

Wednesday, 14 January 2026

1

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome back to Phase 10 of  
4 our case study hearings.

5 Now, as indicated last night when we finished for  
6 the day, this morning we are going to focus on reading  
7 in some more evidence of applicants, before going on  
8 this afternoon to a witness in person.

9 Now, we open with Mr MacAulay, I think.

10 'Zach' (read in - continued)

11 MR MACAULAY: Good morning, my Lady. I would propose to  
12 carry on from where I stopped, in the statement of  
13 'Zach'.

14 LADY SMITH: Yes.

15 MR MACAULAY: Before we had the technical glitch, I had been  
16 looking at paragraph 9, so I'll go back to that.

17 LADY SMITH: Thank you.

18 MR MACAULAY: What we are told is:

19 'There were no baths at Dunclutha. There was a row  
20 of three or four showers but there was no shower curtain  
21 or door on the cubicle. The nurses would sit opposite  
22 and supervise us. This happened all the time I was in  
23 Dunclutha up until I left at 15. This was completely  
24 inappropriate because there was no privacy. This was  
25 female and male nurses who watched you.

1            'We ate our meals in the dining room. Initially, it  
2            was one big room which had a partition down the middle.  
3            The girls were on one side and the boys were on the  
4            other. After a while, that changed and the boys and  
5            girls ate together. The food was generally all right  
6            but if you didn't like any of the food, you couldn't  
7            leave it. You had to eat it. One of the nurses would  
8            sit at the end of the table and made sure that we ate  
9            our food. They didn't eat at the same time as us.

10           'There was a big room in Dunclutha which was full of  
11           clothes. When you needed clothes, you would get taken  
12           there and be given them. It was never new clothes.  
13           Someone had worn them before you. We were never taken  
14           out to buy clothes. When you outgrew your clothes, you  
15           would hand back your old clothes for someone else to  
16           get. All our clothing had our name stitched into the  
17           collar.

18           'I initially went to Kirn Primary School which is in  
19           Dunoon. We got taken there in the home's minibus which  
20           was pink. Because of that, everyone knew we were the  
21           "homers". After Kirn Primary, I went to Dunoon Grammar  
22           School. Some children from the home went to Hillfoot  
23           School. When we went to the grammar school, we would  
24           just walk to school. It was about half a mile away. We  
25           were treated differently by the other children at

1 school. At break times, the "homers" would meet in the  
2 playground. We all just stuck together and looked after  
3 each other. That was what we had to do to survive.

4 'I did get friendly with some of the other school  
5 children and I had a few girlfriends, but as soon as the  
6 parents learned that I was a "homer", I wasn't allowed  
7 to see them again. I got involved in a few fights at  
8 school as well. Usually it was something to do with me  
9 being a "homer". Some of that was jealousy over things  
10 that they had and we didn't.

11 'I don't remember ever getting any homework at any  
12 time when I was at school. When we got home after  
13 school, we would get changed into our play clothes.  
14 After dinner, we were allowed out to play.

15 'There was an enormous area outside where we could  
16 play. There was a football field and the sheep field  
17 and beside that there was a big forest. The door to our  
18 bedroom was locked every night so we used to climb out  
19 our bedroom window, jump down from the first floor into  
20 a sandpit. We would then go and play outside. We  
21 didn't watch the television. At the weekend we would  
22 sometimes go swimming. The staff would take us there  
23 and pick us up afterwards.

24 'I didn't ever go on any proper holiday or excursion  
25 when I was at Dunclutha. On a Sunday we were lined up

1 and Americans would come from the naval base at the  
2 Holy Loch and speak to us. We all had to put on our  
3 Sunday best clothes. It was like being at a market. If  
4 they liked you, they picked you to go home with them and  
5 you would have a meal with them. I stayed with them  
6 overnight sometimes too. At holiday time you would stay  
7 with them for a few weeks. I was picked up by a couple  
8 and I went with them several times. My sister came with  
9 me once but she didn't go back. I don't think they  
10 liked her. They would take us for sweets and do nice  
11 things. This was a good experience for me. They never  
12 hit me.

13 'We would get one toy each at Christmas. On our  
14 birthday they would sing "happy birthday" to us. We  
15 would get a marshmallow, a little saucer, a colouring  
16 book and pencils, and some dolly mixtures.

17 'We were made to go to Sunday School every Sunday  
18 morning. On a Sunday evening, we were made to go to  
19 church. Some of us ducked out of this and hid outside.  
20 We snuck back in before the end. The minister knew us  
21 and he would tell the staff what we had done and we  
22 would get punished when we got home. We got a beating.

23 'We got pocket money on a Saturday morning. It  
24 depended on how old you were as to how much you got. We  
25 would all sit in the back hut and FGG would

1 shout our name and throw the money on the floor. We had  
2 to pick it off the floor.

3 'I was never visited by my mum when I was at  
4 Dunclutha. I was told years later that my mum had come  
5 to visit me but was drunk and the police had to come and  
6 take her away.

7 'My social worker, Rosemary, who worked for Glasgow  
8 Corporation, came every few months to visit me. I also  
9 saw her when I ran away. I can remember she came in  
10 a Mini Clubman car and when she came, she took me out  
11 for the day into town. I don't remember seeing any  
12 other social worker.

13 'Every Sunday, the nurses would take us to a room  
14 where they would brush our hair with a bone comb looking  
15 for nits. We didn't get any other healthcare in  
16 Dunclutha that I remember. I was once taken to Dunoon  
17 General Hospital because they thought I had burst my ear  
18 drum. That was after being hit by a hairbrush. I was  
19 over 11 years old. The staff took me in the minibus.  
20 I told the medical staff I had been hit with a brush but  
21 nobody believed me. They knew I was a "homer" and they  
22 probably knew the nursing staff as well. We were all  
23 generalised that if we were "homers" we were naughty.  
24 They assumed that we were either glue sniffers or we  
25 burgled houses. Some of us were there because we needed

1           cared for.

2           'I don't remember ever seeing a dentist. There was  
3           a doctor's surgery not far away from us and I got taken  
4           there once with a swollen testicle. I presume we also  
5           went there when we had to get injections for measles and  
6           things like that.

7           'Another time when I was 12 or 13, I hurt my wrist  
8           playing on the swings. I kept telling the staff that my  
9           wrist was sore, but they didn't do anything to help me  
10          and kept sending me to school. Eventually I was taken  
11          to hospital and they found my wrist was broken. I was  
12          put in plaster for weeks.

13          'I ran away lots of times, possibly over a hundred  
14          times. I would plan it with my friend and we would run  
15          away on the way to school. I would skip the ferry to  
16          get to Gourrock or Greenock and then skip a train to get  
17          to Glasgow Central. Where we went after that just  
18          depended on who I was with. More often than not, when  
19          I had enough, I would hand myself in at the police  
20          station at Barlanark or sometimes to Glasgow Central.  
21          I always hoped that they wouldn't send me back to  
22          Dunclutha, but invariably they would take me to  
23          Longriggend List D School where I would be kept for the  
24          night until arrangements were made to take me back to  
25          Dunclutha. At Longriggend I was put in a dorm with

1 other boys.

2 'Once when I ran away with my friend, we slept in  
3 a coal bunker beside the railway and his brother brought  
4 us a bottle of tea and toast. In the morning, we  
5 followed the baker's van around and stole some cakes.  
6 Eventually, we would just hand ourselves in to the  
7 police. We were hoping we wouldn't be sent back, get  
8 sent back to Dunclutha, but we were. I never came to  
9 any harm when I ran away. Quite the opposite in fact.  
10 I saw it as freedom and a break from getting hit all the  
11 time.

12 '[My brother and sister] came to Dunclutha a few  
13 years after me. I was told they were my brother and  
14 sister. I didn't even know I had a brother and sister.  
15 The staff took me down to visit them a few times because  
16 they were in the little house and by that time, I was in  
17 the big house. [My sister] was only a baby when she  
18 came in. When the FGG-SPO came to Dunclutha, my  
19 brother got very friendly with their son ... and ended  
20 up sharing a room with him in the attic. It was almost  
21 like [they] had fostered [him].

22 'I sometimes wet the bed and others did too.  
23 I remember I had a copper-coloured rubber mat on my bed  
24 under my sheets. When the nurses came in in the  
25 morning, they would check our beds. If the sheet was

1           wet, they would hit us with the brush. I once had my  
2           face rubbed in the sheet. I saw this happening to other  
3           boys too.'

4   LADY SMITH: This is so like what we heard about the way the  
5           nuns treated children in Smyllum and in the Sisters of  
6           Nazareth institutions.

7   MR MACAULAY: It's been a common theme.

8   LADY SMITH: It almost matches --

9   MR MACAULAY: It does.

10   LADY SMITH: -- moment by moment. It's very sad.

11   MR MACAULAY: 'We had to take our sheets to the laundry  
12           where someone washed them. A woman worked in there.

13           'We never really got any chores to do. There were  
14           cleaners there who did all that sort of stuff. I don't  
15           remember having to brush or polish anywhere. We weren't  
16           even allowed into the kitchen.

17           'In the morning when we got up, the staff made us  
18           sit in a line on the floor beside the cupboards. We  
19           then had to lift our feet off the floor and hold them  
20           there. If our feet dropped and touched the floor, the  
21           nurse would hit us. All the nurses carried a plastic  
22           hairbrush. It had big plastic bristles. It was as if  
23           it was part of their uniform. They would hit our feet  
24           with the brush. It was a game to them. This happened  
25           as long as I can remember being at Dunclutha. All the

1 staff would do this. I have no idea why they did this.  
2 'FFX [REDACTED] wasn't called a nurse. We called him  
3 Mr FFX [REDACTED]. I think all the other staff were  
4 frightened of him. He was the one who used to give us  
5 the belt. He would take you into his room, get you to  
6 take your trousers and pants down, and make you bend  
7 over the piano stool. He would then hit you on the bare  
8 backside with a leather belt. The belt had a split in  
9 the end like a tawse. I can't really remember how many  
10 times he would hit me but he would do it until I cried.  
11 Certain members of staff would send you to see FFX [REDACTED]  
12 FFX [REDACTED]. If you were sent there, you knew you would be  
13 going for the belt on your backside. I would have  
14 preferred the brush rather than the belt.  
15 'RCN [REDACTED] was very physical. When you were taken  
16 in her office, she would punch you properly in the face  
17 or wherever she chose. When you ran away and were  
18 returned to the home, you would either be beaten by  
19 Mr FGG [REDACTED] or RCN [REDACTED]. RCN [REDACTED] did not hold  
20 back and you knew if you were there, you would probably  
21 be kept off school the next day because you were going  
22 to have marks or bruises.  
23 'FGG [REDACTED] would punch and kick and properly beat  
24 you. It was like two men fighting, but the only  
25 difference was I didn't fight back. There was one time

1 I was caught stealing fruit from the fruit market and  
2 I hid it in a shed. I started sharing it out one dinner  
3 time. I was sitting at the dinner table and all of  
4 a sudden, a hand grabbed me and dragged me along the  
5 corridor. On the way, I was getting punched by  
6 FGG. He then took me into his office and he  
7 gave me a beating with his hands and feet.

8 'Mrs [REDACTED] never hit me, but she never tried to  
9 stop Mr FGG when he was beating me up. Any mother  
10 seeing what he was doing to me would have tried to stop  
11 it [and] the FGG-SPO had their own two children ...

12 'One of the nurses would sit at the end of our  
13 dining table and make sure we all ate our food. If you  
14 said you didn't want something or left food on your  
15 plate, you would get hit over the head with a brush  
16 until you ate it. I remember once being made to eat  
17 a full plate of green beans. This was FGG and  
18 he pulled my head hair back. I didn't have a choice.  
19 I had to finish what was on my plate. I saw [my sister]  
20 once being pulled along by the hair by one of the  
21 nurses.

22 'I saw other children being made to eat food they  
23 didn't want. I saw them getting hit with the brush too.  
24 When the nurses hit you with the brush on your head,  
25 your head would be marked or bruised. If it was

1 bruised, they would keep you off school. I regularly  
2 saw other children getting hit. That was just the way  
3 it was and that is what I thought was normal.

4 'Some of the nurses would come into the dorm when we  
5 were in our beds at night. They would tell us that the  
6 first person to get in bed and be asleep would get  
7 a kiss. I used to shut my eyes to get a kiss. I liked  
8 this because I actually felt like I was getting some  
9 attention. It turned out it was more than a kiss. They  
10 would put their hands under the blankets and fondle me.  
11 RCO [REDACTED] and RCP [REDACTED], RCS [REDACTED] and  
12 RCT [REDACTED] would all kiss me on the neck and give me  
13 love bites and fondle me under the covers.

14 RCO [REDACTED] and RCP [REDACTED] were sisters  
15 and they lived with their mum who worked in the kitchen.  
16 The sisters were probably in their late 20s to early  
17 30s. They would come and see me at the dinner table and  
18 tell me after dinner to go to a place called the Valley  
19 Hill, which was near the house. They did this  
20 separately. I went to meet whichever one arranged it  
21 and they were naked from the waist down. They took my  
22 trousers down and I lay on top of them. I don't think  
23 I had intercourse with them. I think I would have done  
24 this from the age of 11 or 12. They took the lead and  
25 told me what to do. Afterwards they would give me

1 sweets and cigarettes and told me not to tell anyone.  
2 It was a regular occurrence and it went on all the time  
3 I was at Dunclutha, or as far back as I can remember.  
4 Both sisters were never there at the same time, but I am  
5 sure they would have known what the other was doing with  
6 me.

7 'They sometimes planned for me to go to their house,  
8 which was an old Victorian house. It had  
9 a conservatory. It was always just one sister there  
10 each time. Their mum was never there. The same thing  
11 happened there that happened at Valley Hill.

12 'Mrs RCR didn't do anything to me sexually, but  
13 she was a strict disciplinarian and regularly hit me.  
14 FFX was all right with you one minute and then  
15 the next minute he would really beat you up. When we  
16 were all in bed in the dorm, he would play the mouth  
17 organ and I enjoyed that. The next day he would be  
18 hitting me again.

19 'There was no member of staff who was particularly  
20 nice to me or ever showed me any real love and  
21 attention. There was a woman, Pat, who worked in  
22 Dunclutha as a nurse and she was nice.'

23 And he goes on to describe that connection.

24 'I told Rosemary, my social worker, for years and  
25 years about what was going on in Dunclutha. I don't

1 think she believed me and nothing ever changed.'

2 And I can say this: there's nothing in the records  
3 to indicate that complaints had been made.

4 LADY SMITH: Thank you.

5 MR MACAULAY: 'One of the times that RCO [REDACTED] came  
6 into the dorm, she sucked my neck hard and left me with  
7 a mark that looked like a love bite. The next morning,  
8 either Mr FGG [REDACTED] or his wife saw the mark on my neck.  
9 I didn't even know what a love bite was. I thought it  
10 was just somebody tickling my neck. Mr FGG [REDACTED] took me  
11 into my office and asked me about it. I refused to tell  
12 him because it was a secret. He kept me off school and  
13 contacted the police. A policeman came and I wasn't  
14 going to tell him either, but he put a handcuff on me.  
15 He told me that if I didn't tell him, I would be taken  
16 to the jail. I didn't want to tell them because I was  
17 getting attention and if I told them, it might stop.  
18 I would have been 11 or 12 at this time. I told them  
19 that it was RCO [REDACTED]. I have no idea what  
20 happened after that, but RCO [REDACTED] and RCP [REDACTED] were  
21 still there for years afterwards. I don't think the  
22 police took me seriously and must have thought I was  
23 lying.

24 'I used to tell my teachers at Dunoon Grammar School  
25 about getting hit by the staff.'

1           And moving on:

2           'They would ... contact Dunclutha and tell them what  
3 I had said. When I got home after school, I would get  
4 a slap for speaking out at school. The next day  
5 a member of staff would take me to school and I would be  
6 told to tell the teachers that I was lying. I am sure  
7 it was FGG that took me back to school.

8           'When we ran away, we usually handed ourselves in to  
9 the police. We went to either Barlanark or Glasgow  
10 Central Police offices. We begged them not to send us  
11 back to Dunclutha and told them why. We told them what  
12 would happen if we got sent back. We even tried to stay  
13 at Longriggend List D school. It was supposed to be  
14 worse than Dunclutha but it definitely wasn't.

15           'You were never given any warning when you were  
16 leaving Dunclutha. They didn't tell you in case you ran  
17 away. Quite often, when I came from school, I saw the  
18 social worker's black Austin Princess or Austin Maxi  
19 sitting there, and always wondered who they were taking  
20 away that day.

21           'I remember coming home one day and the Glasgow  
22 Corporation car was parked there. I knew that someone  
23 was leaving that day but I didn't suspect it was me.  
24 I walked into the hall and Mr FGG told me I was  
25 going to Glasgow. I had no part in this process.

1 No one had asked me or discussed with me the possibility  
2 of getting moved. I didn't argue or cause a scene. My  
3 case had been packed and was ready for me. I still  
4 remember seeing that blue suitcase sitting in the hall  
5 when I went in. I didn't know where I was going, but  
6 I wasn't frightened. I got in the car and the social  
7 workers drove me to a hostel called Inchbank Hostel in  
8 Scotstoun.'

9 This was probably, looking to the records,  
10 in [REDACTED] of 1978 when 'Zach' would have been 15.

11 LADY SMITH: Yes, I was trying to get the timing of this,  
12 but he'd be into his teens when these events were  
13 beginning to happen.

14 MR MACAULAY: Yes, and I suppose at the age of 15, he was  
15 being moved out of Dunclutha.

16 LADY SMITH: Yes. He was about 15 when he left, I think,  
17 was he?

18 MR MACAULAY: He was.

19 LADY SMITH: Yes.

20 MR MACAULAY: He then provides some information about life  
21 after Dunclutha, beginning at paragraph 48, and he  
22 essentially tells us about his time at Inchbank Hostel,  
23 and at 49 he says:

24 'After I left Dunclutha, I never saw a social worker  
25 again. I have no idea who was paying for me being in

1 the hostel or in the digs. Secondary Institutions - to be published later

2 Secondary Institutions - to be published later . '

3 And then at 50 he goes on to say:

4 'No one ever sat down with me in Dunclutha or in the  
5 hostel and gave me any advice on how to look after  
6 myself and pay bills or anything like that. All our  
7 clothes were washed for us too. I started drinking when  
8 I was in the hostel and not long after that, I started  
9 taking drugs.

10 'I met my mother when I was 16 or 17. I hoped that  
11 by then she would have remarried and have a new house  
12 and life would be lovely. That wasn't the case.  
13 I tracked her down to a house in Glasgow. I went to the  
14 house and it was all bedsits in that area. A man let me  
15 into the house and I think he thought I was a punter  
16 looking to use my mum, who I later learned was still  
17 a prostitute. The place was horrible. I went to her  
18 room and [saw] my mum was lying in bed drinking a can of  
19 Carlsberg Special Brew.'

20 And then he tells how he introduced himself to her  
21 and she started crying:

22 'I left her and went to the pub with one of her  
23 friends. Not long after I met my mum, she died. I went  
24 to her funeral but I shed no tears. I had no feelings  
25 for her.'

1           He then tells us at paragraph 52 that he joined the  
2 junior army for a short period of time, about four  
3 months, he says. He goes on to say:

4           'I couldn't stand the discipline. I ran away and  
5 when I was caught I was taken back and discharged.  
6 I would have been around 18.'

