was quite a difficult place to work, Starley Hall.
6 It's older children than I was used to. Harmeny School
7 had been a primary-aged school and Starley was older so
8 there was children from 13 to 16 at Starley and by and
9 large they were quite a challenging group of young
10 people from difficult backgrounds and they'd had some
11 pretty hard experiences. So, yeah, it was different.

12 Q. And then you say at paragraph 185 in the final sentence
13 there, you say:

14 'However, many of the children displayed fractious,
15 challenging behaviour and I did quite often see that
16 aggression mirrored by the staff, mostly by the care
17 staff.'

18 A. Yeah.

19 Q. Or were the children mirroring what they were seeing
20 from the staff? Is it possible it was the other way
21 round?

22 A. No, the aggression was mirrored by the staff in so much
23 that when the children became aggressive, some of the
24 staff that were dealing with them were aggressive with
25 them, back to them, in their handling of them.

1 Q. And if children see that sort of behaviour from staff,
2 how does that impact their behaviour?

3 A. Well, it would exacerbate the situation and, you know,
4 it would prolong it rather than curtail it.

5 Q. Now, if we go down to paragraph 186, you say that when
6 you began there, you taught general subjects?

7 A. Yeah.

8 Q. And what sort of thing was involved in that?

9 A. What subjects were involved?

10 Q. Yes.

11 A. I would have a class that I would be teaching maths,
12 English, history and some artwork.

13 Q. And did you feel that you had suitable knowledge and
14 experience to be teaching these subjects?

15 A. Yes.

16 Q. Then you say that later on you became the art teacher,
17 which was your specialism?

18 A. Yes, mm-hmm, yep.

19 Q. Is that right? And at paragraph 187, you say that you
20 would teach during the school days and you would go home
21 at night. You didn't live on site; is that correct?

22 A. Sorry, what was the last bit you said?

23 Q. You say that you taught during the school day --

24 A. Yes.

25 Q. -- and you didn't live on site?

1 A. No.

2 Q. But I think that you tell us that you would work late
3 one evening --

4 A. A week, yeah.

5 Q. -- a week? And what did your role involve when you were
6 working for that additional evening?

7 A. Well, I would either take them into the art room if they
8 wanted to choose to do an art or craft activity or
9 I might take them out in the school bus to the local
10 swimming.

11 Q. Did you also work at the weekends?

12 A. To start with I think I used to work on a Saturday
13 morning occasionally.

14 Q. And did that change over time?

15 A. It changed over time to the fact that I didn't do it any
16 more. Stopped doing it.

17 Q. And did you also stop doing the evening during the week?

18 A. Yes.

19 Q. And why did that change?

20 A. Why did that happen?

21 Q. Yes. Why was it?

22 A. I think it fizzled out because when I was first
23 interviewed, I think one or two of the teachers did what
24 they call extraneous duties and I think it died out
25 eventually because teachers doing extraneous duties is

1 more expensive because you get paid a higher rate,
2 hourly rate, teachers, than care staff. So I think --
3 I think what they did do was bring bank staff in, what
4 they call bank staff, people that just worked a few
5 nights a week, because they were not so expensive
6 at hourly rate.

7 Q. If we go on over the page, to page 33, and
8 paragraph 189, you say that you saw the advert in the
9 newspaper?

10 A. Yep.

11 Q. And then you met with Mr KYU ?

12 A. Yep.

13 Q. And you talked about the job and how and why you had
14 left Harmeny School?

15 A. Yes.

16 Q. And then you talk about being invited for an interview?

17 A. Yes.

18 Q. So did you have a separate discussion with Mr KYU ?

19 A. Did I have?

20 Q. A separate discussion with Mr KYU ?

21 A. I had had, yes.

22 Q. Okay. And what did you tell him about why you had left
23 Harmeny?

24 A. I told him why I'd left Harmeny. I told what was said
25 in the previous statement.

1 Q. So did you tell him that you had been dismissed?

2 A. Yes. He would have known that anyway.

3 Q. How would he have known that?

4 A. Because he would have contacted the school to find out

5 about references, et cetera. But, no, it was -- I

6 wasn't trying to hide anything from him.

7 Q. And what explanation did you give for your dismissal?

8 A. That I'd had -- been in a relationship with one of the

9 members of staff and it was unsustainable.

10 Q. And did you mention anything to him about what was said,

11 as we've seen in the letter, about physical chastisement

12 and verbal abuse?

13 A. No, because I didn't.

14 Q. Why not?

15 A. Because I hadn't been responsible for physical

16 chastisement and ...

17 Q. Okay. Do you know -- I think you said a moment ago that

18 you think that Mr KYU would have asked for

19 references. Do you know if he did?

20 A. Did I know if what?

21 Q. If he asked for references from Harmeny?

22 A. I would have thought he would have done, yes. It's

23 standard procedure, I think.

24 Q. You mention, at paragraph 190, that you remember using

25 a reference from a lady called Monica Lanyado?

1 A. Yes.

2 Q. Can you remember if you used her for your reference for
3 Starley Hall?

4 A. I might well have done. I don't recall exactly, but
5 I might have done, yeah.

6 Q. And why did you ask her for a reference?

7 A. Because she was one of the senior members of staff
8 and -- yeah.

9 Q. And then you think that your other reference might have
10 come from a previous place of work in Essex?

11 A. Yeah, David Shires in Essex, yes. And KYU may
12 have also contacted KVJ.

13 Q. Why do you think that he would have done that?

14 A. Well, they knew each other and he knew that that's where
15 I worked.

16 Q. At paragraph 191, you then go on to talk about your
17 direct line manager, who was a lady who -- was she --
18 what was her role at Starley Hall?

19 A. Margaret Mieszala was SNR in charge of
20 education.

21 Q. And you felt as though you were supported?

22 A. I felt I was supported by Margaret, yes.

23 Q. And you had weekly meetings with her?

24 A. Yes.

25 Q. At which you would talk about, as you say at

1 paragraph 191, your lesson plans and any particular
2 issues with children in the class?

3 A. That's right, yeah.

4 Q. And then, at paragraph 193, you say that she left
5 Starley Hall after she fell out with Mr KYU ?

6 A. That's right, yes.

7 Q. Why did she fall out with him?

8 A. I think it had something to do with pensions, because we
9 didn't get a pension paid at Starley Hall. You had to
10 have a private pension of your own or not bother. And
11 a teacher was employed at the time, a PE teacher,
12 Charlie Archibold, and he was offered the job and he
13 agreed to take the job if his -- if Mr KYU agreed to
14 carry on paying his pension, which he did.

15 And Margaret Mieszala found out that this teacher's
16 pension was being paid and hers wasn't. So she asked
17 Mr KYU to up her salary in order to pay her pension
18 and he refused. So she left. That's my understanding
19 of the situation.

20 Q. And if we go on to page 34, at the bottom of the page,
21 you talk about the children going home every fortnight
22 and you say that on that free afternoon you would have
23 in-service training and you mention CALM training?

24 A. Yes.

25 Q. Was that something that was delivered on this Friday

1 afternoon?

2 A. Not every Friday afternoon, but at least once a month or

3 maybe even fortnightly.

4 Q. Now, if we go on to page 35, and paragraph 205, you say

5 that:

6 'Children of various ages and abilities would come

7 to Starley Hall and I don't know what, if any,

8 assessments might have been carried out before a child

9 was placed there.'

10 A. No, I didn't.

11 Q. You then go over the page and say:

12 'Some children, I felt, should never have been there

13 and were, in my opinion, ill-placed.'

14 A. Yes.

15 Q. Can you explain that a bit further, please?

16 A. There were one or two children who had specific needs,

17 physical and emotional needs, and I don't think that

18 Starley Hall was particularly well-equipped to meet

19 these needs and I give an example of -- this

20 particular -- can I mention his name?

21 Q. We can see that you mention a boy, who was in your

22 class. If we don't mention his name.

23 A. Yes, for instance, there was a boy who was in my class,

24 he was extremely autistic and needed specialist

25 one-to-one attention all the while, and I don't think

1 there was anybody in the school at the time, certainly
2 not on the care staff or the teaching staff, who was
3 trained particularly to deal with autism, to the extent
4 that several -- one or two anyway of these boys
5 needed -- their autistic needs weren't being met.

6 This particular boy that was in my class was
7 an extremely big boy, very big, overweight and very tall
8 and very, very physical, and would -- had to be sat on
9 his own in the classroom and kept apart during break
10 times, because he couldn't interact with other children
11 specifically well.

12 He got very physical with people and would grab
13 their hair, and in one meeting that I was at with him
14 and his social worker, when we were discussing assessing
15 his needs and moving forward, he grabbed hold of the
16 social worker's hair and pulled her head down and
17 pressed on her head on the desk that we were sitting
18 round and had to be forcibly moved -- well, his hand to
19 be forcibly moved off the lady's head.

20 Now, that could have been an extremely dangerous
21 situation and in fact it was and it was eventually felt
22 that Starley Hall wasn't the place for him to be at,
23 because he really needed one-to-one care all the time
24 and eventually he was transferred.

25 LADY SMITH: Do you know where he was transferred to, Bob?

1 A. I don't remember the name of it, but I do remember where
2 it was, because I visited it and it was near
3 Blair Drummond Safari Park and it had older people there
4 and I don't know if he actually managed to sustain his
5 placement there either because of his extremely physical
6 and violent behaviour, but, mm.

7 LADY SMITH: Thank you.

8 A. Okay.

9 MS INNES: Now, if we look down to the bottom of the page,
10 at paragraph 210, you say that most of the children at
11 Starley Hall tended to stay until they were school
12 leaving age; is that correct?

13 A. Yes.

14 Q. And you then say:

15 'One of the problems, I believe, with a school that
16 is totally independent and run as a business is that the
17 motivation for keeping a child at the school is
18 financial.'

19 A. Yes.

20 Q. Can you explain that a bit further, please?

21 A. Well, it's -- Starley Hall, like a lot of places
22 similar, is not just a school, it's a business, and if
23 you keep a child from 12 to 16, it's -- that's four
24 years' income and depending on the region from where the
25 children come, some cost a lot, some don't cost as much.

1 I think Highlands and Islands were particularly
2 lucrative. Yeah, and I think sometimes -- it's only
3 a personal opinion and it might not be right, but the
4 motivation for running the school can become financial
5 rather than the child progressing. If you've got
6 40 children at your school and each is providing several
7 thousands of pounds, in some cases maybe exceeding
8 £50,000 or £60,000, then it's quite an income.

9 Q. Did you consider that there was such a motivation at
10 Starley Hall?

11 A. Do I consider?

12 Q. Mm-hmm.

13 A. It's certainly a possibility, yes.

14 Q. And did that exist at Harmeny?

15 A. No, because Harmeny wasn't totally independent. It was
16 grant-aided: the financial circumstances were different.
17 And KJV [REDACTED] Harmeny. KYU [REDACTED]
18 was SNR [REDACTED] at Starley Hall.

19 Q. If we go on over the page, to page 37, and
20 paragraph 214, you talk about the school day at
21 Starley Hall.

22 So children would be in class in the morning?

23 A. Yes.

24 Q. And then they would do activities in the afternoon?

25 A. That's right, yes.

1 Q. And if we go on over the page, to page 38, and
2 paragraph 216, you say that:

3 'I think everybody was trying to do the best they
4 could to teach the children under difficult
5 circumstances. A lot of the teachers would comment that
6 a lot of the time was spent "firefighting".'

7 A. Yes.

8 Q. And what was meant by that?

9 A. 'Firefighting' was a term that was generally used to
10 cover the -- it was breaking up children fighting and
11 stopping them from throwing furniture around, but when
12 they'd been outside during breaks and dinner time then
13 come back into the classroom, they would quite often
14 bring in with them the mood that they were in while they
15 were outside and if they'd been in a fracas or
16 an argument or a fight, that would follow them into the
17 room and sometimes these youngsters would be acting out,
18 kicking off in the classroom and it was a very difficult
19 situation, trying to separate them or stop them from
20 hurting each other or breaking furniture and that was
21 regarded as firefighting. Rather than teaching them, we
22 were breaking up kids who were fighting.

23 Q. And did other staff share that experience?

24 A. Yes.

25 Q. At paragraph 218 on the same page, you talk about the

1 mix of day pupils and residential pupils at
2 Starley Hall.

3 A. That's right, yes.

4 Q. Did that mix work?

5 A. No, not very well.

6 Q. Why not?

7 A. The residents, the children that lived there, felt as
8 though they were a part of the structure. They lived
9 there. It was their home. It was also their school,
10 and the care staff were there to look after them. The
11 day children would come in and they would be separate
12 from the residential. They had their own base and it
13 was called 'The Base' and they would all meet there
14 first thing in the morning and then go there at break
15 times.

16 And very rarely -- I don't think they mixed, the
17 residents and the day students at all, or if they did,
18 very rarely.

19 Q. Okay, so they might be in a class together but during
20 break times and other -- lunchtimes, they would be kept
21 separate?

22 A. Kept separate most of the time, I think, yes, as far as
23 I can remember. I don't think they were treated
24 differently by the staff, but they probably had
25 a feeling of not belonging that the residents had.

