- Wednesday, 24 September 2025
- 2 (10.00 am)

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- 3 LADY SMITH: Good morning, and today we're going to continue
- 4 with evidence in Block 5 of our hearings into this phase
- of our work. As with yesterday, we have two British
- 6 Sign Language interpreters available for anybody in the
- 7 public gallery who would like to use their help and
- 8 needs them to follow proceedings.
- 9 There's also British Sign Language interpretation
- 10 available for anybody in our public areas who needs
- interpretation help to speak to any member of our team
- or indeed anybody else that they need that help with, so
- please don't hesitate to use it if you wish to do so.
- 14 Now, I'm going to invite Ms Innes to introduce where
- 15 we're going with the evidence today, having finished
- 16 Ms Watkins' evidence just before 4.00 pm yesterday.
- 17 Ms Innes.
- 18 MS INNES: Thank you, my Lady.
- 19 The first witness this morning has the pseudonym
- 20 'Mary'. 'Mary's' son attended Donaldson's as a day
- 21 pupil from 2003, when he was 6, until 2016 when
- he was around 19.
- 23 LADY SMITH: Thank you.
- 'Mary' (affirmed)
- 25 LADY SMITH: 'Mary', thank you for coming along this

morning. We are exploring evidence about Donaldson's School for the Deaf at the moment and I understand that you have offered to come along and help us with the evidence you can provide in relation to your son's time at Donaldson's, and that's what we would like to go into with you today.

I already have your written statement and it's been really helpful to have that in advance. A copy of it is in that red folder in front of you and we'll also bring parts of it up on screen as we are looking at different aspects of it. Please don't think we are going to drag you through every line of it this morning, that's not the purpose, but there are some particular parts we'd like to focus on with you, if that's all right.

But it's also your opportunity to tell us about anything that we've not asked, if you want to talk about that today. So don't hesitate to speak up if there is anything.

Can I also add quite separately, I do understand that giving evidence in this format, in this environment, in a public place, is really difficult.

And it's particularly difficult when you are talking about matters that are dear to your own heart and we're going to have to provoke memories that I do understand may be distressing for you. If you need a break at any

- time, don't hesitate to say. For guidance, I always
- 2 take a break at about 11.30 am anyway but we can stop
- 3 before then if you need that. What matters is that
- 4 you're as comfortable as you can be, so that you can
- 5 give the best evidence that you're able to contribute to
- 6 our work here at the Inquiry.
- 7 Does that all make sense?
- 8 A. Yes.
- 9 LADY SMITH: Good.
- 10 If you're all right, I'll hand over to Ms Innes now
- 11 and she'll take it from there. Okay?
- 12 Ms Innes.
- 13 Questions by Ms Innes
- 14 MS INNES: Thank you, my Lady.
- 'Mary', I'm going to do something formal first of
- all and start with your statement, it has the reference
- 17 WIT-1-000000007.
- 18 If we can look at the last page of that statement --
- 19 it'll come up on the screen as well -- we can see at
- 20 paragraph 71 that you say there:
- 21 'I have no objection to my witness statement being
- 22 published as part of the evidence to the Inquiry.
- 23 I believe the facts stated in this witness statement are
- 24 true.'
- 25 And we see that you signed your statement on

- 1 9 December 2019; is that correct?
- 2 A. Yes.
- 3 Q. Okay.
- 4 Now, I'm going to go back to the beginning of your
- 5 statement now. You tell us that your son was born in
- 6 1997; is that correct?
- 7 A. Yes.
- 8 Q. You tell us a little bit about his early life at
- 9 paragraph 2, and you say there that he had various tests
- 10 at the hospital and they concluded that he had severe
- 11 learning difficulties?
- 12 A. Yes.
- 13 Q. You then go on to tell us that initially he went to the
- 14 local nursery school, I think?
- 15 A. He did.
- 16 Q. And then there was a period where he went to the nursery
- in the morning and to another school in the afternoon?
- 18 A. Yes, he went to another nursery, a specialised nursery
- 19 in the afternoon.
- 20 Q. Okay.
- 21 And then, if we go over the page to page 4, you say
- 22 that when he got to about the age of 5, he was given
- 23 one-to-one support?
- 24 A. Yes.
- 25 Q. So that's at paragraph 4 on page 2, so that's back

- 1 a little bit.
- 2 You say there that he had one-to-one support at
- 3 nursery and the local authority then wanted to send him
- 4 to a mainstream school?
- 5 A. Yes.
- 6 Q. What was your view about that?
- 7 A. It wasn't suitable for PHX because PHX had no speech
- 8 and what they were offering was someone an hour in the
- 9 morning to toilet him and drop him in a public car park
- 10 to get to school and it just wasn't going to work,
- I mean he couldn't toilet hisself, he couldn't speak,
- 12 there's no way he would manage and it was a classroom
- with like circus curtains and I asked, 'Well, how are
- 14 you going to keep him in?' You know, 'What are you
- going to do?' And they said, 'Well, it's okay, and
- 16 he'll get playtime', but to get playtime you had to get
- 17 so many stars and to get the stars you had to say
- a sentence and I said, 'Well, he cannae say his name',
- 19 so he was never going to be able to say a sentence. So
- 20 we deemed that that wasn't appropriate for PHX to be
- 21 schooled there, he needed to be in a specialist
- 22 facility, hopefully to get some level of communication
- 23 going with him.
- 24 Q. Okay.
- 25 You say at paragraph 5 that you went to look at

- 1 Donaldson's?
- 2 A. Yes.
- 3 Q. And at that point was it based in Edinburgh?
- 4 A. It was in Edinburgh.
- 5 Q. What was your impression of Donaldson's?
- 6 A. I have to say I think my husband and I both found it
- 7 a fabulous facility. They seemed to know what PHX 's
- 8 best interests would be. It was a facility that was
- 9 geared towards children without speech or with
- 10 communication problems and we thought that was the
- 11 appropriate place for PHX to be schooled. It was
- 12 secure, it had specialists, it had speech therapy every
- day, so we thought that was the place for PHX.
- 14 Q. Okay.
- 15 You tell us at paragraph 6 that the council didn't
- 16 want to support you in --
- 17 A. Correct.
- 18 Q. -- sending your son to Donaldson's. So you then say
- 19 that you had to instruct a lawyer --
- 20 A. Yes.
- 21 Q. -- to appeal the council's decision. So did you have to
- 22 go to a tribunal or --
- 23 A. We went to a tribunal, yes, and we won.
- 24 Q. Okay. And you say that you won and you were ecstatic?
- 25 A. Yes.

- 1 Q. Okay.
- 2 You then go on to tell us about Donaldson's, and as
- 3 you've told us, it was in Edinburgh at the time.
- If we go to the top of page 3, you say that there
- 5 are boys and girls in the classes. In terms of the
- 6 needs that children had in the school, did you have any
- 7 sense of the mix of different needs that children had or
- 8 not?
- 9 A. The classroom sizes were small. There was a mixture of
- 10 some deaf children, autistic children, Down syndrome
- 11 children. PHX , I think was, sorry, I keep ... he was
- 12 the only kind of child that we knew, but
- 13 it really was a mixture between deaf and hearing.
- 14 LADY SMITH: 'Mary', let me interrupt a moment. Are you
- more comfortable using your son's name?
- 16 A. Probably.
- 17 LADY SMITH: If you are, it's fine, and I'll mention now,
- and I'll mention at the end of your evidence, that he is
- 19 not to be identified as referred to in our evidence at
- 20 all outside this room. If it makes it easier for you
- 21 and nicer for you to use his name, that's not a problem.
- 22 Okay?
- 23 A. Yes, thank you.
- 24 LADY SMITH: That is my direction. This boy is not to be
- 25 identified.

- 1 MS INNES: So you say then at paragraph 8 that he got
- 2 started at school and he settled well initially?
- 3 A. Yes.
- 4 Q. And his first teacher, I think you mentioned, was
- 5 Karen Hunter and he got on well with her?
- 6 A. He got on really well.
- 7 Q. And there was a classroom assistant who was also
- 8 supporting him in the classroom called Jennifer, you
- 9 say?
- 10 A. Yes.
- 11 Q. And there was a mixture of signing and speaking in the
- 12 class?
- 13 A. Yes.
- 14 Q. And he also had support in relation to toileting and
- 15 making sure that he didn't choke and things like that?
- 16 A. Yes.
- 17 Q. So initially, when he was in that first class, were you
- 18 pleased with the support he was getting at Donaldson's?
- 19 A. Yes, I think we were, yes.
- 20 Q. And then at paragraph 9, you tell us that there were BSL
- 21 classes?
- 22 A. Yes. And parents were offered along with the pupils.
- 23 Q. Okay, and did you go to these classes?
- 24 A. Yes.
- 25 Q. And was that so that you could use BSL with PHX or --

- 1 A. Yes.
- 2 Q. Right.
- 3 A. He was getting taught a mixture of BSL and hopefully
- 4 oral language, which we did subsequently get down the
- 5 years, but initially PHX would sign.
- 6 Q. At paragraph 10, you tell us that quite a few of the
- 7 pupils were in residential care but PHX just attended
- 8 during the day?
- 9 A. Yes.
- 10 Q. And that was always the position, he was always there as
- 11 a day pupil?
- 12 A. Yes, always came home.
- 13 Q. At paragraph 11 you say that there was a diary that went
- 14 back and forth?
- 15 A. Yes.
- 16 Q. What was the purpose of that?
- 17 A. I think it was a communication because he couldn't tell
- us what his day was and he wouldn't remember if he was
- 19 asked to, say, bring his swimming things or asked to do
- 20 a certain task. He wouldn't remember that by the time
- 21 he came home, so they always had a diary went back and
- 22 forward, what kind of day they'd had, if they need
- 23 anything, or something had went wrong, this diary. And
- 24 the parents as well, you could write and say, 'We're
- a bit concerned about this' or, you know, 'What's

- happening next Tuesday?' And it would go in the diary.
- 2 Q. Okay, and did that continue for the whole time that he
- 3 was at the school or did it change?
- 4 A. It changed at one part where they decided to take the
- 5 diary away and they took it off me because I was writing
- 6 things in and they didnae want a record of it, so they
- 7 tried to take the diary away.
- 8 Q. Okay. And roughly when was that? Was that when he was
- 9 a bit older?
- 10 A. Yes, that was when he was in the new Donaldson's.
- 11 Q. Okay. And did they succeed in taking the diary away
- 12 from --
- 13 A. They took it away for a period of time, until I argued
- 14 I wanted it back. Like if he had been punched that day,
- 15 and I knew about it, so I would put in the diary, you
- know, 'I believe PHX was punched today', or, 'Who
- 17 punched him today?' And when they realised that I was
- 18 actually collecting evidence, as such, they decided that
- 19 the diary would have to disappear.
- 20 Q. Okay. And when you didn't have the diary, how were you
- 21 able to communicate with the school about things like,
- 22 you know, swimming, or what was happening at the school,
- or how his day had been?
- 24 A. You didn't, unless one of his teachers, his registration
- 25 teacher was very good and she would keep me up to date

- and say, 'Look, could you bring his swimming things?'
- Or ... but, yes, they very much were trying to get away
- 3 from using the diary.
- 4 Q. Okay, so you said there was a period where the diary was
- 5 taken away, but then did it come back again?
- 6 A. Yes.
- 7 Q. Okay. And then for the rest of his time, did the diary
- 8 continue going back and fore?
- 9 A. Yes, I think it did.
- 10 Q. Okay.
- 11 Now, if we move on to page 4 of your statement and
- 12 paragraph 13, at the end of that paragraph, you talk
- 13 about Donaldson's operating an open-door policy?
- 14 A. Yes.
- 15 Q. And you say you took advantage of that by going to the
- 16 signing classes that you've said --
- 17 A. Yes.
- 18 Q. -- and then going into the dining hall?
- 19 A. Yes.
- 20 Q. Can you explain a little bit more what you mean about
- 21 the open-door policy?
- 22 A. In the old school, if maybe five parents were doing a
- 23 sign class, and say it finished at 1 o'clock or 12
- 24 o'clock and the children were having their lunch, you
- 25 were welcomed in and, you know, you could go and have

- 1 your lunch, they had big round tables that there was
- 2 pupils and there was teachers at the table to kind of
- 3 make sure they were okay, and you could sit with them.
- 4 There was -- you know, you could go and see your child,
- 5 whatever. It wasn't a problem. It very much encouraged
- 6 the parents to be part of the school.
- 7 Q. Okay.
- 8 Now, moving on to page 5 and paragraph 18, you say
- 9 that there were annual medical assessments --
- 10 A. Yes.
- 11 Q. -- and you say that this would be carried out by
- 12 a specialist doctor once a year?
- 13 A. Yes.
- 14 Q. And there would be reports.
- You go on to say at the school medicals every year,
- 16 it was noted that your son said that he was being
- 17 assaulted in school --
- 18 A. Yes.
- 19 Q. -- and a copy of that report was then shared with the
- 20 school, the Education Department, I assume in the local
- 21 authority?
- 22 A. Yes.
- 23 Q. His doctor and you?
- 24 A. Yes.
- 25 Q. So this was something that your son was reporting to the

- 1 doctor?
- 2 A. Yes.
- 3 Q. And what action was taken about that?
- 4 A. She would say, you know, we'll contact -- usually the
- 5 teacher was with him, but she would say, you know,
- 6 'Well, we'll report it to the school', and they were
- 7 coming back and saying, 'Oh, we're going to set a buddy
- 8 system up', you know, we can't stop it because all these
- 9 other children have problems, but we'll see if we can
- 10 buddy him up.
- 11 Q. Okay, so the assaults were from other pupils?
- 12 A. Yes.
- 13 Q. Okay, and --
- 14 A. Frequent assaults.
- 15 Q. And the school's response was?
- 16 A. Nothing.
- 17 Q. Was it the school that suggested this buddy system?
- 18 A. PZY suggested it.
- 19 Q. Okay, and what role did PZY have
- 20 A. She was the child protection officer and SNR
- 21 SNR
- 22 Q. Okay.
- 23 Was she always SNR when PHX
- 24 was there or did she move to another role?
- 25 A. She was SNR and then she eventually,

- 1 I think, she was -- was she SNR or she was
- when Janice was dispatched.
- 3 Q. Janice MacNeill?
- 4 A. Yes, she then went on to -- PZY then went on to
- 5 the secondary department.
- 6 Q. Okay, so after Janice MacNeill and I think maybe
- 7 Mary O'Brien were suspended --
- 8 A. Yes. Mary was off sick for a long time while she was
- 9 suspended, so there was a period of time that nobody saw
- 10 Mary.
- 11 Q. Okay. And PZY stepped into her role?
- 12 A. Yes.
- 13 Q. Sort of SNR of the school?
- 14 A. Yes.
- 15 Q. Okay.
- 16 A. She was always down in the paperwork as being the child
- 17 protection officer with the school.
- 18 Q. Right, okay.
- 19 And so was it her that suggested the buddy system?
- 20 A. She suggested the buddy system, but the boy that she had
- 21 lined up was one of the main attackers of him and she
- 22 then said it wouldn't work because the boy was deaf and
- 23 he didnae like hearing children. So it kind of went
- 24 nowhere.
- 25 Q. Did she explain what the rationale was of buddying up

- 1 a child with another child to stop assaults?
- 2 A. To stop 'em hitting him, no. It was never explained.
- 3 Q. Okay.
- 4 You go on at the bottom of this page, at
- 5 paragraph 19, to talk more about the assaults and you
- 6 say that this happened many times from when he was at
- 7 the primary school?
- 8 A. Yes.
- 9 Q. So did it start quite shortly after he went to
- 10 Donaldson's?
- 11 A. I would say it started in the first -- I think maybe
- 12 primary 1, primary 2 wasnae too bad. From then on, it
- 13 was a constant.
- 14 Q. You describe a particular boy in his class punching and
- 15 kicking PHX and hitting him?
- 16 A. Yes, and that's in front of teachers.
- 17 Q. And you say at the top of the next page that the teacher
- 18 would remove the boy from the room and was that all that
- 19 was done to stop the assaults?
- 20 A. Oh, yes, never was there punishment. Sometimes they
- 21 would refuse to get out the room, so it was just left.
- 22 Q. Okay, and how did you know that these things were
- 23 happening in the classroom?
- 24 A. Well, sometimes PHX -- at one stage, he had an open
- 25 sore on his head that he had for months. We couldnae

- get it healed, every time it got nearly healed, somebody
- 2 else had another go, but they would write in his book,
- you know, 'PHX was assaulted today. PHX was
- 4 punched, he was hit by a chair today', but, you know,
- 5 'The other boy doesnae understand so it doesnae really
- 6 matter'.
- 7 Q. And you say, 'A lot of times we witnessed this'?
- 8 A. Yes, we witnessed it.
- 9 Q. So was that when you were going in at lunchtime and
- sitting in the dining hall or was it at other times?
- 11 A. In the primary, we'd actually took PHX , PHX was at
- 12 the hospital for an appointment and I took him in the
- school and as I took him in the class, the boy picked up
- 14 a jug and hit PHX over the head with it.
- 15 Q. And what did the teacher do?
- 16 A. Nothing. Nothing's ever done.
- 17 Q. And at the primary school stage, you say there that his
- 18 primary 2 teacher was young and you didn't think that
- she had taught special needs before?
- 20 A. She had never taught special needs before.
- 21 Q. Okay. So she didn't seem to be able to manage the
- 22 class?
- 23 A. No, couldnae control them.
- 24 Q. Then you say at paragraph 20 that within a couple of
- 25 years, the attacks became more targeted.

- 1 A. Yes.
- 2 Q. Can you explain what you mean by that? What was
- 3 happening?
- 4 A. It was, you know, he would come into a classroom, in
- front of the teacher, and he would be punched or he'd be
- 6 hit with a chair. So it wasn't a case that he had said
- 7 anything or done anything. He just was an easy target.
- 8 Therefore it continued, because they thought it was fun
- 9 and were not getting any punishment from it, it then
- 10 became the thing to do. You know, if you attack him
- 11 then you can go and have half a day playing on a game or
- 12 whatever. There was never a -- what I would think is
- 13 a consequence for that kind of behaviour.
- 14 Q. Okay.
- 15 LADY SMITH: 'Mary', when you say he was hit with a chair,
- 16 what was actually happening? What was the other boy
- 17 doing with the chair?
- 18 A. The report I had in the house said that PHX was just
- 19 sitting doing his work and the other boy just got up,
- 20 lifted a chair -- I think he punched him, and then he
- 21 got up and lifted a chair and hit him with the chair.
- 22 LADY SMITH: Are these wooden chairs or plastic chairs?
- 23 A. Plastic.
- 24 LADY SMITH: They must have had metal frames of some sort,
- 25 did they?

- 1 A. Yeah, I would think so.
- 2 LADY SMITH: With the legs.
- 3 Thank you.
- 4 MS INNES: You say at paragraph 20 that you asked that he be
- 5 moved to another class?
- 6 A. Yes.
- 7 Q. Was that in primary school?
- 8 A. That was in primary, yes.
- 9 Q. And did that happen?
- 10 A. No.
- 11 Q. Okay. And you say in your statement here that you
- 12 thought that he was moved to another class but the
- 13 attacks still continued?
- 14 A. It's the same -- yes, it's the same three or four, five
- boys, every time that were going for him.
- 16 Q. Right.
- 17 A. And you just -- you know, you would say to him in the
- morning, 'You're gonna be fine, you're gonna be fine',
- 19 and then you would get a phone call to say once again he
- 20 had been hit.
- 21 Q. And at paragraph 21, you describe your son as being
- 22 petrified?
- 23 A. Oh, he was terrified.
- 24 Q. And you had difficulties in encouraging him to go to
- 25 school?