7           He then goes on to tell us about his involvement  
8 with drugs, that he went to prison and he spent time in  
9 prison, and if we go on to paragraph 56:

10           'With the help of [some care support], I am in  
11 a better place.'

12           And the support organisation called Gwalia is  
13 apparently a care support organisation in North Wales.

14 LADY SMITH: Okay, thank you.

15 MR MACAULAY: 'I have a nice house, clothes in my cupboard,  
16 a dog, a little car, and life is generally much, [much]  
17 better.'

18           He provides some information about the impact of  
19 being in care had on him:

20           'I realise now that what the female members of staff  
21 did to me sexually was wrong. I didn't really want it  
22 to stop at the time because I felt I was getting  
23 attention. I was also getting sweets and cigarettes and  
24 I felt wanted. They told me it was a secret and  
25 I wasn't to tell anyone. I didn't even tell any of my

1 friends.

2 'When I got married, I took my wife to Dunclutha.  
3 I would have been in my 40s. We arranged a visit to  
4 Dunclutha. We went up and Mrs RCR was there. We were  
5 taken in and went to the dorms. We saw the cupboards  
6 and I showed my wife where we used to sit and hold our  
7 feet off the ground. My wife asked Mrs RCR, how could  
8 people do things like that to children. Mrs RCR  
9 replied that she knew, and that all it takes was for  
10 someone of my intelligence to open a can of worms.'

11 It's rather difficult to follow that, but I think --

12 LADY SMITH: Yes.

13 MR MACAULAY: -- what he's saying there is that really, he  
14 shouldn't have said anything about it. I think that's  
15 what the message is.

16 LADY SMITH: Yes. A warning of sorts.

17 MR MACAULAY: Yes:

18 'After we left the home, I was so upset by what she  
19 said that I bought a bottle of whisky and drank it all.  
20 I ended up in hospital.

21 'A few years ago, I had it in my mind to go back to  
22 Dunclutha and find Mr FGG and see if he was still  
23 the big hard man. I phoned up the home and made stupid  
24 threats just to get someone to listen to me.

25 I threatened to burn the home down. I felt that if

1 I burnt the home down, it would have taken everything  
2 away from me. I kept phoning to try and find out where  
3 FGG was. I just wanted to get back and hurt  
4 the people who hurt me. I went through a period when  
5 I was very angry.

6 'I still have flashbacks about my time in Dunclutha.  
7 The flashbacks really started a few years ago, probably  
8 from when I was about 40 and when I was contacting the  
9 home. I have been having more since I have been in  
10 touch with this Inquiry. I suffer from anxiety and  
11 I really don't like going outside my own house. I feel  
12 safe in there.

13 'I am partially deaf in my left ear, but I am not  
14 sure if it was because of the time I got hit with the  
15 brush on my ear and perforated my ear drum. Ever since  
16 I got hit, I have had problems with my ear.'

17 And then he goes on to discuss the impact his abuse  
18 of drugs has had on him physically, and that he made  
19 contact with his sister. He also talks about treatment  
20 and support that he has received and at 66 he again  
21 mentions the Gwalia support organisation and says that:

22 '[That] has been a massive help for me. It took me  
23 four years before I really opened up and to a particular  
24 person. She has helped me do what I wanted to do, and  
25 that was to report what happened to me to the police.'

1           He talks about reporting of abuse in the next couple  
2 of paragraphs and at 69 he says:

3           'Last year ...'

4           And that would have been 2017, because his statement  
5 is dated 2018:

6           '... I contacted the Dunoon Police to report it and  
7 they told me I had to report it to the Newport Police.  
8 I went into Newport Police Station and they told me  
9 I had to contact Dunoon Police. I did eventually make  
10 a statement to a policewoman ... from a specialist unit  
11 dealing with historic sexual abuse attached to the CID  
12 ...'

13           And he was told that she would pass his statement on  
14 to Police Scotland:

15           'I am not aware if any records were held at  
16 Dunclutha or if any of the staff were updating them.  
17 I certainly never saw any records. Similarly, I don't  
18 know if any records were kept of the times when I got  
19 the belt from Mr FGG.'

20           He talks about some psychological input that he's  
21 received at paragraph 71, and then at 72:

22           'I want someone to listen to me and to believe what  
23 I am saying. In the early days, no one ever believed  
24 me. I want the people responsible to stand up and admit  
25 what they have done, apologise and be punished. I also

1 don't want it to happen again to any other children.  
2 I would love to punish someone physically myself, but  
3 I am too sensible now to do that.'

4 He ends by making the usual declaration and he has  
5 signed -- 'Zach' has signed the statement on  
6 22 August 2018.

7 LADY SMITH: Thank you very much.

8 'Sandra' (read in)

9 MR MACAULAY: So can I move on, then, my Lady, to the next  
10 applicant --

11 LADY SMITH: Certainly.

12 MR MACAULAY: -- who wants to be -- remain anonymous and  
13 wants to use the pseudonym 'Sandra' in giving her  
14 evidence.

15 LADY SMITH: Thank you.

16 MR MACAULAY: Her statement is at WIT.001.002.9475.

17 Now, 'Sandra' was read in for the Foster Care case  
18 study in quite a significant way. And that was on  
19 17 June 2022. That was Day 289 of the Inquiry and her  
20 transcript is at TRN-10-000000030.

21 LADY SMITH: Thank you.

22 MR MACAULAY: Then looking at 'Sandra's' statement, she  
23 begins by telling us that her date of birth is 1961.  
24 Paragraphs 1 through to 13 have been read in verbatim,  
25 but in short she and her younger sister were taken into

1 care having been locked in a toilet by their father  
2 because he had gone off to work, and that involved the  
3 social work department and they were taken into care,  
4 first of all to foster care, and your Ladyship will see  
5 reference to that at paragraph 6.

6 LADY SMITH: Yes.

7 MR MACAULAY: This evidence has been read in and your  
8 Ladyship will have heard about the FFY-FFZ family --

9 LADY SMITH: Yes.

10 MR MACAULAY: -- who were the foster parents and what life  
11 was like with them.

12 And that, according to records, was on 1966.  
13 So 'Sandra' would have been aged 4 at that time when she  
14 went into foster care.

15 LADY SMITH: Thank you.

16 MR MACAULAY: But as she tells us in paragraph 11, at the  
17 end of that paragraph, she was a troublesome child and  
18 was bringing trouble to the foster parents' house and,  
19 against that background, she left foster care and she  
20 ended up in Dunclutha.

21 She was admitted to Dunclutha on 1970, so  
22 she'd be aged 8 when she went to Dunclutha.

23 At paragraph 11 then, if I can pick it up from  
24 there:

25 'I can't say I ever felt loved at the FFY-FFZ .

1 I was definitely treated differently from their son, but  
2 it was better than Dunclutha. So I went to a panel in  
3 Glasgow, 12 people round the table --'

4 LADY SMITH: Sorry, that's paragraph 13, isn't it?

5 MR MACAULAY: Paragraph 13.

6 LADY SMITH: Yes.

7 MR MACAULAY: 'I went to a panel in Glasgow. 12 people  
8 around a table, and I went from there to Dunclutha.  
9 I think my clothes were in the car as the FFY-FFZ went  
10 one way and I went ... the other direction. Both of  
11 them were there. A social worker, I can't remember who,  
12 took me to Dunclutha in a car and over ... the ferry.  
13 I felt horrendous and I was breaking my heart. I was  
14 a kid.

15 'I can't remember the name of my social worker at  
16 first, but it became Mr Richardson. I think he went on  
17 to become Head of Social Work in Glasgow because he left  
18 me and I got told by another social worker that he had  
19 been promoted. I had him for a couple of years and then  
20 I got someone else. I can't remember his name. I saw  
21 Mr Richardson a couple of times. A handful at the most.

22 'Dunclutha was a massive, big, white building on  
23 a hill looking across the water. It had a conservatory  
24 at the side of it and had what we called two back huts  
25 made out of ... corrugated stuff. The girls'

1 dormitories were downstairs. They were called Rose,  
2 Daffodil and Snowdrop. They put you in the different  
3 dorms according to your age. I went into Rose dormitory  
4 at first. I think it was for the primary ages. When  
5 you were ready to go to high school, you would go to  
6 Daffodil. High school girls went into Snowdrop.  
7 I think you went into it when you were ready to leave.

8 'I was taken in the front door and taken to be  
9 spoken to by RCN who SNR the home. I think  
10 a member of staff took me to see her. In my eyes, she  
11 was an old woman, but looking back at photographs, she  
12 was probably in her late 40s. I was told the dos and  
13 don'ts, just the rules. The girls were downstairs and  
14 the boys were upstairs. She told me there was  
15 a routine and ... the staff would tell me what's  
16 expected of me. I wasn't in her room long and taken to  
17 a dormitory.

18 'There were eight girls in Rose dormitory, 10 to 12  
19 in Daffodil, and four girls in Snowdrop. Upstairs there  
20 were four dormitories for the boys. When you passed  
21 these there was a glass door, half wooden and half  
22 safety glass. That took you through to RCN's  
23 accommodation. There were toilets on the same floor as  
24 the boys, then there was an attic with two bedrooms.  
25 One had two beds in it and the other had one bed.

1 I think it was added to take more kids. After time it  
2 was for older girls who could be trusted. There was  
3 an annex out the back for babies. I used to go over to  
4 help. There were about ten children there. There were  
5 70 of us altogether in the home.

6 'On the ground floor, when you passed Snowdrop  
7 dormitory, there were cubicles, two showers and four  
8 toilets. When you went into Snowdrop, there was a bath  
9 and a toilet. The girls in Snowdrop could use that.  
10 That was the only bath. You passed Rose dormitory and  
11 there was a corridor. You walked down this and passed  
12 a medical room. You turned a corner and there was  
13 a large kitchen. Across from that, RCN's office  
14 and sitting room. You went along another corridor which  
15 led into a TV room, which was split by a partition.  
16 There was a TV room on one side and four dining tables  
17 on the other. You went through a door and there was  
18 a library, homework type area, which was partitioned  
19 also, and another four tables, dining area. You then  
20 went downstairs to a play area.

21 'At the back of the play area was FFX's room. He  
22 was an overseer. He wore grey trousers, a black blazer  
23 and sometimes had a belt around his neck, the type they  
24 use in schools. If you ever did anything wrong you were  
25 sent to FFX. He decided whether you were to be belted

1 or get another punishment, just like a lecture. He just  
2 wandered about upstairs and downstairs making his  
3 presence known. Everybody was scared of him. He would  
4 be in his 40s or early 50s. His full name was FFX  
5 FFX.

6 LADY SMITH: When she refers to him having a belt around his  
7 neck, I have the impression that wouldn't be a belt  
8 fastened round his neck like a dog collar, but hanging,  
9 ready for use if need be, around his neck.

10 MR MACAULAY: I think that is the message, my Lady.

11 LADY SMITH: Thank you.

12 MR MACAULAY: RCN was SNR and Sister FGI  
13 FGI was SNR. Then there was the  
14 staff. We called them "Nurse" and then whatever their  
15 surname was. So there was RCS, Crilly, RAS and  
16 Trap. These are the names I remember. They wore  
17 nurses' uniforms. Sister FGI wore a green uniform.  
18 RCN wore a 's hat. The home was run by  
19 Glasgow City Council or Strathclyde Council. I don't  
20 know why they wore nurses' uniforms, it didn't make  
21 sense to me.

22 'There were two handymen who worked in the home.  
23 There was Alec, I don't know his surname, he drove us  
24 into town and to school. The other was PQZ or  
25 PQZ. He didn't drive. I remember either FFX or

1 Alec driving the minibus. PQZ's wife worked in  
2 the kitchen at the home. There were a couple of other  
3 male staff but I can't remember their names. They  
4 weren't significant to me. There was a cottage up the  
5 back. I was never in it, and a couple of staff would  
6 stay there if they were working day shift, back shift,  
7 day shift, back shift. If not, they would get the ferry  
8 home to Gourrock or Greenock.'

9 And at paragraph 23:

10 'I remember my first night I was taken for a shower.  
11 You went with girls from your dorm. You had to leave  
12 your dorm with a towel wrapped round you. I was  
13 standing there and a member of staff just ripped the  
14 towel from me. It was degrading. I can't remember her  
15 name. This was once I had got to the shower room.  
16 Everybody else had dropped their towels. I was told,  
17 "You're all the same". When you come from your own  
18 house to that, it was really upsetting. I picked my  
19 towel back up and she went ballistic, shouting and  
20 bawling at me. There were no shower curtains so that  
21 they could see that you were cleaning yourself properly.

22 'After the shower, we went to the dining area and  
23 got toast or a sandwich. We all had a specific bedtime  
24 according to our age.

25 'Morning staff came round and got you up. I was

1 a bed-wetter. Depending on who was on, it was fine.  
2 They would take your sheet off, strip the bed and make  
3 it up. On a handful of other times, I would have to  
4 soak my sheets in the laundry out the back. I was told  
5 it wasn't [somebody] else's job to rinse my pee. Nurse  
6 Carol Crilly and RCS [REDACTED] were there, but I'm not sure  
7 if it was them that did this. She didn't stay long.  
8 She was a young nurse. There was another member of  
9 staff who made me wash my sheets. I can't remember her  
10 name. There was quite a high turnover of staff there.  
11 So it would depend on who was on shift and who would get  
12 you up. RCS [REDACTED] was another nurse I remember. She  
13 didn't make me rinse the sheets.

14 'You would then clean your teeth, wash, get dressed  
15 and ready for school. You would then go to the dining  
16 room for breakfast. After breakfast, you would get your  
17 school bag and line up at the front door. Everybody  
18 lined up and got a spoonful of tonic. I don't know what  
19 it was. It was vile. Whoever was in charge of getting  
20 you out to school gave you the tonic. They said it set  
21 you up for the day. I practised holding it in my mouth  
22 and spitting it out as soon as I got outside.

23 'Everybody mixed at breakfast. Families got to eat  
24 together. At that time, my sister wasn't in there with  
25 me. She came after I had been there for about a year

1 and was in the same dormitory as me. The food was okay.  
2 It wasn't disgusting. You hated certain days when you  
3 knew it was cabbage or brussels sprouts. If you didn't  
4 eat it, it was plated down to you at teatime. Again,  
5 not all members of staff did that. It depended on who  
6 was on duty. FFX was the worst. It wasn't put down to  
7 you the next day. You would start afresh. If you  
8 didn't eat what was put down to you you got nothing  
9 else. The children learned to bond and look after each  
10 other, so I would give someone what I didn't like and  
11 I would eat something that I liked and they didn't.

12 'There was always two members of staff wandering  
13 about the dining area during mealtimes. The food came  
14 through on a trolley, plated up and a staff member would  
15 put it down to you. You didn't get a choice of food.  
16 I was chunky, so the food must have been okay.

17 'Shower time was by dormitory. You had a shower  
18 every night. If you were a bed-wetter, you had a shower  
19 in the morning too. Initially, I can't remember if they  
20 asked who had wet the bed, but eventually they did. In  
21 the middle of the night, they would wake you up at  
22 midnight, 2 o'clock and 4 o'clock, to go to the toilet.  
23 The bed-wetters would also go to the showers by  
24 dormitory. Nurse Trap was a night-shift worker.  
25 I can't remember the name of the other one. And there

1 were another two who I didn't like. I can't remember  
2 their names.

3 'Nurse Trap was really nice. She told me to bang my  
4 head on the pillow three times and say, "I am not going  
5 to wet the bed", three times, and I wouldn't wet the  
6 bed. For whatever reason it worked most of the time.  
7 I wet the bed when I was with my natural parents because  
8 I remember moving around, trying to find a dry spot in  
9 the bed.

10 'When we went to Kirn Primary School, we wore  
11 a uniform of a skirt, blouse, tie and cardigan. I think  
12 it was black or navy. The home got that for us. After  
13 school, we would change into play clothes. There was  
14 a woman on the boys' floor, I can't remember her name  
15 ... who had a sewing room. She made skirts for the  
16 girls and shorts for the younger boys. They were  
17 horrible. When we went to high school, I can't remember  
18 where we got our clothes but they were provided for us.  
19 I can't remember being taken shopping. I was only ever  
20 down the town once to buy myself a pair of shoes.

21 'When we were older, we got to go along to the  
22 laundry and clean our own stuff. When we were younger,  
23 there were baskets in the dormitories to put dirty  
24 clothes in and they were folded on your bed when you got  
25 back from school.

1           'The home had a minibus and they would pile the  
2 youngsters in for school. We went to Kirn Primary  
3 School. You would get brought back down to the home for  
4 lunch, back to the school, then back to the home and  
5 changed out of school clothes and into play clothes.  
6 Everybody went out to play. The home had massive  
7 grounds.

8           'Dunclutha was in Kirn, about two miles from Dunoon.  
9 When you got to primary 6 or primary 7, you could walk  
10 to school. It was about a mile away. I got up to  
11 mischief at school. I did okay, but I was rebellious.  
12 I got the belt many times. When I got older, I got  
13 tougher. I wasn't like that when I went into care.  
14 I got like that. It was survival of the fittest.

15           'I went to Dunoon Grammar School. Other kids would  
16 call us "homers" but we were used to that. We weren't  
17 treated any differently by the teachers. My behaviour  
18 at high school was okay. I was part of the chess club,  
19 I liked it. I did get the belt at high school but that  
20 was the norm then.'

21           She gives some further information about leisure  
22 time and in particular that after school they could play  
23 in the grounds.

24           And at 38:

25           'After a few years, RCN ██████████ left and the home

1 was SNR Mr and Mrs FGG-SPO . The pocket money changed  
2 when the FGG-SPO came. Before they did, every Saturday  
3 you stood outside RCN 's office. She had a book  
4 in front of her and if you did anything wrong, you had  
5 money deducted from your pocket money. You would get  
6 the remainder and had to sign the book confirming that  
7 you got it. She would tell you if you were heard  
8 swearing by FFX or something like that.

9 'The young boys had shirt tails and if they were  
10 hanging out of their trousers, the staff would cut them  
11 off, or if they had wiped their noses on their sleeves,  
12 they would have the sleeve cut off. They would ... lose  
13 pocket money to pay for shirts. As you got older, you  
14 would look out for the young boys and take them to the  
15 toilet and wipe the sleeves with water.

16 'I can't remember how much pocket money we were  
17 meant to get. When I was there, it changed to decimal.  
18 FFX had a shop at the back. He must have went to the  
19 cash and carry or something because it was all penny  
20 sweets. The younger ones bought them. The older ones  
21 could go to Dunoon. They would be dropped off in the  
22 minibus and told a time to meet up. I think you were 10  
23 or 11 when you could do this.

24 'If somebody didn't have any pocket money or stepped  
25 out of line that week, you would be driven somewhere,

1       dropped off about 9.00 in the morning as a punishment,  
2       and told to walk a mile or two miles and be picked up by  
3       another member of staff. I was on that walk quite  
4       often.'

5             And she talks about a holiday that she had in Islay  
6       in the next paragraph, and going with a friend to  
7       England. At 44:

8             'At Christmas time you got a Christmas dinner. On  
9       Christmas morning, we had to sit on the stairs. There  
10      was a huge staircase and someone would dress up as  
11      Santa. You would get your name shouted out and you went  
12      up for a gift. One year I got a perfume set, but  
13      somebody said I was too young for it. I was 12, so  
14      I got a Post Office set. There were ... many kids in  
15      there, nobody complained about it. It was Christmas.  
16      There was a tree in the entrance and a tree outside.  
17      You got to keep your present. You had a locker and  
18      a cupboard where you kept your clothes or anything that  
19      was yours.