1 Q. If we move on, please, to page 41, and paragraph 236,
2 you were asked about methods of punishment and
3 discipline at Starley Hall. Was there any particular
4 guidance or rule as to what methods of punishment were
5 acceptable or not acceptable?

6 A. Not really. You weren't told: you're not allowed to do
7 this, or: you're not allowed to do that. Don't do this
8 or don't do that. I think it was just expected that you
9 would know what's acceptable and what isn't.

10 Q. At paragraph 237, you say that:

11 'Generally speaking, if there was a need to
12 discipline or punish a child, they would be deprived of
13 an activity, or not allowed to go out at night ...'

14 A. That's right.

15 Q. And you say:

16 'That would be the decision of the care worker in
17 charge of the group the child was in.'

18 A. Yes.

19 Q. So what if a child behaved in a way in class which you
20 considered merited some discipline?

21 A. Well, I would keep a child in class if they'd been
22 particularly disruptive or aggressive. I might say to
23 the child: well, you're going to make up some time
24 during break time and then stay in the classroom with
25 me.

1 Q. And would you -- you then say if you -- if the child
2 agreed to it, you would then spend the break in the --
3 with the child in the classroom?

4 A. Yeah.

5 Q. But then you say they might not agree to it. And what
6 would then happen?

7 A. I don't know. As I've said there, they might not agree
8 to it and they might kick off and there's nothing
9 I could do and I would just let them go out and advise
10 the care staff that were on duty that this child has
11 been disruptive. I've asked him to stay in the class.
12 He hasn't done. Keep an eye on the situation.
13 Otherwise, it would just exacerbate and get out of hand.

14 Q. Do you think the care staff would then have followed up
15 with a sanction, so for --

16 A. I would like to think so, but I don't know.

17 Q. At page 42 and paragraph 238, you say that:

18 'Sometimes, some of the residents would go home for
19 the weekends [but] if they had been particularly violent
20 or badly behaved, they might be grounded for that
21 weekend and not allowed to go home.'

22 A. That's right.

23 Q. Can you remember that happening?

24 A. Yes.

25 Q. Okay.

1 A. On occasion.

2 Q. And you say that could bring problems, that --

3 A. It could bring problems, yes, because that would make

4 life difficult for the care staff who were having to

5 look after them on Friday night and Saturday night. So

6 you had to be very careful about stopping youngsters

7 from going home or to wherever they went at weekends.

8 Q. And as a teacher, could you make that decision yourself

9 or did that sort of sanction have to be authorised by --

10 A. No, that sanction would have to be authorised by SNR

11 SNR. A teacher couldn't make that decision.

12 Q. When you say SNR, do you mean Mr KYU?

13 A. Mr KYU. Or whoever was the head of care of the group

14 that they were in.

15 Q. Then if we go down the page, on page 42, at

16 paragraph 241, you say that you were quite often

17 involved in separating children --

18 A. Yes.

19 Q. -- who were fighting?

20 A. Uh-huh.

21 Q. So did this happen on a regular basis?

22 A. Oh, quite often, yes.

23 Q. If we go on over the page, to page 43, you talk about

24 restraint at Starley Hall and you say at the beginning

25 there wasn't any formal training or discussion about

1 what the school's policy was, but then CALM training
2 came in?

3 A. After a couple years I'd been there, CALM training was
4 introduced into the management of children's extreme
5 behaviour.

6 Q. And did you find that training to be of assistance?

7 A. I personally didn't. But it was used a lot by the care
8 staff, not as much by teaching staff, but because of the
9 amount of physical behaviour, it was felt at the time by
10 the management, by KYU [REDACTED] and some of the senior
11 care staff, that some methods of restraint needs to be
12 introduced in order to keep it on an even keel so that
13 people weren't just acting rogue, that they had
14 a particular method by which to hold and restrain
15 children.

16 Q. Why did you not find the training to be of particular
17 assistance?

18 A. I was never very happy about having to hold children who
19 were out of control. I know I had to do it sometimes,
20 to separate them if they're fighting or if they're in
21 danger of hurting themselves or other children or
22 property, but I was never -- I never felt at ease with
23 it.

24 Q. Was there any part of the training that involved
25 discussing de-escalating situations and talking to

1 children?

2 A. Was -- now, you'll have to say that again, I'm sorry.

3 Q. So was the training -- did the CALM training involve any

4 discussion about how to de-escalate a situation?

5 A. Yes, I think -- yeah, it did. You know, start off by

6 trying to de-escalate by separation and by talking and

7 then probably won't have to get involved, but sometimes

8 the situation had already got out of hand when you --

9 the people had to feel that the restraint was absolutely

10 necessary.

11 Q. If we go on over the page, page 44, and paragraph 252,

12 you say that you think some staff used restraint more

13 than others?

14 A. Yeah, probably did.

15 Q. Right. Why was that?

16 A. Perhaps they didn't feel so awkward about getting

17 physical with the children.

18 Q. And then at paragraph 253, you say that:

19 ' ... for instance ... Mr KYU was sometimes more

20 aggressive than he needed to be ...'

21 A. Well, I think he was, yes.

22 Q. Can you explain what you saw that made you think that?

23 A. He did a lot of shouting and grabbing children, grabbing

24 hold of them by the scruff of the neck and holding them,

25 and quite a lot.

1 Q. You say:
2 'He would grab their arms and twist them up their
3 back.'
4 A. Yeah.
5 Q. Did you see him doing that?
6 A. On occasion.
7 Q. And then, at paragraph 254, you say that another person
8 that you had concern about was a person called
9 PBT ?
10 A. Yes.
11 Q. What concerns did you have about him?
12 A. Well, again, he was a very big man, heavy-set and, on
13 occasion, I had seen him sitting on young people, to
14 hold them down, using his weight.
15 Q. If we go on over the page, to page 45, and
16 paragraph 256, you describe Mr KYU as a very
17 aggressive man --
18 A. Mm-hmm.
19 Q. -- and you say that you were bullied and shouted at by
20 him?
21 A. Yeah.
22 Q. Can you give us an example of how he behaved towards
23 you?
24 A. How did he behave towards me?
25 Q. Yes.

1 A. On a couple of occasions quite aggressive, shouting,
2 and -- not physically, obviously, but shouting
3 aggressively at -- not just me, other people as well.
4 I give an example here about the children getting out of
5 my class a couple of minutes earlier than they should
6 of, I think, because my clock was not working properly
7 on the wall, and they were running outside towards the
8 playground. And he had seen them and there was no staff
9 down there to receive them and so he come bursting into
10 the door into my classroom and started shouting at me to
11 go and get them all back, in front of other people.

12 Q. And at paragraph 257, you say that the two SNR [REDACTED],
13 I think KPG [REDACTED] and [REDACTED], they mirrored the
14 way that KYU [REDACTED] [REDACTED] the school?

15 A. Yeah, they -- that was the only management style that
16 they had ever witnessed and they were senior teachers
17 and in fact were [REDACTED] -- became SNR [REDACTED] eventually
18 and they thought that that management style was okay and
19 were quite bullying themselves.

20 Q. How did that, the management style at Starley Hall,
21 compare to the management style that you'd experienced
22 at Harmeny?

23 A. Well, the management style at Harmeny School was never
24 aggressive. The whole of the management style at
25 Starley, I felt, was it created a bullying culture from

1 children to children, children to staff, staff to staff,
2 staff to children. It became almost an acceptable and
3 expected method of management, if you like, to bully.
4 Whistleblowing was encouraged, but certainly the
5 bullying was. But at Harmeny School, the management
6 style wasn't aggressive at all, KVJ was
7 a gentle and caring, quiet person.

8 Q. When you say whistleblowing was encouraged, what do you
9 mean in terms of whistleblowing; is that not something
10 that's positive?

11 A. To inform management of another person's ill-doings, if
12 you like, or if somebody wasn't -- if a member of staff
13 thought another member of staff wasn't pulling their
14 weight or had gone -- or had left their shift early,
15 then going to the management and telling on them, if you
16 like, yeah, it was just encouraged. A lot of
17 misgivings.

18 Q. At the bottom of page 45, at paragraph 259, you say that
19 there was a period during the time that you were at the
20 school when Mr KYU was advised not to come to school
21 premises?

22 A. That's right.

23 Q. And if we go on to the top of page 46, at paragraph 260,
24 you think that this was in connection with a complaint
25 which had been made and I think you go on at

1 paragraph 261 that -- to say that Mr KYU was away for
2 a while but you can't remember how long, but he came
3 back to the school after this period?

4 A. Yeah, yes, he came back after a while. But, as
5 I pointed out in my statement, when he wasn't there, the
6 atmosphere in the school changed. It was easier,
7 relaxed, more relaxed.

8 Q. And you then say that you think it was about this time
9 that PNC came to the school?

10 A. That's right, as SNR.

11 Q. And he had come from Harmeny?

12 A. Yes, he had, but he wasn't at Harmeny while I was there.

13 Q. And did that change things for you?

14 A. Well, it certainly made things better as far as the
15 teachers were concerned, because he provided us with
16 regular support and supervision and checked on -- helped
17 us to check on the curriculum and make sure that things
18 were happening in the classroom.

19 Q. Moving on in your statement, to page 51, you talk there
20 about a person called Nigel Lloyd --

21 A. Uh-huh.

22 Q. -- who I think had a role on the care side at
23 Starley Hall; is that right?

24 A. Yes, he was. He was Head of Care when I first started
25 there. He wasn't there for very long after I started.

1 He left after a couple of years, I think.

2 Q. And what was he like?

3 A. Quite brusque. I think an aggressive manner about him.

4 He had been with KYU [REDACTED] somewhere before. They had

5 both worked somewhere together before and came and

6 [REDACTED] that school -- no, they didn't, somebody else

7 [REDACTED] that school before KYU [REDACTED] did, an American

8 chap. But they'd all worked together, yeah.

9 Q. Now, if we move on to page 53, and paragraph 305, you

10 talk about leaving Starley Hall. You left there in

11 200[REDACTED]. Why did you decide to leave Starley Hall?

12 A. My main reason for leaving Starley Hall was (a) I wasn't

13 getting a pension and I was coming up towards retirement

14 age, not far off it anyway. In 200[REDACTED], how old would

15 I have been? Not quite 60.

16 LADY SMITH: You'd have been 58 then.

17 A. Sorry?

18 LADY SMITH: You'd have been 58, I think, then, wouldn't

19 you?

20 A. Yes, I was. And I was coming up to a time when I needed

21 to start considering what I was going to do about

22 a pension. That was the main reason.

23 Whereas -- I think I was feeling that I was working

24 with these aggressive children all the time and it

25 wasn't doing me much good.

1 MS INNES: And if we can move on in your statement, you tell
2 us at paragraph 308 that you moved to Beath High School
3 and you remained there until you retired.

4 How did you find working in mainstream education as
5 compared to your experience at Starley Hall?

6 A. Quite frankly, I wish it was something I'd done many
7 years before. It was totally different, because it's
8 far more formal in mainstream, it's more professionally
9 managed. I had three line managers at Beath High
10 School, yeah.

11 Q. Now, you were asked some questions about allegations or
12 complaints that have been recovered from school records
13 held by Starley Hall.

14 You say at paragraph 309 that you hadn't seen any of
15 these reports until you were provided with them by the
16 Inquiry?

17 A. Uh-huh.

18 Q. The first one that you deal with, at paragraph 310, is
19 that a boy, who has [REDACTED], made
20 a complaint against you that he had been bruised during
21 an incident.

22 Then it goes on at paragraph 311 to say there was
23 a police and social work investigation and there wasn't
24 enough evidence to caution and charge you, as your
25 account of the incident coincided with reports given by

1 other adult witnesses.

2 Can you recall any investigation in relation to this
3 incident?

4 A. No, I don't. All I remember -- there are several
5 incidents here. I just remember -- I don't recall any
6 of them specifically, but I do remember on several
7 occasions having to separate children when they were
8 fighting in the classroom or peeling them off the floor
9 if they were holding on to furniture. So, I can only
10 assume that that's what these are about.

11 Q. And is it possible that [REDACTED] might have been bruised
12 during such an incident?

13 A. It's quite possible, but I don't recall it happening.

14 Q. Then if we go on to page 55, and paragraph 313, this was
15 a report in respect of a young person with [REDACTED]
16 [REDACTED], who made a complaint against you that he was hit
17 by a chair in an altercation in the classroom, and it
18 says:

19 '... the complaint was recorded and investigated
20 internally but no action was taken as the statements
21 indicated that the altercation over the chair had been
22 an attempt to diffuse the situation.'

23 And you say that you remember [REDACTED], but you can't
24 picture him and you say:

25 'This does sound highly likely ...'

1 A. Yeah.

2 Q. Why do you say it sounds highly likely that this
3 happened?

4 A. Because it happened quite often that I was breaking up
5 fights or removing furniture from children's hands, but
6 I just don't remember the particular incidents, but it
7 sounds like a possibility.

8 Q. And then if we look down to the bottom of the page,
9 there's an allegation at paragraph 316 by a young person
10 with [REDACTED] who made a complaint
11 against you stating that you were a 'paedophile' and
12 'touches lads' bottoms.'

13 This was shared with the child protection officer
14 and a staff member spoke with the boy, who stated that
15 he was angry at the time and that what he had said had
16 no substance.

17 'No further action is indicated from the records
18 available.'