- 1 A. It ended up I was in the taxi and I would get him to the
- 2 school and he'd be hanging on to the door in the minibus
- and I'd be prising him off and saying, 'Look, you're
- fine', you know, 'You're fine, you're gonna be fine
- 5 today, nothing's gonna happen today', and he'd be like,
- 6 'No', and I'd say, 'You know, you're fine, you're gonna
- 7 to have a nice week at school and you're gonna get
- 8 a McDonald's on Friday for going to school', and I would
- 9 get home and the phone would be ringing and once again
- 10 PHX had been hit and you had to go along to the
- 11 school. Sometimes had to take a change of clothes
- 12 'cause he had been sick.
- 13 And then, of course, the following day, you had to
- 14 start all over again, like, 'No, no, you're gonna be
- 15 fine, mummy says everything's fine', but there wasn't
- 16 another school to go to. There wasnae an option.
- 17 Q. Okay.
- 18 And you say that he started biting his nails?
- 19 A. Yeah.
- 20 Q. And he hadn't done that?
- 21 A. We ended up -- we had no fingernails left, they were
- 22 bitten, bitten off.
- 23 Q. Okay.
- Now, in the next paragraph, in paragraph 22, you
- 25 talk about some of the changes in management in the

- 1 school.
- 2 A. Yes.
- 3 Q. So Janet Allan, I think, had been the principal when
- 4 PHX went there to begin with?
- 5 A. Yes.
- 6 Q. Did you have much to do with her?
- 7 A. I didn't have a lot to do with her, she was always very
- 8 pleasant.
- 9 Q. And then Janice MacNeill came in?
- 10 A. Yes.
- 11 Q. Did you have many dealings with her?
- 12 A. I had quite a few dealings with her in terms of assaults
- on my son, yes.
- 14 Q. And how did you find her?
- 15 A. I found the woman a bully. She bullied her staff. You
- 16 would hear her screaming at her staff and everything you
- 17 were saying to her was kinda dismissed. I don't think
- 18 she really cared. She -- she wasn't the figurehead that
- 19 Janet Allan was, that you could go to Janet and Janet
- 20 would listen and you were assured that she was after
- 21 these kids' best interests.
- 22 If you're going to a meeting and you hear the
- 23 headteacher screaming abuse behind a door at one of the
- 24 staff, it doesnae fill you with confidence that
- 25 anything's going to happen, and she certainly blocked

- any attempt to go to the Board of Governors.
- 2 Q. When you say any attempt to go to the Board of
- 3 Governors, were you trying to say you wanted --
- 4 A. Yes, we were saying we wanted to see them.
- 5 Q. And what was her response?
- 6 A. The Board of -- 'I have spoke to them and they have full
- 7 confidence in me', the same as PZY would say as
- 8 well, 'You don't need the Board of Governors, they have
- 9 my back'.
- 10 Q. Okay.
- 11 And there was the move of the school from Edinburgh
- 12 out to Linlithgow?
- 13 A. Yes.
- 14 Q. You say Janice MacNeill organised that?
- 15 A. Yes.
- 16 Q. And you then go on to say at paragraph 23:
- 17 'At this stage, the attacks on PHX were taking
- 18 place on a weekly basis.'
- 19 A. Yes.
- 20 Q. Was that after he moved over to Linlithgow?
- 21 A. I think when they moved to Linlithgow everything
- 22 escalated. There was absolutely no control.
- 23 Q. Okay. And you say that at the end of this paragraph,
- 24 that when you moved to Linlithgow, everything went out
- 25 of control?

- 1 A. Yes.
- 2 Q. At the top of the next page:
- 'The people in charge had no control over the staff,
- 4 and they certainly had no control over the pupils.'
- 5 A. Correct.
- 6 Q. What do you mean about the people in charge having no
- 7 control over the staff?
- 8 A. I meant that the board had no control over PZY
- 9 Janice, Mary, they were just doing whatever they wanted;
- 10 they were hiding things, they were covering everything
- 11 that was going on and some of the staff -- I mean, the
- 12 amount of complaints we put in about his PE teacher that
- 13 went absolutely nowhere, and very serious concerns that
- 14 we were taking. It was like, 'She's my friend'.
- 15 Q. Who said that the PE teacher was her friend?
- 16 A. PZY , she said, 'Oh, she's my friend', and
- I said, 'I want the police brought in', 'No, you can't
- do that. You can't have the police in because it's
- 19 a private building. You can't have the Board of
- 20 Governors'.
- 21 Q. Okay. So you go on, on page 7 to talk about how things
- 22 developed after the move to Linlithgow. You say at
- 23 paragraph 25 that in the lead-up to going there, things
- 24 were quite bad and there were a lot of complaints about
- 25 Janice and PZY from other parents?

- 1 A. Yes.
- 2 Q. What sort of complaints were other parents making at
- 3 that time?
- 4 A. There was complaints about how children were being
- 5 handled, how children were being treated, children put
- 6 in cupboards. We had PHX once, somebody sitting on
- 7 him, trying to force-feed him. And trying to get
- 8 someone to say, look, there's something wrong here, you
- 9 know, it just -- it was chaotic. You would go to school
- in the morning -- in the old school it was very well
- 11 managed, the taxis came in or whatever, or the
- 12 minibuses, the children werenae running mad. You got to
- 13 Linlithgow, there was minibuses, taxis, there was
- 14 children running all over the road, there was
- 15 PZY standing smoking a cigarette watching all
- 16 this chaos going round, there was pupils getting hit on
- 17 their way in, there was pupils getting hit at night
- 18 trying to get out the door. It was just chaotic.
- 19 Q. Okay. And you say that the open-door policy stopped?
- 20 A. Oh, that stopped, yeah. They very much discouraged you
- 21 from coming in.
- 22 Q. And you say that the sign classes stopped?
- 23 A. They stopped.
- 24 Q. Did they give any explanation as to why they were doing
- 25 that?

- 1 A. No.
- 2 Q. And you say you weren't welcome to visit your children
- 3 in the school?
- 4 A. No.
- 5 LADY SMITH: Was that just you or was it the general --
- 6 A. That was everyone. Yeah, that was everyone.
- 7 LADY SMITH: The general attitude to all parents? Thank
- 8 you.
- 9 A. We couldn't visit them but they decided that they would
- 10 open the school for people in Linlithgow to come and
- 11 have rolls and coffee and tea, so they could come and
- 12 purchase this, at the same time as our children -- in
- 13 fact I had one lady came to our house
- and saw a picture of PHX and said, 'Oh, I know him,
- I took him to the toilet in Donaldson's'.
- 16 So they -- I mean, anyone could have come in, there
- 17 was no checks on who these people were. They were in
- 18 the dining hall, along with our children.
- 19 MS INNES: If we go on to page 8, at the top of that page at
- 20 paragraph 27, you talk a bit more about the PE teacher
- 21 that you've mentioned in your evidence.
- 22 A. Yes.
- 23 Q. So that's a teacher called KKW
- 24 A. Yes.
- 25 Q. And you say:

- 1 'She did not get on well with PHX ... By this stage
- 2 [he] was in second year'?
- 3 A. Yes.
- 4 Q. '[He] was terrified of her and she hated him. She told
- 5 me that PHX was a lazy pig.'
- 6 A. Yes.
- 7 Q. Were those her words?
- 8 A. Yes.
- 9 Q. What was your reaction to that?
- 10 A. I think KKW and I were always at loggerheads,
- 11 because of the way she would speak about him and treat
- 12 him.
- 13 Q. And when --
- 14 A. I mean, she would write it. She would write it in his
- 15 diary. She would write things like that, quite openly.
- 16 She would stand by and watch people slapping him. She
- 17 let PHY , her co-worker, pour jugs of
- 18 water over his head in the PE class. She had him
- 19 dancing like a cowboy when he was tired. He had to go
- 20 out in front of everyone and do a cowboy dance.
- 21 She -- she put him out the car -- sorry, they went
- 22 on a trip and PHX was talking about the police, so she
- 23 stopped the minibus and put him out in the street in
- 24 Dalkeith. A boy who couldnae cross the road, who
- 25 couldn't use a phone, who couldn't tell anybody his

- 1 address. He was put in the street and she drove away.
- 2 Q. You tell us that you found out about this from other
- 3 parents?
- 4 A. I found out -- my friend, whose son was in the minibus,
- 5 phoned his mum and my friend got him and she phoned
- 6 me and said, 'I have him', and I -- 'What are you
- 7 talking ...', and she said, 'I have him, she's put him
- 8 out of the minibus, he's all burnt, he's all sunburnt'.
- 9 So I went to the school, because my other son was
- 10 playing football that day at the school, in Linlithgow,
- 11 next to it, and I went and I waited on the minibus to
- 12 see what she was gonna say and she just walked past me
- and said, 'I put him out'. Then that was taken to
- 14 PZY , nothing happened, 'That's
- 15 up to KKW , KKW can do what she likes'.
- 16 Q. You say there I think that PZY told you that she'd
- 17 been -- that KKW had been reprimanded?
- 18 A. Yes, she was never reprimanded. She -- I had put
- 19 a complaint in because he was so badly burnt, his neck
- 20 was all sunburnt, the tips of his ears were blistered
- 21 with sunburn and he was off the school for a couple of
- 22 days and on the Sunday, Janice MacNeill phoned me and
- 23 said about PHX coming back to school and I said,
- 24 'PHX will come back to school when we've had
- 25 a meeting', and she said to me, 'No, Mrs PHW', she

- 1 says, 'It might be a case of he'll be leaving this
- school', and I said, 'He'll leave the school after you'.
- 3 Q. And why did she suggest that he might be leaving the
- 4 school?
- 5 A. Because she didn't want any complaints, she didn't want
- 6 anybody complaining or saying anything so it was easier
- 7 to get rid of people. The amount of staff she got rid
- 8 of, pupils that she got rid of, people that were there
- 9 one day, you would go to a parents' night and speak to
- 10 a teacher and the following day the teacher had gone,
- 11 just never come back.
- 12 Q. Okay.
- 13 You say that after this outing, the PE teacher
- 14 refused to take PHX on sports outings again?
- 15 A. Yes, we went to -- I took him into school one day to
- 16 find out that everyone in the school was on an outing
- 17 but KKW had decided, no, he wasnae going, so I said,
- 'That's fine', so I spoke to PZY and I asked,
- 19 'Where is all the pupils?', and she said, 'They're all
- 20 away for the day, apart from PHX . He'll be in school
- 21 today'.
- 22 So I said, 'Actually, no, he'll not. He'll be at
- 23 the zoo with his mum. I'm not leaving him in a school
- 24 with no other pupils when he hasnae done anything
- 25 wrong'.

- 1 Q. Then at paragraph 29, you tell us that PHX was once
- 2 punched in the swimming pool by --
- 3 A. Yes.
- 4 Q. Can you tell us a bit more about that?
- 5 A. He was punched in the face and the boy grabbed him by
- 6 the throat and one of the girls told her mum, she'd
- 7 phoned me and KKW warned 'em all, 'You say
- 8 nothing. Nobody says a word'.
- 9 Q. So was this reported to you by the friend --
- 10 A. By one of the pupils.
- 11 Q. By, sorry, the pupil or the mum of the pupil?
- 12 A. Yeah, the mother, the pupil told her mum and the mum
- 13 phoned me.
- 14 Q. Okay. And you say that you were once in a meeting --
- 15 A. Yes.
- 16 Q. -- and you witnessed your son being punched in the face?
- 17 A. Yes.
- 18 Q. Can you tell us about that?
- 19 A. I was in a parents-teachers' meeting, can't remember
- 20 what they called them, but we were in one room and the
- 21 playground was out the window, so we were watching them.
- One of the lads went up and just punched PHX straight
- 23 in the face. And, kind of -- I went out the door 'cause
- I thought, 'None of the teachers are moving here', so
- I went out and they were like, 'It's PHX , it's fine,

- 1 he always punches him'.
- But the teachers are out there at their lunchtimes
- 3 and their playtimes but they're not separating any
- fights, they're not doing anything. They just watch it.
- 5 Q. Okay. And you say that your son was kicked, pushed down
- 6 the stairs?
- 7 A. Yes.
- 8 Q. Can you tell us about that?
- 9 A. How we found out was he used to go to on
- 10 a Friday night and one of the other parents, her -- came
- to me and said, 'You know, PHX kicked my son today',
- 12 'No', and it subsequently worked out that somebody had
- 13 kicked PHX and pushed him down the stairs, her son had
- got in between them and the teacher then phoned her,
- 15 because she had said, 'What happened?', and they said it
- 16 was actually PHX that was the one that was kicking
- 17 your son and it took four reports to get to the truth of
- it and it ended up the teacher told me, she says,
- 19 'I wrote that report, but PZY told me what to
- 20 write'.
- 21 Q. Okay.
- 22 A. So although they knew it was lies from the start.
- 23 Q. At paragraph 30 you tell us about something that
- 24 happened when PHX was on a treadmill.
- 25 A. Yeah.

- 1 Q. Can you tell us about that?
- 2 A. I got a note from the school that day, from KKW, and
- 3 you could see the aggression in the note. It was on and
- 4 on and on and on kind of thing. So I'd asked what had
- 5 happened and I spoke to PHX and what she had done, she
- had put him on a treadmill and PHY had
- 7 a pen and every time she turned it up and up and up and
- 8 PHX couldnae keep running at full speed, he would
- 9 stick the pen in his hand and eventually, he come off
- 10 the back of the treadmill.
- 11 Q. So PHY would stick the pen in his
- 12 hand?
- 13 A. Yeah. It's the same man that would pour water over his
- 14 head. And when he did land off the treadmill, KKW
- got him, pulled him along, got him in the showers and
- 16 then she wrote saying she was fed up because he was
- 17 lazy. And I went to a meeting and she was forced to
- 18 apologise to PHX for it.
- 19 Q. A meeting with KKW
- 20 A. With KKW and one of SNR of the school. Erm,
- 21 I can't remember if it was PZY or if it was --
- 22 certainly it wasnae Janice, but she did apologise 'cause
- 23 she was forced to apologise.
- 24 Q. Okay. Did she accept that she had been increasing the
- 25 treadmill?

- 1 A. She accepted what had happened, she just said that he
- 2 wasn't using it right, he was being lazy.
- 3 Q. Okay. So did she accept that PHY was
- 4 sticking the pen in his hand, for example?
- 5 A. Yes.
- 6 Q. Then at paragraph 31, you tell us about this dance that
- 7 you've mentioned.
- 8 A. Oh, it's --
- 9 Q. And you say that if he was tired, KKW , PZZ
- 10 A. Yes.
- 11 Q. Who was PZZ
- 12 A. PZZ was one under PZY
- 13 Q. I see. PZY and a person called PTZ
- 14 A. Yes.
- 15 Q. Who's PTZ
- 16 A. PTZ --
- 17 Q. What was her role?
- 18 A. I can't remember what her role was. I think she was his
- 19 registration teacher at that point.
- 20 Q. Okay. And you say that these people would make him
- 21 perform this dance, how --
- 22 A. Cowboy dance, they called it the 'cowboy dance'.
- 23 Q. And how did you find out about this?
- 24 A. I think PHX had mentioned it and we were kind of,
- 25 'What are you talking about?', and -- if he's tired --

- and PHX thinks he was doing well, he thought he was
- 2 doing brilliant, he was doing this dance, and to me it
- 3 was like bear dancing, you know, you get somebody and
- 4 they were all cheering and clapping him and I thought,
- 5 do you know, if he's -- sort of, 'Why are you doing that
- 6 to him?' And she said, 'Well, it's fun, I mean, we all
- 7 laugh at him', and it's a mixture really between
- 8 a Russian Cossack and, don't know, he just -- he's all
- 9 over the place, you know, he does this -- they were
- 10 cheering and I thought it was disrespectful. I didnae
- 11 like it. I thought it was really bad.
- 12 Q. Okay.
- 13 And you say that when you found out about this, you
- 14 went straight to the Board of Governors?
- 15 A. Yes.
- 16 Q. Can you remember who you went to or --
- 17 A. I went to initially Margaret Burnell and then I met --
- 18 there was a Patricia Lennon, there was another woman
- 19 that I went to, Mary Mulligan, I spoke to her, I spoke
- 20 to John Chalmers. To me, it was like mocking him. You
- 21 know, to get anybody to stand up and do that, it looks
- 22 absolutely ridiculous and he did it because he thought
- 23 it was the thing to do, he thought he was being nice and
- 24 people wanted to see him dancing and it's disrespectful
- 25 and once I had went there and I spoke to

- 1 Margaret Burnell and she said it will never happen
- again, then I came across an email saying, 'We'd better
- 3 tell Mrs PHW about this cowboy dancing and get it
- 4 stopped'.
- 5 So some of them were saying, 'Well, I never saw him
- doing it', and other ones were, 'I did it in my class',
- 7 but this went on for some weeks, it didnae stop right
- 8 away.
- 9 Q. And was that when he was in primary or secondary school?
- 10 A. That was secondary, that was probably his last year.
- 11 Q. Right. You mentioned John Chalmers there. I think he
- 12 was the chair of the Board of Governors a bit earlier
- 13 on.
- 14 A. Yes.
- 15 Q. There was a Richard Burns that became chair --
- 16 A. That's right. We emailed him and he emailed back to say
- 17 he was dealing with things and then I got a phone call
- one day to say, 'Are you quite satisfied with the
- 19 Board?', and I said, 'I haven't spoken to them since
- 20 then, no'.
- 21 Q. Okay.
- 22 A. But a lot of them really -- they wanted to be on the
- 23 Board of Governors, they wanted to have the prestige of
- 24 being on the Board of Governors but didnae actually want
- 25 to do anything.

- 1 Q. How did you form that impression?
- 2 A. I think because when you go to them and you tell them
- 3 what's happened and the following day they resign, kind
- 4 of told me, you know, they didn't want tagged with this.
- 5 They didnae want their name tarred with a school that's
- 6 abusive.
- 7 Q. And who was it that resigned after you'd spoken to them?
- 8 A. John Chalmers, he resigned, the other chap --
- 9 Q. Richard Burns?
- 10 A. Richard Burns, Mary Mulligan, Paul Lindy (?).
- 11 I didnae ask them to resign. I went to them to
- 12 highlight what was going on. If you want to sit on
- 13 a board, then I expect you to deal with what's
- happening. You're employing these people. It's on your
- 15 neck.
- 16 Q. Now, at paragraph 34 of your statement, you say that you
- 17 picked PHX up from school one day and he had a large
- 18 bite mark on his upper arm.
- 19 A. Yes.
- 20 Q. And what had happened?
- 21 A. He was bitten on one of the play equipments by one of
- 22 the boys, and it was -- you could see it, it was --
- 23 I think I actually gave you a photo of it, it was quite
- 24 clearly a bite. And Anne Bain told him absolute --
- 25 don't say a word, he fell off the roundabout. And I was

- unless he's fell on a crocodile, that didnae happen
- 2 falling off a roundabout, so I want the truth and it
- 3 worked out he had been bitten.
- 4 Q. And you say it was so bad that it had to be checked at
- 5 the hospital?
- 6 A. Yes.
- 7 Q. Had the school taken him to the hospital?
- 8 A. No.
- 9 Q. You took him to the hospital?
- 10 A. Yes. They would never of -- never.
- 11 Q. Okay. At paragraph 35 you mention staff leaving without
- 12 explanation, and you've already mentioned that in your
- 13 evidence?
- 14 A. Yeah.
- 15 Q. You mention a staff member called a PHZ
- 16 A. Yes.
- 17 Q. And you say:
- 18 'We were told he had never been a teacher there ...'
- 19 A. Correct.
- 20 Q. ' ... but it subsequently emerged that he'd slapped
- 21 a young girl who had learning difficulties and they had
- 22 got rid of him ...!
- 23 A. Yes.
- 24 Q. '... He was a friend of PZY 's, so it was
- 25 covered up that he had ever taught at the school.'.

- 1 So was it your understanding that this person was
- 2 a teacher?
- 3 A. Oh, he was a teacher. I have photos of him as a teacher
- 4 and I also have -- they gave me PHX 's teachers with
- 5 his photo and his name on it, and then they denied he
- 6 was ever at the school.
- 7 Q. Who denied that he was ever at the school?
- 8 A. The Board, Janice MacNeill, 'No, he never existed'. It
- 9 was silly things like that that are so easily proved to
- 10 be lies. That was so disruptive, I think, because you
- 11 can never get to the bottom of things 'cause there was
- so many lies, so many cover ups, that it really shook
- 13 your faith in the whole school.
- 14 Q. Okay.
- Now, at the top of the next page, at page 10, at
- 16 paragraph 36, you talk about an occasion that involved
- 17 a hairdryer?
- 18 A. Yes.
- 19 Q. Are you able to tell us a bit more about this?
- 20 A. This is probably one of the worst assaults for PHX
- 21 but he did PE, I don't know if he did swimming or he was
- 22 doing PE but he was in the shower block and two of the
- 23 boys kicked the door open, in front of teachers, got
- 24 hold of PHX , took him across to the hairdryer and
- 25 turned it on his genitals. And the teacher dressed him

- and put him in his taxi, didnae say a word to the taxi
- 2 driver. He was absolutely hysterical and he'd had the
- 3 same taxi drivers from about 6 year old and they phoned
- 4 us and said, 'Could you meet the minibus? He's
- 5 absolutely hysterical, I don't know what they've done'.
- 6 So we met them, I then phoned -- I got out of PHX
- 7 what had happened, I phoned the school and they said,
- 8 'We've sent the boys home early and we're going to get
- 9 the train home now', and I said, 'No, you don't. I'm on
- 10 my way into that school and you'd better be there when
- 11 I get there'.
- And I went in with my husband, my other son, who's
- older than PHX , and my mum, and they told us
- 14 what they had done. And the punishment for that on the
- 15 Monday was a half a day playing on a PlayStation. They
- 16 wouldnae allow the police in. We had a meeting after
- 17 that and they said they would try and deal with it but
- 18 really they didn't have any control over the boys and
- 19 the Board had their total faith so we couldn't get
- 20 anywhere.
- 21 Q. You mentioned that there were teachers there when this
- 22 incident happened?
- 23 A. Yes.
- 24 Q. Which teachers?
- 25 A. KKW and PHY .