20            'When it was your birthday, you got a saucer with  
21      dolly mixtures in it. One year I got a snow globe and  
22      a Tunnock's Tea Cake with a candle in it. We did get  
23      a gift for our birthday. When the FGG-SPO came and  
24      RCN left, you got a cake on your birthday and  
25      everybody sang "Happy Birthday" and got a bit of your

1 cake. I don't know how old I was when Mr and  
2 Mrs FGG-SPO came. RCN was there a while because  
3 when I was 11, I babysat for someone in the town that  
4 she knew. So I went there when I was 7 and a half and  
5 she was there when I was 11.'

6 Then she talks about religious instruction, and  
7 moves on to talk about work and chores at 48:

8 'When you were young, you didn't have to make your  
9 bed unless you wet the bed. Once my sister was there,  
10 they got rid of the single beds and got bunk beds.  
11 I remember if you had a sibling, the young one was on  
12 the bottom and the older one on top. If the younger  
13 sibling didn't make their bed right, the older one had  
14 to do it, even if it made you late for school.

15 'We used to polish the shoes of the people in our  
16 dorm. That was done every night. There was a cupboard  
17 downstairs with shoe racks and two of us sat on a stool.  
18 One put the polish on and the other took it off. This  
19 was done on a rota basis.'

20 And she goes on at 50 also to say that they did some  
21 work in the kitchen.

22 Then at 51:

23 'I only remember Mr Richardson visiting me a handful  
24 of times. He would ask me how I was doing. I told him  
25 once about a beating I got from a member of staff and

1 nothing happened. It was Nurse FGH . She wore a pink  
2 uniform. I don't know why I annoyed her at a dining  
3 table. I can't remember what I said, but she punched me  
4 in the back lots of times. I had a massive bruise on my  
5 shoulder. I was 10 or 11. I was in primary school and  
6 we were in for lunch. She pulled me away from the kids  
7 and into the TV room and told me to learn some respect.  
8 The other member of staff would have seen it. I don't  
9 know who that was.

10 'I remember telling Mr Richardson. The bruise was  
11 away by this time. He asked what happened and said he  
12 would speak to RCN . I don't know if he did, but  
13 nothing happened. So I never told anyone else because  
14 they never listened to you.

15 'I didn't go to any more children's panels and  
16 I don't remember any reviews. I remember a man came  
17 once. I don't know who he was. He came with a book  
18 with photographs and asked me if I knew that FFY-FFZ  
19 FFY-FFZ weren't my real parents and if I remembered  
20 I had a mum and dad. It was just him and I in the room.  
21 I don't know what that was about. I was about 11 at the  
22 time.

23 'The FGG-SPO installed a payphone outside the  
24 girls' toilets. It was for us, instead of going to the  
25 office and asking to use the phone. We would use our

1 pocket money to use the payphone to learn us the value  
2 of money. It rang one day and I answered it. It was my  
3 foster mother FFY . She had been given the wrong  
4 number. She was calling to ask how we were doing. She  
5 asked if she could come for a visit and I told her she  
6 would have to ask the FGG-SPO , so I gave her their  
7 number. I was 13 and a half.

8 FFY-FFZ then came to visit me about  
9 two or three times after that. The only contact I'd had  
10 before that was a letter from her a couple of months  
11 after being in Dunclutha, telling me that she couldn't  
12 cope and I was causing her too much heartache. I didn't  
13 hear from her again until I was 13 and a half. They  
14 asked if we wanted to come back and we did, but I found  
15 out it was for the allowance.'

16 And she talks about having a health check when she  
17 got to Dunclutha.

18 LADY SMITH: So that would be a reference to the fostering  
19 allowance.

20 MR MACAULAY: Yes, and she talks about that later on in her  
21 statement:

22 'If you ran away, you got punished. We ran away  
23 lots of times and you would get the belt from FFX or  
24 Mr FGG . We would get on the ferry but the police  
25 were always waiting on the other side.

1           'At nighttime, the home was locked up, front and  
2           back door. Not the dorm doors, as we had to go to the  
3           toilet during the night. One night during the summer  
4           holidays when I was in Snowdrop dormitory, four of us  
5           decided to run away for the night. There were French  
6           doors and we went out through them. We were going into  
7           the woods to play. We put pillows under the bed so the  
8           staff would think we were in bed. If they looked in  
9           they would see the bumps and leave us alone. I forgot  
10          they would come to waken me for peeing the bed. They  
11          must have heard us giggling or come to wake me and  
12          discovered us missing. We tried to get in the French  
13          doors when we were tired but the staff had locked them.

14          'They left us outside all night. We huddled up in  
15          the front doorway. Some of the boys came down the front  
16          fire escape and joined us. We were chapping the door  
17          but they just ignored us. They let us in when the milk  
18          cart came up at 6.00 in the morning. One of the night  
19          staff let us in. I can't remember her name. She said,  
20          "That'll teach you".

21          'I was hit with a belt many times on the hand and  
22          the back of [our] legs. I was hit with wooden-handled  
23          brushes, hairbrushes. I'd be getting my hair brushed  
24          and if you stepped out of line, you were smacked over  
25          the back of the head or legs with that. It was whatever

1 staff were on duty that tended to do this. I got it  
2 a few times from Mr FGG . We called FFX 's belt  
3 "Black Bob". It had two fingers like straps. I can't  
4 recall the first time I got it from FFX . It didn't  
5 happen every day, but I would get it at least once  
6 a month. You would get hit three or four times. Other  
7 children got it too.

8 'Sometimes we would go to the back hut and FFX put  
9 boxing gloves on us and tell us to fight if we had  
10 a disagreement. It happened once with me and another  
11 boy. He told us to fight it out. Boys were sitting on  
12 one side of the hut and girls on the other. We wouldn't  
13 do it, so he lifted my hand with the glove on it and  
14 [punched the other boy] across the face. I was aged  
15 between 11 and 13. So we started throwing punches at  
16 each other. I ended up on the floor, obviously. We  
17 made up afterwards, after it, because we didn't want to  
18 fight in the first place. FFX did this on a regular  
19 basis with kids.

20 'I worked in a shop on the beach called .  
21 One time someone came in and told me my sister had been  
22 put over a stool in the back hut and belted on the  
23 backside. I never witnessed it. My sister said FFX  
24 did it because she dangled a young boy by the ankles  
25 over a railing.

1           'Staff would send us to FFX to sort us out. If he  
2 wasn't on shift, the staff would hit you on the back of  
3 the head or there was another member of staff, Nurse  
4 RAS, who would hit you on the back of the head with  
5 a comb. It wasn't sore. We would laugh at it. I liked  
6 her.

7           'If your face fitted and you conformed, then  
8 I suppose you survived some of the abuse.

9           'Mr FGG belted me a few times. I was flippant.  
10 On one occasion I was in the dining room with a few  
11 others and we were having a dough fight, taking the  
12 dough out of rolls and throwing it at each other.  
13 A member of staff came through the door carrying a tray  
14 of dishes and was hit on the head with a roll. All the  
15 dishes fell and smashed. We got sent to see Mr FGG.  
16 There were young ones there, 5 to 8-year olds, and  
17 another boy and me. We were the oldest. We didn't know  
18 who threw the roll but me and the other boy took the  
19 blame. We got three or four of the belt on the hands  
20 from Mr FGG because we both said it was us that  
21 threw the roll. I was 12 or 13 when this happened.

22           'Mr and Mrs FGG-SPO had a son and daughter ... They  
23 used to get us into a lot of trouble. They would tell  
24 their parents everything we did. We obviously resented  
25 them. They came in with the best of gear on. We

1 wouldn't include them because they would "grass" us up  
2 if we went for a cigarette in the woods and things like  
3 that. We were told by the FGG-SPO to include them.

4 'We had a shoe fight one night. We were in the  
5 upstairs dormitory. There was my sister and me,  
6 [another girl] and her little sister. I can't remember  
7 her name ... The young ones were gathering all the  
8 shoes they could and giving them to the older ones to  
9 throw at each other. We were wearing wedges at the  
10 time. Mr FGG came in and my wedge shoe hit him. He  
11 made me stand on one foot on the landing until he saw  
12 fit. I was about 13. It happened about 8.00 or 8.30 at  
13 night and I was there until they were all asleep. I had  
14 to stand on one foot and my arms out. It seemed  
15 forever. It might have been for half an hour, but it  
16 seemed forever.

17 'There was a staff member who would hit you on the  
18 back of the legs with a black plimsoll for being cheeky.  
19 I can't remember her name. I can't remember how long  
20 she was there but that's what she used, like Nurse RAS  
21 used the comb. She would just pick up one of the kids'  
22 plimsolls and hit you with it.

23 'You learned to keep away from certain staff, like  
24 Sister FGI. She never lifted her hand, but  
25 she was cruel with words. She said things to me,

1 "You're going to end up in the Gorbals with ten kids  
2 running around and a fag hanging out your mouth", and  
3 "You'll amount to nothing". I was classed as  
4 a ringleader and if we got into trouble, it was my  
5 fault. She plugged away at me all the time, "You're to  
6 blame", "You're the one to get them into trouble".'

7 And then moving on to paragraph 70:

8 'Mr FGG [REDACTED] belted me, but Mrs [REDACTED] never lifted  
9 her hand to me. I have been back to Dunoon every single  
10 year for the last 15 years. I've taken my grandsons.  
11 Dunoon doesn't hold bad memories for me. I love Dunoon.  
12 It was the home that had bad memories for me, the staff  
13 that had bad memories for me.

14 'PQZ [REDACTED] was a handyman. He owned [REDACTED]  
15 shop I worked in. He sexually abused me. I honestly  
16 can't remember when it happened the first time. It was  
17 regular. It was full intercourse, ejaculating him and  
18 oral sex. It was from when I was 9 or 10 until I left  
19 the home. It happened in his workshop at his flat, and  
20 in his flat when his wife was at work. He lived in Kirn  
21 above a shop. It had a living room, a bathroom, and  
22 a kitchen which had a recess where there was a double  
23 bed. Most of the times it happened in there. It also  
24 happened in [REDACTED].

25 'Because I worked in [REDACTED] with him, he would say

1 he needed stock and lock up the shop and we would go  
2 along to the flat. Other times I would go along to the  
3 workshop or the flat because I had a bad day at the  
4 home. He told me that him and his wife were going to  
5 foster me. I realised later this wasn't true. He would  
6 give me £5 or £10 pocket money to shut me up.

7 'He had rowing boats on the beach. There was a big  
8 shed like a garage at the back of the flat where he  
9 repaired the boats. I was always on my own when it  
10 happened. I don't know if he abused other kids there.'

11 And I think she makes reference to some, what's  
12 referred to as a 'group chat', where someone had  
13 mentioned that the main abusers were FGG, FFX and  
14 'that pervert PQZ'.

15 And then at paragraph 74:

16 'PQZ only worked as a handyman at Dunclutha  
17 during the winter months. In the summer he would be in  
18 [REDACTED]. It happened in the grounds of Dunclutha too,  
19 in a hut. The kids used to sit in it and hide in it and  
20 have cigarettes there. There was no door on the hut but  
21 it was away from the house. PQZ would have been in  
22 his late 50s, early 60s. His wife was a tiny little  
23 thing. I know they are both dead now. FFX and FGG  
24 are dead too.'

25 And she talks about what she learned from [REDACTED],

1 that others were also sexually abused.

2 'After telling Mr Richardson about the beating I got  
3 from Nurse FGH, and nothing being done about it,  
4 I decided not to tell anyone else about the sexual abuse  
5 by PQZ. PQZ said I would go to a List D  
6 school and I wouldn't see my sister, so I just shut up.  
7 I suppose I felt needed. I don't know. I know I didn't  
8 like it and I told him. He just told me it will be  
9 fine, [it'll] be okay.

10 'I didn't tell anyone about any of the abuse  
11 I suffered from FFX [or] Mr FGG or PQZ.  
12 I didn't trust the staff and I believed what PQZ was  
13 saying about where I would go. He only said this after  
14 the first couple of times, then he said he would foster  
15 me and that he was still asking his wife and that she  
16 was thinking about it. I think she knew in her own head  
17 what her husband was doing and she hated me.'

18 She then has a section where she tells us about  
19 leaving Dunclutha and returning to her foster parents.  
20 She left, according to the records, in 1997. So  
21 she'd been I think 15 at that time.

22 And the next number of paragraphs, 78 through to 93,  
23 have already been read in verbatim, and if I could take  
24 your Ladyship to paragraph 94.

25 LADY SMITH: Thank you.

1 MR MACAULAY: And this has also been read in. It's when  
2 'Sandra's' daughter was -- I'm sorry, this is -- I've  
3 confused myself.

4 This next section from 94 through to paragraph 105  
5 has also been looked at, and this is where 'Sandra'  
6 speaks about life after care, that she worked in  
7 a children's home as a support worker and a care  
8 assistant and she wanted to work in the care system to  
9 make a difference. And she also talks in these number  
10 of paragraphs, 94 to 105, about her own family.

11 Then the paragraph I was thinking about is at  
12 paragraph 106, where her oldest daughter was sexually  
13 abused by a person she looked upon as her grandfather.  
14 This was read in previously in the Foster Care case  
15 study.

16 Again, if one goes to paragraphs 111 onwards, 111 to  
17 112, these were read in verbatim, where she's talking  
18 about her training and her qualifications in social  
19 care.

20 Perhaps I should read 113:

21 'I can say there was no love in Dunclutha. Some of  
22 the staff cared and there were others just there for  
23 their wage packet. Kids have choices now. They have  
24 a voice. They have rights. We didn't. There were no  
25 children's rights then. There is more hands-on and more

1 opportunities for kids in care. They have their own  
2 rooms. They aren't living on top of each other. Their  
3 rooms are personalised. There's a lot in place that  
4 wasn't in place when I was in care. There was no one to  
5 guide us. There was no loving environment. That had  
6 an effect on us. That would have made a big  
7 difference.'

8 Paragraphs 114 through to 119 have been read in  
9 verbatim, but your Ladyship will see that they reflect  
10 common themes that we've seen in these cases: lack of  
11 trust, for example; struggling with their own families.  
12 And at 117, she tells us that her time in care has cost  
13 her everything:

14 '... my marriages. I don't have trust for anyone,  
15 and in particular men.'

16 She goes on to say how she buried her time in care  
17 for a long time, even when she was working in care.

18 Now, if I move on to paragraph 122, she says:

19 'I go back every year to this caravan. Dunoon  
20 wasn't the problem. It was Dunclutha. I was an adult  
21 when [I] went back and it wasn't as big as I imagined  
22 it. There were ten kids in the place. Each had a room  
23 that had been a dormitory when I was there. It was tiny  
24 compared to what I remembered as a child. It did bring  
25 back memories. Loads of stuff came flooding back. You

1           could see yourself in the corridors. It has closed now  
2           and I know things have changed massively and I'm really  
3           glad they have, but I'm glad it has shut down.'

4           And there she's talking about the old Dunclutha that  
5           had shut down by then.

6   LADY SMITH: Yes.

7   MR MACAULAY: Other paragraphs, moving on from there, have  
8           been looked at, again, 127 to 129 have been read in  
9           verbatim, and just to confirm that 'Sandra' signed her  
10          statement on 14 October 2019.

11   LADY SMITH: Thank you very much, Mr MacAulay.

12                           Alexander Shannon (read in)

13   MR MACAULAY: So the next statement, my Lady, is  
14          an applicant who does not want to remain anonymous and  
15          indeed who has given evidence using his own name in the  
16          Christian Brothers case study, and this is Alexander  
17          Shannon. He was referred to as 'Alex' when he gave  
18          evidence. His witness statement is at WIT.001.002.3951.

19          He confirms that his date of birth is 1966. He  
20          talks about his family background and how it came to be,  
21          after his parents had a breakdown, that he was taken  
22          into care at Dunclutha Children's Home in Dunoon. He  
23          also sets out there in paragraph 3 that he [REDACTED]

24          [REDACTED].

25          So at paragraph 5, he goes on to talk about

1 Dunclutha. And I'll just read from there:

2 'Dunclutha was quite a big home, but I don't  
3 remember much about the layout. The main building had  
4 all the dormitories on the first floor, up a big set of  
5 stairs. There were a few dormitories but I don't know  
6 how many. Out the back of the main building was  
7 a creche for the younger children.

8 'There must have been about between 40 and 80 kids  
9 at Dunclutha, which was run by a matron and nurses in  
10 uniforms. I think it must have been owned by the local  
11 authority. There was quite a lot of staff and they were  
12 all right with us. I think they probably felt sorry for  
13 us.

14 'I don't remember much about Dunclutha except that  
15 it was a good home and nothing really happened to me  
16 there. There was a regular daily routine going to  
17 school and whatever, but I'm not sure about much else.  
18 I don't remember anything about the showering system,  
19 for example, and whether it was supervised or not.  
20 I don't have a lot of memories of daily life there ...'

21 He then goes on to explain how he was taken to  
22 Dunclutha and that he [REDACTED] stuck in  
23 a black car and taken to Dunclutha from Springburn:

24 'I assume it was social workers that took [REDACTED] but  
25 I don't know for sure. All I remember about what

1 happened that first day, when [REDACTED] dropped off, is  
2 that [REDACTED]

3 [REDACTED]

4 He goes on to tell us:

5 'One thing I do know is that it was 1973, because it  
6 was the same year Princess Anne got married. I remember  
7 not long after [REDACTED] there, the whole school sat  
8 watching the wedding on the telly.'

9 So Princess Anne got married on 14 November 1973, so  
10 that probably places it shortly before that date, when  
11 he would have been aged 6 at the time.

12 He then talks about aspects of the routine at  
13 paragraph 10:

14 'There were about eight beds in each dormitory. At  
15 that age, I thought the rooms were all quite big, but  
16 I can't remember if the dorms were single sex or not.'

17 I think [REDACTED] [REDACTED] were put into a different room  
18 to him because they were older. And about six months  
19 after he and [REDACTED] [REDACTED] had gone to Dunclutha, [REDACTED]  
20 [REDACTED] joined [REDACTED].

21 He says at paragraph 12:

22 'I was always having nightmares and I used to sneak  
23 out at all times of the night looking for [REDACTED]  
24 in his bed. When I found him, I would climb into the  
25 bed with him, but then I would get put back into my own

1 bed.'

2 He talks about bed-wetting:

3 'Whenever I went to [REDACTED]'s bed, I would end up  
4 wetting it. I remember one occasion that I actually  
5 defecated in ... bed and when SNR [REDACTED] found us in the  
6 morning, we were both covered in faeces. There was  
7 a big fuss and I was marched into the shower until I was  
8 clean.

9 'Once I was clean she told me to bend over while  
10 I was still naked and hit me three times across the  
11 backside with a leather belt. I got into my pyjamas  
12 again and I was sent back down to my own dormitory. She  
13 told me I was never to go back to [REDACTED] bed,  
14 and because I was afraid of getting punished, I never  
15 did.

16 'After that, I really missed [REDACTED] and felt  
17 a sense of loss and [ending] up wetting my own bed.  
18 Every time I did, SNR [REDACTED] would hit me again across the  
19 bare backside with the belt. Usually it was three  
20 times.'