19 And you remember the boy. Do you remember this
20 allegation being made against you at the time?

21 A. I don't remember the allegation and I don't remember the
22 incident. I do remember the boy, [REDACTED]. He was
23 okay. But until I saw this, I'd not seen that
24 statement, that allegation.

25 Q. And then at the top of page 56, you note another

1 allegation from the same boy, paragraph 319, that he
2 made a complaint that you had trapped his fingers in the
3 door and pushed your forehead on to his:

4 'A complaint form was completed and investigated by
5 the school. The other staff who ... witnessed the
6 incident did not support the allegation and [REDACTED]
7 later said that he had made it up.'

8 And do you -- again, do you remember anything in
9 relation to this allegation?

10 A. No, I don't remember anything about it.

11 Q. And then if we look at the next allegation, at
12 paragraph 321, this is a report by a young person with
13 [REDACTED], who made a complaint that he had
14 been assaulted by you. It was investigated by the
15 school and statements were taken from staff involved.
16 No further action is recorded. However, the boy was
17 informed of his right to take the complaint further if
18 he wished to do so, but the police were not involved.

19 Again, do you recall anything in relation --

20 A. No, nothing.

21 Q. -- to this?

22 Did you ever physically assault any child at
23 Starley Hall?

24 A. No. I've separated children fighting and I've had to
25 hold them and break them up, if you like, but no

1 physical assault.

2 Q. Then, at the bottom of page 56, you go on to discuss
3 a copy of an indictment, so this is proceedings issued
4 against you in Kirkcaldy Sheriff Court.

5 A. That's right.

6 Q. And there were five charges against you initially. Four
7 charges of sexual offences against three young people
8 and one charge of assault against one of these three
9 people. So there were three young people involved in
10 the allegations.

11 A. Yes, apparently.

12 Q. If we go on to page 58 and paragraph 330, you're talking
13 there about when you were first advised of the
14 allegations. What was your reaction on being contacted
15 by the police?

16 A. Oh, dear. It was probably the worst thing that's ever
17 happened in my life. It came as an absolute shock,
18 because I'd been teaching for nearly 45 years and must
19 have worked with hundreds, hundreds of young people over
20 that period of time and never had an allegation of such
21 an awful nature made against me at all, or two
22 allegations in fact.

23 I was in shock, and I was told to go to the Dalkeith
24 Police Station where I was interviewed by Mhairi Liddle
25 and Russell MacDonald over a period of hours. I got to

1 the station at 9 o'clock in the morning and I was there
2 until 6 o'clock at night and spent most of that time in
3 a cell while waiting for a solicitor and then eventually
4 I was interviewed by the two of them.

5 It was quite an aggressive interview and all the
6 time during this interview, I was in absolute shock
7 because I didn't know where it was coming from. Didn't
8 know anything about it.

9 Q. Did you accept any of the allegations that were put to
10 you?

11 A. Did I accept them?

12 Q. Did you accept any of them? Did you accept that you had
13 behaved in the way that was alleged?

14 A. No.

15 Q. And then you tell us on page 60, at paragraph 343, that
16 at court, three charges relating to allegations made by
17 one of the people involved were, you say, thrown out by
18 the judge?

19 A. Yes.

20 Q. And I think our understanding, from what you have said
21 in your statement, is that the two people who were --
22 the other two people gave evidence in court against you?

23 A. What about them?

24 Q. The other two people involved gave evidence at the trial
25 against you?

1 A. Yes.

2 Q. And you also gave evidence at the trial; is that right?

3 A. Yes.

4 Q. If we move on to page 353, you say that after the jury
5 had been out for a short time, you were found not guilty
6 of the charges?

7 A. Yes.

8 Q. And does it remain your position that you did not behave
9 in the way that is set out by -- in these charges?

10 A. Yes.

11 Q. If I can move on, please, to page 62 of your statement
12 and paragraph 355, you say that if children were abused
13 and abuse has gone undetected, you think perhaps that
14 the vehicle for children to complain wasn't there at the
15 time?

16 A. Where am I talking about here? Starley Hall?

17 Q. These seem to be your general reflections --

18 A. Oh right, okay.

19 Q. -- so this is at the end of your statement.

20 A. Okay.

21 Q. So you say at paragraph 355:

22 'If children were abused and that abuse has gone
23 undetected, I think that perhaps the vehicle for
24 complaint was not there ...'

25 A. Right, I see. Maybe, yeah. Maybe that is so.

1 Q. Do you think that there was a means for children to
2 complain at Harmeny?

3 A. Did I think that there was a vehicle for complaint at
4 Harmeny? Yes.

5 Q. What was that?

6 A. The care workers, people that worked with them.

7 Q. Do you think that there was a vehicle for complaint at
8 Starley Hall?

9 A. Mmm, yes, yeah, there were people there that were
10 employed specifically to listen to children.

11 Q. At paragraph 357, you say that you think that people who
12 work in residential special schools need to consider how
13 long they work there?

14 A. Yeah.

15 Q. Why do you think that?

16 A. Specialist schools like Starley Hall that have an effect
17 on how you behave and feel yourself, it can affect your
18 mental health and I know people at Starley Hall that are
19 still at Starley Hall that started working there before
20 I did, so you're talking more than 30 years, and you
21 become -- you can become entrenched in the ethos of the
22 school and become institutionalised to a certain extent
23 and think that that's how things are rather than
24 comparing it with what is real or different.

25 Q. Then, at paragraph 359, you talk about the need for

1 every member of staff to have a supportive line manager?

2 A. Yeah.

3 Q. That's one of the things that you noticed when you moved

4 to the mainstream --

5 A. Yeah.

6 Q. -- as you've said, and you also said that there were

7 policy books lying on the table in the staffroom for

8 people to access --

9 A. Yes.

10 Q. -- in the mainstream school?

11 A. Yes, which wasn't the case at places like Harmeny or

12 Starley.

13 Q. Then you say at paragraph 360 that when you were at

14 Beath you looked after the behaviour unit. So you were

15 looking after children who, you say, under other

16 circumstances might have gone to somewhere like

17 Starley Hall?

18 A. That's right, yes.

19 Q. And do you think that it was a good thing that they were

20 able to remain in the mainstream setting?

21 A. Yes, especially at Beath High School, because they had

22 a large behavioural unit with qualified and experienced

23 teachers and classroom assistants that could take care

24 of these children's education and emotional needs. And

25 without that provision in mainstream school and -- those

1 children in the units could quite easily have ended up
2 in residential special schools.

3 MS INNES: Thank you, Bob. I've come to the end of my
4 questions for you.

5 LADY SMITH: Bob, I just want to add my thanks. I'm very
6 well aware of the hard work you put in to providing us
7 with such a detailed, frank and helpful statement and
8 I'm sure it's taken a lot out of you to go through us
9 questioning you all morning, right into lunchtime today.

10 A. Thank you very much. You're welcome.

11 LADY SMITH: It's been an enormous assistance though to have
12 you here.

13 A. I hope so.

14 LADY SMITH: Thank you for your help.

15 A. You're welcome.

16 LADY SMITH: Now feel free to go and I hope you have a safe
17 journey home.

18 A. Thank you.

19 (The witness withdrew)

20 LADY SMITH: Well, I'll stop now for the lunch break and
21 I'll sit again at 2 o'clock for the next witness.

22 MS INNES: Yes, my Lady.

23 LADY SMITH: Thank you very much. Thank you.

24 (12.45 pm)

25 (The luncheon adjournment)

1 (2.00 pm)

2 LADY SMITH: Good afternoon. Now, just before I invite
3 Ms Innes to introduce the next witness, I want to catch
4 up with some names of people whose identities are
5 protected by my General Restriction Order.

6 We used their names this morning. And they were
7 KYU [REDACTED], KLL [REDACTED], KQL [REDACTED],
8 KPG [REDACTED], PBT [REDACTED], KVJ [REDACTED] and there was
9 also reference to a boy whose name was [REDACTED]. Were
10 there any others? No. Thank you.

11 As usual, they're not to be identified as referred
12 to in our evidence outside this room.

13 I'm sorry, it's not Ms Innes, it's Ms McMillan who's
14 going to introduce this afternoon's witness.

15 Ms McMillan.

16 MS MCMILLAN: Thank you, my Lady. The next witness has the
17 pseudonym 'Louis'. 'Louis' worked at Harmeny for
18 a period of around four years from 1974 to 1978 and he
19 had a position as a member of the care staff and as
20 a team leader within that team.

21 LADY SMITH: Thank you.

22 'Louis' (affirmed)

23 LADY SMITH: You'll see, 'Louis', that you've got your
24 written statement there. That's part of your evidence
25 to the Inquiry. Thank you so much for providing that to

1 us. And we'll also bring it up on the screen as we
2 refer to parts of it.

3 Don't worry, we're not going to go through it word
4 for word, but there are some particular aspects that
5 we'd like to explore with you.

6 'Louis', if at any time you want a break, please let
7 me know. I will take a break at around 3 o'clock
8 anyway, but if at any other time you'd like to have one,
9 do speak up.

10 If you've got any queries at any time, don't
11 hesitate to ask or if you think we should be asking you
12 something that we're not asking you, do speak up. It's
13 not a problem.

14 Because, really, if it works for you, it'll work for
15 me and I want to do what I can to make this exercise as
16 comfortable for you as possible.

17 I know that agreeing to come into a public space and
18 give evidence isn't a particularly comfortable thing to
19 do, but we're asking you to do that because of the
20 importance of the work we're doing here and I'm sure you
21 appreciate that --

22 A. Yep.

23 LADY SMITH: -- particularly with your working background.

24 There's one other thing that I'd like to make clear
25 to you -- and I know it may have been explained to you

1 says there you have no objection to your witness
2 statement being published as part of the evidence to the
3 Inquiry and that you believe the facts stated in this
4 witness statement are true.

5 A. I agree.

6 Q. And we can see that it was dated 28 July this year and
7 it was signed by you.

8 A. Uh-huh.

9 Q. Thank you. Can I ask you to turn back to the first page
10 of your statement, please.

11 I understand that you were born in Liverpool in
12 1947?

13 A. Uh-huh.

14 Q. Initially you tell us that you worked in voluntary work
15 and became a community service volunteer, which was
16 within a charitable organisation?

17 A. Yep.

18 Q. I think you go on to tell us about the various
19 placements that you then had before you took up a job as
20 a houseparent for primary children?

21 A. Yeah, uh-huh.

22 Q. I think you tell us that you would have been roughly in
23 your early 20s at the time when you took up that
24 position?

25 A. Yep, yes.

1 Q. Then moving on to paragraph 6 of your statement, you
2 then say that you reluctantly took up another job at the
3 Crick Remand Home and I think you describe that as
4 appalling?
5 A. It was pretty poor.
6 Q. But then you fortunately were able to move to a unit,
7 Liverpool Council's children's unit, where you took up
8 the position of deputy warden?
9 A. It was a one-year temporary post covering somebody on
10 a training course.
11 Q. And I think you tell us in that position that the
12 children had quite challenging behaviour?
13 A. Extremely.
14 Q. I think thereafter you go on to tell us that you applied
15 for another role as a housemaster in Brighton and you
16 were there for around three years?
17 A. Yes.
18 Q. And then you then went into social work for a while,
19 before your personal circumstances changed and I think
20 you then seen the advert for the job at Harmeny --
21 A. Correct.
22 Q. -- in Balerno?
23 Just now then turning to paragraph 11 of your
24 statement, you tell us that when you were at one
25 particular school, in Headlands School, that you were

1 able to complete a residential childcare course?

2 A. Correct.

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

4 A. It was a very basic course. It was the beginning of --

5 what I would determine as day release, sort of

6 on-the-job training, which was probably at a level below

7 the full -- I think it was called a residential

8 childcare certificate, but geared up for people of

9 a younger age prior to going on to more professional

10 training. Based at Bridgend Tech and it was

11 a day-and-a-half a week and fortunately the school

12 allowed me to go and do that. And it was basic child

13 development, some behavioural stuff and some skill work,

14 which was interesting.

15 Q. And I understand that this was before your time -- or

16 you completed this course before you worked at Harmeny?

17 A. That's correct, yeah, yeah.

18 Q. Then I think you tell us at paragraph 11 that after your

19 time in Harmeny then you were able to complete the

20 certificate qualification in social work?

21 A. Yeah. I was seconded by Lothian region from the post

22 I had and that was at Dundee.

23 Q. Moving on then to your experiences at Harmeny, you say

24 at paragraph 12 that the purpose of Harmeny was to

25 provide respite for both families and for children. Was

1 that your understanding of the function of the school?

2 A. Not initially. It was really, when I thought back to
3 what we were about, you were really trying to take -- or
4 at least the theory was that you were taking children
5 out of a difficult experience, both educationally and
6 also within the family, and to basically provide some --
7 a different experience, maybe a more positive one from
8 the experience they had before.

9 For some children that worked. For other children,
10 I felt was quite detrimental and I did wonder why they
11 were there.

12 Q. You do go on to say that in that paragraph --

13 A. Mm-hmm.

14 Q. -- that you did wonder why they were there. What made
15 you think that?

16 A. I just felt the level of development that they were at.
17 It was a difficult experience to take a child who was --
18 although might well be 8- or 10-year but was functioning
19 probably at a much lower level and placed in a large
20 group of other people and without folk who they know.