- 1 Q. And when you went in to meet with the school that day as
- 2 you've described, were KKW or
- 3 PHY at that meeting?
- 4 A. No.
- 5 Q. No. Which --
- 6 A. It was Mary O'Brien.
- 7 Q. Okay, and you say at paragraph 37 that she said it was
- 8 a bit of fun?
- 9 A. Yes.
- 10 Q. What was your reaction to that?
- 11 A. I was furious. I was absolutely furious. It was put
- down as trivial fun. It wasnae trivial to PHX . It
- 13 certainly isnae trivial to us. And in fact even at 28
- now, if he's in respite, no member of staff can go near
- 15 the showers when PHX 's in it. Nobody can go near him
- 16 now. He's terrified.
- 17 So it was never trivial. A sexual assault isnae
- 18 trivial, it destroyed us.
- 19 Q. And roughly when was this incident, can you remember?
- 20 A. I think it was October 2010.
- 21 Q. Okay.
- 22 A. 15 years. (Pause)
- 23 Sorry.
- 24 Q. That's okay, just take your time.
- 25 A. I failed him. (Pause)

- 1 LADY SMITH: 'Mary', would it help to have a breather?
- 2 Let's do that, you've been giving evidence for nearly
- 3 an hour. You take a break.
- 4 (10.59 am)
- 5 (A short break)
- 6 (11.10 am)
- 7 LADY SMITH: 'Mary', welcome back.
- 8 A. Thank you.
- 9 LADY SMITH: Are you ready for us to carry on?
- 10 A. Yes.
- 11 LADY SMITH: Thank you.
- 12 Ms Innes.
- 13 MS INNES: Thank you, my Lady.
- 14 If we could look, please, at page 13 of your
- 15 statement and paragraph 47, you tell us there about
- 16 a time when Margaret Burnell had come in to Donaldson's.
- 17 A. Yes.
- 18 Q. So this was after Janice MacNeill had left?
- 19 A. Yes.
- 20 Q. And you say that you went to see her immediately after
- 21 she was appointed and you told her what happened?
- 22 A. Yes.
- 23 Q. And what was her reaction?
- 24 A. I got the impression that she cared, certainly that's
- 25 how it came across at the time, that she cared and she

- 1 would look into what had been going on, and she would
- 2 support us.
- 3 Q. And you say that PZY and KKW were brought in?
- 4 A. Yes.
- 5 Q. So you had a meeting with them as well as Margaret?
- 6 A. Yes.
- 7 Q. And you say:
- 8 'She told them that I was to be given the incident
- 9 report forms.'
- 10 A. Yes.
- 11 Q. Did she say that at the meeting?
- 12 A. Told PZY at the meeting that these report
- forms -- because we had been asking for them for months,
- 14 months and months. And, you know, 'We'll get them to
- you, we can't find them, we'll look for them', and I'm
- one of these people that don't give up, you know, if
- I know they're there and I want them, I'll no just give
- 18 up and go away, I will keep at it until I get
- 19 a conclusion.
- 20 Q. And after you had this meeting with Margaret Burnell,
- 21 did you get the forms?
- 22 A. Not initially. It took some time after that and then
- 23 I was sent a batch but they were not the incidents that
- I knew about. These were new incidents that I hadn't
- 25 known about --

- 1 Q. Okay.
- 2 A. -- and they were incomplete.
- 3 Q. What was your reaction to that when you got those forms?
- 4 A. I went back to Margaret Burnell again and said, 'I don't
- 5 know these incidents. The incidents I know about are
- 6 not in this bundle. But there's some very serious
- 7 incidents in this bundle and I'm not happy that I didn't
- 8 know about it beforehand'.
- 9 Q. Okay.
- 10 Now, at paragraph 48 you talk about the appointment
- of Laura Battles as the new head?
- 12 A. Yes. Can I just go back a wee bit about
- 13 Margaret Burnell and the evidence. She told me that
- over the summer that PZY had been seen in the
- school destroying documents and a lot of PHX 's
- documents were no longer available, because they'd been
- 17 destroyed.
- 18 Q. Okay. And did she give you any explanation as to why
- 19 PZY had been destroying documents?
- 20 A. No. She just said that she had been in and had been
- 21 destroying documents and a lot of the children's
- 22 records, including PHX 's, were no longer available.
- 23 And there was a discussion about, 'In a meeting, you
- 24 said they were in digital form and now you're saying
- 25 that they've been physically destroyed. You must still

- have some evidence. I mean whether they're in paper
- form and digital, if you destroy the paper form, the
- 3 digital form is still there. Your secretary said it was
- 4 digital and you're saying it was paper'.
- 5 LADY SMITH: Because, of course, you can understand hard
- 6 copy being destroyed if it's all been transferred into
- 7 a digital system.
- 8 A. Yeah, but she was actually in the school destroying
- 9 copies of paperwork that should have been copied to us,
- so they were saying they couldn't give us them because
- 11 they now didnae exist, PZY had got rid of them.
- 12 LADY SMITH: Well, they shouldn't have been destroyed prior
- 13 to them being transferred into a digital system, yes.
- 14 A. Exactly.
- 15 MS INNES: Then at paragraph 48, you talk about
- 16 Laura Battles being appointed as head --
- 17 A. Yes.
- 18 Q. -- and that was in October 2014 and you met with her
- 19 straightaway.
- 20 A. Yes.
- 21 Q. And what did you tell her at the meeting?
- 22 A. I took all PHX 's diaries in. I actually met Laura
- 23 when she came for the interview. And I had joked with
- her in the corridor, and said, 'Battles, yes, you and
- 25 I will be meeting first thing'. And she was great and

- 1 she did, she got in the role, I phoned her, she met --
- 2 I took all PHX 's diaries in, all the paperwork I had
- 3 and I had a meeting with her and I told her what was
- 4 going on in that school. And she was very good, she
- 5 told me she had came into the school with clean hands,
- 6 that she wasn't going to hide anything and that she
- 7 would deal with it.
- 8 And to be fair, as a matter of hours later, I got
- 9 a phone call from her after school hours informing me
- 10 that Janice and KKW had both been suspended.
- 11 Q. You said 'Janice' there, do you mean 'PZY '?
- 12 A. Oh sorry, PZY . That they were suspended and she had
- 13 contacted somebody at the -- I believe Scottish
- 14 Government and they were brought in. She certainly
- 15 seemed to be doing the right thing.
- 16 Q. Okay. And at paragraph 49, you talk again about the
- 17 incident report forms --
- 18 A. Yes.
- 19 Q. -- and a discussion between PZY and Laura Battles
- 20 about them, but you say PZY phoned you one night and
- 21 you had a row about the reports?
- 22 A. Yes. Yes.
- 23 Q. 'She then told me that she knew that [your son] was
- 24 being abused at school but that it wasn't her job to
- 25 stop it.'

- 1 A. Yes.
- 2 Q. Did she say that on that phone call?
- 3 A. That's exactly what she told me. She phoned -- because
- 4 she had been given a deadline by Laura Battles to get
- 5 these incident forms out to me and it still wasn't done,
- 6 so she phoned me -- it must have been a Thursday night,
- 7 and she phoned and my husband and I were both in the
- 8 living room and she said she couldnae give me the forms
- 9 and her and I started arguing over the phone 'cause I --
- 10 still I wanted these forms, I wanted them.
- 11 And then she told me, she says, 'I know your son was
- 12 getting abused, PHW, at the school, but it wasn't my job
- 13 to stop it'. That's exactly what she told me and then
- 14 there was a row, because apart from being SNR of
- 15 the school, you're the child protection officer. You're
- 16 assuming -- you have a moral responsibility to have done
- 17 something here and I would be in the school in the
- 18 morning.
- 19 Q. And whose job did she suggest it was?
- 20 A. Just said it wasn't her job. Although she had been the
- 21 child protection officer on our paperwork for many, many
- 22 years, and if you went to PZY and said, you
- 23 know, 'With some of the incidents, I want the police
- involved', 'No, we're not allowing the police into the
- 25 school'. She would never allow the police in, 'Don't

- 1 bother contacting them, we will not let them in the
- 2 building'.
- 3 Q. Okay. Now, going on over the next page, on page 14 and
- 4 paragraph 51, you talk about the school investigation
- 5 into KKW . So after Laura Battles came in,
- 6 was there an investigation into KKW
- 7 A. There was an investigation and myself and my friend met
- 8 with -- I think it was Patricia Lennon was the woman's
- 9 name, if I remember rightly.
- 10 Q. Okay, and you say that other people in PHX 's class
- 11 weren't spoken to?
- 12 A. There was only one person, one boy spoken to.
- 13 Q. Okay.
- 14 A. The rest of the pupils were not spoken to and, when they
- asked to speak to her, were told no.
- 16 Q. Okay. And you go on to mention a police interview. So
- 17 was PHX interviewed by the police about
- 18 KKW
- 19 A. He was interviewed -- I was asked to take him -- well,
- 20 I went up to Livingston Police Station and they said
- 21 they would interview him and PHX doesn't know much --
- I mean PHX , we're still on Care Bears and things like
- 23 that. They took him into a room with a woman, didn't
- 24 introduce herself, she said, 'I'm going to interview
- 25 him, come back', so I went back and she said, 'No,

- I couldn't get anything out of him, I spent ten minutes
- 2 and he wouldnae say anything'. I thought: that's not
- 3 how you interview a child to get information, especially
- 4 a child with -- so that was, 'We're not interested, we
- 5 can't put him on a stand, we're not interested'.
- 6 Q. At paragraph 53 you say that -- so the police
- 7 investigation didn't proceed in relation to
- 8 KKW and she returned to Donaldson's for
- 9 a period?
- 10 A. Yes. Patricia Lennon and I met with my friend, one of
- 11 the other mothers. She sent us a report that we signed
- 12 and subsequently to that said that she hadnae met me.
- I thought, 'Well, bizarre, I mean, of course she met
- me', and in fact I'd said to them, 'Well, I know she met
- me because the day PHX was assaulted, that particular
- 16 day, she told me that was her daughter's birthday that
- 17 day'. Now, I wouldnae have known that information if
- I hadnae have met that woman and then the copy of the
- 19 report after it had said that they believed Mrs PHW
- 20 about KKW , but they thought I had had a nervous
- 21 breakdown, so they werenae going to take my word against
- 22 a teacher.
- 23 So they didnae tell me that, they let her back in
- 24 the school and I only knew because I got a phone call to
- 25 say, 'KKW 's back in the school, I don't think PHX

- 1 knows. He hasnae been forewarned that he's going to
- 2 meet her'.
- 3 Q. Okay, so she was back in the school for a period?
- 4 A. Yes.
- 5 Q. And then I think you tell us that she left at the
- 6 summer?
- 7 A. PHX left at the summer.
- 8 Q. PHX left at the summer and she was still there?
- 9 A. Yeah, he couldn't take PE after that. It was deemed not
- 10 safe for him to be in the PE beside her and
- 11 PHY , so he went to the art department.
- 12 Q. Okay.
- Now, if we go on over the page to page 15 and
- 14 paragraph 57, you talk about trying to speak to the
- 15 Board of Governors, and you've mentioned this already in
- 16 your evidence?
- 17 A. Yeah.
- 18 Q. You say there that you met a governor called
- 19 Christine Roebuck?
- 20 A. That's right.
- 21 Q. And did she take any action after meeting with you?
- 22 A. No.
- 23 Q. And --
- 24 A. Not that I'm aware of. It never came back, but not that
- 25 I'm aware of, no.

- 1 Q. Then at paragraph 58, you say that you met with
- 2 Mary Mulligan?
- 3 A. Yes.
- 4 Q. Now, she had been an MSP outwith her connection with the
- 5 Board of Governors. Had you met with her in the context
- of her being an MSP?
- 7 A. No.
- 8 Q. No. So you only met with her in the context of the
- 9 Board of Governors?
- 10 A. Yes.
- 11 Q. Okay.
- 12 And what did you discuss with her when you met with
- 13 her?
- 14 A. I told her about the assaults.
- 15 Q. And what did she do?
- 16 A. She told me she would take it to the Board, that she
- 17 would make sure that the Board were aware and it
- 18 wouldn't be just covered up, something would happen.
- 19 And it did happen: she resigned the following day
- 20 and nothing happened.
- 21 Q. Okay, and you say in this paragraph that:
- 22 'The Board of Governors refused to meet with us,
- 23 although they did apologise subsequently.'
- 24 A. Yes.
- 25 Q. So do you mean that you wanted to meet with the whole

- 1 Board of Governors?
- 2 A. We wanted a meeting with the Board. We wanted to know
- 3 that the Board knew, instead of saying, 'Well, I'll take
- 4 it', but we wanted to make sure that they knew and they
- 5 didn't want to speak to the parents.
- 6 Q. So when you're saying 'we' there, are you referring just
- 7 to yourself and your husband or are you referring to
- 8 other parents as well?
- 9 A. There was other parents as well. We'd actually had
- a meeting after the PWV incident, we had
- 11 a meeting with different parents and tried to get all
- 12 the parents together and, that way, we were able to
- 13 establish how many assaults had taken place and what
- 14 level the assaults were.
- 15 Q. Prior to that meeting, did you have a sense that other
- 16 parents were in the same position as you were?
- 17 A. Yes.
- 18 Q. Were they also trying to make complaints, do you know?
- 19 A. Yes.
- 20 Q. And were they getting anywhere?
- 21 A. No.
- 22 Q. Okay.
- 23 You also mention in this paragraph that the Board
- 24 apologised subsequently?
- 25 A. Yes. I eventually got an email back to say they had got

- 1 my email and they were sorry they didnae act on it.
- 2 Q. Okay.
- 3 A. Which doesnae mean anything, you know? 'We thought we
- 4 had answered you'.
- 5 They knew they hadnae answered. I think they were
- 6 only sorry that it came out.
- 7 Q. And then you go on to tell us on the next page at the
- 8 bottom of the page, at paragraph 61, that your son then
- 9 left Donaldson's?
- 10 A. Yes.
- 11 Q. And I think a transition was arranged for him to move
- 12 on?
- 13 A. It was delayed a year. He was supposed to have
- 14 transition to go to the college at , but
- 15 PZY didnae do any of the work and when the
- 16 college were trying to contact her, she was unavailable.
- 17 So he subsequently did an extra year in school and then
- 18 he had transitioned when Laura Battles took over and
- 19 started going to for so many days a week.
- 20 Q. Okay.
- 21 A. And I only know 'cause I actually contacted
- 22 College and said, you know, I thought PHX was having
- a placement and they told me, 'We've been trying to
- 24 contact PZY at the school and she hasnae
- 25 answered'.

- 1 Q. Okay.
- 2 LADY SMITH: 'Mary', I think you tell us that your son was
- 3 19 years old when he left Donaldson's?
- 4 A. Yes, he would be --
- 5 LADY SMITH: So he'd been there for 13 years; is that right?
- 6 A. Yes.
- 7 LADY SMITH: Thank you.
- 8 MS INNES: Now, if we go on to page 17, at paragraph 63 you
- 9 refer to a hearing that took place in front of the
- 10 Teaching Council --
- 11 A. Yes.
- 12 Q. -- in respect of PZY . And you tell us a bit
- 13 about your experience of giving evidence at that
- 14 hearing?
- 15 A. Yes.
- 16 Q. What was that like?
- 17 A. It was dreadful. It's the worst time and the worst
- 18 thing I think I've ever experienced. Absolute shambles.
- 19 If I had known what it would be like, I don't think
- I could ever have done it. I have never been spoken to
- 21 by anyone the way that lawyer spoke to me that day.
- I have never had the allegations said to me the way that
- 23 man did.
- 24 LADY SMITH: Whose lawyer was that?
- 25 A. PZY 's.

- 1 LADY SMITH: Thank you.
- 2 MS INNES: So they were making allegations against you in
- 3 the context of this questioning?
- 4 A. Yes, it was things like -- at one point he said to me
- 5 about, 'Your husband not here?' And I said no. I mean,
- I'd never given evidence before and I said, 'No, my
- 7 husband wasnae cited to be here', and he said, 'Did he
- gust not know PHX wasnae his?' And at one point they
- 9 accused me of having a relationship with one of the
- 10 teachers, who was a gay man, asking me how it felt to be
- 11 the mother of a disabled son.
- 12 Q. Did the panel lawyer of the tribunal step in to stop
- 13 that questioning?
- 14 A. No.
- 15 Q. Did you feel able to make any complaint about the way in
- 16 which you were questioned?
- 17 A. No. I think what I gathered from it -- I actually asked
- because I wanted to hear the rest of the
- 19 proceedings and I spent a week, or I spent Monday to
- 20 Thursday and I listened to them all that I wanted -- and
- 21 luckily I did, because they read out a statement from
- 22 PHX 's child psychologist, who denied all knowledge of
- 23 Donaldson's School, he denied knowing that PHX had
- ever been assaulted, he denied knowing we'd ever asked
- 25 for a new school. He denied everything and actually,

I know I shouldnae of, but I interrupted him and 1 2 I begged him, 'I beg you to give me half a day, I'll 3 prove that man's a liar', and I had a folder in the car with all the emails that had gone between us and between 4 acknowledging it all and I went up 5 him and PZY to West Lothian Council and they said, 'Oh, he's 6 resigned, he's left now', and the following day the 7 8 lawyer got up and said, 'Just ignore that report, because he's not going to stand by it anymore'. 9 But it had already been read. So it put doubt on 10 11 whether we had said anything. They had the school child 12 psychologist, who I had no dealings with, because 13 I never had to have any dealings with him, he 14 represented Edinburgh, and he stood up and started going on about how many times he had met me and he was 15 16 concerned I'd had a nervous breakdown and -- absolute nonsense. I'd never had any dealings with the man. At 17 one point, I think PZY 18 had said you could speak to him and I asked, 'Why would I want to? He's not 19 PHX 's child psychologist, and I'm an adult, I don't 20 need a child psychologist', but he'd come in gushing 21 22 with pride about how she'd been a long-term friend of 23 his and how great she was. It was like a kangaroo 24 court, there was absolutely no point in anybody going to

the Teaching Council.

25

- 1 Q. The conclusion of that, I think we understand, is that
- 2 the allegations against PZY weren't upheld and
- 3 she retained her --
- 4 A. They just -- the lawyer for the Teaching Council told me
- 5 on the Thursday -- actually, to put it into context,
- I was sitting outside the room having my lunch and she
- 7 was talking to PZY 's lawyer and they were
- 8 discussing Harry Potter books, they were swapping
- 9 Harry Potter books the following day, and I thought: who
- 10 are you representing here?
- 11 So she then took me on the Thursday -- it was
- 12 a Thursday, and said to me, you know, 'We're going to
- 13 let her away with it'. And I said, 'What are you
- 14 talking about? She stood up and admitted something'.
- 15 'No, we're going to let her away with it, that's
- just how it's going to be.'
- 17 And I said to her:
- 18 'Do you know what? I'll prove to you how serious
- 19 I am. I'm going to take myself to
- 20 and I'll prove it.'
- 21 And that woman let me leave. She didn't phone the
- 22 police, she didn't tell the hearing, she didn't inform
- 23 my husband, nor did she tell him the following day, but
- yes, I did go to that day and
- an old couple stopped me and the police and they got my

- 1 husband, but they, to me, had a duty of care to say this
- woman is telling me that that's where she's going and
- 3 that's what she's intending to do and they did not care.
- 4 Q. And this was the person who was presenting --
- 5 A. That was the lawyer for the Teaching Council.
- 6 Q. Who was presenting the case, okay.
- Now, moving on to the final page of your statement,
- 8 at page 19 and paragraph 68, you tell us some of the
- 9 lessons to be learned from your experience and you refer
- 10 to the need for teachers to have specific and additional
- 11 training?
- 12 A. Yes. I think it's important that someone straight out
- from university into a setting with severely disabled
- 14 children with absolutely no experience, it doesn't end
- 15 well, it doesn't go well, and there were many fabulous
- 16 teachers in Donaldson's, there were some terrific
- 17 teachers in Donaldson's, but there was also some people
- 18 who were clearly out of their depth. There was people
- in Donaldson's that didn't have their PVG checks done,
- 20 that Laura Battles found out. That should never happen.
- In a mainstream school that wouldn't have happened, so
- 22 why would it happen in a special needs school?
- 23 Q. You also note here that there should have been stringent
- 24 checks in place?
- 25 A. Yes.

- 1 Q. I assume that you mean more than just the PVG checks,
- 2 that there should have been proper recording of the
- 3 incidents?
- 4 A. Yes.
- 5 Q. And they should have been followed up --
- 6 A. Yes.
- 7 Q. -- properly?
- 8 And you also say, you mention the impact on your son
- 9 of his experiences and you also say that parents should
- 10 have been listened to?
- 11 A. Yes, I think it's important that -- they maybe don't
- 12 want to think there's something wrong in
- an establishment you run, but you have to be open to the
- idea that, you know, it can happen, and it's okay to
- 15 say, 'It's happened and we'll deal with it', like
- 16 Laura Battles did. It's okay to put your hands up and
- 17 say, 'Well I've made a mistake', but what's not okay is
- 18 to ruin people's lives by hiding it, because it's ruined
- 19 ours.
- 20 Q. I think the part of the impact on you of this experience
- 21 has been that you find it very difficult to trust people
- 22 who --
- 23 A. I don't trust anybody with him.
- 24 Q. -- would look after PHX for example?
- 25 A. PHX goes into respite and it's very, very difficult.