21 He talks about mealtimes and other aspects of the  
22 routine, that he went to school. This is paragraph 19.  
23 When he arrived he was sent to St Mun's Primary School.  
24 He tells us that was a normal school.

25 Moving on to paragraph 24, he says:

1           'I only got two visits during the whole time [REDACTED]  
2           in Dunclutha, one from my mum and one from my dad. [REDACTED]  
3           [REDACTED] they were split up but [REDACTED] never given any  
4           updates on where they were or what they were doing.

5           'Although I think it was the social work that took  
6           [REDACTED] to Dunclutha, I never saw a social worker [when] [REDACTED]  
7           [REDACTED] there.

8           'I remember we all used to sit in a square while  
9           people came in that were looking to foster kids. It was  
10          like a cattle market. They would walk round us and pick  
11          different children and then take the children they'd  
12          picked away. We would always see kids coming and going,  
13          in and out of foster care.'

14          And he says that [REDACTED] always left behind:

15          'I ... think [REDACTED] got ignored because [REDACTED] had ginger  
16          hair. It was quite hurtful. I always felt rejected and  
17          lost.

18          'I tried to run away a few times with [REDACTED]  
19          but we always got caught at the ferry. We just wanted  
20          to get back to [REDACTED] parents.'

21          He then has a section that's headed 'Abuse at  
22          Dunclutha':

23          'What I do remember of Dunclutha is that that was  
24          the first time I came across "doctors and nurses". By  
25          that, I mean sexual games, simulating sex and touching

1 each other. Nothing was out of bounds. Even though  
2 I and some of the others were so young, we would get  
3 completely naked and simulate full sexual intercourse  
4 with each other. At that time I had no idea it was  
5 wrong.

6 'There was a group of about 12 of us, boys and  
7 girls, ranging in age from 4 years old to about 15 years  
8 old, all playing with each other sexually. Everyone was  
9 willing and everyone was participating, encouraging each  
10 other on.

11 'I've since spoken to [REDACTED] [REDACTED] and they  
12 told me they were doing the same in their group.

13 'It always happened in the dormitories, pretty much  
14 all the time and either during the day or in the  
15 evenings. I ... also remember a time when a black girl,  
16 who also stayed at Dunclutha, was standing behind me in  
17 a line at school and I had my hands down her knickers.

18 'At that time I didn't think there was anything  
19 wrong [with it] and it became common and would happen  
20 pretty much every day. Even though I was too young to  
21 actually do anything, we would get completely naked and  
22 go through the motions of having sex with girls who were  
23 sometimes 15 years old.

24 'I don't think it happened in front of staff at any  
25 time. I don't think any of the staff would have been

1       aware it was going on. I do wonder now how we managed  
2       to get away with it, especially if the dorms were  
3       single-sex, as I think they were. For some reason  
4       I have no memory of any of the staff being in the  
5       dormitories at all.

6                'We used to go down to the beach in front of the  
7       home where an old guy had a boat club. I remember  
8       a time when a girl ... was taken into the boat club  
9       herself by this man. I don't know his name, but he was  
10      some sort of handyman at the home. I thought at the  
11      time they were playing doctors and nurses and even at  
12      that young age, I knew there was something wrong with  
13      that.'

14             He goes on to say:

15                'I don't remember actually leaving Dunclutha, but [REDACTED]  
16      [REDACTED] there only for 18 months to two years before I went  
17      back to stay with my mum. By this time she had met  
18      another partner.'

19             Looking to the records, he probably left in 1975  
20      when he would be aged about 9.

21             He then goes on to discuss the unhappy family life  
22      that he entered into after having -- leaving Dunclutha,  
23      and that was the background to him entering, being sent  
24      to St Ninian's in Falkland. And he moves on to talk  
25      about St Ninian's from paragraph 53 onwards. And as

1 I've indicated, my Lady, he gave oral evidence, quite  
2 detailed oral evidence, in connection with his time at  
3 St Ninian's where he was sexually abused, particularly  
4 by Brother Ryan, who I think your Ladyship will recall  
5 was a prolific sexual abuser.

6 LADY SMITH: Yes, and by the time of the trial, was dead  
7 I think, is that right?

8 MR MACAULAY: He was dead at the time of the trial.

9 LADY SMITH: Yes.

10 MR MACAULAY: If I could move on to paragraph 138, and  
11 that's on page 23 of this statement, he says at that  
12 paragraph:

13 'After leaving, I never heard from St Ninian's again  
14 ... I got no support from social work whatsoever.  
15 I ended up going to the social work offices to ask for  
16 help because I didn't want to stay in the house, but  
17 I was just fobbed off.'

18 He spent a short period of time in another  
19 children's home where he talks about that from  
20 paragraph 139 through to 146.

21 Then, at paragraph 147, he gave evidence about this  
22 in detail when he gave evidence, but just to remind your  
23 Ladyship, this applicant joined the army and rose to the  
24 rank of captain. He then studied and gained a degree in  
25 psychology and he was working at this time with the

1 National Health Service as a counsellor at Veterans  
2 First Point with army veterans and he -- your Ladyship  
3 may recall that he told us about his autobiography,  
4 entitled 'The Underworld Captain', which published in  
5 2011.

6 He then spent some time -- and he talked about this  
7 in evidence -- telling us about his experience in court,  
8 when he gave evidence in the trial that focused in  
9 particular on Farrell and Kelly.

10 LADY SMITH: Mm-hmm.

11 MR MACAULAY: And at 161, for example, he says this:

12 'I was in the witness box for three days because  
13 they spent the rest of the time trying to slaughter my  
14 credibility. They had my book in the court and all they  
15 tried to do was to make me out to be a liar. I was left  
16 a complete and utter wreck.'

17 He develops this again in paragraph 171:

18 'The whole trial fixated on my adult life and not on  
19 the abuse I suffered at St Ninian's. I felt I was the  
20 accused person, not a witness, and it was as if I was  
21 being abused and manipulated once again. To some extent  
22 the trial and how I was treated in the witness box  
23 nearly ruined my whole life.'

24 At paragraph 174, he goes on to talk about lessons  
25 to be learned. Again we looked at this and he is

1 particularly critical of the social work department. At

2 175 he says:

3 'There was no care plan or sense of a duty of care  
4 from the social work department that I was aware of and  
5 nobody ever came to see me. The social worker should  
6 have been there regularly, speaking to me on a personal  
7 basis and checking on my welfare, both while I was in  
8 care and after care.

9 'People don't understand the impact of giving  
10 evidence in court. Even though a victim might want to  
11 see justice by giving evidence against their abuser,  
12 they are forgotten about afterwards. My giving evidence  
13 has had an impact on my army career. There should be  
14 some way of communicating with victims' employers so  
15 they don't wake up every morning thinking they might be  
16 losing their job.'

17 So clearly, the experience in court was not a happy  
18 one for Alex.

19 LADY SMITH: No, not at all.

20 MR MACAULAY: And one hopes that things have changed since  
21 he had that experience.

22 LADY SMITH: Yes.

23 MR MACAULAY: Just to remind your Ladyship that he signed  
24 his statement on 5 February 2019.

25 LADY SMITH: Thank you very much.

1 Well, it's now nearly 11.30, but are we going to do  
2 any of the Lagarie read-ins today before lunch or not?

3 MR MACAULAY: There's one more read-in that I have to do.

4 So -- but I don't know if you still want to have  
5 a break.

6 LADY SMITH: Right, well, we'll have the break now.

7 Just so that I can catch up with notification of  
8 identities that are protected, we've mentioned quite  
9 a number this morning. Some of them are referred to in  
10 virtually every one of the statements that we have  
11 looked at. But let me try and cover them all and just  
12 to say, explicitly, these are people whose names we have  
13 used in the hearing room. That does not mean they can  
14 be identified as referred to in our evidence outside the  
15 hearing room. They can't, because they have the  
16 protection of the restriction order, my General  
17 Restriction Order.

18 And some of them were mentioned yesterday but let me  
19 just run through them again.

20 FFX [REDACTED], RCS [REDACTED], Mrs RCR [REDACTED], RCP [REDACTED]  
21 RCP [REDACTED], RCO [REDACTED], the FGG-SPO [REDACTED] in their  
22 entirety, RCT [REDACTED], Mrs RCN [REDACTED] or RCN [REDACTED], some  
23 people refer to her as. Nurse RAS [REDACTED], PQZ [REDACTED],  
24 Sister FGI [REDACTED], Nurse FGH [REDACTED].

25 Some children in care may have been touched on but

1 I think we've been careful not to use their names, but  
2 if any of them have come out, of course, other children  
3 in care can't be identified.

4 We have [REDACTED], PQZ [REDACTED]'s wife, I think. The  
5 FFY-FFZ [REDACTED], and those are the entirety of the foster  
6 parent family referred to in 'Sandra's' statement, and  
7 some other individuals who possibly were referred to in  
8 passing, maybe not, but let me mention them anyway:

9 [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED]  
10 [REDACTED].

11 And in the statement we have just been looking at,  
12 that's Alexander Shannon's statement. Children in care,  
13 including [REDACTED], I think we've avoided  
14 using their names but in any event, they are all  
15 protected, as are any other witnesses, such as [REDACTED]  
16 [REDACTED] or [REDACTED].

17 That's covered everybody, but no doubt I will be  
18 told if I have missed any.

19 So, we will have the break now and resume in about  
20 quarter of an hour. Thank you.

21 (11.33 am)

22 (A short break)

23 (11.45 am)

24 LADY SMITH: Mr MacAulay.

25

1                                   'John' (read in)

2   MR MACAULAY: My Lady, this then is the last read-in for

3                    this particular chapter.

4   LADY SMITH: Thank you.

5   MR MACAULAY: It's an applicant who wants to remain

6                    anonymous and wants to use the name 'John' in his

7                    evidence.

8   LADY SMITH: Thank you.

9   MR MACAULAY: His witness statement is at WIT.001.001.7494.

10                   So, 'John' tells us that he was born in 1968. He

11                   says:

12                   'I have little memory of my life before going into

13                   care. I was born in the east end of Glasgow ...

14                   I don't remember the time at home with my parents, but

15                   my adopted mother told me about it later. She told me

16                   that my sister and I were found in a house, we had been

17                   abandoned. I think we had been neglected. We were

18                   taken away. I was two and a half years old and my

19                   sister was only two or three months old.'

20                   And then what the records disclose is that they had

21                   been left in the care of a neighbour.

22   LADY SMITH: Yes.

23   MR MACAULAY: He goes on to say:

24                   'I don't think we were taken straight to Dunclutha

25                   House in Dunoon. I think [my sister] and I were taken

1 to some sort of homeopathic hospital for a few days, but  
2 I don't remember any of it.'

3 What the records show is that they were taken to the  
4 Children's Homeopathic Hospital in Glasgow and that was  
5 on [REDACTED] 1970, so he would have been aged two at  
6 that time.

7 LADY SMITH: Yes.

8 MR MACAULAY: Assuming that that record is accurate.

9 LADY SMITH: Yes.

10 MR MACAULAY: He goes on to say:

11 'I was taken to Dunclutha House in 1970.'

12 Again, the records suggest that he was admitted to  
13 Dunclutha on [REDACTED] 1973, when he would be aged 4.

14 LADY SMITH: Thank you.

15 MR MACAULAY: 'I don't really know why we were taken to  
16 Dunclutha House. I found out later that my mother had  
17 moved from Glasgow to Greenock. I suppose it must have  
18 been something to do with that.

19 'Dunclutha House was [REDACTED] SNR a couple called Mr and  
20 Mrs [REDACTED] FGG-SPO . They had their own family who stayed in  
21 a house in the grounds. Dunclutha House was huge, it  
22 seemed a bit like a castle. There were many parts to  
23 it, although, when you're young, everything seems big.

24 'There were between 30 to 40 children staying in the  
25 home. I think there would have been eight or nine

1 members of staff. You remember some staff for one thing  
2 and you remember some for other things.

3 'There was the big house and a smaller house. It  
4 was called "the wee house". The "wee house" was  
5 situated behind the big house.

6 'I don't remember going into the home, but I would  
7 have gone into the smaller house. I think that is where  
8 we started off and then moved into the bigger house.  
9 I am assuming that was the progression.

10 'My first memory of being there, in the wee house,  
11 was being held in the arms of a member of staff. They  
12 were just holding me in their arms, looking out of the  
13 window. I must have been upset as I was being  
14 comforted. I think that must have been when I just  
15 arrived. I remember that comfort. It is a wonderful  
16 memory.

17 'We slept in dormitories. In the bigger house, you  
18 went upstairs to the dorm. There were bunk beds in the  
19 dorm. There were between six and eight children in each  
20 dorm. I think the children would have been around the  
21 same age in each dorm, but I can't remember. The boys  
22 and girls were separate. There was a girls' dorm. It  
23 was probably the same size.

24 'There was also a big long dorm which had single  
25 beds. This dorm was for much older boys. I think there

1 was also a dorm downstairs for younger girls, but that  
2 was a bigger dorm.'

3 And he talks about the routine and when they got up  
4 in the morning in the next paragraph, and at  
5 paragraph 13, that after breakfast they would be called  
6 to leave for school:

7 'My first memory of school was the big brown school  
8 building. I think that was the Protestant school.  
9 I ran away from the school on my first day there. After  
10 that I was taken to the Catholic school. It was called  
11 St Mun's Primary School.

12 'There was only a few of us who went to the Catholic  
13 school. [My sister] and I both went there. There were  
14 also one or two of the older boys. There weren't many.  
15 I don't know why my sister and I were chosen to go  
16 there.'

17 He tells us they were taken there by minibus but the  
18 older children would walk to school.

19 At 17:

20 'I just remember we were the children from the home.  
21 Some of the other children would say things like,  
22 "That's them in the brown van". I remember being told  
23 "we were the bad people".'

24 At school, the other children called him with  
25 a nickname.

1           At the end of that paragraph:

2           'Looking back, there were a lot of assumptions made  
3           about the children from the home.

4           'I was belted every day at school. Sometimes I was  
5           belted twice in one day. I was hit for  
6           attention-seeking behaviour, but it was nothing really  
7           bad. I don't remember why I was hit.

8           'I think the home made me into someone who was  
9           always seeking approval or attention. I think I tried  
10          to show off. I was hyper. I suppose I might have had  
11          Attention Deficit Hyperactivity Disorder, or something  
12          like that. I would always sit with one knee under the  
13          other, I would get belted for that.

14          'We got back from school at around half past 3 in  
15          the afternoon, but it might have been 4 o'clock.  
16          I think we changed out of our uniforms and put on our  
17          other clothes. We went outside to play after we  
18          changed. There were great woods surrounding the house.  
19          I loved playing there. We played until we had to go  
20          inside for dinner. I think dinnertime was at about 5  
21          o'clock but I can't really remember.

22          'I thought that mealtimes were all right. I thought  
23          that the food was great. I have always loved my food  
24          and for me it was one of the comforts of the day. I had  
25          no problems with the food at all.

1           'After dinner we played some more. The younger ones  
2 went to bed earlier. I think shower time was around  
3 half past 6, or 7 o'clock. I remember we had to go  
4 downstairs to the shower room. It was on the ground  
5 floor of the house. We had to go downstairs to it and  
6 we had to run up when we came out. I didn't have any  
7 issues with it. It was fairly routine.

8           'We didn't go to school on Saturdays and Sundays.  
9 I think we would get up a bit later. I always remember  
10 Saturdays were great because you had all your pals  
11 there.'

12           And he goes on to tell us about how they played.

13           At 25:

14           'There was a TV room in the house, it was next to  
15 the dining room. There were rows of seats in the TV  
16 room. The wee ones liked to sit down at the front and  
17 the bigger children sat at the back. It was like  
18 a school bus.

19           'I think we tidied up our beds. I think we  
20 collected our laundry and took it somewhere. We weren't  
21 made to scrub floors, wash down showers or anything like  
22 that.'

23           And he talks about during the holiday periods, of  
24 going on day trips.

25           At 29:

1           'One of my most vivid memories of school happened  
2 around Christmas time. SNR ██████████, Mrs RBC ██████████, or  
3 Mrs RBC ██████████, as I like to remember her as, had come into  
4 my classroom. She hated me. I remember her walking  
5 around and asking each of the other children what they  
6 wanted Santa to bring them. Then she came to me. She  
7 said, "You'll be getting one present". She said it in  
8 front of the whole class. I've never forgotten that.

9           'People were laughing. I felt humiliated.  
10 Mrs RBC ██████████ had singled me out in front of my peers and  
11 even at that age I felt that that was wrong. The truth  
12 was that I didn't know what I would be getting from  
13 Santa.

14           'I do have some fond memories of Christmas time in  
15 the home. I remember that we would all be sitting on  
16 the big set of stairs, as you first entered the big  
17 house, waiting on Santa to come through the front door.  
18 Those were nicer times.

19           'I was visited once by my grandfather, my mother's  
20 father. I remember nearly every moment of that visit.  
21 I was about 6 or 7 years old. He gave me a jumper.  
22 I think he had bought it for me. I actually still have  
23 a photograph of that jumper. That was the only time he  
24 came to see me. I didn't have any other visitors.

25           'I don't remember asking my grandfather any

1 questions. I maybe did. I was just a child. I just  
2 remember having a wee fun afternoon. I found out later  
3 that my mother didn't have a good relationship with my  
4 grandfather.

5 'I wasn't visited by anyone else when I was in  
6 Dunclutha. I never saw a social worker. I didn't know  
7 why I was in the home. I was always wondering where my  
8 mum and dad were and why nobody was coming to see me.  
9 Nobody told me why I was there. I wasn't allowed to  
10 ask. I was told to shut up. If you were ever upset,  
11 you would be thinking "Where is my mum?" I didn't speak  
12 to anyone about that sort of thing. I just thought  
13 I was there because I was a bad person.

14 'I remember I cut my wrist accidentally through  
15 a glass door. I was taken to hospital and I got  
16 stitches. I can't remember much about that. I remember  
17 that the dentist was actually in a caravan outside the  
18 school. It was horrible. This would have been the  
19 visiting dentist to the school. I don't remember being  
20 denied any medical or dental treatment.

21 'If anyone wet the bed, they would be spanked when  
22 they got home from school. You had to gather up the bed  
23 clothes and there was a place you had to put them. You  
24 had to get washed or showered.

25 'On one occasion, I had wet the bed and Mrs RBD

1 held me under a cold shower. That didn't happen often  
2 though. I can remember the sheer panic when you woke up  
3 and discovered you had wet the bed. You didn't want to  
4 get out of bed in case they saw it. You would try and  
5 put your clothes on so that no one noticed, but you  
6 couldn't hide it. They would check the beds.

7 'They didn't punish us in the morning. I always  
8 knew that I would get spanked when I got back. They  
9 never spanked you before you went to school. They  
10 waited.

11 'The discipline in the house was brutal. There was  
12 a housemaster for each dorm. I remember getting spanked  
13 frequently. We were spanked by various members of  
14 staff. I remember RCS [REDACTED] spanking me regularly.  
15 RCS [REDACTED] was known as RCS [REDACTED]. I think she was the  
16 head of our dorm.

17 'The spanking was brutal. It might have been there  
18 had been too much noise the night before. You are told  
19 in the morning, "When you come back today", so you knew  
20 the spanking was going to happen when you came back from  
21 school. I always remember that. I would be sitting in  
22 school waiting all day to go back for it. You knew what  
23 was going to happen when you got back. It was emotional  
24 cruelty. You couldn't concentrate on any of your work.  
25 How could you?