21 And I think it was quite disparate in terms of how
22 they were able to relate. It was -- there was nobody
23 akin to -- there were very few people there who were
24 from the same sort of background and experience that
25 they had. We were all very young. I don't think it was

1 a good family experience.

2 LADY SMITH: Am I right in thinking you must have been about

3 27 when you started working there?

4 A. That's correct.

5 LADY SMITH: Was that in line with the ages of other members

6 of staff?

7 A. I was a wee bit older. I mean, there were staff who

8 were older than me, but there were several -- well, many

9 people -- I mean, there was one particular lady who was

10 just 17, I think, when she came in, and I would question

11 about the level of development of somebody of that age

12 to deal with children who were exhibiting quite

13 disturbed behaviour.

14 LADY SMITH: Thank you.

15 MS MCMILLAN: You go on, 'Louis', to say that you felt that

16 most of the staff at Harmeny were English and the

17 majority from a middle class background.

18 A. Correct.

19 Q. While most of the children were from a working class --

20 A. From a Scottish working class background.

21 Q. Did you feel that that created a difficulty?

22 A. I think expectations of us as a staff team were that --

23 were very much of a different sort of experience.

24 I don't want to be too anecdotal, but, I mean, one

25 suggestion -- it stuck in my mind was, you know,

1 somebody going home and saying: I had lentils and the
2 mam saying: eat your jam piece. That's -- I'm just
3 trying to illustrate it, that's not exactly it, but that
4 was the difference. We were from a completely different
5 background and the children were experiencing
6 a different way of life when they went home and you were
7 expecting people to make that transition, not just
8 educationally, but also within the family experience and
9 it could be difficult for some kids.

10 Q. I think you do go on to say in paragraph 13 that Harmeny
11 was good from the point of view that it gave children
12 a break and you hopefully raised their expectations?

13 A. Yep.

14 Q. You talk about looking at alternative ways of dealing
15 with stress, problems and anxiety. We will touch upon
16 this more in your statement, but what sort of
17 alternative ways were you looking at?

18 A. It was a long time ago. It's nearly 50 years since that
19 time. But you were really trying to give children
20 an idea of particular ways of behaving were not
21 acceptable, but you didn't want -- I mean, it was trying
22 to understand why children were behaving in a particular
23 way. Why were they responding in that way. And maybe
24 what ways we could do to take that stress away from
25 them, to take that problem away, but really trying to be

1 consistent in how we were doing it.

2 I don't think you can just treat one person one
3 particular way. It's got -- you've got to be consistent
4 in how you're dealing with it. You can't keep changing.
5 And for many of these children life had been lots of
6 changes, lots of people involved, and there was not
7 a level of consistency in their upbringing.

8 Q. You go on to talk about your first impressions of
9 Harmeny. Are you able to tell us what your first
10 impressions were?

11 A. Beautiful place. It was a Lorimer style building.
12 Grounds were lovely. Big, open, lots of really mature
13 trees. A burn running through the grounds. It was
14 a very attractive place. A bit run down, it had seen
15 better days, but a very nice building.

16 Q. When you say a bit run down, in what way?

17 A. It wasn't -- at times, it wasn't wind and watertight.
18 I mean, it was an old building and it wasn't run by --
19 like a local authority place where there's a -- you
20 know, an expectation that things will be maintained at
21 a level. It was dependent on funding. So I think maybe
22 the level of maintenance was as much as it could be.

23 Q. And when you say wind and watertight, were there certain
24 areas that were suffering more than others?

25 A. Sometimes the roof would leak and it required, you know,

1 somebody to go out and sort it out. We did have
2 a gardener-come-odd-job-man, Jim.

3 Q. You then talk, on page 4 of your statement, at
4 paragraph 15, about SNR [REDACTED] that was there when
5 you arrived.

6 A. Uh-huh.

7 Q. You say that -- that's KVJ [REDACTED], and you say that
8 KVJ [REDACTED] had some ideas that you felt comfortable with?

9 A. Yes.

10 Q. And you had similar backgrounds in a way. Can you
11 explain that further?

12 A. In terms of -- he was a very friendly guy. He'd always
13 been involved in sport. He'd been at Loughborough.
14 That had been my ambition when I was at school, was to
15 get to Loughborough. It was a famous Rugby PE college
16 and, you know, I sort of admired somebody who had
17 actually been there and done it. So we got on from that
18 point of view. We had similar ideas. But he was also
19 a very gentle man and you just -- I just felt
20 comfortable with him. We were from quite different
21 backgrounds, but the fact he accepted me -- I mean, the
22 first weekend I spent in his house and there was no --
23 I mean, he was very open, you know, to talk. I felt
24 comfortable.

25 Q. You then go on to say that -- at paragraph 18, that when

1 you started, that there was a lot of other staff that
2 were starting at a similar time?

3 A. Yep.

4 Q. Do you remember what sort of roles that people were
5 starting in?

6 A. Majority of people were employed as, I suppose, you
7 would term now would be houseparents. There wasn't
8 a particular title. We weren't -- you weren't
9 a houseparent, a childcare worker or whatever. I don't
10 particularly remember a particular title, but there
11 were, I think, when I started, I think there were maybe
12 eight to ten people starting during that first term,
13 which is quite a lot of people to take into, in a small
14 staff team.

15 Q. When you started, what was your role?

16 A. I was brought in as team leader and the idea was that it
17 was a fresh face with a different sort of experience and
18 I was -- had a responsibility for helping develop the
19 childcare side, the out-of-school experience.

20 Q. And I take it -- I think you go on to talk about this in
21 your statement -- you were recruited as a team leader
22 within the care side of the school?

23 A. Yeah.

24 Q. Are you able to describe to us the overall structure of
25 the care side?

1 A. It was very unstructured. The -- you had SNR
2 SNR, KVJ, and to one side you had a social
3 worker, which at that time was his wife, . You had
4 SNR, who was responsible for the
5 educational side and he had a team of three other
6 teachers -- or two, but then three, and then my
7 experience -- my role was to try and put some structure
8 into how we worked within the school. Basic things like
9 timetabling, recording and the like of that.

10 Then you had a domestic side, which was completely
11 outwith our control, very much so, run by the -- what is
12 the name -- the bursar, who was, in fact, the cook, and
13 I think there were four domestic staff as well -- five
14 domestic staff.

15 Q. I take it from that then that you were the most senior
16 care member of staff?

17 A. Yeah, but some folk thought that they were as equal, if
18 not more, because they'd been there longer. So it was
19 an interesting experience at the beginning.

20 Q. You go on at paragraph 20 to say that it was, as you
21 described it, quite an unstructured setting really?

22 A. Uh-huh, yeah.

23 Q. At paragraph 21 you talk about your role as a team
24 leader and you say that you've tried to make people
25 a bit more accountable because it seemed that care staff

1 were pretty much doing their own thing?

2 A. Yeah, very much so.

3 Q. In what sort of way?

4 A. I felt when I first got there that there was very little

5 organisation and people just -- I mean, the allocation

6 of children to groups seemed to be a bit random and

7 I wasn't sure about the balance of groups being dealt

8 with within the setting.

9 The timetabling was a bit lax and basically just:

10 I'm just going to take groups to my room, or: I'm going

11 to go for a walk, and that. And my concern was: I need

12 to know where you are. We have a responsibility for

13 these children and we need to be accountable for, you

14 know, what they're about and what they're doing. It's

15 a big, big campus and we needed to know what -- who was

16 doing what with who.

17 Q. As you said, it was your sort of job to set up and

18 arrange that?

19 A. Where possible, yeah.

20 Q. You said there that the allocation of children to groups

21 was a bit random?

22 A. Uh-huh.

23 Q. What did you mean by that?

24 A. When we arrived there was a lot of children who were

25 there and they were part of some of the groups belonging

1 to staff who were already in place and I wasn't sure how
2 the staff were allocated. I mean, I wasn't party to
3 that initial thing. That was something that [Kvj] did
4 and it tended to be quite fluid. So although some folk
5 thought they had family groups, that wasn't -- I don't
6 think formally that was the case. I think initially
7 people had a responsibility and -- well, I felt was --
8 was necessary was to try and make -- for people to
9 develop a relationship with particular groups of people
10 so that the children knew who they were related to and
11 if there was an issue, who they could speak with. They
12 could speak to anybody, but sometimes you need
13 a particular person.

14 Q. You go on to talk more about the structure, but you tell
15 us at paragraph 25 that when you're working with
16 children who are disturbed or having difficulties, you
17 need a structure so that children know where they are
18 and what they're doing.

19 A. Mm-hmm.

20 Q. And they know that there is going to be a person around
21 at a particular time.

22 A. Yep.

23 Q. So was this something that you were really trying to
24 drive from when you started at Harmeny?

25 A. Yeah, uh-huh. I felt it was important that children

1 felt secure, that there was somebody -- there was always
2 going to be somebody about, because many of these
3 children had not had that experience of having somebody
4 reliable.

5 Q. Now, moving on then to paragraph 27 of your statement,
6 on page 6, you say that when you started there, there
7 were around 28 children?

8 A. I think that was right.

9 Q. You indicate there that the place was under some
10 financial difficulties when you started. Can you tell
11 us a bit more about that?

12 A. I wasn't really party to the financial side of that.
13 I mean, the management -- the management team really
14 dealt directly with KVVJ. There was a very small
15 administrative team. I was aware that local authorities
16 were paying fees to Save the Children Fund and
17 obviously, as you reduce in number of children,
18 circumstances change in local authorities over the
19 period and sometimes less children would come forward
20 and other -- some of them would leave and maybe there
21 wouldn't be somebody there. So there were times when
22 there were fewer people, which obviously meant there was
23 a lower income.

24 LADY SMITH: And of course that income wasn't going directly
25 to Harmeny --

1 A. Not at all.

2 LADY SMITH: -- that was the income that was going to

3 Save the Children in that era.

4 A. Correct.

5 LADY SMITH: And then the school had to wait for

6 Save the Children to direct funds towards Harmeny.

7 A. Yes, and Save the Children had many other activities.

8 LADY SMITH: Of course, yes.

9 MS MCMILLAN: You go on 'Louis' at paragraph 31 to talk

10 about, briefly, the domestic staff and you say that

11 there were local people who would often come and go and

12 it was well known -- it was a well-known place and had

13 been in the area since the 50s.

14 You then mention that a change of headmasters over

15 the time affected the school. In what way?

16 A. Some of the head -- I mean, I never met any of these

17 headmasters from the past so it was hearsay, but,

18 I mean, some of the stories were interesting that it was

19 a very -- I mean, the description of the village was it

20 was a hippy commune and that, you know, people behaved

21 in -- I mean, yoga was fashionable in the school, but

22 certainly in Balerno at that time, it was not something

23 that was -- it was a different sort of set-up to what

24 people were experiencing.

25 Very young people. Some folk were -- went into the

1 village and met, but basically people seemed to keep
2 themselves very much within the school.

3 Q. Turning over to page 7 of your statement, you talk about
4 how you were recruited for Harmeny and I understand that
5 you started there in either September or August of 1974?

6 A. Yeah.

7 Q. And I think you worked there for around four years,
8 leaving in roughly September of 1978?

9 A. Correct.

10 Q. I know, at the start of your statement, you told us that
11 you'd seen an advert for a job there. You go on to
12 mention that the interview was quite involved?

13 A. Uh-huh.

14 Q. Can you explain in a bit more detail?

15 A. It was -- the interview was -- I felt was quite thorough
16 but certainly compared to previous interviews that
17 I'd had going in -- I mean, aside from Mile Oak School,
18 where I had to undertake a Home Office interview because
19 I was unqualified and you had to go before a Home Office
20 board to assess your suitability for the post.

21 This was quite different because you were
22 interviewed by -- you went to the Sick Kids and you met
23 with -- certainly with Sula Wolff, who was the
24 psychiatrist involved, and a number of other staff,
25 certainly there were two psychologists there as part of

1 the team, and one -- I think one other management team,
2 plus KVVJ, and that's -- I think that would be
3 it. But it was quite formal and not -- it wasn't in
4 keeping with what -- when -- my initial experience of
5 the school, we were there for the weekend and then we
6 went, I think, on -- I think it was the Monday or
7 whenever, into Edinburgh to the Sick Kids for that
8 interview.

9 Q. When you were there at the weekend, what sort of thing
10 were you doing at that point?

11 A. Not a lot, mostly talking and having a look around the
12 grounds. The grounds were extensive. I had a dog that
13 needed walking. It was, you know, a very friendly --
14 you know, you sit at dinner, have a drink and a chat,
15 and I think basically KVVJ was trying to suss out
16 whether myself and my partner at that time, [REDACTED], were
17 suitable people to be working there and whether he
18 thought I could do or -- you know, engage in the role
19 that he was looking for me to undertake.

20 Q. Then I think you go on to tell us that you got the
21 job --

22 A. Yep.

23 Q. -- at the school, and your partner at that time, did
24 she also get a position at the school?

25 A. Yeah, she was employed as a houseparent or a -- you

1 know, working -- I use that term, but maybe that wasn't
2 the term we used. She had a background -- she'd done
3 a degree in -- I think it was home economics but
4 encompassed social care at Sussex -- Surrey University,
5 not Sussex.