- 1 I rely on my husband most of the time to take him in,
- 2 because I can look at someone and think, yeah, very nice
- 3 lady, talks very nice, but do I know? You know? I made
- 4 the mistake once with Donaldson's, I don't think I could
- 5 cope if I thought somebody else got access to PHX on
- 6 my watch. I let him down. It was my thing. I picked
- 7 Donaldson's, I fought for Donaldson's. I made
- 8 a mistake.
- 9 Q. But then you've also told us that you -- there wasn't
- 10 any option for him to go elsewhere?
- 11 A. I know, but it's -- he's my boy and your main role in
- 12 life as a mother is to protect. It's my job to protect
- 13 him. If I don't love him and protect him, who does? If
- I don't stand up and shout for PHX , who will?
- 15 So very difficult, and they'll say, 'You know, he's
- 16 coming on 28, what about a residential placement now?'
- No. I've had enough respite for a couple of days but
- 18 the thought of handing him over to somebody that I don't
- 19 know? No. He's quite happy at home. He knows he's
- 20 safe.
- 21 I mean, we still now -- you know, PHX 's 28, we
- 22 can't drive past the school, we can't get him to go past
- 23 the school. We can't -- if -- my husband, he'll say to
- him in the morning, 'Have you got your lunch bag?', and
- 25 sometimes he'll say, 'Have you got your school bag?'

- 1 'It's not a school bag, it's not a school bag, I'm not
- 2 going to Donaldson's today'.
- 3 And it's sad, I mean he shouldnae have to think like
- 4 that. We shouldnae have to. I think I said to a lawyer
- 5 at the day, 'You have no idea how I feel because my last
- day on earth will be wondering what's going to happen to
- 7 him? Who's going to make the choice of who looks after
- 8 him'. He should have been safe in a school like that.
- 9 He should have been safe. He's been let down.
- 10 MS INNES: I've got no more questions for you, 'Mary'.
- 11 LADY SMITH: 'Mary', nor do I. I just want to thank you
- 12 again for everything you've helped us with this morning.
- I said I knew it wouldn't be easy and I can see it
- hasn't been easy, but I really don't think you could
- 15 have given more on your son's behalf.
- 16 A. Thank you.
- 17 LADY SMITH: Thank you for that and I hope the rest of today
- is easier than the first part of it's been.
- 19 A. Thank you.
- 20 LADY SMITH: Do feel free to go.
- 21 We'll stop for the break in a moment, but before
- I rise, there are some names I want to mention of people
- 23 who are not to be identified as having been referred to
- in our evidence outside this room.
- 25 Let me start first with the witness who used, it's

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the witness 'Mary', but she used her own name, both her
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- 2 first name, PHW, and Mrs PHW at one point.
- Then others: PZY ; Janice MacNeill;
- 4 ; PWV , or PWV , PWV ; PHY
- 5 PHY ; KKW ; PTZ ; and
- 6 PHZ not to be identified outside this room.
- 7 Thank you very much.
- 8 (11.39 am)
- 9 (A short break)
- 10 (11.54 am)
- 11 LADY SMITH: Before the break I may have indicated that
- Janice MacNeill's not to be identified outside this
- 13 room, but actually she can.
- 14 Turning to the next witness, Ms McMillan.
- 15 MS MCMILLAN: Thank you, my Lady.
- 16 The next witness is Susanne Goetzold.
- 17 Susanne Goetzold was a social worker who was involved
- with a family in 1997 to 1998 and one of the family
- members went to Donaldson's at the time, my Lady.
- 20 LADY SMITH: Thank you.
- 21 Susanne Goetzold (sworn)
- 22 LADY SMITH: Thank you for coming along this morning to help
- 23 us with your evidence.
- The first question I hope is easy; how would you
- 25 like me to address you? I'm happy to use your first

- 1 name or your second name?
- 2 A. My first name will be fine, thank you, Susanne.
- 3 LADY SMITH: Thank you, Susanne.
- I already have your written statement, which is
- 5 evidence to the Inquiry, and it's in that red folder on
- 6 the desk ready for you to consult if you wish to do so.
- 7 We'll also bring parts of it up on the screen as we look
- 8 at it, but don't worry, we're not going to go through it
- 9 line by line, because, of course, I've had time to study
- 10 it in advance.
- If at any time you've got any questions, Susanne,
- 12 please do speak up, that's not a problem. If you want
- a break, that's not a problem either.
- 14 If you think we should be exploring something with
- 15 you that we haven't done, do feel free to prompt us.
- Otherwise, if you're ready, I'll hand over to
- 17 Ms McMillan, and she'll take it from there, is that
- 18 okay?
- 19 A. Thank you, yes.
- 20 LADY SMITH: Thank you.
- 21 Ms McMillan.
- 22 Questions by Ms McMillan
- 23 MS MCMILLAN: Thank you, my Lady.
- Good morning, still, Susanne.
- 25 Thank you for providing your CV to the Inquiry.

- 1 Just quickly going over that, you had a variety of
- 2 positions, I think, until about 1997, where you then
- 3 began your work in social work?
- 4 A. Correct, yes.
- 5 Q. I think during -- since then, you have held a variety of
- 6 different roles within social work, some of which have
- 7 involved lecturing at university --
- 8 A. Correct.
- 9 Q. -- and there has been a particular focus on child
- 10 protection, including joint investigative interview
- 11 training?
- 12 A. That's correct.
- 13 Q. I think as well you've also obtained some further
- 14 qualifications during that time, including your degree
- 15 and masters?
- 16 A. Yes.
- 17 Q. Now, turning to the period of time that I want to ask
- 18 you about, that would have been around about 1997?
- 19 A. Mm hmm.
- 20 Q. As I understand it, you had just completed your diploma
- 21 in social work at the time?
- 22 A. Yes, I completed that in 1997.
- 23 Q. Can I ask you to turn now to your statement. The
- reference for the Inquiry is WIT.001.002.8792.
- 25 It's just a formality, firstly can I ask you to turn

- 1 to the final page of your statement, that's page 12.
- You should see at paragraph 74 there that it says that
- 3 you have no objection to your witness statement being
- 4 published as part of the evidence to the Inquiry. You
- 5 believe the facts stated in this witness statement are
- true, and it was signed by you on 23 September 2019?
- 7 A. Correct.
- 8 Q. Now, can I ask you to turn back to the front page of
- 9 your statement. You tell us that you were born in 1961,
- and then, at paragraph 2, you say that you contacted the
- 11 Inquiry to discuss an enquiry that you were involved in,
- in which you felt might have prevented children from
- 13 coming forward to report abuse?
- 14 A. That's correct, yes.
- 15 Q. And this was abuse at Donaldson's?
- 16 A. Yes.
- 17 Q. Now, skipping to page 2 of your statement at
- 18 paragraph 10, I think you tell us, at that time that you
- 19 were working as a social worker within the Edinburgh
- 20 Council Children and Families from
- 21 Edinburgh and at that time you were allocated
- 22 a particular young person?
- 23 A. That's correct.

24

25

- 1
- 2 Q. And I understand that that young person had a
- 3 sister?
- 4 A. Correct.
- 5 Q. Now, what was your role with the family, what did it
- 6 involve?
- 7 A. I was allocated to the child, who
- 8 had been referred to the Children's Reporter
- 9 and
- 10 I was asked to do an initial assessment report in
- 11 relation to that young person. So I started working
- 12 with him to do that assessment.
- 13 Q. I think you go on to say at paragraph 12 that as part of
- 14 your role with that family, you began to know the
- 15 family?
- 16 A. Yes, yes.
- 17 Q. In particular, did you build up a rapport with that
- 18 young person's sister, PHL ?
- 19 A. I would say initially with the parents and the
- 20 relationship with the sister was incidental.
- 21 I had no direct contact with her as part of my role with
- 22 the sibling.
- 23 Q. I understand that she was a deaf person who was
- 24 attending Donaldson's at the time?
- 25 A. Yes.

- 1 Q. As a result of your arrangement with the family, did
- 2 that young person, PHL , did she find that she was able
- 3 to confide in you?
- 4 A. Yes, she contacted me via Donaldson's School and asked
- 5 to meet with me because she wanted to talk about
- and the way he treated her
- 7 and wanted to -- to -- me to intervene.
- 8 LADY SMITH:
- 9
- 10 A.
- 11 LADY SMITH:
- 12 MS MCMILLAN: You go on at paragraph 14 of your statement to
- say that you met PHL at the school. Who was there to
- 14 interpret for her?
- 15 A. It was a member of the school staff. I can't actually
- 16 recall who exactly it was, but it was a member of staff
- 17 who was known to this young person.
- 18 Q. I think you tell us that during that conversation with
- 19 PHL , she disclosed some physical and emotional abuse by
- 20
- 21 A. That's right, yes.
- 22 Q. You go on to say that, I think, she then subsequently
- 23 made further allegations at paragraph 16 and things
- 24 started to escalate and you saw PHL about two or three
- 25 times?

- 1 A. Yes, that is correct.
- 2 Q. And that eventually there was a meeting with your line
- 3 manager and it would be treated possibly as a child
- 4 protection referral?
- 5 A. Yes, the allegations escalated to a point where we were
- 6 concerned about the child's safety and it was considered
- 7 borderline child protection, and I think in those days,
- 8 we did not necessarily consider abuse as a child
- 9 protection issue, but it was decided that if further
- 10 allegations were made, we would treat it as child
- 11 protection to give the family a message that we were
- 12 taking it seriously
- 13
- 14 Q. I think you say that the allegations and the behaviour
- 15 that PHL referred to during her conversations with you
- 16 was something that you tried to incorporate into your
- 17 work
- 18 A. That's right, yes.
- 19 Q. At paragraph 19 of your statement, you go on to talk
- 20 about another allegation that PHL made in about
- 21 1998. Can you tell the Inquiry a bit more
- 22 about that one, please?
- 23 A. Well, initially, PHL got in touch with me via the
- 24 school again and asked to meet with me and I spoke to my
- 25 senior about it at the time, my line manager, and it was

- 1 agreed with the police at that point that we would -- we
- 2 would visit the family jointly with a police officer.
- 3 It wasn't a formal joint investigative interview, but we
- 4 would visit jointly to take a statement from PHL about
- 5 her allegations against
- 6 Q. At that particular time, were you of the impression that
- 7 the allegations would be about
- 8 A. Yes.
- 9 Q. I think you go on to say at paragraph 21 that the
- 10 decision for you to remain was reflected by the fact
- 11 that the interview was very low tariff?
- 12 A. Yes.
- 13 Q. Can you describe what you mean by 'low tariff'?
- 14 A. Low tariff meant that we were not talking about
- 15 a potential case that would go to court for criminality,
- 16 erm, it was considered to be a manageable risk.
- 17 Q. If it was a potential case that might have gone to
- 18 court, would there have been other officers involved in
- 19 it other than you?
- 20 A. It would have -- the interview would have been conducted
- 21 by a police officer and social worker who had been
- 22 trained on the five-day joint investigative interview
- 23 training course.
- 24 Q. I understand at this point that you hadn't yet received
- 25 that training?

- 1 A. No. No.
- 2 Q. Did you have any idea about the nature of the
- 3 allegations that PHL wished to report at that point?
- 4 A. No.
- 5 Q. At paragraph 22, you tell us that you met her mum, dad
- and an interpreter. Do you remember where the
- 7 interpreter came from?
- 8 A. Erm, I don't, because that would have been organised by
- 9 the police.
- 10 Q. Was it someone external from the school, as far as you
- 11 were aware?
- 12 A. Yes, it was.
- 13 Q. I think you go on to say at paragraph 23 that it may
- 14 have been someone from the Deaf Society?
- 15 A. Yes, it was certainly an approved interpreter and most
- of them were provided by the Deaf Society at the time.
- 17 Q. I think you tell us that there were no school staff in
- 18 attendance at that interview?
- 19 A. No. No.
- 20 Q. And unlike the other interviews that you had conducted
- 21 with PHL , this one took place at her home address
- 22 rather than in the school?
- 23 A. That's correct, yes.
- 24 Q. In comparison to the previous meetings at the school,
- 25 where you say that the signing had been carried out by

- 1 staff, how did you feel that the signing worked with the
- 2 approved interpreter?
- 3 A. Erm, it is difficult to compare. The interpreter was
- 4 very professional, and I remember her introducing
- 5 herself in the meeting as just being a go-between and
- 6 not being part of the meeting.
- 7 So she very clearly indicated that she would not be
- 8 taking part in the meeting, and would be purely the
- 9 voice for the child and for me in terms of
- 10 communicating. And that was quite different from the
- 11 school environment, where the person who interpreted for
- 12 me sometimes spoke on her own behalf as well.
- 13 Q. How did you feel that PHL responded with the approved
- 14 interpreter in comparison to how she responded with the
- 15 school staff?
- 16 A. PHL spoke very freely with the interpreter, but she had
- 17 also spoken very freely in the school environment when I
- 18 saw her there.
- 19 Q. Now, at paragraph 25, you said:
- 20 'As soon as we started, PHL made allegations that
- 21 were actually nothing to do with and she
- 22 went straight into very serious allegations about staff
- 23 at Donaldson's School.'
- 24 And you say: 'It was completely out of the blue'.
- 25 A. Correct.

- 1 Q. Do you remember, were you taken aback by the
- 2 allegations?
- 3 A. Yes.
- 4 Q. At paragraph 26, you go on to talk about the nature of
- 5 the allegations and you say that she made allegations of
- 6 physical abuse against the headteacher, David Scott, and
- 7 sexual abuse against a male PE teacher.
- 8 In respect of David Scott, and I think you cover
- 9 this at paragraphs 27 to 29 of your statement, can you
- 10 tell us exactly what she said?
- 11 A. I can't tell you exactly what she said, it's a long time
- 12 ago --
- 13 Q. Of course.
- 14 A. -- but I can tell you that she talked about being hit
- and being pinched on the arm and on the legs, in terms
- of the physical aspect of the interactions.
- 17 Q. Did she tell you how often that happened?
- 18 A. I can't recall that, I'm afraid.
- 19 Q. You say that that was the physical aspect of the
- 20 interactions. Did she talk about emotional aspects of
- 21 the interactions?
- 22 A. She did. She made allegations of being shouted at and
- 23 belittled and indicated that that had happened to other
- 24 children as well in the school.
- 25 Q. Did she ever tell you if she was injured as a result of

- being pinched?
- 2 A. She said that she had at times bruises on her arms and
- 3 her legs.
- 4 Q. I think you go on to say at paragraph 29 that at the
- 5 time, there was no current injuries, but there was no
- 6 physical examination carried out at that point?
- 7 A. Correct.
- 8 Q. At paragraph 30, you go on to talk about the allegations
- 9 that PHL made in respect of the PE teacher. Are you
- 10 able to recall the nature of those allegations?
- 11 A. The allegations against the PE teacher related to PHL
- 12 herself and a number of other children and she was
- 13 talking about being touched on her bottom and on her
- 14 breasts, erm, and she talked about being pinned against
- 15 a wall and spoke about, erm, during that incident,
- 16 a hook in the changing room of the PE department
- 17 breaking.
- 18 Q. The hook, when you say about the hook in the PE
- 19 department breaking, did she give any reason as to how
- 20 it broke or why it broke?
- 21 A. She did describe the incident in a lot of detail, but
- 22 I can't actually recall that detail.
- 23 LADY SMITH: So was this the incident in which she explained
- she was pinned against a wall, as you say?
- 25 A. Yes. Yes.

- 1 LADY SMITH: Thank you.
- 2 MS MCMILLAN: You then go on in your statement to say,
- 3 paragraph 31, that you remember coming out afterwards
- 4 and the police officer and you were absolutely shocked,
- 5 because you hadn't been expecting anything like that.
- 6 A. That's right, yes.
- 7 Q. Had there been any indication from your involvement with
- 8 PHL and the family that there were any concerns about
- 9 Donaldson's?
- 10 A. There had been some indication in terms of the culture
- 11 of the school and the parents raising some concerns
- 12 about that, but there had been no allegations of any
- 13 physical or sexual abuse.
- 14 Q. I'll come on to ask you about the culture shortly.
- 15 At paragraph 32 on page 6 of your statement, you
- 16 then say that you weren't completely surprised because
- 17 you'd always felt really uncomfortable with David Scott.
- 18 Why had you felt uncomfortable with him?
- 19 A. I found his interaction with -- when I went into the
- 20 school to speak to PHL , I met David Scott on a number
- 21 of occasions and I found his interactions quite
- 22 overbearing. Erm, he came across as a very -- very big,
- 23 physically big person and he -- it's difficult to
- 24 describe. He raised his voice and in some ways I had
- 25 expected that in the school, but it was in an aggressive

- 1 manner and it did not feel like it was in a supportive
- 2 manner or to be heard, it was in an aggressive way that
- 3 he interacted.
- 4 Q. When you say that he was overbearing, are you able to
- 5 describe how you formed that impression?
- 6 A. I can only kind of talk to my perception and I felt
- 7 intimidated by him.
- 8 Q. Did you feel that way from your first interaction with
- 9 him?
- 10 A. Yes. Yes.
- 11 Q. And over the times that you did interact with him in the
- 12 passage of time, did that impression ever change?
- 13 A. Er, no.
- 14 And can I say I was quite a confident young woman at
- 15 that point, but I felt it difficult to feel heard in the
- 16 school.
- 17 Q. How often did you have reason to go into Donaldson's?
- 18 A. Erm, two or three times. I can't quite remember if
- 19 there was a third time. I'm sure about two times, but
- 20 there might have been a third time.
- 21 Q. What was your general impression when you went into the
- 22 school?
- 23 A. Erm, I was quite taken aback when I went into the
- 24 school. I have to say my school experience was in
- 25 Germany and I felt there was a very different culture in

- schools in general in this country, but when I went into
- 2 Donaldson's, I felt intimidated by what I observed
- 3 around me, how children were spoken to, how teachers
- 4 moved through the corridors, erm, there was a very
- 5 intimidating feel to it.
- 6 Q. And when you talk about the way that children were being
- 7 spoken to, are you able to tell us a bit more about
- 8 that?
- 9 A. It was the tone of voice when voice was used. I can
- 10 remember one incident when a child was told to use sign
- 11 language and it was -- it was ... that message was
- 12 delivered in a really aggressive manner by the teacher.
- 13 Q. Did you feel uncomfortable in the school?
- 14 A. Yes.
- 15 Q. Before you had reason to speak to David Scott, had you
- seen him interact with the pupils?
- 17 A. I saw him in the corridor and he -- on my first visit,
- 18 he entered his office around about the same time as
- I entered it, erm, because I met with PHL in a room off
- 20 his office.
- 21 Q. On that occasion, is that when he was shouting towards
- 22 the children?
- 23 A. Yes.
- 24 Q. You go on to say, at the bottom of paragraph 32, that it
- 25 was very dominating and was going back to school days

- from about 20 years earlier, rather than the supportive
- environment that you expected at Donaldson's.
- 3 What did you expect at Donaldson's?
- 4 A. I expected a calm environment, erm, and it certainly
- 5 wasn't a calm environment. It was a very noisy
- 6 environment, which probably didn't surprise me, but it
- 7 felt like a really stressed environment.
- 8 Q. Now, you then talk more about the interview that you
- 9 conducted with PHL and you say that you know from the
- 10 reaction of her parents that this was something that she
- 11 hadn't told anyone before?
- 12 A. Correct.
- 13 Q. How did her parents seem?
- 14 A. They seemed shocked, but they also commented that they
- 15 were not entirely surprised. Erm, I have to say it was
- 16 very unusual for them to be in that interview. In
- a normal joint investigative interview, that would not
- have been the case but because we hadn't approached it
- as a joint investigative interview, they were in the
- 20 room at the time. So at times there were gasps,
- 21 particularly from the mother, as PHL was giving her
- 22 statement, but in conversation afterwards as well, they
- 23 clearly indicated that they felt that things had been
- going on in the school but that nobody had felt able to
- 25 speak up.