1           'I remember our dorm standing in a queue with our  
2           trousers down. I would be in the queue with some of my  
3           friends. I would have been about 5 or 6 years old.  
4           I learned to cry quickly, watching the terror in my  
5           friends' faces as they too waited to be spanked. You  
6           knew that you were next. After it, we would stand and  
7           compare our marks with each other. There was a real  
8           camaraderie between us. We'd say, "God, look what  
9           they've done, look what they've done to [him]", or  
10          suchlike. It was like a support network. RCS  
11          definitely did that to us in the queue.

12          'Sometimes the staff used to put a slipper in the  
13          middle of the floor at nighttime. There would be  
14          a chair there too. They would listen at the door to  
15          hear who was talking and if someone made a noise, that  
16          would be it. They would come in and we would all be  
17          scared, so somebody might point to somebody. We would  
18          all get the slipper.

19          'I remember being away on a trip to the Red Lion  
20          Caravan Site. It was near the beach. The Americans  
21          used to come and visit us. We visited the boats. I was  
22          6 or 7 years old. RCS was there with her  
23          boyfriend. He was American. I don't remember his name.

24          'We were staying in a caravan. I think there were  
25          three or four other children there at the time. I don't

1 know what I had done. I just remember being on the  
2 promenade with RCS and she booted me from the  
3 start to the finish along this promenade. She was  
4 holding hands with her boyfriend while she kicked me.  
5 I was just being pushed and kicked. She was saying,  
6 "You're useless". He was laughing, but he didn't join  
7 in.

8 'I have since wondered if he should even have been  
9 staying there. I also remember him being naked and her  
10 pointing at his penis saying, "Look at the size of  
11 that".

12 'I absolutely hated one particular person. She was  
13 a matron kind of person called Mrs RBD. I still  
14 have nightmares about Mrs RBD. She wore thick  
15 milk-bottle glasses and had really small eyes. She  
16 hated me. She would stare at me and I would try to look  
17 away. I don't think anybody liked her.

18 'If I was cheeky, she would take me to the toilet  
19 and I would get my mouth washed out with carbolic soup  
20 [that should be soap]. I always remember her making me  
21 get the soap and bringing it over to her. RBD used  
22 to say to me, "No wonder your mother sent you here".  
23 That really hurt me. It was the only reason I was given  
24 for being there. In my head it was like, "No wonder  
25 your mother didn't want you, that's why you're here".

1           'One time, Mrs RBD was working on the night  
2 shift. She took me to the toilet to get the carbolic  
3 soap. She washed my mouth out with it. I had to go  
4 back to my bed. My mouth burned like hell. I waited  
5 and waited and then I got up and went to the toilet.  
6 She was there waiting for me. I got spanked for leaving  
7 the dorm. It was kind of entrapment. I hated that  
8 woman. I never told anyone in the school about any of  
9 that. I didn't want anyone to know anything about the  
10 home.

11           'On one trip to Islay, we were staying in a big  
12 country house. I couldn't eat brussels sprouts. We had  
13 them for lunch one day. I can see them on the plate  
14 now, three brussels sprouts. I couldn't eat them.  
15 Mrs RBD said, "You'll stay there until you eat  
16 them". I stayed there until bedtime. I tried to put  
17 sauce on them to eat them. I just couldn't eat them.  
18 I tried everything. They were there when I got up in  
19 the morning. I sat there all day with them.

20           'I remember hiding them under a plant pot.  
21 I thought she would look in the plant pot, so I put them  
22 underneath it. She checked the plant pots when she came  
23 in and I remember getting one over on her. I was sent  
24 straight to bed and that was it. I mean, that was the  
25 best part of two days. I will never forgive her for

1 that. It was the equivalent of putting a lump of shit  
2 down in front of me. I would have been sick.

3 'I can remember a guy called FFX . I don't remember  
4 FFX 's surname. He was a significant person in the  
5 house. FFX ruled the roost. FFX did a lot of  
6 spanking in the house too.

7 'He was quite old. He had swept-back grey hair and  
8 big hands. He was a big man. He could be quite brutal.  
9 He scared the living daylights out of me. He could  
10 quell you with a look, a bit like RBD . He walked  
11 around wearing a grey nylon sort of overall and black  
12 trousers. It was a kind of uniform. He always wore  
13 this outfit. He ran the tuck shop.

14 'A bell always rang for us to come in for lunch.  
15 One day I was late because I didn't hear the bell. FFX  
16 grabbed me and dragged me by my neck in front of  
17 everyone. My feet didn't touch the ground. He  
18 leathered me with his hand and I was dragged by the  
19 scruff of the neck. I was choking. I felt helpless.  
20 I was only about 7 years old.

21 'To this day, I can't wear anything around my neck.  
22 I have to have an open top on all the time. FFX used  
23 to do that to me all time. It would often happen in  
24 front of other children or staff. He made me feel so  
25 bad.

1           'Mr and Mrs FGG-SPO had their own family. The  
2 FGG-SPO house was nearby. Their kids had bikes and  
3 used to make ice lollies. Their kids used to be able to  
4 go in and out of their kitchen. We would ask them [for]  
5 drinks.

6           'They were quite different. I remember being  
7 jealous of them. It was like, "This is you and this is  
8 what you could have had". I knew there was a difference  
9 there because it was like watching a family. Nobody  
10 would mess with their kids. The FGG-SPO were all  
11 right. You didn't see much of them. It was some of the  
12 staff they employed that was the problem. Mr FGG  
13 would say hello. He could be quite playful.

14           'I received the belt from Mr FGG once. I think  
15 that was for vandalism. I can't remember why that  
16 happened. That was the only time I was belted in the  
17 house.

18           'I often remember waking up in the middle of the  
19 night with somebody in my bed. It would be older kids,  
20 older boys. That would happen a lot. I don't remember  
21 who it was. I remember two of the older boys slept in  
22 an attic part of the dorm. I don't even know their  
23 names. One of the boys showed me his pubic hair and  
24 said, "Do you like that?" Then I had to wank him off.  
25 That happened quite a lot. Other times, I remember

1           being held when I was in bed. I didn't tell anybody  
2           about that.

3           'I couldn't tell anyone about the abuse. A few of  
4           the older boys told me not to tell anyone. I suppose it  
5           was a bit like grooming. You felt the older person  
6           would protect you and that they liked you.

7           'There were two sisters in the home. One of them  
8           was a really big girl and the other was thin. One day  
9           they took me into the woods. The bigger one took my  
10          trousers down and made me touch her private parts. When  
11          she finished, she said, "You wait, wait, wait" and her  
12          sister came over. Her sister did the same. The bigger  
13          one would then go away. I think people were scared of  
14          the big one. They were teenagers, I was only 6 or 7.  
15          This happened more than once. It was always initiated  
16          by the bigger one.

17          'I specifically remember going to the Catholic  
18          school. I don't know why I had such a reaction to it.  
19          It was something that was drilled into me even though  
20          I was 2 and a half when I was taken into care. There  
21          were certain things I remember. I remember I was  
22          a Catholic and that I was a Celtic supporter. I didn't  
23          know why.

24          'We were taken to mass. I became an altar boy.  
25          I fell on my first day. I always remember that. I have

1 a recollection of lighting the candles. I loved doing  
2 that. There was a guy called Mr McDonald and his wife  
3 was called Theresa. He stayed in one of the wee houses  
4 near the home. Some of the staff stayed there.

5 'I made my confirmation or my First Holy Communion.  
6 I think I was 7 or 8 years old. I remember I was given  
7 a candle. It was carried out by the priest, Roddy  
8 Wright. He was later appointed the Bishop of Argyll and  
9 the Isles. Mr McDonald was there as he was my sponsor.  
10 He gave me a book about dinosaurs. He and his wife were  
11 really nice people.

12 'I remember hiding the candle behind a big chest of  
13 drawers at the front door of the home. I think it was  
14 so no one [would] get it. I don't know why. I always  
15 felt slightly different because I was a Catholic person.  
16 I was all right with it. I think I liked it because  
17 I was different.

18 'I can remember Mr FGG being a mad Rangers fan.  
19 I remember Celtic were my team. Everybody else was  
20 a Rangers fan. I wouldn't give up on it. I don't  
21 remember being picked on because of my religion in the  
22 home. I think that there was a bit of slagging because  
23 I was a Celtic fan. I didn't associate religion and  
24 Celtic at that time.

25 'I can also remember the priest, Roddy, coming to

1 visit us at the school. I remember him coming into the  
2 class and throwing a duster around. He would come and  
3 talk to us during his visits. He would sometimes take  
4 his dinner out of the pig bin. I have a fond memory of  
5 that, because I thought he didn't like waste. I still  
6 don't like waste.

7 'I had some good times there. I remember there was  
8 a matron called Mrs RCR and she was lovely. She was  
9 always nice to me and never hit me. She gave me hugs.

10 'I remember they changed the name of the little  
11 house to "Taigh Beag", which is Gaelic for "little  
12 house". I was moved into Taigh Beag. I don't know why  
13 I had been moved. My mates were still in the big house  
14 but the staff were nicer in Taigh Beag.

15 'There were two really nice people in there. One of  
16 them was a lady called Helen who worked there. She  
17 stayed in one of the houses near the little house.  
18 I was really good at art and we would spend time  
19 drawing. There was another lady called Heather. They  
20 were there just before I was adopted. I was treated  
21 differently in Taigh Beag. My sister ... was moved into  
22 Taigh Beag too. I had never been with my sister until  
23 then. I knew she was my sister, but I didn't have  
24 a relationship with her.

25 'I remember being visited by a social worker from

1 Barnardo's. That was the first time I had ever seen  
2 a social worker. She told me about my family. She  
3 asked if I would like to have a mum and dad. I was then  
4 told I was going to be adopted. [My sister] and I left  
5 together on [REDACTED] 1979.'

6 So he would have been 10 at that time.

7 LADY SMITH: Thank you.

8 MR MACAULAY: 'I felt very sad and upset the day that I left  
9 the home. I regarded all my mates there as my family.

10 'I never reported what happened at Dunclutha House.  
11 I didn't tell anyone about it, there was no one to  
12 tell.'

13 He then looks at his life after care and he went to  
14 live with his parents in North Uist and he describes his  
15 life there. He says at 73:

16 'It was a bit of a culture shock. Initially  
17 I didn't want to be there. I used to sleepwalk and I  
18 remember waking up in front of the peat fire. I had  
19 become unconscious. I used to sleepwalk constantly or  
20 would sleep with my mum and dad.

21 'My sister and I had to learn to have parents. My  
22 parents had to learn to have kids. There were  
23 difficulties, but I got to really love them [and] I used  
24 to worry about going back. I don't think I was  
25 conscious of it. I was always asking, "Are we adopted

1           yet?" They were good to us. They never threatened us  
2           with going back to the home. My parents are beautiful  
3           people.'

4           He goes on to tell us that they were finally adopted  
5           on [REDACTED] 1981. By then I think he would be aged  
6           13.

7   LADY SMITH: Yes. Yes, that would fit. Thank you.

8   MR MACAULAY: And he tells us about his schooling in North  
9           Uist. It was -- he describes it as a good school with  
10          good teachers but that they were woefully undereducated:

11          'It was a source of embarrassment for me, especially  
12          when we went to the islands and were in smaller classes  
13          with intelligent people. My mum worked really hard  
14          teaching us at home. I had to learn to read properly.  
15          She read us bedtime stories. They were fantastic. She  
16          brought education to life. I think she did a really  
17          good job.'

18          He goes on at paragraph 78 to tell us that he found  
19          that his birthday was not the day he thought it was. It  
20          had been changed when he was taken into care and he  
21          says:

22          'I am not sure why they did that. I don't think it  
23          was malicious. I think it had been an administrative  
24          error somewhere along the line.'

25          Because the school in North Uist did not have

1 a fourth year, he ended his education in The Nicolson  
2 Institute in Stornoway and he goes on to talk about  
3 that.

4 He then goes on to talk about subsequent education  
5 and in particular, at paragraph 84, that he went to  
6 college to study for an HNC in social work. He also  
7 went to Glasgow University to study social work for one  
8 year:

9 'I was working part-time as a "befriender" in the  
10 social work department at [that] time. I think becoming  
11 a social worker was a natural process for me after that.

12 'I never went back to Uist after I moved to Glasgow.  
13 My parents moved to near Dumfries.'

14 And that he would visit them on occasions.

15 At 88 he goes on to talk about the impact of being  
16 in care and what he says:

17 'I think being in care has had a huge impact on my  
18 life. I think for me, it's been more than the earlier  
19 stuff about being "the bad boy" from the home. There is  
20 lots of confusion. I think in my early years,  
21 everything was behind me. I learned about attachment  
22 theory when I went to university and it was like a light  
23 going on. I started to think about these things and how  
24 I ended where I am.

25 'I am constantly seeking approval. I try not to do

1 it. I can move from friend to another like that.  
2 I have this thing about being a charity case. I will  
3 never go clothes shopping with anyone. I never think  
4 that I'm worthy. I remember being taken for clothes and  
5 not having much choice. That has stuck in my memory.  
6 I can't take a compliment. I am never satisfied with  
7 anything. I can move from one thing to another. I  
8 ... never finish anything. I'm creative and great at  
9 starting things, but I can never finish them.'

10 If I could go on to paragraph 90, he says there:

11 'I have nightmares about RBD . She is always  
12 looking through a door at me with those eyes. I go  
13 through a door and she opens another door. I wake up  
14 soaking wet. The nightmares have been in the latter  
15 years when [I'm] being lonely.

16 'In the latter part of my life, I have found myself  
17 on my own and unable to have relationships that were  
18 lasting. I find the loneliness very difficult. I find  
19 being on my own difficult. I have struggled to maintain  
20 relationships.

21 'The author Christopher Hitchens wrote about the  
22 Germans having a word for children who have been abused.  
23 I think the Germans call it "soul rape". It confuses  
24 you when you are a young person and it affects you later  
25 in life. It impacts upon your ability to make intimate

1 relationships, to be open and honest. I've never been  
2 able to talk to any partner.'

3 He goes on in the next couple of paragraphs to talk  
4 about his own personal life, and if I can go on to  
5 paragraph 96:

6 'I have had major bouts of depression. I have had  
7 alcoholism and bulimia. I have tried to console myself  
8 with food or tried to self-medicate with alcohol.  
9 I kept things to myself. I have been admitted to ...  
10 hospital a few times. I would be allowed to go home  
11 after I ... sobered up.'

12 He talks about having suicidal thoughts and being in  
13 hospital, having cut his wrist.

14 And at 99:

15 'After I came out of hospital, I was put in touch  
16 with the Tom Allan Counselling Centre. I made  
17 a donation. I couldn't have afforded to pay the full  
18 price. I spent 26 weeks there. I had a great  
19 counsellor. That was the first time I ever talked about  
20 it. It was a confidential person who I knew wasn't  
21 going to talk to anyone. I could tell them anything.  
22 It was a real weight off my shoulders. I had always  
23 kept things to myself. That was the first time I had  
24 spoken about any of it. I think when you're in the care  
25 field, it's hard to admit that you need a bit of care.'

1           He goes on to say:

2           'When I came out of hospital, I read so much to try  
3           to find out about myself. I wanted to try to understand  
4           myself so that I could process it all. There was  
5           a wonderful guy called Gabor Maté, he was a physician.  
6           I read a lot of his work.

7           'He has written about "the hungry ghost". It looks  
8           a bit like Casper. It has a wee head with a very small  
9           mouth. It's got a huge, long skinny neck and a massive  
10          big belly. It resonated with me because it doesn't  
11          matter how much I get, I can never get enough because it  
12          can never fill me up. It can never fill up that belly.  
13          There is always an empty feeling. I thought that best  
14          described me in many ways.'

15          And he then talks about a jail sentence because he  
16          had sat in front of a police van during the poll tax  
17          marches, and he says:

18          'The funny thing is I fitted like a glove when I was  
19          in hospital and prison. I knew then I had been  
20          institutionalised. That is the impact. That had been  
21          how my brain developed.

22          'I met my blood mother when I was 18 in Central  
23          Station. I met her three times. She could never talk  
24          about it. She had been in care from about two months  
25          old until she was 16. She was in Quarriers Homes.

1            'The first time I met her, she said, "I'm sorry you  
2            were in care for so long". She asked how it had been  
3            and I lied to her. I said it was okay. I didn't want  
4            to upset her. Now that I know she was in care,  
5            I realise why she was worried about me. I am glad  
6            I told her it was okay.

7            'I later learned that when I was taken into care,  
8            they promised my mother that we would be adopted  
9            straight away. The local authority hadn't obtained her  
10           consent. I now know that she thought we had been  
11           adopted and that's why she hadn't come to see me in the  
12           home. Nobody told me that in there. I had no answers.  
13           We were forgotten about. I think it would have broken  
14           her heart to know the truth about my time in care.'

15           There are obviously a few words missing at the top  
16           of the next page. I suspect it's something like 'They  
17           had promised her I would be adopted'.

18    LADY SMITH: Yes.

19    MR MACAULAY: 'They robbed me of my relationship with her  
20           because she didn't feel she could contact me.

21           'It was her funeral recently. There was a poem in  
22           her service remembrance, called 'Two Mothers  
23           Remembered'. She had dementia. I thought that was  
24           strange because I had two mothers. I met quite a lot of  
25           my family for the first time at her funeral.'

1           He then goes on to mention problems that his sister  
2           had and looking towards the bottom of that page at  
3           paragraph 113:

4           'The fundamental impact upon me is the feeling of  
5           abandonment that I had as a child. I wasn't given any  
6           information from anyone and nothing was explained to me.  
7           As a result, I have an in-built fear of rejection as  
8           an adult that lives with me constantly.'

9           He goes on to say that:

10          'I have never sought my records. I have worked as  
11          a social worker for 15 years. It has never sat easily  
12          with me to ask my employer for my own records. I am  
13          going to do it because there are a lot of questions that  
14          I haven't been able to answer today. For example, who  
15          oversaw me being taken into care? Who didn't follow it  
16          up? Why didn't they follow it up?

17          'I think it's important that there is recognition  
18          that abuse happened. I have never been someone to blame  
19          people. I think I'm one of those people who accept the  
20          way it was then. Why weren't the good people reporting  
21          the bad people? I assume there wasn't a culture of  
22          whistleblowing then. I understand that retrospectively.

23          'In terms of the Inquiry, I don't think there are  
24          huge lessons to be learned. I work in children's units.  
25          There have been big changes. Some of them still aren't

1 fit for purpose. There are 14 children's units in  
2 Glasgow.

3 'I oversaw my first adoption two years ago. I got  
4 to write the "life letter". It is an explanation of why  
5 you were taken into care. I took a lot of care and love  
6 over that. Through my work I have learned a lot and  
7 I am much more able to process it. I think I am a much  
8 better social worker for it as I have a good  
9 understanding of things. I know what troubled kids have  
10 been through. I worked in youth justice for many years.

11 'I think that speed and time are important. In my  
12 opinion, children should be moved to permanence as soon  
13 as possible so they can live within a family unit.  
14 I think children should be part of a family environment.

15 'Children learn how to be parents through  
16 instruction, by watching and having a long, lasting  
17 relationship with people. Kids don't need to be in  
18 long-term care.