6 Q. Was the arrangement then that you would stay on the
7 site?

8 A. Yeah.

9 Q. When you were working?

10 A. Yeah.

11 Q. What was the set-up then for your living arrangements?

12 A. Pretty basic. We stayed in what was then the cottage,
13 which was a prefab building, split into three parts, one
14 part was a two-bedroom accommodation period, where the
15 new -- because Harry Leask started at the same time as
16 me. It was -- we were all very new. He stayed there
17 with his family, his wife and two children. We had
18 a middle section, where we had -- [REDACTED] and I had
19 a room, a living room, not particularly very big,
20 particularly if it was a grey day, a bedroom to the
21 side, a kitchen and a bathroom. It was a prefab
22 building so it was very flimsy accommodation. And then
23 adjacent to that, the third part, there were two large
24 rooms, one was the main office where Margaret was the
25 secretary -- sorry if I used -- I shouldn't maybe have

1 divulged names -- and the second office at the back of
2 that was where the admin person for the management of
3 the organisation operated.

4 Q. So there was effectively living quarters for you, other
5 staff members and then some offices?

6 A. Yeah, that was it.

7 Q. You move on in your statement, paragraph 38, to talk
8 about the staff structure and you say there that Harmeny
9 had a school board and it would meet quarterly?

10 A. I think so.

11 Q. Do you know who was on this board?

12 A. My memory is not very good with that. There were -- the
13 chair, who I think was a lady and whose name I did
14 remember -- last week I actually recalled the names,
15 I've lost them now -- and her husband, were involved.
16 There was a link with -- I think there'd been some
17 generous donations by some sort of wealthy -- of the
18 Edinburgh, sort of, set. It was very much, I don't
19 know -- the expression that was used was Lady Bountiful
20 approach.

21 Q. Can you explain that expression?

22 A. The expression was people who felt they were doing good
23 and would -- I felt it was a wee bit patronising.
24 Certainly their attitude to the children was very
25 patronising.

1 Q. What was their attitude?

2 A. They would appear quarterly, they would walk around the
3 grounds, occasionally would meet children and then go
4 into the meeting and that would be it, they would go
5 home.

6 Q. And was this a meeting that you attended?

7 A. No.

8 Q. Did SNR attend it?

9 A. KVJ would attend, yeah. My role was a junior role.

10 Q. Now, you go on to talk about KVJ at paragraph 39 and
11 you say that he allowed staff to try different things?

12 A. Mm-hmm.

13 Q. But you felt that there'd been too much autonomy and not
14 enough accountability.

15 A. Yep.

16 Q. Are you able to expand upon that?

17 A. I think KVJ wanted for the children to have as broad
18 an experience as much as possible, which is maybe why
19 his recruitment style allowed for people with lots of
20 different backgrounds to come in and work in the school.

21 Can you just go back over that because I --

22 Q. Well, maybe even more simply put: what was his
23 management style like as SNR?

24 A. Laissez-faire.

25 Q. In what way?

1 A. He would allow folk to -- I mean, he would never
2 instruct directly. He would rely on people to do the
3 right thing and sometimes people didn't and he would
4 never -- he would not -- I never saw him sort of speak
5 harshly to somebody. He would be fairly gentle in his
6 approach, which sometimes worked and sometimes people
7 needed to be sort of pointed out that it wasn't
8 appropriate to behave in a particular way or to use
9 a particular form of language.

10 Q. And was this approach both towards teaching staff and
11 care staff?

12 A. No. There was a definite difference in how teaching
13 staff were dealt with and how care staff -- and that was
14 reflected in some ways by the way other folk who worked
15 within the situation in terms of how they experienced
16 it, the domestic staff very much dealt with us on
17 a different way to the way they would deal with the
18 teaching staff. We were not seen as professionals.

19 Q. Can you explain the difference then between the teaching
20 staff and the care staff?

21 A. Not really. The teaching staff were professional
22 teachers and behaved in such a way, they kept their
23 distance from -- they were not involved in the
24 day-to-day sort of out-of-school activities in the main.
25 There was certainly one teacher who took a totally

1 different approach and she was an older lady who had
2 more experience of life and had a very warm approach to
3 the way children should be brought up.

4 Q. As you've already mentioned, you tell us at paragraph 41
5 that you were responsible for the day care side of
6 things, but you remember at one point that you were
7 asked to go into the classroom?

8 A. Yep.

9 Q. How often did you have to go into the classroom and
10 cover?

11 A. Not very often. There would be times when we were short
12 of a teacher and I was asked could I sort of cover that
13 afternoon. You tended to work in a very informal way.
14 I also operated a pottery class, which was involved --
15 I mean, it was an interesting pottery class in
16 a converted pigeon hut, but that was part of the school
17 day as well. It was like an arts side, yep.

18 Q. Just going back then to when you went into the
19 classrooms, did you feel qualified or able to teach?

20 A. No, but I'm quite able to talk.

21 Q. You go on at paragraph 42 to talk about the care staff
22 and you say that one thing that you introduced was
23 a daily staff meeting?

24 A. Uh-huh.

25 Q. Can you tell us more about that, please?

1 A. My experience at the beginning was that folk casually
2 met in the hallway and decided who was doing what and
3 who was going off with what group. I can remember the
4 first time I said: well, that's fine, but where are you
5 going? And they said: oh, well, I'm going to my room.
6 And I'm thinking, well, that's fine, but it's
7 a beautiful sunny day, maybe think of something a wee
8 bit different to that. What I wanted was for us to sit
9 down as a group and think: what are we going to do with
10 the kids for this period? And at the beginning of the
11 week we'd try to get a more formal structure so we knew
12 roughly what we were going to be doing day by day.

13 Very difficult in a school where you've got children
14 who are exhibiting quite difficult behaviours because
15 you could never guarantee how they would respond and
16 what the next day would bring. So you had to be
17 flexible, but you did need to know that there was going
18 to be a number of folk there and these are the sort of
19 activities that we might do, so you could prepare for
20 it.

21 Q. How did the staff respond to the introduction of the
22 daily meetings?

23 A. Initially there was a bit of difficulty, because
24 suddenly people were being asked to be accountable and:
25 nobody's ever asked me to do that before, the attitude.

1 Q. And did that change over time?

2 A. It took a while. I've learnt that sometimes you've got
3 to sort of be a wee bit organic in how you change. If
4 you go in too rushed -- at that time I was quite young,
5 so I was maybe a bit more gung-ho in trying to get
6 things to move.

7 Q. Did you feel that after a period of time that staff
8 started to become more accountable?

9 A. Yeah.

10 Q. And I think you go on at paragraph 43 to almost talk
11 about that gung-ho attitude as such, and you say that
12 you weren't going to try and impose yourself on the
13 staff because you would have been the loser if you had?

14 A. Yeah, yeah. But sometimes you have to say: sorry,
15 that's not on, you can't do that.

16 Q. Did you think there was a general sort of air of: this
17 is not how we do things, why are you changing it?

18 A. Initially, but I think people could see that their own
19 life became a wee bit easier because they knew that they
20 had other people that they could count on, rather than
21 going into separate groups. Like in any organisation,
22 you'll get groups of people who will form their own wee
23 groups and be that a school, be at a workplace, be in
24 an office, you've got a job of work to do rather than
25 just be with your pals, or whatever else you'd like to

1 be, and people tended to -- initially folk had their own
2 set groups within the staff team and that's how they
3 dealt with the children in the same way. So there was
4 not the mix and that's wrong in a small setting like
5 that.

6 Q. Did you feel that the mix then started to come?

7 A. Yes, I think so.

8 Q. You also say that part of your role was to try and get
9 staff involved in recording?

10 A. Yes.

11 Q. Are you able to describe how you achieved that?

12 A. In the first instance, we asked people to take a role in
13 recording -- we minuted very, very -- very lightly
14 the -- what we were doing in the daybook, but also a lot
15 of discussion was very much hearsay. We needed to be
16 a bit clearer about what we were saying about people,
17 what we were recording. So it was just trying to get
18 people to be a bit more formal and the tendency was
19 not -- if you recorded every incident in the day of
20 a school such as Harmeny, it would be a Tolstoy novel.
21 It would just go on because there's so many things
22 happened.

23 Q. How did you decide what should be recorded and what
24 shouldn't be recorded?

25 A. That was really in discussion with Kvj . We felt that

1 we needed to sort of take out what I would call the
2 trivia and just keep it as basic as we could and then
3 over a period of time we started to work on people
4 contributing to notes on children's files, but again,
5 you had to be selective because if you wrote down
6 everything that happened -- we needed to know if there
7 was a serious incident, but you put 20, 30 children
8 together and you will get squabbles.

9 Q. You mention then in your statement, at paragraph 46,
10 that in Harmeny there was a playroom?

11 A. Yes.

12 Q. What was the purpose of that?

13 A. It was an observational room to observe interaction of
14 children using -- I would call it play therapy.
15 Something that we, as mere minions, were not involved
16 in. It was very much by the visiting psychologist, the
17 psychiatrist who was working directly with the children.
18 It was just as you came into the building, there was
19 a room just off the main entrance and it had a small
20 play area, a small area, and then there was
21 an observational room behind with -- as far as
22 I remember, I didn't go in it very often -- like
23 a one-way mirror or a wall where somebody could sit and
24 observe how the child reacted.

25 Q. You also mention in that particular paragraph that there

1 was an innovation that you hadn't come across, but you
2 mention it as regression therapy, where you say folk
3 were seriously thinking of allowing children to regress
4 back to the womb and to be reborn?

5 A. Yep.

6 Q. Can you tell us where that idea came from and who was
7 the --

8 A. I honestly don't know, but it was something that was
9 being floated around, not just in Harmeny but generally
10 within the childcare setting, and there were some folk
11 who really thought that people should almost go back to
12 that, so children were -- would be -- not at Harmeny
13 -- but I know in some areas where they were allowed to
14 literally go back to nappies and dummies and, to my
15 mind, I wasn't sure about the appropriateness of that in
16 a residential setting.

17 Q. And was this something that was discussed for Harmeny,
18 do you remember?

19 A. It was discussed informally but it was never floated as
20 an idea. I mean, I'm pretty certain that certainly
21 KVJ wouldn't be, sort of, advocating it, but
22 some folk had different ideas.

23 I know that previous staff, headteachers at the
24 school, had had not quite that level, but were seriously
25 thinking about that as a possibility. It was

1 a different way of working with children.

2 Q. Skipping forward in your statement to paragraph 50, you

3 talk about recruitment of staff and you say that:

4 'Compared to how we recruited latterly, through the

5 local authority, recruitment was very informal at

6 Harmeny.'

7 A. Yeah, uh-huh.

8 Q. In what way was it informal?

9 A. Often introductions -- I mean, there would be

10 advertisements in, for instance, I think it was called

11 Community Care, which was a magazine around at that

12 time, which is how I got the post at Harmeny, I saw it

13 advertised. Because the turnover of staff at Harmeny

14 was quite great, we would be recruiting, particularly in

15 the spring time, our adverts would go out knowing that

16 people would be moving on. And people would invite

17 their friends: it's a really great place to work, would

18 you not like to come and work here? And often it was

19 word of mouth from people who were already working there

20 and I was aware of several folk who were recruited in

21 that way.

22 Q. What about references, would people provide references?

23 A. Yeah, yeah, yeah.

24 Q. Do you know if the references were checked?

25 A. I presume so. I mean, it wasn't something I was party

1 to. The references would initially be dealt with by
2 KJV. I don't think that the management team involved
3 in the day-to-day management, this sort of fairly elite
4 group of folk with an oversight of how the charity
5 developed, were involved. It was very much down to
6 KJV. He would share it with us and myself and
7 Harry Leask and we would be involved in the interview
8 process.

9 Q. Moving on at paragraph 54, you talk about training and
10 you say that there was no formal training?

11 A. Correct.

12 Q. How would new staff learn what was -- what their job
13 role was and what was expected of them?

14 A. By hopefully having -- sharing good experiences and
15 talking through with other staff who were more
16 experienced, who would suggest -- we were very much
17 reliant on people having some previous experience.
18 Several members of staff did come with experience. Some
19 people came with nothing, but had a link in some way.
20 But there was no formal training. We didn't have
21 seminars. We -- you would talk within staff groups:
22 this is maybe the way that you would deal in this
23 situation. There were some practices which changed over
24 a period, because it became not fashionable.

25 Q. For example, I think, using the employee that you talked

1 about earlier in your evidence, the girl that was 17,
2 presumably didn't necessarily have a background of
3 experience?

4 A. Nope.

5 Q. How would someone like that learn to deal with the
6 difficult, perhaps, behaviours that might be there at
7 Harmeny and the children?

8 A. With great difficulty. I mean, she was an extremely
9 nice girl. I use the -- 'nice girl' and I felt that she
10 was out of her depth. Certainly she was never used to
11 the sort of language and behaviour exhibited by some of
12 the children.

13 Q. What about staff members that perhaps had more
14 experience in a care setting, how were they trained to
15 deal with the difficulties in behaviour?

16 A. They weren't trained. We were reliant on sort of a word
17 of mouth talking and those of us who'd been around a wee
18 bit more suggesting: well, maybe you might try this,
19 maybe you should not do that. Just trying to deal with
20 more appropriate ways of dealing with difficult
21 situations. Not all situations were difficult. There
22 were many, very pleasant, happy things happened at
23 Harmeny.