- 1 Q. Did they give you any further information as to what
- 2 they suspected had been going on?
- 3 A. They had -- they referred to bullying at the school from
- 4 staff towards pupils.
- 5 Q. I think you then go on in your statement to talk about
- 6 the aftermath of that and that you contacted your duty
- 7 senior. And your senior then contacted Martin Henry
- 8 eventually, who was the child protection coordinator at
- 9 that time?
- 10 A. Correct.
- 11 Q. And he then indicated that there had been a suspicion
- 12 that something was going on at the school?
- 13 A. Yes.
- 14 Q. Is that information that you then found out that
- 15 Martin Henry had said?
- 16 A. Yes.
- 17 Q. At paragraph 36 of your statement, you then talk about
- an inspection that was going on at the time of the
- 19 disclosures; were you aware of the inspection?
- 20 A. I wasn't aware of that at the time of going into the
- 21 school, or at the time of that interview at home with
- 22 PHL . That is something I found out when I spoke to
- 23 Martin Henry.
- 24 Q. And I think you say at paragraph 36 that they picked up
- 25 concerns, but none of the children were talking to them

- and they were just waiting for someone to speak up?
- 2 A. Yes.
- 3 Q. Was that the impression that you got from Martin Henry?
- 4 A. Yes.
- 5 Q. As far as you were aware, was PHL the first person that
- 6 you knew of to speak up about what had been happening at
- 7 the school?
- 8 A. As far as I was aware, yes.
- 9 Q. Moving on to page 7 of your statement, I think you then
- 10 go on to tell us about a second interview that you were
- involved in with PHL , which was a few days after the
- 12 first interview?
- 13 A. Yes.
- 14 Q. Can you tell us about the purpose of that interview?
- 15 A. The purpose of that interview was a follow-up on the
- first interview, because there was such an overwhelming
- 17 amount of information that we had gathered in the first
- 18 interview. There was a lot of detail that we hadn't
- 19 established. So the decision was made that I would go
- 20 back to reinterview PHL with a police officer who was
- 21 joint investigative interview trained and who would take
- 22 the lead in that interview.
- 23 Q. So this was a different police officer from the first
- officer that was there for the initial disclosures?
- 25 A. Yes.

- 1 Q. I understand at that point that there was a different
- 2 interpreter as well?
- 3 A. Yes.
- 4 Q. At paragraph 40, you say that what you can remember
- 5 about that was that PHL was absolutely specific in her
- 6 allegations and described everything in enormous detail?
- 7 A. Yes.
- 8 Q. Can you tell us a bit more about that, please?
- 9 A. I think when I compare that statement with a number of
- statements I took later on in my career, PHL 's ability
- 11 to describe events and locations was quite exceptional.
- 12 So she was able to detail exact location of furniture,
- she could describe clothing, she was able to tell us who
- 14 was around at the time, even in fairly crowded
- 15 environments. So she provided a lot of names at the
- 16 time but also really detailed descriptions of the
- 17 environment.
- 18 Q. I think even now, looking back, does that seem like
- 19 an exceptional description?
- 20 A. Yes. Yes.
- 21 Q. At paragraph 42, you talk about the interpreter and you
- 22 say for this second interview, that it wasn't
- an approved interpreter, and you remember there were
- 24 some challenges to the interpretation?
- 25 A. Yes.

- 1 Q. Can you explain that further?
- 2 A. I think what had happened by that time was that, erm, on
- 3 the back of the first interview, a number of children
- 4 were being interviewed in the school and there were
- 5 simply no approved interpreters available anymore, erm,
- 6 because there's a limited pool obviously, erm, so
- 7 an interpreter had been engaged for this who was not
- 8 officially approved.
- 9 And some of the language that came through in the
- 10 interpretation of what PHL was saying did not sound
- 11 like PHL . So I was -- I asked the interpreter if she
- 12 was translating accurately and in PHL 's words and she
- 13 admitted that she was sometimes changing the words
- 14 because they were -- yes, she felt uncomfortable
- 15 translating them. So, for example, PHL had used the
- 16 word 'arse' and it was translated as 'bottom'.
- 17 I am now aware also that some translation is not
- 18 possible, but she said that she felt uncomfortable with
- 19 some of the words.
- 20 Q. It was from your sort of rapport and knowledge of PHL
- 21 that you felt that perhaps it wasn't necessarily her
- 22 language that was coming through in the translation?
- 23 A. Correct, yes.
- 24 Q. And I think you tell us at that point, because it was
- 25 a non-family issue, it then went to the police to be

- 1 dealt with?
- 2 A. Yes.
- 3 Q. Turning on to page 8 of your statement, you then say
- 4 that the next thing that happened was that the police
- 5 got back in touch with you and told you that they had
- disproved every allegation PHL had made.
- 7 A. Correct.
- 8 Q. And as a result, you were asked to go back and see PHL.
- 9 What was the purpose of this third interview with her?
- 10 A. I was advised by the police that they wanted to go back
- 11 to the family home and take a retraction statement from
- 12 PHL .
- 13 Q. Was that interview titled 'A retraction statement'?
- 14 A. Yes.
- 15 Q. How soon after the second interview was this retraction
- 16 statement interview; do you remember?
- 17 A. I don't know. I don't know.
- 18 Q. Did the police tell you any information at that point as
- 19 to how they disproved the allegations?
- 20 A. No, I became aware of that during the interview.
- 21 Q. During the interview, you tell us, at paragraph 47, that
- 22 the police went through each and every allegation PHL
- 23 had made and presented her with evidence to suggest it
- 24 couldn't happen -- have happened?
- 25 A. It couldn't have happened, yes.

- 1 Q. When you were taking part in that interview, how were
- 2 you feeling at this particular point?
- 3 A. Very uncomfortable.
- 4 Q. Why was that?
- 5 A. Erm, again, I can only describe the situation as very
- 6 oppressive. The interview felt like a suspect interview
- 7 rather than an interview with a young person who had
- 8 made very serious allegations, and although, listening
- 9 to the evidence, there was nothing I could offer in --
- 10 to counter those, you know. It felt like there was no
- 11 way for PHL to provide any other evidence that she
- 12 might have wanted to give at that point.
- 13 Q. And from your observations of PHL during the course of
- 14 that interview, how did she appear?
- 15 A. Erm, she actually appeared very calm, very articulate in
- 16 her responses and initially absolutely insistent that
- 17 she had told the truth.
- 18 Q. You say she was initially insistent, did that change
- 19 during the course of the interview?
- 20 A. She eventually agreed to retract her statement.
- 21 Q. And in agreeing to that retraction, did she accept that
- 22 the allegations that she had reported were untrue?
- 23 A. I can't speak on her behalf.
- 24 Q. Or do you remember her accepting that she had
- 25 perhaps ...

- 1 A. She -- she accepted that she needed to retract. I don't
- 2 know how else to say this. You know, I don't know if
- 3 that was a true reflection of what she wanted to do or
- 4 whether she was in a position where she had no choice.
- 5 Q. I think you say that at some point during the interview
- 6 then she did retract.
- 7 A. Yes.
- 8 Q. Can I ask you now, Susanne, just to look at another
- 9 document. The reference for that is DSD-000000058 and
- 10 it's page 33 of that document. It should come up on the
- 11 screen in front of you.
- 12 A. Mm hmm.
- 13 Q. You can see from this it appears to be meeting notes
- 14 dated 1998.
- 15 If I can ask you to look at paragraph 2 of that, and
- 16 it starts at the top:
- 17 'Mr Guild confirmed that at her fourth interview,
- 18 PHL had at last confessed to telling lies in relation
- 19 to the allegations she had made against Mr Scott and
- 20 [another teacher].'
- 21 What do you think when you see that written down in
- 22 that particular document?
- 23 A. I find that quite difficult. It was certainly not
- 24 a confession, and I think to me that says that this
- 25 young person would not be believed whatever she said.

- 1 Q. Now, there's reference there to a fourth interview.
- 2 Certainly you were involved in three interviews of PHL ?
- 3 A. Yes.
- 4 Q. So there may have been a fourth interview, would you
- 5 have known about that?
- 6 A. It may have referred to an interview at the school
- 7 previously. I don't know. I can only remember three.
- 8 Q. So it certainly wouldn't have been something you might
- 9 have been involved in, a fourth interview?
- 10 A. Unless I've forgotten about the fourth interview, yes.
- 11 Q. It certainly suggests that there's a lot of police
- 12 involvement or interviews of PHL .
- 13 Thank you, I no longer need to have that document on
- 14 the screen.
- 15 At paragraph 51, turning back to your statement, you
- 16 say that you don't remember anyone ever asking her why
- 17 she had made up the allegations.
- 18 A. Correct.
- 19 Q. Do you remember anyone talking to her about the
- 20 allegations?
- 21 A. No.
- 22 Q. Is this something that you would have expected someone
- 23 to ask?
- 24 A. Yes.
- 25 Q. Why?

- 1 A. I suppose children disclose in all kinds of ways and we
- 2 certainly now know that children sometimes find it
- 3 necessary to embellish an allegation or indeed to
- 4 minimise allegations for whatever reason in their lives,
- 5 and I would have expected there to be some involvement
- 6 with PHL afterwards to find out what had triggered
- 7 this.
- 8 Q. And as someone that was involved with the family, were
- 9 you aware if there was any involvement with PHL
- 10 afterwards?
- 11 A. I'm not aware of that, no.
- 12 Q. Turning over to page 9 of your statement, you say, at
- paragraph 52, that your feeling, even though PHL had
- 14 signed a retraction statement, was that something had
- 15 happened at the school.
- Why was that your feeling?
- 17 A. Erm, partly because of her clarity of statement at the
- 18 time and partly because of my own perception of the
- 19 culture in the school. It was the combination of the
- 20 two.
- 21 And I suppose also because the parents were raising
- 22 concerns about the school as well.
- 23 Q. Other than the parents of PHL , were you aware of other
- 24 parents raising concerns?
- 25 A. I had no involvement with any other parent, so I don't

- 1 know.
- 2 Q. And you go on to say that you felt like she had the
- 3 opportunity to highlight something had been going on,
- 4 but she had taken the wrong route to highlight it?
- 5 A. Mm hmm.
- 6 Q. What do you mean by the wrong route?
- 7 A. I suppose the wrong route because there was very strong
- 8 evidence that what she had told us could not have
- 9 happened. So, for example, when she had mentioned the
- 10 broken hook, there was no evidence of any hook being
- 11 broken or having been replaced in the location that she
- 12 had indicated.
- 13 So, erm, I strongly suspected that something had
- 14 happened but she had not been able to raise that in
- 15 a way that could have been taken forward.
- 16 Q. So for example, did you feel like PHL would have been
- 17 able to raise any concerns she might have had with
- 18 teachers at the school?
- 19 A. No.
- 20 Q. With the headteacher, for example?
- 21 A. No.
- 22 Q. At paragraph 54, you say that you think the inspection
- 23 teams being in the school at the time, it might have
- 24 been a better option for her to talk to those inspection
- 25 teams about the real experiences that she was having.

- 1 Why do you say the inspection teams might have been
- 2 better?
- 3 A. I subsequently had contact with one of the inspectors in
- 4 relation to PHL 's continued attendance at Donaldson's,
- 5 and the inspector indicated that they had tried to
- 6 provide opportunities for children to come forward and
- 7 speak to them. And, again, I was given the impression
- 8 that they were looking for somebody to come forward and
- 9 I think that would have been a safe route for her to do
- 10 that.
- 11 Q. Now, at paragraph 57, you talk about that subsequent to
- 12 PHL making her allegations, you got to know that
- 13 a couple of other pupils at Donaldson's made allegations
- of abuse. Do you know what those allegations involved?
- 15 A. No.
- 16 Q. Do you know if it was similar to the allegations that
- 17 PHL was reporting?
- 18 A. I don't know.
- 19 Q. I think you then -- at page 10 of your statement then
- 20 talk about your continued work with the family. And at
- 21 paragraph 59, you say that you then discovered that PHL
- 22 was being ostracised in the school. Can you tell us
- 23 a bit more about that?
- 24 A. In one of my visits to the family, the parents were
- 25 expressing considerable concern about PHL at the school

- and her unhappiness at the school, erm, and PHL
- 2 subsequently refusing to go to school because she didn't
- 3 feel safe and didn't feel that she could continue to
- 4 attend the school. Erm, and the parents subsequently
- 5 asked me to advocate on her behalf to move to
- 6 a different school.
- 7 Q. And from what you say, was this a change in PHL ? Had
- 8 previously she been happy to go to the school?
- 9 A. She wasn't happy at the school, erm, but she attended
- 10 school.
- 11 Q. And when you advocated on behalf of the family, what was
- 12 it you did?
- 13 A. From memory, I am not sure whether I contacted the
- 14 school itself, but I spoke to the representative from
- 15 the Care Inspectorate, erm, who also had concerns about
- 16 PHL continuing at the school, erm, and had spoken to
- 17 the school to explore the option of PHL being moved to
- 18 a different school in Glasgow.
- 19 Q. I think ultimately you tell us that that then wasn't
- 20 an option for PHL --
- 21 A. No.
- 22 Q. And at that time she had to stay at Donaldson's?
- 23 A. I don't know if I would say it wasn't an option for
- 24 PHL , it wasn't made available to her.
- 25 Q. At paragraph 61, you say that your feeling at the time

- 1 was that the way PHL was being treated, being forced to
- 2 remain in a situation that she was finding unbearable,
- 3 would have stopped other children from coming forward.
- 4 Why do you say that?
- 5 A. Erm, I was left feeling that if children came forward
- and were not believed, they would experience the same
- 7 treatment as PHL , which would be quite prohibitive in
- 8 children coming forward.
- 9 Q. And you go on to say that I think PHL 's parents were
- 10 upset about the retraction statement --
- 11 A. Yes.
- 12 Q. -- that PHL had carried out and was this something that
- 13 they discussed with you?
- 14 A. Yes.
- 15 Q. And you say that they were very keen to let you know
- 16 that things were believed to be going on up at the
- 17 school?
- 18 A. Yes.
- 19 Q. You mention at paragraph 63 that PHL 's parents also
- 20 felt that the deaf community had pulled together to keep
- 21 it a secret?
- 22 A. Yes.
- 23 Q. Can you tell us what you mean by that?
- 24 A. Erm, they indicated that -- I think in their words, it
- 25 was something like 'everybody knows what is going on but

- everybody is keeping it a secret'.
- 2 Q. From your own perspective, did you feel that that
- 3 secretive culture was in existence?
- 4 A. Yes.
- 5 Q. You go on in your statement to say that I think you only
- 6 then maintained a short contact with the family
- 7 thereafter. Looking back at that retraction interview
- 8 with PHL , is that an interview that stands out in your
- 9 mind to this day?
- 10 A. Absolutely.
- 11 Q. Why is that?
- 12 A. Erm, I think for me it was a very unusual case situation
- and I think the way the investigation progressed was --
- 14 appeared so huge in my mind, erm, but also at the same
- 15 time I suppose, in my personal life, my mother died
- 16 round about the same time, I was away from work for
- 17 a period of time and the impact of the overall situation
- on me was very significant, so it is something I will
- 19 never forget. But also I was working for Childline at
- 20 the time, so I was very aware of how difficult it can be
- 21 for children to speak up and raise concerns, and the
- 22 difficulty for children at Donaldson was compounded by
- 23 their disability and I suppose it left me wondering how
- 24 children would be able to speak up.
- 25 LADY SMITH: Had you before then ever come across something

- called 'a retraction interview'?
- 2 A. No.
- 3 LADY SMITH: Have you come across such a thing since?
- 4 A. No.
- 5 LADY SMITH: Thank you.
- 6 MS MCMILLAN: If, Susanne, the Inquiry was to hear evidence
- 7 that perhaps you didn't understand the complex
- 8 relationship between children at that time, would you
- 9 have any comments to make about that?
- 10 A. Sorry, the complex relationship between children?
- 11 Q. Yes, at the time?
- 12 A. Well, I was a qualified social worker, I was 37 years
- old, I was not a young person straight out of school.
- 14 I had worked for Childline for a considerable time by
- 15 then. Erm, I had experience in a number of placements
- 16 and in qualified work afterwards. So I think
- 17 I understood that relationship very well.
- 18 Q. You go on in your statement to talk about the lessons
- 19 learned and I think you tell us now that you have done
- 20 a substantial amount of work in the area of joint
- 21 investigative interviews.
- 22 A. Yes.
- 23 Q. To the point where I think you train others --
- 24 A. Yes.
- 25 Q. -- and you have a lot of involvement with the police

- 1 about proper practices and correct practices.
- 2 A. Yes.
- 3 Q. From your experience, I think you tell us that you would
- 4 never conduct an interview like the one that PHL had,
- 5 the retraction statement, now?
- 6 A. Absolutely not.
- 7 Q. At paragraph 70, you say that your line manager
- 8 described PHL as and
- 9 At paragraph 72 you say that you always felt
- 10 uncomfortable with her allegations. You were always
- 11 left with the feeling that she was trying to tell you
- 12 something.
- 13 Did you share the same views as your line manager
- 14 about PHL ?
- 15 A. No.
- 16 Q. And at paragraph 73, finally in your statement, you say
- 17 that you can't shelve it and say that she was making it
- 18 up. Is that still your view to this day?
- 19 A. That's still my view, yes.
- 20 Can I clarify that. I don't know to what extent her
- 21 statement was reflecting the truth, and, as I said, you
- 22 know, sometimes children do feel the need to embellish
- in order to be heard or minimise because they are
- 24 testing the waters. I don't know. I have not had
- an opportunity to explore that with PHL , but I was

- 1 absolutely left with the feeling that something did
- 2 happen.
- 3 LADY SMITH: So far as your line manager is concerned, had
- 4 she had any engagement with the girl at all?
- 5 A. No.
- 6 LADY SMITH: Thank you.
- 7 MS MCMILLAN: Susanne, I don't have any further questions
- for you, thank you.
- 9 LADY SMITH: Susanne, nor do I but thank you so much for
- 10 coming today to add your oral evidence to the written
- 11 evidence we've already got from you. It's been really
- 12 helpful to hear that.
- 13 Feel free to go and I hope the rest of the day is
- 14 a bit more relaxing for you.
- 15 A. Thank you.
- 16 (The witness withdrew)
- 17 LADY SMITH: Well, I think we'll stop now for the lunch
- 18 break and I'll sit again at 2.00 pm. Thank you.
- 19 (12.46 pm)
- 20 (The luncheon adjournment)
- 21 (2.00 pm)
- 22 LADY SMITH: Just before I invite Ms Innes to introduce the
- 23 next witness, there were a couple of names this morning
- of people who are not to be identified outside this
- 25 room, those were used by the witness Susanne and she

- 1 referred to a man who was a child when she was engaging
- 2 with him called and a girl called PHL , and
- 3 they're not to be identified.
- 4 Now, Ms Innes.
- 5 MS INNES: Thank you, my Lady.
- 6 This afternoon's witness is Peter Thompson. He is
- 7 from the Royal College of Psychiatrists and is Director
- 8 of the College Centre for Quality Improvement, otherwise
- 9 CCQI.
- 10 Peter Thompson (affirmed)
- 11 LADY SMITH: Peter, thank you for coming along this
- 12 afternoon to help us with your evidence, I'm really
- 13 grateful to you for doing that and for providing
- 14 a statement and information in advance, it's been really
- 15 helpful to me to be able to see that.
- I think you know what we are interested in this
- 17 afternoon, and we'll focus on some particular aspects of
- 18 your expertise which apply to what we're doing here in
- 19 looking into, in particular, Donaldson's School for the
- 20 Deaf as part of our overall interest in healthcare,
- 21 additional support needs and disability provision for
- 22 children in residential basis.
- 23 If you're ready, I'll hand over to Ms Innes, but let
- 24 me say before I do so, we're not going to go through
- 25 everything in detail but if we miss anything you think

- 1 we ought to be asking about, do say, or if you've got
- 2 any questions, do speak up, all right?
- 3 A. Okay, thank you.
- 4 LADY SMITH: Ms Innes.
- 5 Questions by Ms Innes
- 6 MS INNES: Thank you very much.
- 7 Peter, you've provided a copy of your CV to the
- 8 Inquiry and we understand that your current role is as
- 9 Director of the College Centre for Quality Improvement
- 10 at the Royal College of Psychiatrists, is that right?
- 11 A. Yes, that's right.
- 12 Q. You've told us in your CV that you have your first
- degree in psychology, social psychology, and after that
- 14 you worked for a couple of years as an assistant
- 15 psychologist, before moving to work with the Royal
- 16 College of Psychiatrists in September 2004?
- 17 A. That's right.
- 18 Q. And you initially worked there as a research worker on
- 19 the quality network for inpatient CAMHS. And at that
- 20 time, you were leading peer review visits and writing
- 21 reports.
- Then in June 2005 you were promoted, I think, to
- 23 Programme Manager?
- 24 A. That's right.
- 25 Q. Again, still within CCQI and managing the quality

- networks, including --
- 2 A. Yes.
- 3 Q. -- the one that we are interested in in relation to
- 4 inpatient CAMHS.
- 5 Then from October 2009 until November 2016 you were
- 6 Senior Programme Manager and this, again, was, I'm
- 7 assuming, in a further promoted post?
- 8 A. That's right.
- 9 Q. But in the same area of work?
- 10 A. Yes, that's right.
- 11 Q. Then, between December 2016 and March 2018, you spent
- 12 a period with the Nursing and Midwifery Council as Head
- of Education Standards and Quality Improvement before
- 14 you returned to the Royal College of Psychiatrists and
- your current role, which you've been in from April 2018
- 16 to date?
- 17 A. That's right, yes.
- 18 Q. You set out that you lead a team of 70 staff and 100
- 19 patient and carer representatives and that you're
- 20 responsible for the delivery of the college's 29 quality
- 21 and accreditation networks, one of which is the one that
- 22 we are interested in --
- 23 A. That's right.
- 24 Q. -- in relation to inpatient CAMHS.
- 25 One of your responsibilities we note is that you are