19 'I don't want any members of staff who treated me  
20 well to be tarnished with the same brush. I want to  
21 recognise the good work and some of the wonderful people  
22 who worked in Dunclutha House too. I think it is  
23 important for the Inquiry to acknowledge that there were  
24 caring and good people there too.'

25 'John' has signed his statement on 15 March 2018.

1 LADY SMITH: Thank you very much, Mr MacAulay.

2 So that completes today's read-ins, I think.

3 MR MACAULAY: Indeed.

4 LADY SMITH: Before I rise for the lunch break, I think I've  
5 got two names to add to the names I mentioned this  
6 morning of people who are not to be identified as  
7 referred to in our evidence outside this room. And  
8 that's Mrs RBD, repeatedly mentioned in that  
9 statement, and also a Mrs RBC or RBC, I am not sure  
10 of the exact spelling.

11 So, 2 o'clock we return.

12 MR MACAULAY: Mr Sheldon will be looking at Lagarie.

13 LADY SMITH: Of course, yes. Thank you very much indeed.

14 Thank you.

15 (12.32 pm)

16 (The luncheon adjournment)

17 (2.00 pm)

18 LADY SMITH: Good afternoon, and welcome to those who are  
19 newly arrived for the evidence in relation to Phase 10  
20 of our case study findings.

21 Now, we move this afternoon to look at evidence in  
22 relation to Lagarie, and I'm going to invite Mr Sheldon  
23 to tell us about that.

24 Mr Sheldon.

25 MR SHELDON: Yes, my Lady. If I may just make a few

1       introductory remarks about Lagarie before we start with  
2       the evidence.

3               Lagarie was a children's home run by the Scottish  
4       Committee of the British Sailors' Society from 1948 to  
5       1982.

6               It was conceived clearly as a home for children of  
7       sailors, but local authorities also placed children  
8       there. The society's A to D response to our Section 21  
9       notice initially put the total number of children who  
10      stayed at Lagarie at around 3,280, but the society has  
11      subsequently made clear that it doesn't have records  
12      for -- records of numbers for some of the years of  
13      operation and there would have been likely substantial  
14      overlap, because many children stayed for a number of  
15      years.

16              But as a snapshot, my Lady, in the course of 1950,  
17      the number is given as about 117 children at the home  
18      and for 1960, 120. By 1977, the number had dropped to  
19      27 and by 1982, when Lagarie closed, down to 8.

20   LADY SMITH: Right.

21   MR SHELDON: But on the numbers, which are given in the A to  
22      D, my Lady, it does seem likely that some hundreds of  
23      children, if not over a thousand, would have stayed over  
24      the piece. But we'll explore those numbers further with  
25      the Sailors' Society in due course.

1           My Lady, there have been a total of 29 applicants  
2           for Lagarie, and six have agreed to be live witnesses in  
3           this block. But I should say that there are many more  
4           individual complaints or reports of abuse at Lagarie  
5           than there have been applicants.

6           The Society's A to D response puts this number at  
7           80, but we, the Inquiry team, has done some work on this  
8           and the excellent work that has been done looked at all  
9           the witness statements, the Part A to D response, police  
10          statements, affidavits received as part of court cases  
11          and correspondence recovered by the Inquiry, and those  
12          sources would indicate that there have been some 98  
13          different or separate allegations or reports of abuse at  
14          Lagarie over the years.

15          In this block of hearings, my Lady, we hope to hear  
16          from ten live witnesses. These are made up of the six  
17          applicants, two other witnesses -- one of whom we're  
18          hearing from today, and I will come to that in just  
19          a moment -- and two witnesses representing the British  
20          Sailors' Society; their CEO and Director of  
21          Communications are coming to give evidence next  
22          Thursday, 22 January.

23        LADY SMITH: Thank you.

24        MR SHELDON: They'll appear together as a panel, my Lady.

25          And of course, as usual, there will also be read-ins; in

1           this case 13 read-ins from 13 applicants.

2   LADY SMITH: Thank you.

3   MR SHELDON: My Lady, today we're to hear from Mark Daly,  
4           an investigative journalist. Mr Daly has given evidence  
5           before, on Day 152, that was 18 September 2019, in  
6           relation to the Benedictines case study and his evidence  
7           from that day is at TRN.001.006.3584.

8   LADY SMITH: Thank you.

9   MR SHELDON: So with that, my Lady, I would call Mark Daly.

10   LADY SMITH: Mark Daly, thank you. (Pause)

11                           Mr Mark Daly (affirmed)

12   LADY SMITH: Do sit down and make yourself comfortable.

13           Before you came in, Mr Sheldon recapped on the fact  
14           that you were here once before and on that occasion  
15           I think you were good enough to let me use your first  
16           name. Are you still comfortable with that?

17   A. Sure.

18   LADY SMITH: Thank you, Mark. And thank you very much for  
19           coming back. It's some years since you were here to  
20           talk about the Benedictines and their involvement with  
21           both Fort Augustus School and Carlekemp School, and  
22           I well remember -- and no doubt you well remember --  
23           that a number of former pupils who provided evidence  
24           then were very positive about their involvement with  
25           'Sins of Our Fathers', which was the title of the

1 documentary you made about the Benedictines, and in  
2 particular of you and Murdoch Rogers, that you worked  
3 with. I just wanted to take this opportunity to say  
4 I hope that you did read the short section I wrote in  
5 the case study findings, making clear that I considered  
6 that was a very well-researched investigation and it  
7 brought an important issue into the public domain that  
8 otherwise might never have got there, and it had  
9 affected a large number of people.

10 Lagarie, if I remember rightly, was also on your  
11 horizons then, and that's why we've brought you back  
12 today.

13 Mr Sheldon, as I understand it, is going to ask you  
14 a few questions first of all, and then we're going to  
15 turn to the documentary you made about Lagarie, rather  
16 in the same way that we did when you appeared these  
17 years ago to talk about the Benedictines.

18 As a practicality, when you do that, if you prefer  
19 to watch it on the big screen behind you, feel free to  
20 move your chair around. If you're happy with the small  
21 screen in front of you, you can stay where you are.

22 But otherwise, as I indicated then, I know it's hard  
23 work giving evidence and I know that this subject matter  
24 isn't easy to talk about, and however well immersed in  
25 journalism and documentary making you are, it can catch

1           you out at times, your own emotions. If you want  
2           a break, just say, it's not a problem. Anybody sitting  
3           in that seat is allowed to tell me that they just need  
4           a breather, so feel free.

5           And, as ever, if our questions aren't making sense,  
6           that's our fault, not yours. So you tell us that and  
7           we'll try and explain ourselves better.

8           Any questions at the moment?

9    A. No.

10   LADY SMITH: Right, well, I'll hand over to Mr Sheldon and  
11           he'll take it from there.

12   A. Thanks.

13   MR SHELDON: Thank you, my Lady.

14                            Questions from Mr Sheldon

15   MR SHELDON: I hope you don't mind if I also call you Mark;  
16           is that all right?

17   A. Of course.

18   Q. So, Mark, you, of course, will be familiar with the  
19           formalities that we go through in these hearings to  
20           begin with, and I think you should have your statement  
21           in front of you in the red folder.

22           And just for our purposes, the statement reference  
23           is WIT.001.002.4434. And this was a statement that you  
24           gave which covers both the abuse at Carlekemp and Fort  
25           Augustus schools, but also Lagarie -- or 'Lagarie',

1 I should say -- and the making of the documentary about  
2 that.

3 If you just turn, please, to the very last page,  
4 it's page 34, and am I right in saying that that's your  
5 signature?

6 A. It is.

7 Q. And you signed it 4 March 2019?

8 A. Yes.

9 Q. Thank you.

10 If we can turn then to page 18, where you start to  
11 deal with Lagarie and you say a few introductory words  
12 about that and in particular about the Reverend Barrie,  
13 and I'll come back to that, I think, after we have  
14 watched the documentary.

15 But I'd just like to ask you, before we watch the  
16 film, about the preparatory work that you did for this.  
17 How, in other words, did Lagarie come on to your radar?

18 A. A contact advised that there was a big untold story and  
19 that a number of former residents of Lagarie had taken  
20 a case to a firm of solicitors. And there was a very  
21 small amount of information on the public record, there  
22 was a story in the Sunday Mail from 2001, I think.  
23 There was also a [REDACTED] group of former Lagarie  
24 residents. So I was able to glean a little bit of  
25 information from that.

1           And in these stories, it's really not complicated.  
2           You know, investigative journalism is often really just  
3           about speaking to people and earning trust, and really  
4           that's what we did. You know, we went from one former  
5           resident to the next and that would develop a number of  
6           new leads.

7           I have had and still have, you know, a good working  
8           relationship with the team of solicitors, Thompsons, and  
9           they helped put me in touch with the clients that they  
10          had, and really we tried to speak to as many former  
11          Lagarie residents as possible to try and build up  
12          a picture of what this place was like.

13        Q. If I can just ask you, and I think we can understand,  
14          particularly in a case like this, circumstances like  
15          this, that trust is very important, particularly to the  
16          survivors; how do you go about building that trust with  
17          the group, or a group such as the group from Lagarie  
18          that you spoke to?

19        A. Again, it's not complicated. It's just about -- it's  
20          just about being human and listening and, you know, even  
21          though these people have often gone through utterly  
22          traumatic and terrible experiences, my job is -- I still  
23          have to try and probe that and verify things and  
24          challenge and test it. But I guess, you know, there is  
25          a way to do that whilst maintaining trust, you know, and

1           be very upfront. I'm very upfront with the people  
2           I speak to, you know, about the investigations we do.  
3           I try and -- I don't overpromise. I tell them exactly  
4           what I think I can do and I go away and I try and do it  
5           and, really, building up trust is, in the way you do it  
6           in any form, in any part of your life, you just spend  
7           time with people and, yes, you have to give a bit of  
8           yourself in order for them to trust you, and do your  
9           best not to let them down.

10    Q.    In getting to know the survivors at Lagarie, what was  
11           your impression of them and how did they compare, for  
12           example, to the group that you interviewed in relation  
13           to the 'Sins of Our Fathers' documentary?

14    A.    I think one should be careful about categorising groups  
15           of abuse survivors, and I wouldn't wish to do that.  
16           I would say, though, that these were different. You  
17           know, the people in Fort Augustus, most of them had  
18           families, wealthy families, who could afford to send  
19           them to a private school.

20                    These were kids that I would say were often from  
21           broken homes, often motherless, fathers were away at  
22           sea -- that's kind of what the Sailors' Society was  
23           there for; it was there to help with the families of  
24           seamen.

25                    And so, often, these kids were virtually orphans

1 and, I would suggest, much more vulnerable. And by the  
2 time I met them, I would say that each and every one of  
3 them was traumatised and, to a greater or lesser extent,  
4 you know, all of them, all of their lives had been  
5 touched in an extremely negative way. I would say that  
6 all the survivors of Lagarie that I met were  
7 irreversibly changed by their experience.

8 Q. You make this point at paragraph 75 of your statement,  
9 page 19, that these were children who arrived at  
10 Lagarie -- I'm sorry, I keep correcting myself,  
11 'Lagarie' -- who arrived at Lagarie already vulnerable,  
12 already traumatised?

13 A. Uh-huh. For example, one of the families I met, they  
14 had been -- there were six siblings. They had been  
15 separated and put into a variety of foster homes in the  
16 run-up to being delivered to Lagarie and they had  
17 experienced abuse there. They had experienced trauma  
18 from the death of one of their parents, they had  
19 experienced trauma from being separated from their  
20 siblings. So they got to Lagarie and they saw the  
21 beautiful surroundings and the amazing view and this,  
22 you know, big old building, and they thought they had  
23 landed lucky.

24 But, yes, they arrived there incredibly vulnerable.

25 Q. And I think you say at paragraph 76 that that's what you

1 personally found so difficult about the Lagarie film.  
2 And, Mark, you're a pretty experienced journalist, and  
3 have been at this for some time, but I wonder if you can  
4 just say a word or two about how this struck you, how it  
5 affected you in dealing with the survivors of Lagarie?

6 A. (Pause) These kids had no chance. And to have even  
7 survived their experience at Lagarie is  
8 an extraordinary -- it's an extraordinary thing and is  
9 testament to them.

10 I have to say that in the years, many years, I've  
11 been doing this, I haven't ever encountered anyone  
12 I think as evil as William Barrie and his wife, and the  
13 levels of depravity and cruelty that I heard about at  
14 Lagarie are on a different level. And you could see  
15 that in the eyes of these survivors. Absolutely.

16 Q. Well, we'll see the -- we'll see some of them in the  
17 documentary just in a moment. But to try to help set  
18 the scene for that, am I right in thinking that really  
19 the Lagarie chapter falls into two parts: there's  
20 a chapter from about 1948 to about 1970, when a woman  
21 called Anne Millar's in charge, and then there's a break  
22 of about two years where someone who appears to be quite  
23 sympathetic and quite good is in charge?

24 A. Yeah.

25 Q. Can you remind me of their name? I think you --

1 A. Yeah, I think it's Smith, I think it was Anne Smith(?),  
2 who I met actually.

3 Q. Right. Yes, I mean, you say something about that in  
4 your statement, and that she thought well of the  
5 children and they seemed to have thought well of her.

6 Then in 1972, the Barries arrive and, well, we can  
7 see for ourselves in not only the documentary but the  
8 statements, some of the things that then happened.

9 And one final thing before we do look at the  
10 documentary, and I should have asked you this at the  
11 start, Mark, can you just briefly update us on what  
12 you've been doing since -- just update your CV, as it  
13 were? Are you still with Disclosure?

14 A. Since ... God.

15 Well, yeah, I don't know how many documentaries I've  
16 made since then. Since 2018. I've done investigations  
17 into children's psychiatric wards in Glasgow, Skye  
18 House; I did an investigation into an alleged uncaught  
19 serial rapist in Dumfries. I did a 60-minute film quite  
20 recently about the situation with asylum hotels in  
21 Falkirk, and beyond.

22 And I've spent -- I've made several films about the  
23 Sheku Bayoh case; made several films about doping in  
24 sport, and -- sorry, if I had known that question was  
25 coming, I might have prepared a bit better.

1           So, I don't know, two or three documentaries a year  
2           on average for Disclosure and Panorama. I did a film  
3           about ballet schools, about abuse in ballet schools.  
4           That sort of thing.

5   Q. Thank you. That's very helpful, and clearly still very  
6           much involved in the documentary world and with, it  
7           sounds like, quite a strong focus on criminal justice  
8           type issues?

9   A. I guess I've always wanted to try and give a voice to  
10          people, to people who don't have a voice, need a voice,  
11          or people who have been somehow wronged, and often  
12          that's in the criminal justice system or it's in -- to  
13          do with children who are vulnerable, and a story where  
14          I feel I can try and make a difference. That's  
15          really --

16   LADY SMITH: Mark, I was already aware of most of the  
17          documentaries you've mentioned. What I can't remember  
18          is whether these were all for television broadcasts or  
19          any of them for radio. Do you do any for radio?

20   A. Oh, I did -- I helped with a podcast about -- well, this  
21          was a bit less in the vein we've been talking about. I  
22          did a film and podcast about BrewDog, the bar chain.

23   LADY SMITH: Oh yes, yes.

24   A. So most of the things I do for radio are generally  
25          a spin-off from TV.

1 LADY SMITH: From your mainstream work.

2 A. Yes, although don't hold me to that, there may be  
3 something out there that I've done, I just can't  
4 remember.

5 LADY SMITH: Don't worry. It's all right, I've got it noted  
6 that we put you on the spot and you didn't know we were  
7 going to ask you that. That's very helpful. Thanks,  
8 Mark.

9 MR SHELDON: All right, thank you.

10 Well, with that, Mark and my Lady, shall we watch  
11 the documentary?

12 LADY SMITH: Yes. Is that all right, if we go straight into  
13 that now, Mark?

14 A. Sure. Yes, thanks.

15 (2.28 pm)

16 (Documentary 'Suffer the Children' shown to the Inquiry)

17 (3.08 pm)

18 LADY SMITH: Mark, I think we should take a short break now.  
19 Would that work for you?

20 A. Yep.

21 LADY SMITH: Let's do that.

22 (3.07 pm)

23 (A short break)

24 (3.16 pm)

25 LADY SMITH: Welcome back, Mark. Are you ready for us to

1           carry on?

2   A.   Yes, good to go, thank you.

3   LADY SMITH:  Thank you so much.

4           Mr Sheldon.

5   MR SHELDON:  My Lady.

6           Mark, thanks very much for that, reminding us all  
7           what we're talking about here.

8           I just want to ask you a few things, really based on  
9           material that we saw in the documentary, and looking at  
10          some of the documents that we've recovered in the time  
11          we've been investigating Lagarie, and dividing that  
12          really into chapters.  So looking at a little bit about  
13          the Anne Millar years, and a specific incident really in  
14          relation to that -- or incidents.  And then the Barries,  
15          and then, as it were, the aftermath and the way that  
16          matters have been handled since the allegations came to  
17          light.

18          So the first document I'd like you to look at, our  
19          reference is ABN-000004031.  And that's, as you'll see,  
20          heavily redacted but these are ██████'s records and you  
21          mentioned the records in the film and that you'd seen  
22          them.  And so I just wanted to take you to a couple of  
23          passages in that.

24          So these are the records of ██████'s siblings --  
25          ██████ and his siblings, and you'll see there's mention

1           there of Lagarie, a visit to Lagarie on a particular  
2           date in 1968. And towards the foot of the page, this is  
3           still 1968, we're told that -- this is just two  
4           paragraphs underneath the date there, November 1968 --  
5           the matron was indisposed?

6   A. Yes.

7   Q. But the assistant matron was seen and she explained that  
8           there'd been some difficulty experienced owing to  
9           ██████████'s behaviour:

10           'At times ██████████ developed temper tantrums and on  
11           one occasion had run out of the home naked, making his  
12           way along the main road towards Arrochar. One of the  
13           housemothers had pursued him and returned with him to  
14           the home. [He'd] discarded all his clothing throughout  
15           the home before he ran away.'

16           And again, this is described as a temper tantrum,  
17           but is that the record that you were thinking of in --

18   A. Yeah.

19   Q. -- presenting that in the documentary?

20           And just reading on a little, right at the foot of  
21           the page, we see:

22           'At the time of ██████████'s disturbing behaviour, the  
23           matron was of the opinion that she would be unable to  
24           cope with his problems and decided that it would be in  
25           the best interests of all the children concerned that he

1 be moved from the home. Since there has been signs of  
2 improvement in his behaviour, however, Miss Millar is  
3 prepared to try and maintain the unity of [this group  
4 of] children.'

5 So [REDACTED]'s behaviour here is being portrayed as  
6 [REDACTED]'s problem, that it's tantrums, that it's just  
7 acting out, whereas I think what you heard from [REDACTED]  
8 was, 'Well, this is because of the way I was being  
9 treated'?

10 A. Exactly.

11 Can I just also say, this was an example, I think,  
12 of how we were able to corroborate some of the things  
13 that the residents were saying and, you know, [REDACTED]  
14 told -- I had spoken to [REDACTED] and interviewed him ahead  
15 of getting this document, as I recall. And having told  
16 us the story about running away, you know, naked, and  
17 then to actually recover a document which proved that it  
18 was true, you know, not just helped us corroborate the  
19 point, but also just went to the, what I found was the  
20 general honesty of these kids -- well, adults now.