24 Q. You had mentioned that you would maybe perhaps have some
25 discussions in staff groups about how to deal with

1 certain things?

2 A. Sure, correct.

3 Q. These discussions, were they formal in nature or were

4 they more informal discussions?

5 A. No, informal.

6 Q. Would this be perhaps after an incident had arisen?

7 A. Yeah, we would try and sort of dissect what happened,

8 what might have been in the background, why did it

9 happen and how can we try and avoid it happening again

10 or at least find an alternative strategy to deal with

11 it.

12 Q. Would that reflection, as such, would that be cascaded

13 to all staff?

14 A. Not necessarily, because not everybody would be there

15 and present. We weren't sitting down as a large staff

16 team, because people were on off-duty times or away on

17 holiday or whatever. So, no, there was no sort of

18 formal sitdown, we'll have a seminar on this particular

19 thing.

20 Q. The sort of daily staff meetings that I think you

21 brought in --

22 A. Yeah.

23 Q. -- would issues like this be raised at those meetings?

24 A. Not often, because it was too short. We didn't have

25 enough time. We would sit down, hopefully weekly, and

1 talk in a wee bit more depth. We were dealing with
2 children once they came out of school, so we really had
3 to get people, sort of, prior to their shift to be there
4 and to be part of it. Initially people would casually
5 stroll in three minutes before the children were coming
6 out of the classroom.

7 LADY SMITH: 'Louis', you're referring to meetings that were
8 just for care staff, are you?

9 A. Yeah, uh-huh.

10 LADY SMITH: Were there ever meetings that combined teaching
11 staff and care staff?

12 A. I cannot remember them. I can remember meetings with
13 Harry Leask and, I mean, I lived next door to him so we
14 would talk regularly, but, I mean, one -- you would form
15 friendships with some of the teaching staff, who had --
16 well, I felt were appropriate -- I mean, who we would
17 see as friends and we would talk about how they would
18 see how people behaved.

19 LADY SMITH: But no meetings to bring the teams together and
20 I mean the teaching teams and the care staff teams?

21 A. No, no, no.

22 LADY SMITH: Thank you.

23 MS MCMILLAN: Were there any policy documents or any
24 handbooks for staff when they arrived, new staff?

25 A. No.

1 Q. And you say in your statement that there were no
2 appraisals or anything like that?

3 A. Nope.

4 Q. You mention on page 12 of your statement that you would
5 have the monthly team meeting?

6 A. Uh-huh.

7 Q. What sort of things would be discussed at that meeting?

8 A. Really a more in-depth looking back about what we'd been
9 doing and some planning for future things. I mean, we
10 would know that -- if we had a camp or there was
11 something planned, you would be working out who was
12 going to be available, who was willing to do it, who's
13 going to drive the minibus, et cetera, like that.

14 Q. And skipping forward to page 13 of your statement,
15 you're talking here, at paragraph 64 and 65, about
16 strategic planning and you indicate that there was never
17 any mention about -- of abuse in terms of strategic
18 planning?

19 A. Nope.

20 Q. And there was no planning for abuse, basically it was
21 about treating people as you liked to be treated
22 yourself?

23 A. Yep.

24 Q. Moving on then to the routine at Harmeny.
25 I think you mention that the majority of the

1 children came to Harmeny through being excluded in their
2 local schools?

3 A. Yeah, uh-huh, yeah.

4 Q. Were there any other ways in which children came to
5 Harmeny; can you remember?

6 A. Majority of children had been excluded, some of them
7 were from quite local schools. I mean, Balerno is just
8 very close to Wester Hailes and we had some children
9 from Wester Hailes and if you know the area, you'll
10 understand, the areas -- there was deprivation in some
11 areas. There were only very few children who came from
12 family backgrounds, where people lived in more isolated
13 communities and maybe the school wasn't involved, but it
14 was maybe sort of behaviours within the community.

15 Q. Were you aware of any assessments that took place prior
16 to a child being admitted to the school?

17 A. Yes.

18 Q. What sort of assessments?

19 A. These were usually by educational psychologists, rarely
20 to do with the behaviours within the school setting.
21 Sometimes you would get a social work report, but not
22 that often.

23 Q. And who would have access to the reports from the
24 perhaps social worker or educational psychologist?

25 A. We developed a system -- eventually we developed

1 a system where people were key workers, for want of
2 a better term, and we encouraged people to sort of be
3 involved, if they were operating on that level, to make
4 themselves aware of, you know, some of the reasoning why
5 children have arrived there.

6 Initially, the reports, when they're first coming
7 in, were shared with myself and with Harry Leask and
8 with KVVJ and we would have an idea of the sort of
9 background that somebody was coming in with.

10 Q. And the key worker role, what would that involve?

11 A. That's really just -- it's normally -- it's not in the
12 formal sense that you -- certainly latterly when working
13 in local authority, where you formally had -- you were
14 appointed as key worker, this was somebody who may be --
15 you would nominate somebody to take a key role in that
16 particular child. Basically as a link person.

17 MS MCMILLAN: My Lady, I wonder if this may be a suitable
18 time to have a short break.

19 LADY SMITH: I promised you a break, 'Louis', would you like
20 that now?

21 A. I'm fine, I mean -- yeah.

22 LADY SMITH: We normally break about this time anyway. Just
23 a short break.

24 A. Okay.

25 LADY SMITH: If that's okay, we'll do that and then resume

1 your evidence afterwards.

2 A. No problem.

3 (3.00 pm)

4 (A short break)

5 (3.10 pm)

6 LADY SMITH: 'Louis' welcome back. Are you ready for us to

7 carry on?

8 A. Sure.

9 LADY SMITH: Thank you very much. Ms McMillan.

10 MS MCMILLAN: Thank you, my Lady.

11 'Louis', I want to skip slightly forward in your

12 statement now to page 17, where you talk about some of

13 the leisure activities that were in place at Harmeny.

14 A. Mm-hmm.

15 Q. Now, focusing on paragraph 87, you say that -- and

16 I think you've mentioned this in your evidence today --

17 that when you first arrived, staff did take children to

18 their rooms and it was an acceptable practice.

19 What sort of things were you aware of that staff

20 were doing in the rooms with the children?

21 A. Initially not a lot, because it would seem to be

22 a practice that people were okay to take their groups.

23 I mean, these are individuals. It wasn't like two or

24 three staff with a large group of children. They were

25 people -- they were going into their own rooms. If you

1 -- if you -- you would not remember, but staff had
2 a room. That was their living quarters. It was a big
3 Victorian house so the rooms generally were very, you
4 know, generous, but I was not aware what they were
5 doing.

6 They would read. They would watch television, for
7 those staff who had their own televisions. They were
8 not provided by the school. Some people would do things
9 like knitting, because some people liked to do that
10 with -- or some basic craft activities.

11 Q. You go on to say that you did have a problem with staff
12 taking children back to their room and it wasn't a good
13 idea because it left staff vulnerable?

14 A. Correct.

15 Q. It could also be a consideration that it might have left
16 the children in a vulnerable position as well?

17 A. Yep.

18 Q. And I think you go on then to say that that was
19 something that you discouraged and communicated that at
20 staff meetings?

21 A. Yeah. I have to say, I quite firmly was saying: I don't
22 think it's appropriate. Because I didn't think it was
23 appropriate. It was something that working within the
24 approved school system in England was very much frowned
25 upon.

1 Q. I think you go on to talk about the sporting culture at
2 Harmeny?

3 A. Yeah.

4 Q. I understand that this is something that you perhaps put
5 a lot of energy into, to try and establish links through
6 sport to the local community?

7 A. Uh-huh.

8 Q. And to the Scottish club systems, but I understand from
9 paragraph 92 that they wouldn't let you because the
10 children were disruptive?

11 A. We had a difficulty. We did take -- we had some very
12 talented young athletes at primary age level in the
13 school and we initially took them along to some sort of
14 local races and sometimes the kids would not behave
15 particularly well when they didn't achieve what they
16 thought they should achieve, which is quite normal
17 behaviour. So there was a fear, and some of our
18 children had a reputation from their previous experience
19 in schools, so some of the teachers -- because athletics
20 was very much in those days school-driven, so there was
21 a reluctance to allow us to take part and it was
22 difficult, so we decided, well, if we [REDACTED]
23 become a community-based thing then we can do that, and
24 it worked.

25 Q. You do go on at paragraph 95 to talk about the community

1 and how it gave you more positive links to the local
2 area.

3 A. Yeah.

4 Q. I think you say that it sort of got rid of that -- that
5 you were no longer the hippies on the hill as such?

6 A. Yeah, because we had -- we -- and still happens, Harmeny
7 Athletic Club is a valued member of the
8 Scottish Athletics scene and you will see
9 Harmeny Athletic vests -- which I take some pride in
10 because I remember making them, literally -- running in
11 sporting events in Scotland now. But we had local kids
12 becoming involved. Their families became involved. It
13 broadened out the experience of the children and
14 friendships were formed, which was -- I felt was quite
15 healthy. We were not quite as insular as we tended to
16 be.

17 Q. Moving on again in your statement to page 20, and from
18 paragraph 99 to 102 you talk about healthcare at the
19 school.

20 A. Uh-huh.

21 Q. You indicate at paragraph 101 that if a child had
22 prescribed medication to take, it would be given to them
23 by staff?

24 A. Mm-hmm.

25 Q. And the medication would be held centrally in a locked

1 area?

2 A. That's correct.

3 Q. Who were the staff members that were responsible for

4 administering medication?

5 A. I'm not totally sure. I cannot remember exactly what

6 the situation was, but it would be probably whoever was

7 deemed as the key person. There was no formal sort of

8 set-up where we had like formal first aid training or --

9 I mean, the nearest we had is we had a local GP practice

10 and children would go to that. But, no, I cannot

11 remember -- I can't recall exactly how we did that.

12 Q. You do indicate at paragraph 102 that you're not aware

13 of any children taking medication to control their

14 behaviour?

15 A. No, I wasn't aware of that.

16 Q. Moving on to page 21 of your statement and at

17 paragraph 105, you talk about the domestic staff that

18 generally did the cleaning, but then you mention that

19 some of the children were incontinent?

20 A. Correct.

21 Q. What would staff do in a situation where a child had wet

22 the bed?

23 A. Well, depending on -- I'm sure everybody dealt with it

24 differently, but the accepted practice was that no fuss

25 was made, the children had downies, which were early

1 days then, you know, back in that time downies were not
2 commonplace, but they were polyester so they washed
3 easily and they would be taken down. Generally the
4 children would -- initially there would be some
5 embarrassment about wetting their pyjamas or whatever
6 they were wearing and maybe the sheets, but they would
7 take them off and they would be put in a pile and some
8 people would just want to take their own stuff down,
9 because they just wanted it out the way. They didn't
10 want other folk to see them.

11 There was an opportunity for people to get a shower
12 so they would be just left and staff would stick it in
13 a basket and it would just be taken down to the laundry
14 room. We had a very big laundry room.

15 Q. So there was no requirement as such for children to take
16 their own laundry --

17 A. Certainly not that I was aware of, but some children
18 opted to do that, because the embarrassment,
19 particularly when people first arrived at the school,
20 they thought they were unique and then they discovered
21 that lots of other children were also enuretic.

22 Q. You then go on to talk about the reviews at
23 paragraph 109 and you say that reviews would be done
24 annually of the placement and would really look at how
25 the children were progressing?

1 A. Mm-hmm.

2 Q. Who conducted the reviews?

3 A. The review would be led by KVVJ and we would also be
4 involved. And sometimes, if KVVJ was not available,
5 I would lead the review. It tended to be very much with
6 KVVJ and the care staff. The teaching staff would
7 contribute to a review but would often not be there.

8 There was an -- I wouldn't say it's unusual, but
9 there was a definite, sort of, once people had finished
10 in the classroom, they went home and obviously if you
11 took out a teacher out of the classroom, then you've got
12 a gap and if you've only got two or three teachers,
13 that's substantial, that makes a difference. So it was
14 mostly dealing with KVVJ, the social worker, and
15 of course we had our own social worker, [REDACTED], and then
16 KVVJ, so it was quite a small group of people, the key
17 workers involved with that particular child.

18 Sometimes there would be a social worker coming into
19 the school from the home background.

20 Q. And would that social worker from the home background
21 take part in the reviews?

22 A. In some cases, but not that often.

23 Q. You mentioned a social worker by the name of [REDACTED]; was
24 that KVVJ's wife?

25 A. That was KVVJ's wife and she was not there for a great

1 length of time when I was there, but another social
2 worker, professionally trained, came in to take on,
3 David, and he was very effective.

4 Q. Now, at paragraph 110 you then go on to say that:

5 'To be in Harmeny for two or three years, in such
6 an unstructured setting and to then progress into
7 secondary, I think, was a hell of a demand. That
8 was the gap in the system, the transition into
9 secondary.'

10 Can you explain further what you meant by this?

11 A. You live in a residential community which is very free
12 and easy. You can attend classrooms or maybe not and
13 there was no great pressure. The level of -- there
14 was -- I don't think that the level of teaching was very
15 formal in the sense that when you're going to secondary
16 school you would be prepared to work to a particular
17 level. That was not the practice at Harmeny, I don't
18 think. But then I was not party to how the educational
19 side developed.