- Designated Safeguarding Lead for the college as well?
- 2 A. Yes.
- 3 Q. Thank you.
- 4 You've provided a report to the Inquiry addressing
- 5 certain questions that you were asked to address, and
- this is to be found at RCP-000000008.
- 7 This specifically addresses the quality network for
- 8 inpatient CAMHS, which, well, certainly I've been
- 9 calling QNIC?
- 10 A. Yes.
- 11 Q. Is that what you call it?
- 12 A. Yes, that's what everyone calls it, yes.
- 13 Q. You say that QNIC sits within the college --
- 14 A. Yes.
- 15 Q. -- that you are the director of and it's one of the 29
- 16 quality and accreditation networks that you oversee.
- 17 Are you able to give us a bit more of a picture
- 18 about what these networks are, do they all operate in
- 19 the same way, for example?
- 20 A. Yes, so each of them will use very similar
- 21 methodologies, but each one will work in a different
- 22 specialism within mental health. So QNIC was actually
- 23 the first one that was set up in 2001 and works with
- 24 inpatient CAMHS, but then that model has been applied
- 25 across other service types, like forensic services,

- 1 perinatal, clinics that deliver electro-convulsive
- therapy, so each network will use a very similar
- 3 methodology of setting standards and then reviewing
- 4 services against those standards, but each one will work
- 5 with a different type of mental health service.
- 6 Q. Okay.
- 7 Turning to QNIC itself, as you've just said, it was
- 8 the first one to be established --
- 9 A. Yes.
- 10 Q. -- and that was in 2001, following the National
- 11 Inpatient Child and Adolescent Psychiatry Study. Can
- 12 you tell us what that was?
- 13 A. Yeah, so it was a study that was funded at the college
- 14 and it was asked to look at the provision of inpatient
- 15 CAMHS services in England and Wales. And what the study
- 16 found was that there was significant variation in how
- 17 services were delivered and provided and so some of
- 18 those differences were around what the physical
- 19 environments were like, but also how units might be
- 20 staffed and also what type of care was delivered and
- 21 also the quality of that care.
- 22 And as part of the work that was done within the
- 23 study, there was a development of a set of standards
- 24 that described what 'good' might look like and QNIC kind
- of grew out of that study, because people firstly felt

- 1 the standards were quite helpful in terms of setting out
- a shared vision of what good care looked like, but also
- 3 it would provide a way for services to talk to each
- 4 other, because one of the findings was that the services
- 5 were very isolated and didn't often share best practice
- 6 with each other or talk to each other.
- 7 Q. When you say the college was asked to carry out this
- 8 study, who asked for it?
- 9 A. I can't remember who funded it. I wasn't at the college
- 10 myself at that time. It might have been the Health
- 11 Foundation, but I would have to check that and come back
- 12 to you.
- 13 Q. Okay, so there was this study that was focused on
- 14 services in England --
- 15 A. Yeah.
- 16 Q. -- obviously, as you've said. And as you noted in your
- 17 evidence, there were some variations. You've mentioned
- 18 some of those in your evidence already, so staffing mix,
- 19 environmental constraints and quality of care.
- The network was then set up to try and, I suppose,
- 21 achieve greater consistency?
- 22 A. That's right. Yeah, so to try and create more of
- 23 a shared understanding of what a good service looked
- 24 like, and then support services to work towards meeting
- 25 those standards.

- 1 Q. Okay.
- You go on then to explain that QNIC is funded
- 3 through membership subscriptions and participation is
- 4 voluntary?
- 5 A. That's right. So we're not a regulatory body, it's
- a voluntary process, so any service that wants to
- 7 participate in any of the quality networks at the
- 8 college, the work's funded through each of those
- 9 services paying a subscription fee to the college.
- 10 Q. Okay, and you say that it works with services across the
- 11 UK, so initially, whilst the study was in respect of
- 12 units in England, and Wales perhaps --
- 13 A. Yes.
- 14 Q. -- that has extended into Scotland?
- 15 A. That's right. Yes.
- 16 Q. Okay.
- 17 And does it cover NHS services only or also
- 18 independent services?
- 19 A. No, we work with independent and NHS and it's the same
- 20 standards and the same process, regardless of how the
- 21 services are funded.
- 22 Q. Okay.
- 23 And you note that at the time of writing this
- 24 report, which I think was certainly this year, there
- 25 were 97 members of the network?

- 1 A. Yes.
- 2 Q. You say 8 per cent are in the devolved nations?
- 3 A. That's right.
- 4 Q. So the majority would be in England and Wales?
- 5 A. Majority would be in England.
- 6 Q. In England?
- 7 A. Yeah.
- 8 Q. Then you go on to say:
- 9 'While membership for services in England is now
- 10 mandated through NHSE commissioning arrangements, this
- is not the case for services in the devolved nations.'
- 12 So there appears to be a different requirement
- 13 placed on services in England than there are in the
- 14 devolved nations, including Scotland?
- 15 A. That's right, so in England, inpatient CAMHS services
- 16 would be commissioned through something called
- 17 'specialised commissioning' within NHS England, and that
- 18 is a process that is in place for services that would be
- 19 accessed by a smaller number of people, so services that
- 20 are more specialist, that there's likely to be less of,
- 21 NHS England commissions them nationally, as opposed to
- 22 plan what the provision is across England. And so as
- 23 part of the contracts that are put in place with
- 24 providers who are commissioned to provide inpatient
- 25 CAMHS in England, there's an expectation that they

- 1 should participate in QNIC and work towards the
- 2 standards.
- 3 Q. Okay, and the services that NHS England commissions, are
- 4 these both independent services and NHS services?
- 5 A. I believe they are, yes.
- 6 Q. Okay, and that might, I suppose, have something to do
- 7 with the setup of the NHS in England, so we understand
- 8 that NHS England might be a body that is going to be
- 9 abolished, I think?
- 10 A. That's right, yes.
- 11 Q. And control taken back into the Department of Health?
- 12 A. Yes.
- 13 Q. Yes, so at the moment, NHS England has a requirement --
- 14 or commissions inpatient CAMHS --
- 15 A. That's right.
- 16 Q. -- and they require that whoever is providing that
- 17 service requires to be a member of QNIC?
- 18 A. Yes.
- 19 Q. Okay.
- 20 But the same arrangements don't happen elsewhere and
- 21 don't happen in Scotland?
- 22 A. No. Not for inpatient CAMHS, no.
- 23 Q. You then go on to say that:
- 'Services pay an annual ward level membership fee,
- 25 which gives access to a range of benefits ...!

- 1 A. Yes.
- 2 Q. Are you able to give us a sort of indication as to what
- 3 that fee is, is every ward the same or does it vary
- 4 dependent on the size of the service?
- 5 A. For QNIC, it's about £3,300 a year.
- 6 Q. Okay.
- 7 A. And it would be in the -- the reason it's at a ward
- 8 level is because there are some providers who will have
- 9 more than one inpatient CAMHS facility, but we do our
- 10 reviews at a ward level, so therefore it's priced at
- 11 a ward level.
- 12 Q. I see.
- 13 Then you say that there's a range of benefits of
- 14 being a member of QNIC. One is the structured
- 15 self-review process --
- 16 A. Yes.
- 17 Q. -- which we'll come to in a bit more detail in a moment.
- 18 Then there's the peer review visit followed by
- 19 a detailed local report. Is that an annual visit?
- 20 A. Yes, for most services it will be an annual visit.
- 21 Services who are working towards accreditation may not
- 22 have a visit every year because there's a lot more work
- 23 involved in the accreditation process, but for those
- 24 that -- and following the non-accreditation route, it
- 25 would be an annual visit.

- 1 Q. Okay, and just while you mention accreditation there,
- 2 you do tell us in your report that services can choose
- 3 to apply for accreditation if they wish to do so?
- 4 A. Yes.
- 5 Q. And do you find that more independent services seek
- 6 accreditation than NHS services, for example?
- 7 A. I don't think necessarily. I haven't got the data in
- 8 front of me but I don't think there is a particular skew
- 9 towards independent services. We have a lot of NHS
- 10 services who work towards accreditation as well.
- 11 Q. And what would the purpose be in obtaining
- 12 accreditation?
- 13 A. I think for some services, it's the opportunity to
- 14 demonstrate the quality of the care that they deliver to
- 15 people who use the service, but also maybe people who
- fund the service as well and for others I think it can
- just be that they've been participating in the process
- 18 for a long time, they have made a lot of progress
- 19 against the standards and improvements and they want to
- 20 kind of have that formally recognised.
- 21 Q. Okay, so going back to the various benefits of
- 22 membership, we've got self-review process, the peer
- 23 review visit followed by the report, then inclusion in
- 24 a national report enabling benchmarking. So is there
- 25 a report every year drawing together themes from all of

- 1 the visits?
- 2 A. Yes, so there'd be an annual report each year which
- 3 would aggregate the data from visits that had taken
- 4 place that year and we'd -- I guess we'd look for any
- 5 themes in terms of challenges or areas of improvement
- 6 and good practice.
- 7 Q. Then subsidised access to events, is that events run by
- 8 the college?
- 9 A. Yeah, so there'd be events that are specific to
- inpatient CAMHS for QNIC for example, so every year we
- 11 would hold the QNIC Annual Forum, which is a national
- 12 conference, but also alongside that there are a range of
- 13 other days, we call them special interest days, but
- 14 they're focused around particular topics or they might
- 15 also be focused around particular disciplines of staff
- 16 who work within inpatient CAMHS, such as maybe teachers,
- 17 social workers, so there's a series of learning events
- 18 alongside the annual conference.
- 19 Q. Then the final point is access to an online community of
- 20 practice. What do you mean by that?
- 21 A. It's a tool called Knowledge Hub, which is essentially,
- 22 it's like an online forum and it enables people who are
- 23 part of that forum to log on and share experiences with
- 24 each other, so sometimes people will put a question,
- 25 'We've got this challenge at the moment, it's something

- 1 we've not experienced before, has anyone else had that
- 2 challenge?' And people will share their experiences to
- 3 support each other.
- 4 Q. Okay.
- 5 Then you go on to discuss the quality standards and
- 6 you said a moment ago in your evidence that those really
- 7 came out of the report that formed the basis of QNIC
- 8 being set up and we're used to seeing quality standards
- 9 from regulators, I suppose. So is it a similar type of
- 10 approach, that you set standards and then you measure
- 11 performance against those standards?
- 12 A. That's right. So we would set standards and then
- 13 through the self and peer review process that you
- 14 mentioned, we would support services to measure how they
- 15 are doing against the standards, and the standards are
- 16 revised every couple of years, so those standards that
- 17 were set as part of the NICAP study will have evolved
- over time and every two years we'll look at them again
- 19 and consult.
- 20 Q. You say here that they outline the core elements of
- 21 a high quality service and the way in which you develop
- 22 the standards and review them, I think, are
- 23 collaboratively with multidisciplinary professionals,
- 24 patients and carers and are based on national guidance,
- 25 literature and consensus. So I think you said in your

- 1 evidence a moment ago, you would consult in relation to
- 2 revising the standards?
- 3 A. Yes, we would. So I guess we'd look at if there's any
- 4 policy documents or national guidance that has shifted
- 5 the picture, but then alongside that we would consult
- 6 with people who work in services but also people who
- 7 might be reviewers for us as well, how have the
- 8 standards worked in practice? Is there anything we need
- 9 to change about them? And then we'd also consult with
- 10 people with lived experience, so young people and their
- 11 families as well.
- 12 Q. Then, over the top of the next page, you set out a list
- 13 of the different areas?
- 14 A. Yes.
- 15 Q. Environment and facilities, staffing and training and
- 16 you've got young people's rights and safeguarding
- 17 children, clinical governance.
- 18 Now, do these areas -- are these specific to QNIC or
- 19 are these standards applicable across the board?
- 20 A. So some of the domains will be similar across the set
- 21 standards we set for other types of mental health
- 22 services, some will be specific to QNIC. But the work
- 23 that we do across the networks is underpinned by the
- 24 college's core standards for mental health services, so
- 25 what used to happen was we had all these networks but

- 1 they all developed their standards in isolation, so
- 2 sometimes they would be asking the same thing in
- 3 slightly different ways, and so for about the last ten
- 4 years, since 2014, we've set core standards.
- 5 So, for example, there's a set of inpatient core
- 6 standards that describe good practice in inpatient care,
- 7 so for QNIC, the starting point would be to adopt those
- 8 inpatient core standards, many of which will be set
- 9 based on the work that QNIC did over the ten years
- 10 previous to that, and then there will be additional
- 11 specialist standards set that are specific to the
- 12 context of a child and adolescent inpatient service. So
- 13 that might be things particularly around, for example,
- 14 the nuances of working with young people versus with
- 15 adults, but also things that you would have in
- an inpatient CAMHS unit that you might not have in other
- 17 inpatient services, particularly schools, for example,
- 18 would be a good example.
- 19 Q. So a provision of education that you wouldn't have
- 20 elsewhere?
- 21 A. Yeah.
- 22 Q. Okay.
- Then you go on to describe that each standard, so
- 24 there are these topics -- I think you called them
- 25 'domains' maybe?

- 1 A. Yes.
- 2 Q. And then within -- below each of those there's more
- 3 specific standards?
- 4 A. Yes, so there'd be -- under each of those headings
- 5 there'll be a list of standards or criteria.
- 6 Q. Then you say that each of the standards is rated to say
- 7 whether it's essential, expected or desirable?
- 8 A. Yes.
- 9 Q. So I suppose you might say things that a service must
- 10 provide, things that it should provide and things that
- 11 it would be good if it did provide?
- 12 A. Yes, yeah.
- 13 Q. Okay.
- 14 A. And those ratings may change over time, so sometimes
- something that might be kind of a new area of practice
- might be a type 3 standard, because it's something
- 17 that's new to services that they're doing, but then over
- 18 time that might evolve to become something that's
- 19 expected, so it would change to a type 2 for example.
- 20 So as part of the revision we'd look at the wording of
- 21 the standards but we'd also look at the typing of the
- 22 standards as well.
- 23 LADY SMITH: Peter, this, of course, is applying to periods
- 24 of inpatient care.
- 25 A. Yes.

- 1 LADY SMITH: Is there a minimum period of inpatient care for
- which these standards are thought to be appropriate?
- 3 Do you see what I mean?
- 4 A. No, there would be -- the standards are written at
- 5 a service level, so they'd be applicable to all services
- 6 that deliver inpatient child and adolescent care, and
- 7 within that it would describe some of the processes of
- 8 what would happen to young people in those services, but
- 9 they would be applicable, I guess, across all services,
- 10 rather than specific to the length of stay for a young
- 11 person.
- 12 LADY SMITH: Okay, so whether it's a couple of weeks or
- 13 a couple of years --
- 14 A. Yeah.
- 15 LADY SMITH: -- these standards should work --
- 16 A. Yes.
- 17 LADY SMITH: -- for the period of inpatient care?
- 18 A. Yeah.
- 19 LADY SMITH: Thank you.
- 20 MS INNES: Now, you go on at the bottom of this page to
- 21 describe the self-review process in advance of the QNIC
- 22 visit.
- 23 A. Yes.
- 24 Q. So this is the work that the service does itself, prior
- 25 to the peer review visit, so prior to people coming from

- 1 ONIC to visit?
- 2 A. That's right. So the service would be asked to work
- 3 through a document that lists the standards and they
- 4 would be asked to rate themselves against the standards
- 5 as to whether they think they meet them or not and would
- also be asked to provide some context or commentary to
- 7 demonstrate how they think they're meeting the standards
- 8 or not, and I think that can often be a helpful process
- 9 in itself, just because it provides a space for the team
- 10 to reflect -- which sometimes they might not have time
- 11 to do normally -- on how they think they're performing
- 12 against the standards.
- 13 Q. So they would sit down and go through this and you say
- 14 that they would assess each standard as 'Met', 'Partly
- 15 met' or 'Not met' --
- 16 A. Yes.
- 17 Q. -- and then they would provide some commentary to
- 18 explain why they say --
- 19 A. That's right.
- 20 Q. -- that they have met it or not met it.
- 21 Then it's noted that 'Not applicable' may be used
- 22 only when a standard genuinely does not apply, so for
- 23 example, you've used the example of education there, so
- 24 if that standard genuinely didn't apply to the service,
- 25 then it would be legitimate for the service to say it's

- 1 not applicable.
- 2 A. That's right, yeah. So it would be where there's a
- 3 genuine reason why the standard wouldn't be applicable,
- 4 so the example given there, as you say, is some of our
- 5 services just work with children under the age of 11 or
- 6 12 and therefore they wouldn't be expected to deliver
- 7 education kind of post 16 or that kind of stuff, whereas
- 8 if a service just wasn't doing it but -- and didn't
- 9 think it was appropriate, they can't score it as not
- 10 appropriate, there's got to be a legitimate reason why
- 11 it's not appropriate.
- 12 Q. Okay. Thank you.
- 13 So that's one part of the self-review process. And
- 14 the next thing that has to be provided is contextual
- information, so data: bed numbers, staff numbers,
- 16 average length of stay --
- 17 A. That's right.
- 18 Q. -- and a full staffing list, it says?
- 19 A. Yes, yeah.
- 20 Q. Then they're also asked to provide a copy of their most
- 21 recent regulatory report. There might not be
- 22 a regulator, I suppose, so for example in Scotland, we
- 23 might have reports from the Mental Welfare Commission?
- 24 A. Yeah.
- 25 Q. Is that a type of report that you would ask for in the

- 1 run-up to a peer review visit?
- 2 A. Yeah, we would ask if there's any reviews from other
- 3 external bodies that they wanted to share with us in the
- 4 preparation.
- 5 For services working towards accreditation, we would
- 6 proactively seek those reports out because we'd want to
- 7 be double-checking that there's no issues that have been
- 8 raised by other bodies that we need to be aware of in
- 9 making a decision about accreditation, but we would
- 10 routinely ask it as well as part of the self-review
- 11 process.
- 12 Q. Okay.
- 13 And you then go on to say that for services that are
- 14 seeking accreditation, they must also collect additional
- 15 feedback from patients, parents and carers and all staff
- 16 through a series of online questionnaires?
- 17 A. That's right.
- 18 Q. So you would be expecting them to actively obtain input
- 19 from all staff members?
- 20 A. Yes. Yeah, and the questions would be linked to the
- 21 standards, so each questionnaire, every question would
- 22 be linked to one of the standards and then when we get
- 23 all the data in, we would triangulate that data, so we'd
- 24 -- you know, the service might say, 'Yes, we've done
- 25 this' and then we would see the responses of staff or

- 1 patients or parents and we could compare the
- 2 self-rating with what the data tells us.
- 3 Q. Okay.
- 4 So that's an additional step that's required for
- 5 accreditation?
- 6 A. That's right.
- 7 Q. Then, over the next page, you discuss what happens on
- 8 the peer review visit day, and it's a single-day visit?
- 9 A. Yes, yeah.
- 10 Q. You say that the review team typically includes
- 11 a psychiatrist, a nurse, another allied health
- 12 professional, a patient or carer representative and
- a member of the QNIC team who facilitates the day?
- 14 A. Yes.
- 15 Q. So the member of the QNIC team is there to do the admin,
- I suppose, surrounding the day?
- 17 A. Yeah, they might chair some of the sessions, they
- 18 might -- they'll kind of be focused on things around,
- 19 you know, keeping to time, making sure that we've got
- 20 everything that we need from the day, whereas the other
- 21 reviewers will be bringing their own expertise, either
- 22 clinical or lived experience, so they'll be kind of
- 23 reviewing, making decisions about the standards, the
- 24 member of staff is there to facilitate the process and
- 25 to make sure everything goes to plan.

- 1 Q. We know that a report is written up after the visit --
- 2 A. Yes.
- 3 Q. -- so who writes up the report?
- 4 A. It would normally be written up by the member of staff
- 5 who attended the review.
- 6 Q. So they would be taking notes presumably during the
- 7 visit?
- 8 A. Absolutely, yeah.
- 9 Q. Okay. You refer to the clinical reviewers in particular
- 10 and you say that all of the clinical reviewers work in
- 11 inpatient CAMHS across the UK and are members of the
- 12 network?
- 13 A. That's right. So it's peer review, so all of the
- 14 reviewers would be people who work in similar types of
- 15 services in other parts of the UK.
- 16 Q. And the patient and carer representatives are people who
- 17 work directly with the Royal College and have had
- 18 previous experience with CAMHS?
- 19 A. That's right. The young people that we work with tend
- 20 to be young adults who may have had recent experience of
- 21 inpatient CAMHS but are adults, which obviously helps
- 22 with the travel, et cetera and the responsibilities of
- 23 the role.
- 24 Q. Okay.
- 25 And what's the purpose of the visit?