21 You know, and this happened throughout the  
22 investigation. You know, I would find out something  
23 from an allegation from [REDACTED] or [REDACTED] or whoever, and  
24 then I would talk to someone else and they would say,  
25 'Oh, I remember that', you know. And these are people

1           who had never spoken of these matters and that was --  
2           maybe you'll get to this -- but something that really  
3           struck me throughout this thing. You know, [REDACTED], [REDACTED]  
4           and [REDACTED], they never discussed their time in Lagarie,  
5           you know, never discussed the detail of the abuse, and  
6           at times they were learning things for the very first  
7           time from each other when I was sitting there with them.  
8           And I just found that particularly striking.

9           Anyway. I digress.

10          Q. No, thank you. I mean, it's all useful.

11                    If we can just keep looking through this document  
12                    though, it's excerpts or extracts from the social work  
13                    records of this particular group of children, sibling  
14                    group.

15                    If we look at page 2, please, this is a record of  
16                    a visit in June 1969 and we're told, first paragraph,  
17                    halfway through:

18                    ' [REDACTED] is still showing signs of disturbed  
19                    behaviour.'

20                    Reading short to the next paragraph:

21                    'Miss Millar describes [REDACTED] as being  
22                    an exhibitionist, quite a trouble to staff.'

23                    Again there's mention of tantrums. And again to the  
24                    next paragraph:

25                    'Miss Millar described his behaviour at school as

1 similar to that shown in the home. He's always  
2 "attention seeking". At the time of my visit, he had  
3 a noticeable bump on his forehead, which was stated to  
4 be the result of a collision with another boy at  
5 school.'

6 It's not clear who stated that but I think we  
7 presume it's Miss Millar.

8 There's perhaps not a huge amount to be taken from  
9 that, standing the explanation, but it's -- in the light  
10 of other material -- well, what would you say about it  
11 in the light of other material?

12 A. Well, I mean, it's evident that they have come here to  
13 get the opinions of Anne Millar and it's difficult to  
14 see much evidence of the inspectors attempting to engage  
15 the children, to ask them, actually, 'How do you feel  
16 about this?' That's a -- and I guess that's a thing of  
17 the time, isn't it.

18 But, yeah, I mean, whenever I spoke to the residents  
19 about these types of visits, they spoke about them as  
20 tick-box exercises in which they would feel terrified,  
21 even if they had been engaged by the inspectors to give  
22 them any sort of accurate account of what life was like  
23 there. And there are a couple of examples when that did  
24 happen, when [REDACTED], I think, had attempted or someone  
25 had attempted to raise an alarm and they paid for it.

1 LADY SMITH: And the tone is, 'This little boy is a trouble  
2 to the staff'.  
3 A. Yep.  
4 LADY SMITH: Not, 'We are struggling to understand what the  
5 problem is with this unhappy child'.  
6 A. What's wrong with him. Yeah.  
7 LADY SMITH: Which would be more honest.  
8 A. He was the problem to them, and if, you know, and so ...  
9 yeah.  
10 MR SHELDON: Next page then, this is an entry  
11 from August 1970.  
12 The children's mother says -- is telling the social  
13 workers, it seems, and this is under the date  
14 31 August 1970, fourth paragraph:  
15 'Both she and her husband would like the children  
16 brought home... as the journeys to Rhu are difficult.  
17 [Their mother] feels the children are not being well  
18 cared for at Rhu as [one of the children] had bruise  
19 marks on them when she visited in July.'  
20 And over the page again to page 4, we see that  
21 there's an entry for 25 February 1970. The social  
22 worker called in to Lagarie and she says, about halfway  
23 through the paragraph:  
24 'Just before I left, I saw the children after they  
25 had come out from school. They sat in Matron's office

1 very quietly and only spoke when spoken to. One would  
2 really need to get these children alone before being  
3 able to either get to know them or get them to reveal  
4 their feelings about leaving Rhu and, under the  
5 circumstances, this is rather difficult.'

6 Does it surprise you that they were sitting there  
7 quietly?

8 A. No. No, that's -- these children lived in perpetual  
9 terror of this woman.

10 Q. And towards the foot of that page, there's perhaps  
11 further on that. 28 August 1970:

12 '[The mother] expressed doubts about the home at Rhu  
13 and said a letter had been received from [the children's  
14 mother], stating that on a recent visit to Lagarie, she  
15 discovered that [one of the children's] back was "black  
16 and blue".'

17 And over the page again, we see, this a case  
18 conference now, 28 August 1970 and second paragraph,  
19 Mrs Robinson, who we think is one of the social workers:

20 '... expressed doubts about the home at Rhu and said  
21 a letter had been received from [the mother] stating  
22 that on a recent visit she discovered that [the child's]  
23 back was "black and blue".'

24 So in terms of the investigation and the evidence  
25 that you heard, Mark, what would you tend to make of

1           that?

2   A. Well, that the evidence was staring the people who were  
3       charged with the care of these children in the face, and  
4       it seems that nothing, nothing was attempted to  
5       understand what was really going on in this place.

6           She was revered, you know, and, you know, she was  
7       revered in the community, the local newspapers would  
8       fawn over her, and it appears, you know, that any  
9       inspectors or social workers were always, I don't know,  
10      satisfied or, worse, intimidated. And also I think it's  
11      a -- this is 50 years ago and it's a symptom of the  
12      time, you know, where the word of an adult was taken as  
13      gospel over the word of a child, and that's a terrible  
14      indictment. But it's not surprising.

15   Q. And if we finish off this extract just by looking at the  
16      final page, page 6. At the top of page, 'Lagarie, Rhu':

17           'Visited Rhu and can see no reason why the three  
18      children should be removed immediately. They seem to be  
19      progressing reasonably well. Miss Millar, the matron,  
20      was retiring at the end of September.'

21           So does that rather seem to be the solution to the  
22      issue that might have been presenting itself? That they  
23      were just going to wait for Miss Millar to retire?

24   A. I would actually be inclined to think that was  
25      a coincidence and be surprised to know that they were

1 intending on doing anything. You know, these were  
2 problem children and they were out of sight, out of  
3 mind, effectively.

4 And little to no effort was undertaken to try and  
5 establish what was really going on in this place and  
6 I guess, you know, this was, erm, handy.

7 Q. And there certainly doesn't seem to be any suggestion,  
8 does there, or thought of investigating further?

9 A. None. None at all. She was -- she was to retire with,  
10 you know, full honours.

11 Q. I want to show you then a slightly earlier document.  
12 It's SSS-000000021.

13 And that should be an inspection report, a central  
14 government inspection report from 18 March, a visit of  
15 18 March 1968 by Mr Hull of Lagarie. He tells us there  
16 were 27 children in residence at that point and he  
17 notes, just under the table of numbers, that the  
18 asterisked children are in the care of the children's  
19 department of the area names -- these are the children  
20 referred by local authorities. And the remainder are  
21 direct admissions and in all cases the father is in  
22 either the Royal Navy or the Merchant Navy. So these  
23 are, I suppose, the Sailors' Society's direct reference.  
24 But all the children, of course, are in the care of the  
25 Sailors' Society at this home.

1           There's a section about Miss Millar, who's now fully  
2           restored to normal health. The section about premises  
3           and so on. But if we then go to the next page, sections  
4           about administration; there's a section about the  
5           children and what they do; they attend local schools,  
6           churches and so on. He says:

7           'The children are always well dressed and obviously  
8           are well cared for. They are natural, contented and  
9           friendly. There is a happy relationship between  
10          children and staff.'

11          And the conclusion, taking that short:

12          'Children and staff are happy and contented and  
13          there is a good atmosphere in the home.'

14   A. Just above that, it says corporal punishment is never  
15          used.

16   Q. Yes, indeed, and that's well --

17   A. I've never seen this document.

18   Q. Well, that's well pointed out. You're quite right, and  
19          in other reports it's said, or it's claimed that  
20          corporal punishment wasn't allowed.

21          Again, just standing the material that you have seen  
22          and heard, what's your view of the adequacy of this  
23          report?

24   A. Well, it goes without saying it's entirely inadequate,  
25          and the fact that it so clearly states that corporal

1 punishment is not allowed and discipline is not  
2 a problem in this home, it just, you know, there was  
3 obviously a complete veil over the reality of what was  
4 going on in Lagarie and no real attempt, no real attempt  
5 to investigate further.

6 Yeah, but I haven't seen this document before.

7 Q. It's quite a short report, I suppose. But it certainly  
8 doesn't appear that the inspector actually spoke to  
9 children. He says he saw them and notes that they're  
10 'natural, contented and friendly'.

11 A. A dog and cat home wouldn't be inspected like this  
12 today. You know, this was a children's home with a lot  
13 of vulnerable kids, orphans in some cases, and ...

14 Q. But as you say -- well, actually, I don't want to  
15 pre-empt that point.

16 Perhaps we will look at the next document, please.  
17 It's SSS-000000621.

18 This is going a little bit further back in time  
19 again. And we can see that from the front page, that  
20 this is an excerpt from an edition of Chart & Compass,  
21 the Sailors' Society newsletter or magazine, but if we  
22 move to -- it's page -- it's the final page, page 4, and  
23 there's an article called 'The House that Devotion  
24 Built'.

25 Just at the top of that column, the first column:

1           ' [REDACTED] swallowed her chewy sweet and began to sing  
2           "Jesus loves me, this I know", with all the power of her  
3           2-year-old lungs.

4           '"And Miss Anne Millar loves you too", I thought, as  
5           the matron watched the lovely child whose mother died  
6           when she was born. Matron has love and to spare for the  
7           40 children who live in the house, which devotion  
8           provided at Rhu.'

9           And so on.

10           So it's perhaps an uncritical assessment of  
11           Miss Millar, but I suppose it illustrates the point that  
12           you were making, Mark, I think, that this was someone  
13           who was highly respected and thought to be a caring,  
14           loving person, a caring, loving care worker for  
15           children, whereas in fact --

16    A. The whole thing was a sham for all but two years.

17    Q. If we can look a bit further down that column, there's a  
18           section which deals with the start of the home, this is  
19           under protection, 1948:

20           'People were told how they could show their devotion  
21           to brave men who had lost their lives in the wartime  
22           Merchant Navy. They could provide money to buy and  
23           maintain a residence for children of merchant seamen who  
24           had fallen on troubled times.'

25           And so on.

1           And then under 'Memories', we're told:

2           'Lagarie was bought and furnished when the Theatre  
3           Sister at Edinburgh Royal Infirmary received a call.

4           'She was needed and wanted for an important job.  
5           She had to turn a house into a home.

6           'The request puzzled the Kinghorn woman. Her whole  
7           training had been towards helping sick people. She had  
8           never worked with healthy children.'

9           So I suppose the question immediately arises: why  
10          was she chosen?

11        A. Yeah, it's a good question, and if any of those children  
12          were healthy when they went in, they certainly weren't  
13          when they came out.

14        Q. Well, I think we've seen some of the results of that  
15          particular period in the home's history.

16          Interestingly, and particularly given what we heard  
17          just a few minutes ago, the very last column, words are  
18          quoted of Miss Millar where she says, 'Thank goodness  
19          for grannies'. See that?

20        A. If you think back to what [REDACTED] says --

21        Q. Indeed.

22        A. -- then that's particularly ... that would be  
23          particularly difficult for [REDACTED] to hear, I'm sure.

24        Q. Yes.

25          I want to turn then to the Barries' period at the

1 home. You say in your statement -- it's at  
2 paragraph 73, we don't need to go to it I think -- but  
3 you say that you think or you concluded that Barrie was  
4 in a paedophile ring which covered, in your view, the  
5 whole country.

6 Can you just explain to us why you reached that  
7 conclusion? I think it's perhaps clear from other parts  
8 of the film and so on, but perhaps you can just help us  
9 through that.

10 A. They would take the kids on different trips, to Arbroath  
11 in particular, other towns, I think there was one in  
12 Dundee, but the kids would be taken to conventions,  
13 religious conventions, where Mr Barrie would know people  
14 and the children would be ... what's the term? Well,  
15 they would be lent out for abuse. That [REDACTED], [REDACTED],  
16 [REDACTED] and others, and boys also that I've spoken to  
17 after the programme, were being taken to houses all over  
18 the country, particularly in Edinburgh, Musselburgh.  
19 There was a systematic and calculated method of  
20 disguising where the children were being taken; when  
21 they got close to their destination, they would be made  
22 to lie down so they couldn't identify where they were  
23 going, sometimes.

24 And I can't remember exactly how many different  
25 examples of the children being taken to other people

1           there were, but, you know, it was, as I recall, at least  
2           a couple of dozen.

3   Q.   I mean, I suppose in modern parlance, we would say that  
4           these children were being trafficked?

5   A.   Absolutely.  And I remember at first when I heard this,  
6           I did find it difficult to believe, actually, because  
7           you kind of want to -- you know, you don't actually want  
8           to believe that these things exist other than in TV  
9           programmes and films, and -- but over the weeks and  
10          months we were investigating this, it became -- it was  
11          the only conclusion we could reach.

12                 And we would speak to more and more of these kids --  
13          adults -- and, you know, there was one occasion, you  
14          know, ██████ had told us about the time she had been  
15          taken away to ██████ -- with ██████ to Musselburgh.  It was  
16          the example that was in the film.  And ██████ had been  
17          abused that weekend, ██████ hadn't.  And I remember asking  
18          ██████ about it and she said, 'Oh, yeah, I remember that  
19          weekend, the guy was a bit creepy and I remember ██████  
20          just didn't look right the next day'.  I said, 'Have you  
21          guys never spoken about this?'  And they hadn't.

22                 But it was -- you know, there was always a little  
23          bit of corroboration for these claims that the residents  
24          were making.  And as I say, after the film, you know,  
25          I got more and more calls from people, some of whom were

1 in, you know, really not -- not great mental states at  
2 all. And as I say, boys too, who told us that this was  
3 a thing that happened. They would be taken away, and --  
4 sometimes for the night, sometimes for the weekend, they  
5 would go to conventions and Mrs Barrie would be  
6 involved. And there was one occasion where they went to  
7 a convention in Arbroath where both [REDACTED] and [REDACTED]  
8 describe almost identical allegations of abuse by  
9 a chaplain, who I think I identified and whose family  
10 I contacted.

11 And Mrs Barrie was on hand each time after it had  
12 happened to help them clean up. That's what I was  
13 saying earlier about the level of depravity with this  
14 couple. It was just actually really, really hard to  
15 believe, that this happened, that this happened to  
16 children in Scotland. Not that long ago.

17 LADY SMITH: You referred to Arbroath a couple of times. Is  
18 that because children were taken to the Red Lion Caravan  
19 Park there for breaks? I've heard that referred to in  
20 other evidence. The timing I think would fit with when  
21 that caravan park was established.

22 A. I don't remember where they were staying, but I know  
23 that they were -- there were religious conventions that  
24 were held every year and we did our best to get to the  
25 bottom of that. And we found, we found some trace --

1 I can't remember, I don't know if it's in my statement  
2 or not, and I can't exactly remember where they were  
3 staying. But these were religious conventions that  
4 would happen every year in Arbroath and we were able  
5 to -- we didn't have enough evidence at the time to name  
6 this chaplain, but subsequent to the documentary, others  
7 came forward and named the same man.

8 Now, I tracked him down. He was dead. I tracked  
9 his family down and I put it to them. And there was  
10 something about the way that they responded which made  
11 me think I had the right person.

12 LADY SMITH: Thank you.

13 MR SHELDON: My Lady, there is a document which is in the  
14 Inquiry's possession. I don't want to go to it now for  
15 a variety of reasons, but the reference is  
16 SSS-000000506. And if I could just read part of it,  
17 it's from the Christmas 1981 Chart & Compass Scottish  
18 news, an article written by Reverend William Barrie,  
19 Superintendent at Rhu, and he says:

20 'On the lovely morning of 29 August, the children  
21 from our home in Rhu set off on their annual summer  
22 holiday. This holiday has been spent at Arbroath for  
23 the last eight years, but due to extensive alterations  
24 at the Baptist Church Centre, we were unable to return  
25 to Arbroath this year, and so it was that we motored

1           some 50 miles further to the fair city of Aberdeen where  
2           the management committee so kindly placed at the  
3           disposal of the children a first-rate accommodation at  
4           the Sailors' home there.'

5           And the Reverend Barrie says that:

6           'Arriving at the hostel, we were met by the Senior  
7           Port Chaplain and his wife.'

8           And the port chaplain concerned certainly has the  
9           same name as the individual that Mark is talking  
10          about --

11   LADY SMITH: Thank you.

12   MR SHELDON: -- in this particular chapter.

13           So, again, there is a degree of corroboration;

14          I think you'd agree, Mark?

15   A. Yep.

16   Q. For that aspect of the account.

17           Finally in relation to the Barries chapter, I just  
18          want to look at SSS-000000480, please.

19           And as you can see, this is just a handwritten note,  
20          very brief. We are told, I think it's David Harries:

21           '... visited Mr and Mrs Barrie after an allegation  
22          of brutality. They convinced him, no substance to them.  
23          He also visited home on occasions and found it to be  
24          well run.'

25           And that's it.

1           And if we look at the second part of that -- sorry,  
2           the second page, it appears to be from the BISS -- I  
3           think the British International Sailors' Society -- risk  
4           register. So on the face of the document, at any rate,  
5           it looks as though this is a visit on behalf of or by  
6           the Sailors' Society to Rhu in the light of  
7           an allegation of brutality.

8   A.   There's no date on this?

9   Q.   There's no date. Mr Harries, we understand, worked for  
10       the Sailors' Society from about 1981, so presumably  
11       1981/82, but that's really all that we know.

12           But again, perhaps you would just care to comment on  
13       the depth of investigation involved in looking at the  
14       allegation concerned?

15   A.   They were able to convince him that all was well. As we  
16       say in the film, these were people of great local  
17       standing. They were never -- in the local newspaper,  
18       they were hailed as heroic for taking on these lost  
19       children and, you know, royal visits to the home were  
20       common, and it was actually a source of pride for the  
21       local community that this home was doing such a good job  
22       with these unfortunate kids. No one wanted to know what  
23       was really going on.

24           So it's no surprise that the Sailors' Society would  
25       be assuaged with a simple, 'Don't be silly'.

1 Q. Well, although I say that was the last document in the  
2 Barries chapter, as it were, that's not quite the case,  
3 but it's a slightly separate heading. It's in relation  
4 to the initial police investigation in the early 2000s  
5 and the document is PSS-000033578.

6 And I think we see from the top of the page, this is  
7 a witness statement summary by a Michael Lappin, who at  
8 that stage was a civilian aged 50. We see that he was  
9 by then retired and if we look at page 2, we can see  
10 that in the statement itself, he says:

11 'I am 50 years of age and retired 28 January '15.'

12 And he says:

13 'I was a detective sergeant in the Public Protection  
14 Unit 2001 to 2004.'

15 He is contacted by a detective inspector from the  
16 National Child Abuse Investigation Unit, regarding  
17 an inquiry he was part of and, taking matters short, it  
18 was an investigation into Lagarie.

19 He says he doesn't 'recall exactly when I was  
20 allocated the inquiry', and he makes reference to some  
21 members of his team.

22 At the foot of that page, page 2, he says that two  
23 sisters made a complaint that they were victims of abuse  
24 when they were residents at Lagarie:

25 'I can't recall if it was one or both sisters.