20 But it is -- the structure and discipline required
21 in secondary education would be far greater than the
22 very informal laissez-faire, was the expression I used
23 previously, approach to how life ran at Harmeny.

24 LADY SMITH: When you say 'secondary education', 'Louis',
25 you're talking about mainstream?

1 A. Mainstream, yep.

2 LADY SMITH: So there's that change, which would be quite
3 dramatic.

4 A. That's a dramatic change -- very dramatic change.

5 MS MCMILLAN: From your own impression, did you feel that
6 the children at Harmeny were prepared for that change?

7 A. No.

8 Q. Do you think that there should have been something more
9 done to prepare them for the change?

10 A. I think we could have had a more co-ordinated approach
11 and because we were working across Scotland with several
12 other local authorities, there was a -- each local
13 authority had their own way of dealing with things, so
14 it was very disparate in terms of how things were
15 co-ordinated. Some local authorities were a bit more
16 accepting of unusual behaviours, unacceptable behaviours
17 in a normal classroom setting.

18 Q. Skipping on to page 23 of your statement, and at
19 paragraph 119, you talk about the discipline and
20 punishment within the school and you say that there was
21 no corporal punishment at the school?

22 A. Yep.

23 Q. Then you go on at paragraph 120 to say that you would
24 stop children going to a particular outing as a sanction
25 for their behaviour?

1 A. Mm-hmm.

2 Q. What sorts of behaviour would merit a sanction?

3 A. Violence towards another child or a member of staff or

4 somebody within the community. Abusive behaviour, maybe

5 to some of the animals that we had in the grounds. You

6 had to think about that as well. Inappropriate

7 behaviour which affected other people.

8 Q. You go on to say that the challenges were that you'd

9 then have to find an alternative?

10 A. Uh-huh.

11 Q. What sort of alternatives would be put in place?

12 A. The alternative -- I mean, if it was -- if we were --

13 sort of, if we were dealing with a group of children, we

14 then had to think of something. If you stop children

15 doing something then to every action there's a like and

16 equal reaction, it's just normal basic physics, isn't

17 it? So if you stop children doing something, they will

18 not be happy budgies. They will really not be happy

19 people. So you weren't trying to give them

20 a pleasurable experience, but you would try to explain:

21 look, you did this, so therefore we're not going to do

22 that, but we're going to do something else, and you try

23 to think of some other diversion.

24 The name of the game was diversionary tactics.

25 Q. You go on to say at the top of page 24 that you tried to

1 get children to think about the response to their
2 action?

3 A. Mm-hmm.

4 Q. In what way did you do that?

5 A. By talking with them. But again it's trying to think --
6 find a level that you could explain that a child with
7 maybe sometimes limited intellectual experience would
8 understand and also you had to think about where they
9 were coming from, what's acceptable in -- I'd better be
10 careful how I say this in terms of -- the east end of
11 Glasgow is maybe not acceptable in Morningside. So you
12 had to be responsive and think: this is how people
13 behave in this particular area, but generally it's not
14 acceptable in general life.

15 Q. At paragraph 122, you say that there were no senior
16 children at Harmeny, but there was the law of the
17 jungle. And if a child was deemed to have stopped
18 something from happening because of their behaviour,
19 retribution would be meted out?

20 A. Yep.

21 Q. Can you expand upon that?

22 A. If you've read Lord of the Flies or seen the film, you
23 would have a good knowledge of it. It's like in any
24 group setting, and particularly with children and not
25 just in a school like Harmeny, but in an ordinary

1 school. If the children are unhappy with somebody, if
2 somebody has taken away something because of their
3 behaviour and it affects the other group, the other
4 group are very quick to respond and sometimes you can't
5 always be there all of the time to deal with that.

6 Q. How would staff deal with that sort of response?

7 A. Very much disapprove of it, because it's bullying, but
8 children don't see it as that.

9 Q. You go on to talk again about, at paragraph 124, the
10 consistent approach, adopting one, and you mentioned
11 that earlier.

12 How did you try and adopt a consistent approach to
13 punishment?

14 A. Punishment was not something that we tried to -- the
15 essence of working at Harmeny was to try and think of
16 alternative ways of dealing with things, trying to
17 identify a problem before it happens, if you could.
18 Sometimes it didn't.

19 So really we're trying to say that there should be
20 no favouritism in terms of how some people behave. You
21 would have to understand some children behave
22 differently, but generally you had to be of a consistent
23 approach so all of the kids knew that if you did
24 a certain thing, then there would be some sort of
25 action. You know, some things were appropriate and try

1 to encourage appropriate behaviour and that all staff
2 recognised what was appropriate, because for some people
3 it was acceptable to take part in -- to speak in
4 a particular way, because that was their own background.

5 Q. This consistency, I guess, at the staffing level, would
6 there be discussions about if a child did a certain
7 action, this should be the appropriate response?

8 A. Yeah, there was certainly a discussion and sometimes it
9 was quite lively, because some people felt, yes, you
10 should allow children to behave in a certain way.

11 Q. Moving on to page 25 of your statement, at
12 paragraph 126, you begin to talk about restraint.

13 A. Yeah.

14 Q. You say that they had a system when you first arrived
15 and you go on to say that when children had a temper
16 tantrum, which was fairly frequently at times, they had
17 this system they called holding which you'd never come
18 across before?

19 A. Nope.

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

21 A. When a child was having a temper tantrum or was being
22 sort of restrained from, I don't know, fighting with
23 somebody else, they were held and that was basically
24 a member of staff sat behind, took their arms and held
25 them to stop them lashing out, whatever. But, I mean,

1 it's not a particularly good thing to do, particularly
2 for the person who is holding them because kids very
3 quickly learnt if you wanted them to stop doing that,
4 you just put your head back and very quickly the person
5 holding you let go. It's not a safe thing either for
6 the child or for the member of staff doing it.

7 It became, I understand, a fairly common practice
8 across the childcare system, over the years and
9 different variations were practised and encouraged in
10 local authority as well as Harmeny. I was aware that
11 holding was not something that was -- was something that
12 was happening in other sort of residential settings.

13 There was also some staff who would -- had this idea
14 that you would encourage children to act out their
15 temper and not exactly encourage them to have a temper
16 tantrum but didn't discourage them because they thought
17 it was appropriate. I questioned that. I wasn't sure
18 whether that was the right approach.

19 Q. Going back to this holding restraint, as you've
20 described, how often did you see staff utilising that
21 particular technique?

22 A. Not that often. Initially, it was practised. It
23 wasn't -- it wasn't every day in the dining room or
24 whatever. I mean, it happened because you're working
25 with groups of children who often could be quite

1 aggressive to each other and to other people. So it
2 became less of an option as time got on, because we were
3 working towards finding alternative ways of working with
4 kids.

5 Q. And if, for example, as you've described, two children
6 were fighting with each other and there was a need to
7 separate the children, would there be more than one
8 staff member dealing with that?

9 A. Yeah, absolutely.

10 Q. How would staff go about separating children?

11 A. As best they could. I mean, if you've got two children
12 sort of -- or more maybe, sometimes two or three,
13 particularly in a bullying situation, sometimes it would
14 only be the one member of staff and, you know, you've
15 got to call for help, but maybe help wasn't available,
16 so it could be quite difficult.

17 We are talking about primary-age children and a lot
18 of the children in there were -- I wouldn't say
19 malnourished, but they were maybe smaller than the
20 average primary-aged child. There were lots of children
21 there who were quite small for their, you know,
22 developmental age.

23 Q. You go on at paragraph 128 to say that you would try and
24 contain the child and talk them down where you could?

25 A. Mm-hmm, yeah.

1 Q. I think you mention that -- towards the end of that
2 paragraph, that often the louder the staff member
3 shouted, the louder the child would shout?

4 A. Yeah.

5 Q. And you tried to get a bit of common sense into how you
6 dealt with things?

7 A. Yeah.

8 Q. In what way did you go about trying to instil that
9 common sense?

10 A. Basically speaking, with the member of staff saying: did
11 you think your behaviour worked? I mean, maybe if you'd
12 have not been making so much noise -- because
13 sometimes -- I mean, you know, the louder you shout, the
14 louder the person shouts back at you, and that's not
15 just children. It works equally well with people in
16 a workplace.

17 Q. So, again, it was a sort of trying to get staff to
18 understand those general principles rather than
19 necessarily having that formal training to deal with it?

20 A. We weren't dealing with it formally, but we were trying
21 to instil a degree of common sense in how you deal with
22 people. And that would equally apply to members of
23 staff, because members of staff would disagree and you'd
24 say: look, it's not appropriate, particularly if you're
25 having a disagreement in front of the children, because

1 it just makes them think it's normal practice.

2 Q. You go on, skipping forward to paragraph 135, on

3 page 26, and you say that you can't think of a time

4 where restraint was used that you would consider it to

5 be excessive or violent towards children?

6 A. Uh-huh.

7 Q. And you say that you can think of times where staff

8 overstepped the mark in terms of telling children off?

9 A. Correct.

10 Q. How did staff overstep the mark?

11 A. They would become very loud and as people get angry and

12 sometimes, if you've spent the afternoon being dealt

13 abuse, your anger level rises and so you could see

14 people becoming louder and louder and getting closer and

15 closer and you're thinking it's not appropriate, there

16 are other -- I mean, the calm approach tends to work

17 because if the child thinks that they're not getting the

18 response they want -- maybe the response they want is

19 for somebody to shout back at them, so if you don't

20 shout back then they don't need to shout either.

21 Q. If you, for example, came across a situation whereby

22 perhaps both staff and child's emotions were heightened,

23 would other staff members step in to take over?

24 A. Yeah, you would encourage that, just to try and disarm

25 the situation.

1 Q. I think you go on at the top of page 27 to say, as we've
2 discussed earlier, if it was a serious enough incident,
3 it would be recorded?
4 A. Uh-huh.
5 Q. Moving on to page 28 of your statement and at
6 paragraph 144, you say here that -- we're talking now
7 about the allegations of abuse and you say you didn't
8 see any abuse during your time at Harmeny?
9 A. Uh-huh.
10 Q. If you did see something that you might have considered
11 to be abuse, was there any sort of reporting mechanism?
12 A. There was no formal reporting mechanism, but as
13 a responsible adult, I would feel it would be my sort of
14 obligation, duty, to speak to -- with, certainly in this
15 situation, with Kvj and say: look, this was not
16 acceptable behaviour.
17 Q. And was Kvj someone that, if you needed to, you felt
18 that you could have that conversation with?
19 A. Very definitely.
20 Q. At paragraph 146, you say that you think it would have
21 come to light if a child was being ill-treated or abused
22 at the time?
23 A. Mm-hmm.
24 Q. Why do you say that?
25 A. Because we were a very small community. We ate together

1 very frequently. There was only one dining room
2 initially. Latterly, when we developed the cottage,
3 there was an opportunity for an evening meal, but
4 generally we were there together. Incestuous is the
5 wrong word, but it was a very tight group of folk. All
6 the staff all lived on the site, apart from the teachers
7 and the domestic staff, so we were -- you were very
8 aware of what -- everything that was going on, what
9 relationships were or weren't developing amongst them,
10 you know, the children and the staff in terms of how
11 they're operating with the children.

12 Q. And you say then at paragraph 147 that there was
13 an element of tell-tailing?

14 A. Yeah.

15 Q. So how would you differentiate between what could be
16 classed as tell-tailing and perhaps what could be a more
17 serious complaint?

18 A. Well, past experience and a degree of common sense. You
19 generally, if you're working with children and even with
20 your own children, you know when people are gilding the
21 lily a wee bit.

22 Q. Turning on to page 30 of your statement, at
23 paragraph 153 you say that you were never the subject of
24 an allegation of abuse or ill-treatment of a child
25 residing at Harmeny?

1 A. Not that I'm aware of.

2 Q. And you've never been involved in any investigation on
3 behalf of Harmeny into allegations of abuse?

4 A. No.

5 Q. You then talk about some of the other staff who worked
6 at Harmeny. Now, we've mentioned KVV and I think you
7 say at paragraph 159 that you did see him shout and bawl
8 at the children, but you can't think of him doing
9 anything else?

10 A. No, no. And sometimes the shouting would be because of
11 the general noise and whatever. I mean, KVV was not
12 always involved in the day-to-day hurly-burly of what
13 was going on, so maybe he would -- I can think of one
14 time when he came in and there was a bit of a rabble
15 rousing going on and KVV just responded as an adult
16 might respond when they're looking to control the
17 situation.

18 Q. And what sort of response was that?

19 A. Just basically shouting to tell people to calm down,
20 keep quiet, whatever. I can't think of that specific
21 incident, but it does -- I do remember that having to
22 happen.

23 Q. You then talk at paragraph 164 about someone that has
24 [REDACTED] MWH and you say that she wasn't
25 there when you started, but probably came about

1 two years into your time there?

2 A. Yep.

3 Q. And you mention at paragraph 166 that she was firm and

4 no soft touch?