- 1 A. So partly the purpose of the peer review visit I suppose
- 2 is to validate the self-review, so it's -- throughout
- 3 the peer review day there will be a series of meetings,
- 4 there'll be a tour of the service, so we'll have a look
- 5 around the physical environment. In addition to that,
- 6 we'll meet with both frontline and senior staff groups
- 7 and we'll meet with young people and hopefully carers as
- 8 well, patients and -- parents and carers. And the idea
- 9 is that by meeting with those different groups and
- 10 carrying out the tour and possibly looking at
- 11 documentation on the day as well, we can kind of
- 12 validate the self-review and look at the responses that
- 13 have been given to see if they actually are the case.
- 14 So part of it is about validation of the
- 15 self-review, but also there's a real focus, I suppose,
- on sharing learning and best practice, so part of the
- 17 purpose of the day is, I suppose, if a service for
- 18 example isn't meeting a standard, because the rest of
- 19 the review team work in similar services to them, they
- 20 can share their own experiences and they can help the
- 21 service to think about how to make improvements or how
- 22 to work towards meeting the standard.
- 23 Q. Then you set out that there is a particular timetable
- 24 that's followed --
- 25 A. Yes.

- 1 Q. -- for all of the peer review visits?
- 2 A. Yeah.
- 3 Q. The first one is a self-review discussion.
- 4 A. Yeah.
- 5 Q. You say the reviewers offer advice on addressing unmet
- 6 or partly met standards?
- 7 A. Yeah.
- 8 Q. So based on the self-assessment, the reviewers focus on
- 9 those standards which the service has assessed
- 10 themselves to have partly met or not met?
- 11 A. Yes, there would still be discussion of some of the
- 12 standards they've said are 'Met', I guess the focus --
- 13 because the process is developmental and is about
- 14 supporting improvement, a lot of the focus goes towards
- 15 the unmet or partly met standards, because that's
- 16 I guess where the service feels it particularly wants to
- 17 work on. If a service was working towards
- 18 accreditation, the review would look at every standard
- 19 regardless of whether it was met or not met, because
- 20 obviously we need to be checking the self-review in more
- 21 detail there. But on the more developmental reviews,
- 22 there will still be some discussion of the standards
- 23 that are viewed to be 'Met', but a lot of the focus goes
- 24 to the partly met or unmet, because it supports
- 25 improvement.

- 1 O. Then it mentions feedback sessions and it describes them
- 2 as structured interviews with patients, carers and
- 3 frontline staff?
- 4 A. That's right, so there's a semi-structured interview
- 5 which the reviewers will use which sets out a number of
- questions, so the same questions are asked on every
- 7 review for our meetings with patients, carers and
- 8 frontline staff and again those questions will be linked
- 9 back to the standards, so they would support evidencing
- 10 whether the standards are met or not met.
- 11 Q. Are these carried out on a one-to-one basis by
- 12 reviewers?
- 13 A. The young people interviews tend to be done as a group.
- 14 The carers and the parents, it really varies, if they're
- 15 all there and present on the ward on the day, it might
- be done as a group, but often, because parents might
- 17 have other responsibilities, sometimes they have to be
- done by telephone and therefore they would be
- one-on-one, but if it's done on the day, on the ward,
- 20 it's sometimes a group.
- 21 Q. Then in terms of staff, is that staff who happen to be
- there on the day or is it broader than that?
- 23 A. It tends to be staff that are there on the day. I mean,
- I suppose a limitation of the process is it's
- 25 a snapshot, it's a one-day visit, so in terms of

- 1 everyone we see on the day, it's very much dependent on
- 2 who is available on the day to speak to.
- 3 So, yes, often it will be staff that are working on
- 4 that day. On the senior staff side, you will often,
- I guess, see the team making an effort to come in
- 6 because it is the QNIC review and they want to have
- 7 everyone present. Sometimes staff services may also
- 8 slightly overstaff on the day to kind of make sure that
- 9 there's enough people about to facilitate the process.
- 10 Q. Yes, and then you have mentioned the environment tour,
- 11 so walking through the ward?
- 12 A. Yes.
- 13 Q. I think later you say that that would perhaps, if
- 14 a young person is willing, that might be undertaken by
- 15 a young person who's on the ward?
- 16 A. Yeah, it's often a really good way to get a sense of
- 17 a young person's experience of the ward to ask them to
- 18 kind of lead the tour.
- 19 Q. In terms of the patients and carers and other staff,
- 20 other than the management that you speak to, are you
- 21 dependent on the service sort of arranging for people to
- 22 speak to you?
- 23 A. Yes. Yeah. So we provide the service with information
- 24 that they can share with people about what the day is,
- 25 why we want to meet with them, but it is dependent on

- 1 the service kind of facilitating that and arranging
- 2 that. So as part of the beginning of the day, we'll
- 3 check in in terms of how many patients and how many
- 4 carers there's going to be available to speak with, but
- 5 we are reliant on that being facilitated and organised
- 6 by the ward.
- 7 Q. Then the final part of the day is an open discussion and
- 8 you say the service presents a current challenge for
- 9 collaborative problem solving and action planning. So
- 10 this -- you've been mentioning, you know, if there's
- 11 a particular area that they're struggling with, this
- 12 would be the time for them to raise that and discuss
- 13 with the reviewers?
- 14 A. That's right, and we'll share that with the review team
- in advance, so hopefully they can bring ideas from their
- own service. But, yeah, it's a chance to kind of look
- in more detail at a specific area, because there are
- a lot of standards and it's helpful just to have a bit
- 19 more time to think about what maybe the priority is for
- 20 that service.
- 21 Q. Okay, and then it notes that at the end of the day, the
- 22 peer review team provide verbal feedback, summarising
- 23 strengths, challenges and make recommendations.
- 24 A. Yes.
- 25 O. So that would be a sort of an initial feedback session?

- 1 A. That's right, yeah.
- 2 Q. Then there's the detailed report, which sets out what's
- 3 happened during the visit and does it also include
- an assessment of -- well, the review team's assessment
- 5 of whether the service is meeting the relevant
- 6 standards?
- 7 A. Yeah. So it will break it down and kind of show how
- 8 many type 1, type 2 and type 3 standards are met and
- 9 also look by domain as well.
- 10 Q. Yes. And are these reports published or not?
- 11 A. No. They're provided to the service -- because, of
- 12 course, we're not a regulator, we don't publish the
- 13 reports. We provide them to the service, and obviously
- 14 we encourage the service to share them with senior
- 15 management within their own organisation, with their
- 16 regulators, but we would provide them directly to the
- 17 service and I suppose if anyone ever approached us and
- 18 asked to see a report that related to a service, we
- 19 would direct them to the service to ask for it.
- 20 Q. Okay.
- 21 You then go on to talk a bit more about
- 22 accreditation, where, as you've said, the peer review is
- 23 extended. So the feedback sessions are the same. But
- 24 where you've got the self-review discussion, the review
- 25 team would be looking in more detail at the standards

- 1 which are 'Met', for example, in order to validate that
- 2 the service is in fact meeting them?
- 3 A. Yeah, so we'd be comparing the questionnaire responses
- 4 that we've received and the evidence that we've received
- 5 as well with the rating of the service and exploring
- 6 that to -- so, you know, it might be that a standard
- 7 says, I don't know, it might see that patients are
- 8 involved in the development of their care plan and then
- 9 we would check, well, we got ten responses from
- 10 patients, what did they say? Let's see an example of
- 11 a care plan to see how it's been collaborated on. So we
- 12 would be triangulating information to understand if the
- 13 standards are met or not.
- 14 Q. Then it also says that the open discussion in terms of
- 15 the discussion about a particular challenge that the
- 16 service wishes to discuss, in an accreditation visit,
- 17 that would be replaced by a document checklist session
- 18 to verify supporting evidence?
- 19 A. That's right, yeah.
- 20 Q. And accreditation peer reviewers have had to undertake
- 21 a further level of training to carry out this work?
- 22 A. Yes. Yeah.
- 23 Q. Okay, and then there are particular bars that must be
- 24 met for accreditation, so the service must meet, you say
- 25 there, 100 per cent of type 1 standards, 80 per cent of

- 1 type 2 and 60 per cent of type 3?
- 2 A. Yes.
- 3 Q. Then over the page, you say that accreditation decisions
- 4 are then made by a multidisciplinary accreditation
- 5 committee. And that's to ensure consistency across the
- 6 board?
- 7 A. That's right. So the findings of the review team would
- 8 be given to the accreditation committee and they would
- 9 be the group that decides whether the standards are met
- 10 to the threshold that's required or not. If a service
- is not quite at the level where it needs to be to be
- 12 accredited, it can be deferred, their accreditation can
- 13 be deferred for up to six months and during that
- 14 six-month period, they can submit further evidence to
- 15 demonstrate that they've addressed the areas that have
- been highlighted.
- 17 If at the end of that six-month period they were
- 18 still not in a position to meet all of the standards,
- 19 they would be not accredited.
- 20 Q. And then you say accreditation is valid for up to three
- 21 years --
- 22 A. Yes.
- 23 Q. -- and all accredited services are required to submit
- 24 an interim review to demonstrate ongoing compliance with
- 25 standards?

- 1 A. Yes.
- 2 Q. Is that a self-review?
- 3 A. It's a self-review and a visit, so it's in year -- so in
- 4 year 1 they would have the accreditation review. Often
- 5 that then will take quite a lot of time, particularly if
- a service has deferred, for example. So in year 2 that
- 7 would be worked through, they'd have an interim review
- 8 where they'd just submit a self-assessment.
- 9 Then in year 3, which is the year before they go for
- 10 re-accreditation, we'd do a more developmental review
- 11 where we would visit the service and I guess it would
- just help them to feel prepared for re-accreditation the
- 13 following year.
- 14 Q. Okay.
- 15 You may not know the answer to this off the top of
- 16 your head, but in terms of the services that are
- 17 reviewed by QNIC, what sort of percentage are
- 18 accredited?
- 19 A. I don't know that off the top of my head, sorry, I'd
- 20 have to check that, but I could certainly let you know.
- 21 Q. Okay. If you could provide us with that, that would be
- 22 helpful.
- 23 LADY SMITH: It would be very interesting to know that if
- 24 you could, Peter.
- 25 MS INNES: Then the next question is whether ONIC is ever

- 1 involved other than where there is a service self-review
- and then the peer review process. So would QNIC ever
- 3 become involved with a service outwith the process that
- 4 you've described?
- 5 A. No, so the majority of the involvement that we have is
- 6 through that self and peer review process. The
- 7 additional part of membership is because it is peer
- 8 review, we ask each service to provide three members of
- 9 staff who will go to visit other services, so people
- 10 from the service will be involved in the review of other
- 11 services as well. And obviously that's a very important
- 12 part of the process, 'cause you get probably as much by
- 13 visiting other services as you do by receiving your own
- 14 visit. And also obviously there's the events and the
- online forum that we spoke about earlier, which is other
- 16 ways that we will stay engaged with members throughout
- 17 the year.
- 18 So self-review takes about three months and then the
- 19 peer review, so that then takes place and then for that
- 20 other half of the year when they are not engaged in the
- 21 review process, we'd largely be involved in services
- 22 either through them attending events or them attending
- 23 visits that we would run.
- 24 Q. Would a service ever contact you and say, 'We've got
- a particular challenge, we'd like you to come back and

- 1 review us again'?
- 2 A. Not very often. But more often, I suppose, when
- 3 a request comes through like that outside of the review
- 4 process, 'cause the reviews are annual, they tend to
- 5 come round quite quickly, so I guess if something
- happened like that during the year, we'd often support
- 7 them to use, for example, the online discussion group or
- 8 we would think about services that we're aware of that
- 9 might have particularly good practice in that area and
- 10 we might signpost people so they can kind of talk to
- 11 other services for support and advice.
- 12 Q. Okay.
- Now, in the bottom part of this page you refer to
- 14 current activity, and this is looking at the membership
- 15 of the CAMHS inpatient units in Scotland with QNIC since
- 16 it began in 2001?
- 17 A. Yes.
- 18 Q. We see there, there's Dudhope House, a young people's
- 19 unit in Dundee, then Ward 4 in Glasgow, Skye House in
- 20 Glasgow, Huntercombe Hospital in Edinburgh -- and just
- 21 pausing there, I think that was a privately run hospital
- 22 which has since closed?
- 23 A. That's right.
- 24 Q. Then Lothian CAMHS Inpatient Unit in Edinburgh?
- 25 A. Yes.

- 1 Q. You've set out in this table the years when they were
- 2 members --
- 3 A. That's right.
- 4 Q. -- of QNIC?
- 5 A. Yeah.
- 6 Q. So I think Skye House has been a member of QNIC
- 7 throughout the years, I think missing one year in 2017?
- 8 A. That's right.
- 9 Q. And Ward 4 has always been a member --
- 10 A. Yeah.
- 11 Q. -- since it first sought membership in 2005?
- 12 A. Yes.
- 13 Q. The young people's unit in Dundee was a member between
- 2005 and 2010, there was then a gap and then from 2016
- 15 onwards?
- 16 A. Yes.
- 17 Q. And then the unit in Edinburgh was a member between 2009
- 18 and 2013 and again 2016 to 2018?
- 19 A. Yes.
- 20 Q. Okay.
- 21 So this table shows us the years where the
- 22 subscription's been paid and they've been members?
- 23 A. Yes.
- 24 Q. Would you know why in some years there wasn't
- 25 a membership of QNIC or not?

- 1 A. We'd probably have to look back through -- I know for
- 2 the unit in Edinburgh, I think at the time that they
- 3 last participated, I believe they were relocating or
- 4 maybe moving to another site and maybe took some time
- 5 out because of that and then haven't yet re-engaged, but
- 6 I think there was a reason around that.
- 7 Huntercombe obviously was because of the closure of
- 8 the service.
- 9 I'm not sure about the reason around Dudhope and the
- 10 reason that they were not members for five years, I'm
- 11 not sure.
- 12 Services sometimes may not participate just because
- 13 there's a lot going on in the service at that time and
- 14 it feels challenging to be engaged in the peer review
- 15 process at the same time, or sometimes there may be kind
- 16 of some significant changes in terms of service delivery
- or moving to a new site. Those are some of, kind of,
- 18 the common reasons why people might take a break from
- 19 their membership.
- 20 Q. And you note that none of these sites have received QNIC
- 21 accreditation?
- 22 A. No.
- 23 Q. Dudhope House received an accreditation review in cycles
- 24 19 and 22, so they sought accreditation, but then they
- 25 withdrew before it got to the stage of an accreditation

- committee, it's noted there?
- 2 A. Yes. Yeah.
- 3 Q. And none of the other services have sought
- 4 accreditation?
- 5 A. No.
- 6 Q. And then in terms of QNIC's broader role in providing
- 7 guidance, you note that that's really in setting out
- 8 those quality standards and then in reviewing services
- 9 against them?
- 10 A. Yes. Yeah.
- 11 Q. Okay.
- 12 Then you note at the top of page 8 the
- 13 safety-specific standards, so these are noted in the
- 14 table below. 6.1 being:
- 15 'Young people and their parents and carers are
- 16 supported by staff and treated with respect.'
- 17 Then there are sort of subheadings below that, so
- 18 for example 6.1.2:
- 'Young people feel listened to and understood by
- 20 staff members.'
- 21 And we can see the type is 1, so all of these are
- 22 essential?
- 23 A. Yes.
- 24 Q. Then the next one that you note is in relation to
- 25 compliance with national guidance and safeguarding and,

- for example, the first one, 6.2.1:
- 2 'Staff knowing how to prevent and respond to sexual
- 3 exploitation, coercion, intimidation and abuse on the
- 4 ward.'
- 5 And then, 6.2.2, setting out the way in which
- a safeguarding concern would be dealt with on the ward?
- 7 A. Yes.
- 8 Q. Again, these are essential standards?
- 9 A. That's right. I guess these are -- just to say these
- 10 are examples of standards that relate to safety.
- 11 There'll be stuff, safety specific, in all elements of
- 12 the standards.
- 13 O. Yes.
- 14 Then you say below this table that -- as you've
- 15 already mentioned -- that there are annual reports?
- 16 A. Yes.
- 17 Q. And that will include recommendations where you're
- 18 finding that a lot of services aren't meeting that
- 19 particular standard?
- 20 A. Yes.
- 21 Q. So if there's a particular theme or issue arising, that
- 22 will be highlighted in the annual report?
- 23 A. Yeah, and that report would be published on the
- 24 college's website, so whereas the local reports are not
- 25 publicly available, the annual reports are available.

- 1 Q. Okay.
- 2 Then you're asked a question about how QNIC hears
- 3 the voice of the child. And as you've already told us,
- 4 during the peer review visits there will be a dedicated
- 5 feedback session with children and young people, and
- 6 that tends to be in a group setting --
- 7 A. That's right.
- 8 Q. -- you explained?
- 9 A. Yeah.
- 10 Q. And participation is, of course, voluntary?
- 11 A. Yes, yeah.
- 12 Q. And if a safeguarding concern were raised with the
- 13 reviewers during such a session, is there a process in
- 14 terms of which that would be followed up or dealt with?
- 15 A. Yes, it will be dealt with in line with the college's
- 16 safeguarding policy, and we have additional guidance for
- 17 staff who lead peer review visits to mental health
- 18 services to support them in how to manage those
- 19 concerns.
- 20 Q. Okay.
- 21 You deal with that in a bit more detail over the
- 22 page, so if we can maybe just go to page 7 and towards
- 23 the bottom of the page you deal with safeguarding --
- 24 A. Yes.
- 25 Q. -- and you note that safeguarding concerns raised during

- 1 reviews or via questionnaires followed a particular
- 2 process.
- 3 If we look down to the second-last paragraph on this
- 4 page, it says:
- 5 'Prior to the implementation of the college
- safeguarding policy in 2019, any concerns would be
- 7 escalated to the service and assurances around internal
- 8 investigation and escalation would be requested.'
- 9 So was this a new policy that came in in 2019?
- 10 A. Yes, so the college had -- it was the first safeguarding
- 11 policy the college had had which was introduced in 2019,
- 12 and as part of that policy, it addresses concerns that
- might be raised within the college but also concerns
- 14 that might be picked up through the work of the college,
- 15 which is where the peer review visits sit. So now all
- 16 concerns will be dealt with in line with that
- 17 safeguarding policy.
- 18 Before that, we would always, of course, feed back
- 19 to services if any concerns were identified through the
- 20 work and we would escalate as appropriate, but we didn't
- 21 have a safeguarding policy which was used at that time.
- 22 Q. Okay, so now there's a formal policy and procedure in
- 23 place?
- 24 A. That's right.
- 25 Q. Okay.

- If we can just go back up to the top of this page,
- 2 please, where you're talking about engagement with
- 3 children and young people?
- 4 A. Yes.
- 5 Q. There's a paragraph beginning:
- 6 'For accreditation, additional questionnaires need
- 7 to be completed by at least five children or young
- 8 people as part of the self-review process. The
- 9 questionnaires are primarily online. It is
- 10 a prerequisite of the accreditation process that
- 11 a minimum number of questionnaires is completed and
- 12 that's 50 per cent of the unit's number of beds with
- a minimum of five questionnaires required, and recently
- 14 discharged patients may also complete the
- 15 questionnaire ...'
- 16 A. That's right.
- 17 Q. So a service might find it difficult to obtain that
- 18 information from children and young people who are
- 19 currently in inpatient care, but they would have the
- 20 option to obtain that from people who have recently been
- 21 discharged?
- 22 A. Yeah, it would be people who have had quite recent care,
- 23 so normally say within three months of the review or
- 24 something, would have the option of giving feedback as
- 25 well, but obviously it's always -- the best scenario is

- always to get the feedback from people who are on the
- 2 ward at that time, but it's just a helpful way of
- 3 supporting services to collect that feedback from very
- 4 recently discharged patients.
- 5 LADY SMITH: Peter, what about getting questionnaires from
- 6 children and young people whose first means of
- 7 communication is not the literacy we all take for
- granted in reading what's online -- I've heard, for
- 9 example, that some children who are deaf will very
- 10 rarely be comfortable with communicating in writing, or
- 11 children who are blind or children whose intellectual
- 12 capacity is not strong enough for them to cope with
- a questionnaire but they might have something very
- 14 helpful to say. What do you do about that?
- 15 A. For some services we would have easy-read versions of
- 16 questionnaires available to support them to give
- 17 feedback, and obviously also there is the option -- as
- 18 part of the process, it's very important to get the
- 19 questionnaires completed, but there is also the option
- 20 for people who might prefer to talk to somebody to
- 21 obviously be part of the review day as well, to meet
- 22 with the review team.
- 23 LADY SMITH: Ah right. And if it was somebody who needed
- an interpreter, would you be able to arrange that or
- 25 would they have to do it?