1 I also don't recall how they reported or whether it was  
2 by telephone or in person ...'

3 Reading short: 'From that initial report it was  
4 evident that there appeared to be systematic abuse going  
5 on throughout the home and there was potentially many  
6 more victims.'

7 And reading short again, he says, paragraph  
8 beginning 'I attended':

9 'I attended at the British Sailors' Society in  
10 Southampton in order to try and retrieve records.'

11 He obtained a statement and was informed that all  
12 records relating to the Sailors' Society at Lagarie had  
13 been stored underneath a swimming pool which had  
14 subsequently destroyed all of the records. From the  
15 statements, it was also evident that the Reverend Barrie  
16 had been involved in the systematic sexual abuse of both  
17 these two women and other children who resided there.  
18 And from the statements, he says:

19 'It was also evident that the matron at the time,  
20 Anne Millar, had physically and psychologically abused  
21 numerous children within the home.'

22 He says that:

23 'From statements, it was confirmed that both the  
24 Reverend Barrie and Anne Millar were dead. Death  
25 certificates were never physically obtained but it was

1 confirmed through records. From investigation, there  
2 was one person that worked at the home that was still  
3 alive. This was the wife of the Reverend Barrie.'

4 And it said where she was living:

5 'From statements it was evident that she was also  
6 responsible for physical and psychological abuse of  
7 children when she worked in the home. Due to the main  
8 suspects being dead, after an extensive subject report  
9 detailing all aspects of the investigation to date,  
10 which I forwarded to the Procurator Fiscal at  
11 Dumbarton... at the beginning of 2004'

12 And then he says:

13 '24 March 2004, I had a meeting with the Procurator  
14 Fiscal regarding the whole investigation. She was  
15 satisfied from witness statements that both Barrie and  
16 Millar were deceased. Consequently no prosecution could  
17 proceed against them.

18 'I discussed the statements against Mrs Barrie which  
19 were for physical abuse. It was her opinion that we  
20 could not judge these actions from the 1960s and 1970s  
21 to today's standards and consequently it would not be in  
22 the public interest to pursue any prosecution against  
23 Mrs Barrie with the evidence we had collected to date.  
24 Consequently, she gave police permission to go and  
25 interview Mrs Barrie as a witness [presumably as opposed

1 to a suspect] in order to ascertain if there was any  
2 evidence of sexual and physical abuse within the  
3 children's home.'

4 So, does it seem from that, Mark, that not only was  
5 the trail cold in relation to Millar and Mr Barrie, the  
6 Reverend Barrie, but a decision seems to have been taken  
7 that, really, the physical abuse, apparently or  
8 allegedly committed by Mrs Barrie, wasn't something that  
9 was in essence worth prosecuting or worthy of  
10 prosecuting; does that seem to be what's happened?

11 A. The trail was anything but cold.

12 Q. Well ...

13 A. Obviously I've never seen this, and I'm actually --

14 Q. I'm very interested in your comments on it.

15 A. Yeah, I'm quite shocked actually to hear that there here  
16 is an acknowledgement that there appeared to be  
17 systematic physical and sexual abuse going on in this  
18 home, and with a living perpetrator, and it was her  
19 opinion that we could not judge these actions from the  
20 60s and 70s to today's standards.

21 So this is 2004. I mean, I wonder how --

22 Q. Well, the statement in fairness is 2015 but, yes, this  
23 is happening in 2004, yes.

24 A. I would love to know what Margaret Stewart would say to  
25 that today. A crime in the 60s and 70s of brutality

1       against children under 16 was a crime still then, as it  
2       is today. And I think that this is a decision that  
3       seems to me will have to be addressed by the Crown  
4       Office.

5             But, not only that. This actually confirms my worst  
6       fears, that they had at their fingertips the basis for  
7       an investigation into the wider network of paedophiles  
8       that William Barrie was connected to. Some of the  
9       people that [REDACTED], [REDACTED] and [REDACTED] were abused by were  
10      young and would still have been alive, and I just wonder  
11      how much work was done to try and further those parts of  
12      the investigation. It seems like a terrible missed  
13      opportunity, both to try and investigate the wider  
14      alleged paedophile ring, but also to prosecute a woman  
15      who had presided over a brutal regime of at least  
16      physical abuse.

17   LADY SMITH: It also strikes me, Mark, that the Procurator  
18      Fiscal's decision to instruct any interview of  
19      Mrs Barrie to be limited in the way that's set out  
20      there --

21   A. A witness.

22   LADY SMITH: -- therefore excluding the possibility of  
23      interviewing her as an accused person, shut the door on  
24      her being treated as an accused person, on her being  
25      prosecuted, because that would mean she would have had

1 none of the protections in law which she would have been  
2 entitled to in the course of that interview.

3 And yet they didn't know what the full extent of any  
4 full investigation, as you allude to, might be.

5 A. If I can put it this way, this, if I had had my hands on  
6 such a document in 2018, this would have been  
7 a significant part of our film.

8 LADY SMITH: Yes. Thank you.

9 MR SHELDON: Thank you, my Lady.

10 So, Mark, just two more documents I'd like to show  
11 you. And we've looked now then at the response of the  
12 police and fiscal service at that stage in the 2000s.

13 A. I'm sorry, Mr Sheldon, can I just ask, this was  
14 a statement given in 2015, did you say, about the  
15 investigation --

16 Q. Yes.

17 A. -- in 2003, 2004?

18 Q. Yes, an attempt to look back at it, as it were.

19 A. Okay.

20 Q. And the next document is SSS-000000763, please.

21 Bear with me, Mark, sorry, I'm struggling with my  
22 own technology. (Pause)

23 So this is a document, it's an email chain, and  
24 I just want to, having looked at the police response,  
25 this is looking at the Sailors' Society's response to

1 the legal actions that were begun in the 2000s. We know  
2 there have been subsequent legal actions, but this was  
3 the actions taken then.

4 And in 2008, the various pursuers who'd raised  
5 actions against the Society were essentially forced to  
6 give up because there had been another -- a decision in  
7 another case on time bar, which meant that the cases  
8 were really almost -- almost certainly wasn't going to  
9 succeed.

10 And this appears to be an email passing around the  
11 board or office holders in the Society, and I think we  
12 see at just the first one there, an email from Ian Ward  
13 to the group. It says:

14 'In the light of the Law Lords' decision, the  
15 pursuers are unlikely to have their Legal Aid  
16 certificate renewed. Our solicitors will obviously  
17 advise us, but my instinct is the cases should be  
18 withdrawn rather than left sisted.'

19 Reading short, it says:

20 'Quite apart from the fact that such an order would  
21 be a waste of time, the sooner the whole unfortunate  
22 business is closed and forgotten, the better.'

23 And just at the end of that, he says:

24 'I seem to remember that some of our supporters and  
25 contributors in Scotland made it clear that they would

1 not continue to support us. Should these be told when  
2 the actions are finally buried?'

3 And again, if we look at --

4 A. Can I ask you who Ian Ward was? What was his role?

5 Q. Not clear. I think certainly part of the Sailors'  
6 Society administrative structure, I think quite senior  
7 in it.

8 And again, if you bear with me, I'm sorry.

9 Yes, it's page 4, please. This is another part of  
10 the same email chain from Robert Adams to the group,  
11 again, about the resolution of these cases. And at  
12 page 4, just the final paragraph:

13 'As this decision not in favour of the claimants  
14 against us, I don't think that it will appear newsworthy  
15 if it becomes public knowledge. I doubt that any press  
16 interest would arise from the decision of the claimants  
17 to withdraw. Nevertheless, should the media contact  
18 anyone for comment, I would appreciate it if all  
19 enquiries are referred to me. My stance will be to play  
20 down any sense of success and put across that we are  
21 relieved that the matter is finally determined and that  
22 we can press on with our work without the burden of the  
23 claims weighing over us.'

24 And on page 5, another email in the chain, this time  
25 from a David Morris:

1           'Thank you for the news. There are no winners and  
2 losers in such cases, but relief that these matters  
3 should hopefully be at an end.'

4           Again, I just wonder what your reaction is to those  
5 comments on the conclusion of the cases brought at that  
6 time?

7 A. I know I'm here in a personal capacity, but I'm still  
8 a BBC journalist and I have to be, you know, mindful of  
9 how I react to these things, and what I would say is if  
10 I had any of these people in front of me, in 2018 or  
11 now, I would ask them if they were ashamed, if they were  
12 ashamed of themselves and ashamed of the Society, the  
13 reputation they put higher than -- of a higher  
14 importance than anything else. It's clear that this was  
15 nothing more than an inconvenience to them, to their  
16 potential funders, and I would ask them if they had lost  
17 any sense of justice or fairness or compassion. Because  
18 there's no humanity on display here. This is just  
19 a cold, corporate reaction to a financial situation.  
20 And they want to celebrate it. I would ask them -- I  
21 would ask them if they were ashamed of themselves, if  
22 I had them in front of me.

23 LADY SMITH: Well, that, of course, is what you asked the  
24 chief executive at the time you were doing the  
25 documentary, and we saw that on the film.

1 MR SHELDON: Well, on that subject, Mark, there's just one  
2 final document I want to get your comments on, and it  
3 relates to that, I think. It's SSS-000000299.

4 And, again, I suspect you won't have seen this  
5 document, but it's a letter to Mr Rivers, Stuart Rivers,

6

7 LADY SMITH: And just to interject, that is the chief  
8 executive you spoke to --

9 A. Yes.

10 LADY SMITH: -- in the course of the documentary and we saw  
11 on screen.

12 A. Just looking at the date of the letter and trying to  
13 work out if the film has been out by then or not.

14 October 2018?

15 MR SHELDON: Well, she does actually mention the film,  
16 although --

17 A. Ah, right, okay.

18 Q. So I think it probably had by that point.

19

20

21

22

23

24

25

1           'Words cannot express the horror and immense sorrow  
2           I felt on hearing the awful news.'



8           And she says:

9           'I would appreciate that Lagarie was set up with the  
10          best intentions and no one at the Sailors' Society  
11          today, including yourself, has anything to do with the  
12          atrocities which occurred in the past. However, they  
13          were more than just dark days. Those years robbed many  
14          vulnerable children of their childhood where they had to  
15          suffer unspeakable acts at the hands of the very  
16          respectable adults who were charged by your organisation  
17          for their care, something for which your organisation  
18          should be extremely ashamed and take full, not some,  
19          responsibility. Did no one think of looking into the  
20          past records of these people? Where better for  
21          paedophiles to find employment.'



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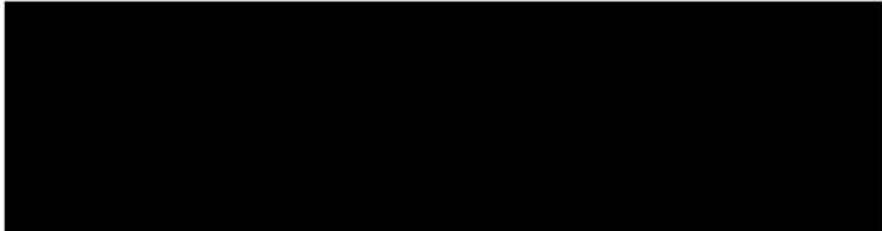


 In my view, it is for the Sailors' Society to redress as best they can the damage that was done to those young people while residing in Lagarie. How you propose to ameliorate the horrendous scars left by years of relentless maltreatment, maltreatment that would see a single perpetrator given a life sentence for one act on a single victim, let alone what happened to my sisters and me, and not forgetting countless others who suffered at the hands of Reverend Barrie and his associates, I leave you to reflect on this.'

She says:

'As for the counselling that has been offered, I'm afraid I, nor anyone I know in my immediate circle, have been approached by the Sailors' Society.'

She then goes on to talk about public response, and: 'humbled and delighted in equal measure at the enormous outpouring of support.'



1

2

3

And she goes on:

4

'Lagarie was traumatic on so many levels. No child should be starved, beaten, degraded and abused.'

5

6

And finally, the final passage I want to read is over the page. She says, towards the foot of that page:

7

'Get this over with. Do right by your charges at

8

Lagarie. Do not prevaricate and get into drawn-out

9

legal minutiae with lawyers and insurance companies. We

10

have suffered enough.'

11

12

And she goes on to tell about -- to talk about the

13

individual who'd taken his own life and some of the

14

consequences for him and herself, and she says:

15

'As I said earlier, I will leave you to reflect on

16

this and the lives still ruined. Let your conscience

17

and your God decide on how to repay the unpayable debt.'

18

So thinking about that, Mark, and thinking about the

19

response from the Sailors' Society, first of all,

20

thinking about Stuart Rivers. His response to the

21

question about responsibility in your -- certainly the

22

clip of the interview you put into the documentary, was

23

that their responsibility was discharged by referring

24

the matter to the police.

25

So far as you know, or so far as you're aware, has

1 anything else been done to take responsibility for the  
2 survivors of the abuse at Lagarie [REDACTED]

3 [REDACTED]

4 A. No. I think there were a small number of residents who  
5 somehow managed to get some counselling and they had to  
6 reach out to the Sailors' Society for this, I believe.

7 And while, yes, he did think that they had  
8 discharged their responsibilities by getting the police  
9 involved, he did also say that they had to accept some  
10 responsibility. And I kind of wanted his assurance that  
11 when that financial responsibility became a thing, when  
12 the former residents would no doubt pursue a civil case  
13 against him, I wanted to get him on the record, saying  
14 how they planned to react to that. And you get a sense  
15 of it in the film, but I'm going to read the whole quote  
16 that he gave in response, which is -- it was in the  
17 un-broadcast material.

18 Q. Sorry, Mark, are these notes that you made at the time  
19 or made to you --

20 A. This is from the transcript of the full interview.

21 Q. Thank you.

22 A. Which you or indeed the Sailors' Society's counsel can  
23 have.

24 But I'll read the important part out to you now:

25 'I can't change the past, but I can make sure that

1 we do things right now. I am not going to play dirty  
2 with this. I want to see a satisfactory outcome for  
3 them and I am committed to that.'

4 So ...

5 Q. As far as you know, has any payment been made of  
6 compensation to the former residents?

7 A. No. No. Not to any of the residents that I have been  
8 in touch with and of course it's a matter of public  
9 record that lawyers for the Sailors' Society objected to  
10 the -- or tried to -- well, successfully stopped any of  
11 these cases from getting to court by successfully  
12 arguing that they couldn't get a fair trial because all  
13 of the main abusers were dead. And that meant that none  
14 of these former residents were able to seek financial  
15 compensation from the Sailors' Society.

16 Q. This is the more recent case you're talking about, the  
17 2021 case, is that right?

18 A. Exactly. You know -- for the record, you know this,  
19 but, you know, the -- Thompsons took a number of the  
20 residents' cases as test cases, two, I think, and the  
21 Sailors' Society, if I was to quote the lawyers who were  
22 working on this case, 'pulled every trick in the book',  
23 I think was the quote I was given, in order to prevent  
24 these cases from ever getting to court.

25 Q. That was a quote from Thompsons, was it?

1 A. Yes.

2 Q. So was it Thompsons?

3 A. Yes.

4 Q. Right.

5 A. And they were successful and, you know, you can argue  
6 the merits of -- the legal merits of that or otherwise.  
7 You know, yes, I can understand how it would be  
8 difficult to achieve a fair trial when most of the  
9 protagonists, most of the abusers were dead.

10 I think there is a difference though between legal  
11 and moral responsibility, and it seems that the Sailors'  
12 Society took this legal victory in much the same manner  
13 as they took the one in 2008, which we just read about,  
14 that this was case closed and that in fact they had no  
15 legal or moral responsibility to do anything for these  
16 people.

17 Q. So, so far as you are concerned, Mark, and in your view,  
18 have the Sailors' Society followed through on  
19 Stuart Rivers' apparent undertaking that they would do  
20 things right now?

21 A. I mean, I think it's entirely obvious that the actions  
22 of the Sailors' Society post 2018 have not been in line  
23 with the statements that Stuart Rivers made to our  
24 programme. That is a matter of record, I think. Maybe  
25 you can argue over semantics, but if you ask any of the

1 survivors whether the Sailors' Society tried to do  
2 anything for them, offered an ex gratia payment for  
3 example, none of the residents that I'm still in touch  
4 with were offered anything of the kind.

5 I actually checked with the lawyers this morning  
6 whether any of their clients were ever offered  
7 an ex gratia payment, something that would perhaps  
8 discharge that moral responsibility that I actually  
9 felt, at the time, Stuart Rivers felt his organisation  
10 had.

11 I -- you know, for what it's worth, I didn't expect  
12 the Sailors' Society to play, as Stuart Rivers said,  
13 'dirty'. He assured me that they wouldn't. And, again,  
14 it will be a matter to be argued, whether they consider  
15 that playing dirty or just playing by the law, but  
16 I think -- and I know that you will ask the survivors  
17 who come before this Inquiry how they feel about how the  
18 Sailors' Society played this.

19 They were let down when they were in care and there  
20 was a chance to make it right. The Sailors' Society had  
21 a chance. And they failed them again. I think the  
22 evidence bears that out.

23 MR SHELDON: Mark, thank you very much. It's 4.15 pm,  
24 nearly 4.20 pm. Those are all the questions I have for  
25 you and all the documents I want to show you.

1 Thank you.

2 LADY SMITH: Mark, could I add my thanks. I have no more  
3 questions but I am grateful to you for going through all  
4 this again. I know that you have been through the  
5 accounts of what happened to children at Lagarie many  
6 times, no doubt both in gathering the information for  
7 the documentary, making it, deciding what goes into it,  
8 what doesn't, and keeping in touch with people since  
9 then. It can't be easy.

10 You'll be exhausted now and I'm glad to be able to  
11 let you go and I hope you don't have any commitments for  
12 the rest of the day, and go put your feet up. Thank  
13 you.

14 A. Thank you.

15 (The witness withdrew)

16 LADY SMITH: Now, I'd like to mention some more names in  
17 addition to ones I've already mentioned today, of people  
18 who cannot be identified as referred to in our evidence  
19 outwith this hearing room. And can I just say,  
20 headline, the fact that anybody's full name was used in  
21 the documentary, or, indeed, their first name was used  
22 in the documentary or their first name used by us,  
23 doesn't mean that they can be identified outwith this  
24 room, because a number of the people mentioned were in  
25 fact covered by my General Restriction Order.

1           They include PZF [REDACTED], MLV [REDACTED], [REDACTED]  
2           [REDACTED], [REDACTED], [REDACTED], [REDACTED]  
3           [REDACTED], [REDACTED], [REDACTED], [REDACTED]  
4           [REDACTED], [REDACTED], [REDACTED], the  
5           [REDACTED] sisters, the [REDACTED] family, and I think  
6           also PXX [REDACTED].

7           But as a catch-all, I would ask anybody to check  
8           with us if they are proposing to use any of the names  
9           that we've used this afternoon before they do so,  
10          because I might not have covered them in that list, but  
11          they might actually be protected.

12          Now, I'll just see if anybody's wanting to add  
13          anything to that immediately; hopefully not?

14          Thank you.

15          Now, tomorrow, Mr Sheldon?

16 MR SHELDON: Yes, my Lady. Tomorrow there are three oral  
17          witnesses, witnesses in person, and if there's any time  
18          left over, we'll do some read-ins.

19 LADY SMITH: Thank you.

20          Well, that's all until 10 o'clock tomorrow morning.

21          Thank you all very much.

22          (4.23 pm)

23          (The Inquiry adjourned until 10.00 am the following day)

24

25

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