5 A. Yeah.

6 Q. Can you describe her manner in a bit more detail?

7 A. Her manner, I mean, she was very much, I would say, more

8 akin to the teaching side. Her training was as

9 a PE teacher. We had two members of staff who both came

10 from -- directly from Dunfermline College, which was the

11 PE college for teacher training in Edinburgh, [REDACTED]

12 [REDACTED] and both had that same firmness, but

13 generally were very popular, because they were pretty

14 warm people.

15 Q. You go on to say at paragraph 166 that you never saw

16 MWH [REDACTED] disciplining the children and you never saw

17 nor heard of her abusing the children?

18 A. No. I would maybe just rephrase that and say that she

19 would tell the children, you know, that you shouldn't be

20 doing that, you don't do that. But that is normal. As

21 an adult, you would expect any adult to behave in that

22 way.

23 Q. Then you go on at paragraph 167 to talk about someone

24 called MWI [REDACTED] and you say that he -- at paragraph 168,

25 that he was one of the better folk that you saw in terms

1 of his ability to relate to the children?

2 A. Yeah.

3 Q. In what way was he one of the better folk?

4 A. His manner and approach was inviting. He had a relaxed

5 manner. He didn't respond to aggression. I mean, his

6 response was -- he was quite laid back.

7 Q. And I think you also say at paragraph 169 that you never

8 seen him disciplining the children and you never saw or

9 heard of him abusing the children.

10 A. No.

11 Q. Then we have another staff member called David Brown

12 that you talk about. What was he like?

13 A. I mean, he was -- I don't know, a very sort of -- he was

14 somebody that probably I wouldn't normally sort of mix

15 with. He was very quiet, quite religious. Big guy.

16 I mean, there were a lot of us with beards. Beards were

17 fashionable, with the men anyway, and a lot of us

18 were -- sort of, looked very similar. We tended to

19 dress in the same way. He was fairly quiet in his own

20 way and kept very much to himself. He didn't mix

21 particularly with the other staff. He had a friendship

22 with the guy who was my predecessor in this informal

23 nature of team leader and he maintained that link after

24 this bloke left, but again was -- he was involved in --

25 there was a group of people who were involved in

1 a baptist church in Edinburgh and he was one of those
2 group of people.

3 Q. You say that he seemed to relate to some children more
4 than others?

5 A. Correct.

6 Q. And again in what way was -- in what way did he do that?

7 A. He just seemed to be more comfortable with some
8 children. I mean, it's hard to describe how or why, but
9 we all have our particular favourites in life and the
10 children that he was -- seemed to be drawn to were maybe
11 children who responded more to his -- I don't know, you
12 might say more gentle approach.

13 Q. And I think you do say that you again -- you didn't see
14 him disciplining children really, no more than shouting
15 in a loud voice?

16 A. No, no more than -- well, I would say normal adult
17 behaviour.

18 Q. And then finally you talk about another staff member
19 referred to as KVH and I think you say that she
20 started around the same time as you and she was --

21 A. Yeah, she was one of the first group of people.

22 Q. And again, you say that you never saw her disciplining
23 children, but you did hear her shouting at children?

24 A. Yeah.

25 Q. Moving on to page 34 of your statement and

1 paragraph 180, I'm going to move on now to some more
2 specific allegations that have been mentioned about you
3 and we've previously heard evidence from an applicant
4 who will be known as 'Andrew'.

5 Now, at paragraph 181, you can see that within
6 'Andrew's' statement he says that:

7 'Louis' was in charge of the cottage in the
8 grounds. He was the worst staff member. He was about
9 six foot tall and had a beard. Everyone was terrified
10 of him. He was a bully. He was horrible and would beat
11 you up or hit you for nothing. All the children were
12 frightened of him. I once saw him throw a kid against
13 a tree.'

14 Do you have any particular comments to make about
15 that?

16 A. No. I am six foot tall and I've had a beard for a long
17 time but, aside from that, I have a loud voice, I'm
18 a big person and I'm quite outgoing, but, no, I have no
19 recollection of that sort of behaviour.

20 Q. So he says that you bullied children. Did you bully
21 children?

22 A. No.

23 Q. Did you beat them up or hit them for nothing?

24 A. I mean, in my statement I refer to the fact that, you
25 know, I was playing rugby then regularly for a good

1 side, so I was quite big. I was a lot bigger than I am
2 now. A 17-stone man beating up a primary-age kid would
3 be inappropriate but probably would leave some serious
4 injuries.

5 Q. As far as you were aware, were the children frightened
6 of you?

7 A. I don't think so. I had some very good, sort of,
8 friendships with children and encouraged them to go
9 beyond the expectation, particularly with some of the
10 sporting activities that we did. I mean, some of the
11 children really did push themselves and I don't think
12 they would do that if they were not happy and felt
13 comfortable.

14 Q. And he mentions that he once saw you throw a kid against
15 a tree. Have you ever restrained or thrown a child
16 against a tree?

17 A. No.

18 Q. Moving on to paragraph 184, 'Andrew' also says in his
19 statement that one night after he moved into the
20 cottage, he got up to go to the toilet and he seen
21 'Louis' kissing and cuddling with MWH in the
22 lounge and that he knew you were married and when he saw
23 you, you grabbed him by the back of the neck, really
24 beat him up, and when he was being hit, you told him
25 that if he told anyone he was dead, and he was so

1 frightened that he wet himself.

2 Again, have you got any comments to make about that

3 particular allegation?

4 A. No, I deny that allegation.

5 Q. Was [MWH] someone that you would work with?

6 A. Yes.

7 Q. Could it have been possible that 'Andrew' might have

8 seen you and [MWH] together?

9 A. Undoubtedly. There were [REDACTED], of course.

10 Q. This particular [MWH] that he is referring to, he

11 says that he seen you kissing and cuddling with her; is

12 that something that occurred?

13 A. No.

14 Q. And did you beat him up or assault him after that?

15 A. No, again, I pointed out that we were living in a very

16 small place with bedrooms on either side of the main

17 area. My wife and children were literally -- child were

18 just -- just a corridor away, through very thin walls.

19 Any such activity like that would have created a fair

20 degree of disturbance.

21 Q. And did you on any occasion threaten him?

22 A. No. I don't recall who he is.

23 Q. And finally, at paragraph 186, to summarise that,

24 'Andrew' alleges that you previously had beaten him and

25 he was quite wary of you, particularly when [MWH]

1 tells him that he can go into the staffroom.

2 So do you have any comment to make about that
3 particular allegation?

4 A. No. I'm surprised because I don't think MWH was
5 actually resident in the cottage. As far as I'm aware,
6 she had a room -- from what I remember, her room was in
7 the main building and she came down. The other person
8 who was in the cottage, [REDACTED], had the
9 room that we previously -- my wife and I had previously
10 lived in.

11 Q. And then turning on to page 36, 'Andrew' at this point
12 in his statement -- we heard evidence of it -- that he
13 said that he was fighting, effectively, with another boy
14 and he says:

15 'The next thing, 'Louis', a member of staff,
16 appeared at the archway. We stopped and looked at him
17 and he grabbed us and pushed us against the wall. He was
18 cursing and swearing at us, spitting as he was talking.
19 The look he gave us was pure evil ... He said, "If I see
20 you fighting again I will kill both of you".'

21 Is this something that you recall happening at all?

22 A. Not at all.

23 Q. And would you have sworn and cursed at the children at
24 the school?

25 A. No, I don't think so. I mean, if there was a fight,

1 I might shout at them to sort of stop.

2 Q. Again, have you ever threatened a child and said that
3 you would kill them?

4 A. No.

5 Q. In more general terms, have you had to separate children
6 if they are fighting with each other?

7 A. Often.

8 Q. How would you have gone about that?

9 A. Hopefully with another member of staff because if you
10 try and deal with that situation -- although I was
11 a fairly big guy and, at that point, a lot stronger than
12 I am now, I could possibly have handled it, but it
13 wouldn't be appropriate because you've got to think
14 about the safety of the situation and that wouldn't be
15 a safe situation.

16 Q. Skipping on to page 38 of your statement and
17 paragraph 204, we've heard evidence from 'Andrew' that
18 there was an incident in which a child effectively
19 [REDACTED].

20 A. Uh-huh, yep.

21 Q. Are you able -- is that something that you remember
22 happening at Harmeny?

23 A. I do remember it happening. I remember the ambulance
24 going down to the Sick Kids.

25 Q. Can you tell us a bit more about what happened?

1 A. My understanding of the incident and my recollection,
2 but again I'm talking nearly 50 years ago, was that
3 a child [REDACTED] and
4 encouraged other children to [REDACTED]
5 [REDACTED] and they had to be taken and given
6 [REDACTED] at the Sick Kids.

7 Q. How many children were taken that you remember?

8 A. I don't remember. I don't remember. I would think it
9 would be three or four.

10 Q. Do you recall at all if 'Andrew' was one of those
11 children?

12 A. I have to be honest and I don't recall 'Andrew'.

13 Q. Moving on then to page 40 of your statement, you talk
14 about then leaving Harmeny and I think you tell us that
15 ultimately you then took up a position to head
16 a children's reception unit in West Lothian after
17 Harmeny?

18 A. That's correct.

19 Q. And then latterly you then developed a new day service
20 in West Lothian for people with learning disabilities?

21 A. Yeah. I was seconded out from the childcare side to
22 headquarters at Shrubhill and I managed a range of
23 children's services in -- mostly in the east and
24 Midlothian area and in that period, we -- it was decided
25 that we were going to open up a new day service for

1 people with a learning disability.

2 On my placements, doing the CQSW course, I'd worked
3 in Lynebank Hospital, which is a hospital for people
4 with quite profound levels of disability, and I
5 thoroughly enjoyed it and I thought, this is a change in
6 career. I felt that my time working with kids had
7 really come to an end and I wanted a different challenge
8 and it seemed an attractive option to do, to develop
9 a new service. It was very new and very much community
10 based.

11 Q. I think you go on to tell us that you've spent about
12 21 years --

13 A. Correct.

14 Q. -- doing that work?

15 A. Yep.

16 Q. Turning to page 42 of your statement, you talk about the
17 lessons that can be learned and you say that you have to
18 think carefully -- you have to look:

19 'I think you have to carefully look at the makeup of
20 the staff teams to make sure you have the right balance
21 of people'.

22 A. Uh-huh.

23 Q. And you go on to say that you think initial vetting and
24 selection of staff requires to be more detailed and
25 prescriptive, as it is in some local authorities?

1 A. Yeah.

2 Q. Do you have any other reflections or any other lessons
3 that the Inquiry can learn about your time working at
4 Harmeny and some of the other schools?

5 A. Not really -- well, I think I've covered a lot of it
6 there. I thoroughly enjoyed my time at Harmeny. It was
7 an enjoyable experience most of the time. Not all of
8 the time, but most of the time it was -- I met some very
9 interesting people. I met some very interesting
10 children and I felt encouraged to see how they
11 developed. I have only ever met three people in the
12 50-odd years since I've left Harmeny and -- they -- two
13 of them because of other professional things and one
14 child who I still come across every now and again in
15 different sporting -- or because she now lives in
16 an area where I have family. But generally it was
17 a very -- I enjoyed working there. It was a good
18 experience. I think in the majority of -- a majority of
19 the children were happy. Many of the children weren't
20 happy. A lot of the families were very encouraged by
21 the development of the children who were there.

22 Some families were really very welcoming towards
23 what was going on there and they expressed that. They
24 were -- those who could get to us -- you know, to the
25 school. But generally, no, I can't think of anything

1 specific.

2 Just that we really need to think more carefully
3 about whether we should place very young, vulnerable
4 children in such a group setting such as that. Maybe
5 when they're a wee bit older, but certainly not very
6 young, primary-age children. I don't think it's
7 appropriate. You have to think about the balance of
8 staff. Having a group of very young, untrained staff
9 handling quite difficult children with difficult
10 behaviours is maybe not such a good thing. You need
11 a good balance of ages and you certainly need a balance
12 across the sexes. I mean, you need a more appropriate
13 staff mix.

14 MS MCMILLAN: Thank you, 'Louis', I don't have any further
15 questions for you.

16 LADY SMITH: 'Louis', let me add my thanks. I'm really
17 grateful to you for all you've provided to us by way of
18 your written evidence and being here today to answer our
19 questions, which I know have gone on for quite a long
20 time. I'm really sorry if you're now exhausted by them,
21 but I'm really grateful to you for the contribution
22 you've made.

23 A. Thank you.

24 LADY SMITH: Thank you. You are now free to go. Safe
25 journey home.

1 A. Thank you.

2 (The witness withdrew)

3 LADY SMITH: Just a small number of names. Again,

4 [KVJ] 's name was used, a member of staff called

5 [KVH], a member of staff called [MWH] and one called

6 [MWH]. These are people whose identities are all

7 protected by my General Restriction Order and they're

8 not to be identified as mentioned in our evidence

9 outside this room.

10 Have I missed anyone? No.

11 MS MCMILLAN: I think that's all, my Lady.

12 LADY SMITH: Thank you. So I'm going to rise now until

13 tomorrow morning when we'll move on to St Vincent's

14 witnesses, yes?

15 MS MCMILLAN: That's correct, my Lady.

16 LADY SMITH: So that's St Vincent's School for the Deaf and

17 we start with evidence from providers. Thank you.

18 (4.00 pm)

19 (The Inquiry adjourned until 10.00 am on Wednesday, 20

20 August 2025)

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