- 1 A. We would ask the service to arrange that, so we'd ask
- 2 them to make sure that the appropriate ...
- 3 LADY SMITH: On the basis the service are asking for the
- 4 benefit of the accreditation --
- 5 A. Yes.
- 6 LADY SMITH: -- and if that's the way the child normally
- 7 communicates, it can't be that difficult for them to
- 8 provide it, is that right?
- 9 A. That's right, and I suppose logistically the service is
- 10 best placed often to make sure that the right support is
- in place for the people that we're going to meet with.
- 12 LADY SMITH: Thank you.
- 13 MS INNES: And then if we go on to the final page of your
- 14 report, you were asked to evaluate the effectiveness of
- 15 QNIC in preventing or detecting the abuse of children
- 16 accommodated in relevant establishments. And you note
- 17 that that's not an evaluation that you undertake
- 18 yourselves, obviously there are annual reports. Before
- 19 we look at the outcome of those annual reports,
- I suppose -- well, you've said, you are not a regulator.
- 21 A. No.
- 22 Q. You're reliant on voluntary participation, you're
- 23 reliant on the self-review, and on the service selecting
- 24 people for you to speak to in a sense?
- 25 A. Yes. Yeah.

- 1 Q. So I suppose there are certain limitations on what you
- 2 can do?
- 3 A. Yeah. I mean, the purpose of QNIC is about supporting
- 4 improvement, so it's intended to be a supportive process
- 5 that helps services to work towards the standards. It's
- 6 not a regulator, I suppose, which would be seeking
- 7 assurance necessarily, but where we do, for example,
- 8 work with services who want to achieve accreditation,
- 9 there are much more rigorous and robust requirements in
- 10 place for them in reflection of some of those challenges
- 11 you've just described. But for those services that are
- 12 not seeking an accreditation review, the benefit is
- 13 really in participating and helping them to get
- 14 an understanding of where they sit in terms of the
- 15 standards.
- 16 Q. Okay.
- 17 And then you note some of the, well, themes arising
- 18 from reports and you say that:
- 19 'Themes around the abuse of children or, for
- 20 example, sedation and restraint haven't been highlighted
- 21 in annual reports. However, local reports from Scottish
- 22 services have identified recurring themes in the
- 23 following areas ...'
- 24 And you highlight low staffing levels, young people
- 25 not feeling listened to or reporting that staff don't

- 1 respect their personal space, staff not feeling listened
- 2 to and gaps in training, debriefs not taking place
- 3 following incidents and young people reporting that
- 4 staff have been rude.
- 5 Then also you note that in some services it's been
- 6 identified that staff 'were unclear about safeguarding
- 7 processes and that there was a lack of clarity around
- 8 spaces which could be used for seclusion'.
- 9 So I think this is some of the more, I suppose,
- 10 granular detail that you found in peer reviews, in
- 11 inpatient units in Scotland, I think over the last five
- 12 years you've looked at?
- 13 A. Yeah, obviously our visits go back 20 years, so there's
- 14 a lot of reports relating to Scottish services, but
- we've reviewed particularly reports from 2020 onwards.
- 16 Q. Okay, and do you have any more -- I think you might have
- some notes on some more detail in relation to this area
- 18 and which services you're referring to?
- 19 A. Yes, I do. This is based on looking at the local
- 20 reports for the services that have participated and
- 21 obviously those local reports are probably the best,
- 22 kind of, evidence available to look at in terms of some
- of these concerns, but I don't know if it's helpful to
- look at each of the bullet points and for me to
- 25 highlight possibly where --

- 1 Q. Yes, so low staffing levels?
- 2 A. So low staffing levels was raised in a number of
- 3 reports. So we refer to cycles on the network, just to
- 4 help, so the first year of QNIC was cycle 1, we're just
- 5 about to start cycle 25 and that number relates to the
- 6 year, so cycle 25 is starting in 2025, cycle 21 would
- 7 have started in 2021.
- 8 So in cycles 20, 21 and 24, issues to do with
- 9 staffing levels were raised in Skye House reports, so in
- 10 cycle 20, staff and young people felt that there wasn't
- 11 enough staff, but from talking to the senior team on the
- 12 day, it was raised that, actually, often they were
- 13 staffing beyond their set levels, but there was
- 14 something about the perception of young people and staff
- 15 that it still felt like there wasn't sufficient staff.
- 16 Q. Okay.
- 17 A. In cycle 21, children and young people said that there
- 18 weren't enough staff at night and they felt
- 19 uncomfortable with agency staff. That's quite common,
- 20 sometimes when services use bank or agency staff, young
- 21 people can notice the difference compared to working
- 22 with permanent staff who they know well.
- 23 And in cycle 24 report, young people and parents
- 24 said that there weren't enough staff available on the
- 25 ward.

- 1 And then the other one was Dudhope House in
- 2 cycle 22, young people said that they didn't feel that
- 3 they knew the staff well and experienced them as being
- 4 distant.
- 5 Q. Okay.
- 6 We do have some more bullet points to go through and
- 7 I'm going to take you to at least one example of
- 8 an actual report, so that we can have a look at that.
- 9 We normally have a break at 3 o'clock.
- 10 LADY SMITH: It is about 3 o'clock.
- 11 Before we break, I've got one question that I should
- 12 have asked you earlier. You mentioned the membership
- 13 fee, the general membership fee, about £3,000 or
- 14 something you said.
- 15 A. Yes, yeah.
- 16 LADY SMITH: If a service seeks accreditation and goes
- 17 through those procedures, do they have to pay
- 18 an additional fee for that?
- 19 A. No, it's the same fee, it's an annual fee.
- 20 LADY SMITH: Let's take a short break and then we'll get
- 21 back to you. Thanks, Peter.
- 22 (3.01 pm)
- 23 (A short break)
- 24 (3.15 pm)
- 25 LADY SMITH: Welcome back, Peter. Are you ready for us to

- 1 carry on?
- 2 A. Yes.
- 3 LADY SMITH: Thank you.
- 4 Ms Innes.
- 5 MS INNES: Thank you, my Lady.
- 6 Now, Peter, just before the break we were going
- 7 through the list of bullet points in the final page of
- 8 your report. And we dealt with the first one, I think.
- 9 The next bullet point is about young people not
- 10 feeling listened to or reporting that staff don't
- 11 respect their personal space.
- 12 A. Yes.
- 13 Q. Did you find more detail in relation to that?
- 14 A. From reviewing the reports, in cycle 20 on Skye House's
- 15 report, young people had said they weren't -- they
- 16 wouldn't feel comfortable making a complaint and for
- Dudhope House in cycles 21 and 24, the reports
- 18 referenced that staff sometimes enter bedrooms without
- 19 knocking.
- In fairness, there can obviously be complexity
- 21 around that, because sometimes there may be risk which
- 22 might mean that staff might want to enter a bedroom
- 23 quickly, but the experience of the young people we spoke
- 24 to was that they felt the staff sometimes entered
- 25 without knocking.

- 1 Q. Okay. In terms of the point that you mentioned about
- 2 young people not knowing how to make a complaint, would
- 3 that then have been sort of followed up in order to make
- 4 sure that that was addressed?
- 5 A. It would be flagged as an area for development in the
- 6 reports so that the service would know that that was
- 7 something that had come up through the review day.
- 8 Q. Then the next bullet point is staff not feeling listened
- 9 to and gaps in training.
- 10 A. In Skye House's cycle 20 report and in Dudhope House's
- 11 cycle 22 report, in both reports there was challenges
- 12 around completion of training, so the standards does
- 13 list areas that staff should have received training in,
- and for both reports there, there were some gaps.
- 15 I would say that both of those reviews took place
- during the period of the pandemic and I think across NHS
- 17 services there was a lot of challenges around keeping
- 18 staff up to date with training while obviously
- 19 continuing to deliver care.
- 20 Q. Then the next bullet point is debriefs not taking place
- 21 following incidents?
- 22 A. Yeah, the reports had a few references to this, so this
- 23 is particularly about in relation to both staff but also
- 24 young people and parents potentially receiving
- appropriate support if there's an incident on the unit.

- 1 And in the Dudhope report from cycle 24, young
- 2 people that we interviewed said they didn't feel
- 3 supported after seeing serious incidents on the ward.
- In the cycle 22 report for Ward 4, staff said they
- 5 didn't feel there was always enough time to debrief.
- And in Skye House, it came up in cycles 22 and 24.
- 7 In 22, staff said they didn't always feel they had
- 8 enough time to debrief staff, young people and parents
- 9 when there were incidents.
- 10 And in cycle 4, there was a comment from a young
- 11 person about sometimes that was available but sometimes
- 12 it wasn't.
- 13 Q. Do you mean cycle 24?
- 14 A. Cycle 24, sorry, yes.
- 15 Q. Yes.
- 16 And then the final bullet point is young people
- 17 reporting that staff had been rude?
- 18 A. There was a reference to this in the Skye House report
- 19 from cycle 21.
- 20 Q. Then you also mentioned that there were some services
- 21 where staff were unclear about safeguarding processes?
- 22 A. I didn't see reference to that in the last five years of
- 23 reporting. It might be an older theme, which we can
- 24 certainly look back to see when that was if that would
- 25 be helpful.

- 1 Q. What about the spaces used for seclusion, is that
- 2 something you saw in the more recent reports or not?
- 3 A. There was an issue in the cycle 24 report for Ward 4
- 4 where there was a de-escalation room which, it was
- 5 reported on the review day, was sometimes being used for
- 6 seclusion. Our standards would say that when seclusion
- is used, the room has to have a number of different
- 8 components to it and the room that was being used did
- 9 not meet that standard.
- 10 O. Okav.
- 11 Now, I'm going to take you to one example of your
- 12 reports, as I said I would. If we could look, please,
- at NHS-000000289. We can see that this is cycle 24,
- 14 it's a review report in relation to Skye House, and the
- 15 review date is 28 November 2024.
- 16 A. Right.
- 17 Q. If we move on to page 3, we can see that the peer review
- day was held on 28 November 2024. Then it says:
- 'The unit took part in a review covering the
- 20 following sections of the service standards:
- 21 Environment and facilities and care and treatment.'
- Now, those are two of the topics, or domains, that
- 23 we've looked at before. When we go on into this report
- 24 we see an appendix with all of the standards --
- 25 A. Yes, yeah.

- 1 Q. -- so why does it mention here these specific areas?
- 2 A. So on some reviews, a service can have what we call
- 3 a focused review where they can choose a couple of the
- 4 areas of the standards to look at in more detail on the
- day. We'd obviously encourage that every few years they
- 6 would have a comprehensive review against all of the
- 7 standards, but on the review day itself, they can focus
- 8 in particularly on those two sections but they still
- 9 have to complete the full workbook and the interviews
- 10 that would take place with patients and the carers and
- 11 with frontline staff would still, kind of, have to have
- 12 that broad perspective. It would be particularly
- 13 I suppose the self-review discussion where they would
- 14 focus in on the two sections.
- 15 Q. Then we see below that, interviews --
- 16 A. Yes.
- 17 Q. -- and there's reference to the interviews, seven young
- 18 people were interviewed, 13 frontline staff and three
- 19 parents and carers.
- 20 A. Yeah.
- 21 Q. Then we see the names of the people in the review team?
- 22 A. Yes.
- 23 Q. And we can see that the lead reviewer is a person from
- QNIC, so that would be the person who would be the
- 25 facilitator?

- 1 A. That's right.
- 2 Q. As you've explained.
- 3 And then there's a patient representative?
- 4 A. Yes.
- 5 Q. Again from QNIC, as you've described?
- 6 A. Yes.
- 7 Q. Then there's a person who is a CAMHS case manager, so
- 8 would that be a sort of allied health professional?
- 9 A. Yeah, I can't tell from this what their professional
- 10 background is, but, yes, they would have a role in
- 11 CAMHS.
- 12 Q. And then you have somebody who's a liaison nurse in the
- Dudhope young person's unit, so from another unit in
- 14 Scotland?
- 15 A. Yes.
- 16 Q. And then another nurse from that same unit, so the
- 17 peers, as it were?
- 18 A. Yes, yeah.
- 19 Q. Then you set out limitations and more information about
- 20 the report. If we can move on, please, to page 5,
- 21 there's then a summary in respect of the standards. So
- 22 that lists the total number of standards against each
- 23 type, so type 1 is 'Essential', type 2 -- remind me,
- 24 please?
- 25 A. 'Expected'.

- 1 Q. 'Expected', and type 3 is 'Desirable'?
- 2 A. Yes.
- 3 Q. And then we can see the number of standards that have
- been 'Met', 'Partly met', 'Not met', standards that are
- 5 definitely not applicable?
- 6 A. Yes.
- 7 Q. And then the overall percentage?
- 8 A. Yes.
- 9 Q. And then that's also depicted in a bit more detail in
- 10 the graph below?
- 11 A. Yes.
- 12 Q. Then, if we go on to page 6, there's a heading, 'Areas
- of achievement', and there we see, you know, positives
- 14 that have been found during the visit --
- 15 A. Yeah.
- 16 Q. -- so for example:
- 17 The young people were very engaged in the visit,
- 18 leading a review of the tour and being enthusiastic
- 19 about Skye House.
- 20 A. Yes.
- 21 Q. So that's an example of positives?
- 22 A. Yes.
- 23 Q. And then, if we go on to page 8, we see some quotes from
- 24 young people and parents, so these would be drawn
- 25 together from the interviews that took place?

- 1 A. That's right, yeah.
- 2 Q. Okay.
- Then at page 9, we see 'Areas [of] development' and,
- 4 just again as an example, we can see the very first one
- 5 is that there were perhaps issues with the supervision
- 6 that was taking place, that it could take place every
- 7 eight weeks, but it was also dependent on staffing
- 8 levels. Then there's a recommendation because the
- 9 standard is that there should be supervision on
- 10 a monthly basis?
- 11 A. That's right.
- 12 Q. And it says the review team, for example, here:
- 13 '... encourages Skye House to review the current
- 14 timescales of supervision and increase this. It can
- 15 fluctuate dependent on staffing levels. The review team
- 16 encourages Skye House to ensure that there is
- 17 a contingency plan in place if a staff member/supervisor
- is not available to ensure that supervision can be
- 19 provided by another staff member, a senior member of
- 20 staff.'
- 21 So where there are areas of development, there will
- then be a recommendation as to how to deal with it.
- 23 A. Yeah, that's right.
- 24 Q. Then, for example, the next line:
- 25 'Frontline staff [said] morale [was] fluctuating'.

- 1 They fed back they get on well as a staff team, feel
- valued, but they were also highlighting a lack of
- 3 recognition, sometimes a lack of communication and
- 4 transparency.
- 5 So these types of issues would again be subject to
- a recommendation from the review team?
- 7 A. Yeah, that's right.
- 8 Q. Okay.
- 9 Then if we move on to page 12, we see here the open
- 10 discussion and the topic is:
- 'Neurodivergent young people presenting with
- 12 increased risk-taking behaviours and how to support this
- and transitions back into the community safely.'
- 14 And there's then an outline of the situation where
- 15 this has come hand in hand with young people presenting
- 16 with increased complexities and it was difficult to find
- 17 support for these young people within the community?
- 18 A. Yeah.
- 19 Q. And this then formed the basis of the discussion with
- 20 the review team.
- 21 So this is an example of the service saying, 'This
- 22 is something that we are particularly struggling with
- 23 and we want to discuss!?
- 24 A. Yes, that's right.
- 25 Q. Then, for example, we see at page 13, there's a bullet

- 1 point where the reviewer from Dudhope is asking about
- 2 what's happening before young people go back into the
- 3 community and discusses what might be done to help the
- 4 service?
- 5 A. That's right.
- 6 Q. So again, if we look below, there's a discussion point,
- 7 and next steps, with suggestions being made as to how to
- 8 deal with this and improve the experience of children
- 9 and young people?
- 10 A. Yes.
- 11 Q. Okay.
- 12 And then, if we look at page 16, this is where we
- 13 see the beginning of what is a very lengthy appendix
- 14 going through all of the standards. And we can see that
- 15 the table incorporates the standard, which rating it
- 16 has, what the self-review score is --
- 17 A. Yes.
- 18 Q. -- if there's been any comments in relation to that
- 19 self-review, and then what the peer review say about it.
- 20 So for example, this very first one, the self-review
- 21 score is that it's 'Met', the unit is clean and well
- 22 maintained. The peer review score was 'Partly met' and
- 23 the peer review say:
- '[The self-review] was supported by feedback from
- 25 parents and carers, however, on the review day, young

- 1 people fed back that they had issues with how clean the
- 2 unit was.'
- 3 For example?
- 4 A. That's right, yeah.
- 5 Q. And we see, as the appendix goes on, that this is
- 6 essentially the pattern, looking at each of the
- 7 standards and making recommendations where a standard
- 8 has been 'Partly met', for example.
- 9 A. Yeah.
- 10 Q. And if we could look at an example, if we look on to
- 11 page 100, we can see that there are standards there in
- 12 relation to restraint and physical interventions. So
- 13 for example, 6.3.3:
- 'Staff members do not restrain young people in a way
- 15 that affects their airway, breathing or circulation.'
- And that's been 'Met', both on self-review and on
- 17 peer review.
- 18 Then if we look down to 6.3.5, the standard is:
- 19 'Parents/carers are informed about all episodes of
- 20 restrictive interventions within 24 hours. If for any
- 21 reason this does not occur, the reasons are documented
- in the young person's notes.'
- 23 The self-review was that was 'Met', but the peer
- 24 review was that it was 'Partly met' because of
- 25 information that was given from parents and carers.

- 1 A. Yes.
- 2 Q. It says:
- 'One of the parents and carers fed back that their
- 4 child was restrained as an informal patient and they
- 5 thought this was too rough. They fed back that they
- 6 weren't informed of the incident. Frontline staff fed
- 7 back that parents and carers should be informed of
- 8 incidents within 24 hours, but this can depend on the
- 9 young person's care plan and whether there is consent
- 10 for the parent or carer's involvement. This can also
- 11 depend on the parent and carer's contact preference and
- 12 restrictive interventions should be logged on
- 13 [a particular system].'
- 14 Then there's a recommendation in bold saying:
- 'Restrictive interventions [should be] audited,
- 16 including when parents and carers were informed and if
- 17 they weren't informed then this should be documented.'
- 18 And there's a recommendation that this be explored
- 19 with the staff team 'to identify where improvements can
- 20 be made'.
- 21 A. Yes.
- 22 Q. So you mentioned that one of the topics was about, well,
- 23 debriefs or follow-ups to restraint or physical
- intervention and this would be an example of that.
- 25 A. Yes. I mean, I think the debriefing that's come from

- 1 reports is often to do with people who've directly
- 2 witnessed events, possibly sometimes not. Sometimes
- 3 an event might involve a young person but then the other
- 4 young people on the ward might benefit also from support
- 5 after an event because they've witnessed it and have
- found it traumatising.
- But, yes, this also fits into that theme, I suppose,
- 8 in terms of whether parents and carers are appropriately
- 9 informed when their young person or their loved one has
- 10 been involved in an episode of restrictive intervention.
- 11 Q. Yes, so perhaps if we move on to page 102, it's more
- 12 linked to what you're referring to. So 6.3.8 there's
- 13 a standard:
- 'Staff members, young people and parents and carers
- 15 who are affected by a serious incident, including
- 16 control and restraint and rapid tranquilisation, are
- 17 offered post-incident support.'
- The self-review is 'Met', the peer review is 'Partly
- 19 met' and it says:
- 'Cue cards and talking mats can be utilised for
- 21 autistic young people or young people with a learning
- 22 disability. Young people on the review day fed back
- 23 that they are sometimes provided with support following
- 24 an incident. It was fed back that sometimes staff will
- 25 sit with them but "sometimes they just leave you".'

- 1 The recommendation is:
- 2 'The review team recommends working with young
- 3 people to develop individual plans as to how they would
- 4 like to be supported following an incident, for example
- 5 this could be incorporated into young people's positive
- 6 behavioural support plans. The review team noted that
- 7 it would be useful to audit when debriefs have been
- 8 offered to young people and to record this in the young
- 9 person's notes.'
- 10 A. Yes.
- 11 Q. So that's perhaps more the issue of the debriefs that
- 12 you were referring to.
- 13 A. That's right, and that relates to the comment I read out
- from the cycle 24 report about it happening sometimes
- 15 but not always.
- 16 Q. Okay.
- Now, I'm not going to go through the report in any
- 18 more detail than that, we have it, but I just wanted to
- 19 take you to that to give an example of how the peer
- 20 review process works and what the final output of the
- 21 work looks like.
- 22 A. Yes.
- 23 MS INNES: I don't have any more questions for you, Peter.
- 24 LADY SMITH: Peter, I don't have any more questions for you
- 25 either. I just want to thank you again for coming today

and helping us to understand the excellent work you seem to be doing in relation to quality insurance and I wish you well with the continuation of this work, thank you. A. Thank you very much, thank you. LADY SMITH: I think that completes today's evidence, does it? MS INNES: That does complete today's evidence, my Lady. We will commence again on Tuesday of next week and the evidence next week will relate to Donaldson's. LADY SMITH: Thank you very much. I will rise now until 10.00 am on Tuesday morning. (3.39 pm) (The Inquiry adjourned until 10.00 am on Tuesday, 30 September 2025)

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