

Thursday, 22 January 2026

1

2 (10.07 am)

3 LADY SMITH: Good morning, and welcome back to our case
4 study hearings in Phase 10. We move this morning to
5 a panel of witnesses from the Sailors' Society. Would
6 you like to introduce them, Mr Sheldon?

7 MR SHELDON: Yes, my Lady, we have, yes, two witnesses who
8 will give evidence together this morning, as
9 representatives of the Sailors' Society. They are, and
10 I understand her name is pronounced Sara Baade, who is
11 the CEO of the Society, and Melanie Warman, who is the
12 Director of Communications.

13 LADY SMITH: Thank you.

14 Sara Baade (sworn)

15 Melanie Warman (sworn)

16 LADY SMITH: Now, do sit down and make yourselves
17 comfortable.

18 I should apologise, I've rather assumed you're
19 comfortable with me using your first names, but would
20 either of you prefer me to use your second name?

21 MS WARMAN: No.

22 MS BAADE: No, that's fine.

23 LADY SMITH: Okay, welcome to the witness panel desk here.

24 I am grateful to you both for agreeing to do this, it's
25 really helpful to hear from you directly, in addition to

1 the written responses which of course we've had from the
2 Sailors' Society in relation to the questions that we've
3 put very specifically in terms of our Section 21 orders,
4 as we call them.

5 I know you've been here for a little while and you
6 will have heard me say to other witnesses that it's
7 important that you help me to do what helps you to be as
8 comfortable as you can to give your evidence. And
9 although you're a different type of witness, I fully
10 appreciate that this isn't an easy task for either of
11 you either, particularly since what we've been delving
12 into are matters, all of which took place before either
13 of you were in your current roles with the charity.

14 If at any time you want a break or a pause, please
15 tell me; it doesn't have to be just at the normal times
16 of 11.30 am or so in the morning, so far as this session
17 is concerned. If you've got any questions at any time,
18 do speak up, and if you think we are missing something
19 that's important for you to tell us, then I want to
20 know; all right?

21 If you are both ready, I'll hand over to Mr Sheldon
22 and he'll take it from there.

23 Mr Sheldon.

24 Questions by Mr Sheldon

25 MR SHELDON: Thank you, my Lady.

1 Well, first of all you both very helpfully have
2 provided CVs, and I just wanted to look at those
3 briefly, please.

4 Sara, you, I think, tell us that you graduated from
5 Greenwich University; was that a joint degree with SOAS?

6 MS BAADE: Yes. I did part of it there.

7 Q. And when was that?

8 MS BAADE: Oh, gosh, 199 -- no, 2000. 2000, I think.

9 Q. All right, thank you. And one of your first jobs,
10 I think, you tell us was with Goldman Sachs in the
11 Investment Banking Division, and thereafter you moved
12 through a number of posts, culminating with roles with
13 the Army Families Federation, 2015 to 2020, and then to
14 Chief Exec of the Sailors' Society in 2020.

15 Could you just help us understand the journey, as it
16 were, that's led you to the Sailors' Society from the
17 background that you had?

18 MS BAADE: Yes, no, of course. Yes, as you quite rightly
19 said, my background started in banking, then went into
20 corporate, then to civil servants, and then charity.
21 And I wanted to do -- charity is where I wanted to be.
22 So my job with Army Families Federation was the first
23 charitable role I had, and I did that for about
24 five years, working, supporting, British Army families.

25 LADY SMITH: Sara, could I ask you to get a little bit

1 closer to the microphone.

2 MS BAADE: Closer? Is that better?

3 LADY SMITH: That is getting better.

4 MS BAADE: Can you hear me there?

5 LADY SMITH: We can move it a little closer to you, as well.

6 MS BAADE: Like that?

7 LADY SMITH: Yes, that's much better. Thank you.

8 MS BAADE: Do you want me to repeat that, or?

9 LADY SMITH: I think it has been picked up; that's all

10 right.

11 MS BAADE: Now, and that led me to, and I think when I was

12 approached by Sailors' Society in 2020 to see if I was

13 interested in taking on the role, there was a very

14 natural progression for me, having worked with families

15 from the army, and the issues that they were facing with

16 long terms away from home, mental and physical health,

17 pressures on them, it was a natural fit with exactly the

18 challenges the sailors were going through.

19 To add to that, the Society at the time needed a new

20 operational model. They were under financial strains.

21 The current operational model wasn't working quite as

22 they wanted and I had a management background. So

23 together with the work I've done with the Army Family

24 Federation and my management and financial background,

25 it was a natural fit for me.

1 MR SHELDON: You mentioned that there were perhaps some
2 financial challenges at the time you joined the Sailors'
3 Society. Do I understand correctly that that really was
4 the result of a combination, perhaps, of the 2008 crash
5 and its effect on investments; is that --

6 MS BAADE: Not necessarily.

7 MR SHELDON: Not right?

8 MS BAADE: Not necessarily. Not necessarily. We had
9 an operational model that was too expensive, so we spent
10 more money than we had income and we needed to change
11 how we were operating in order to be able -- our
12 savings, we're not one of those charities that have many
13 millions of savings in the bank and we didn't have many
14 more, many much left in the savings account so we needed
15 to change our operational model in order to be able to
16 survive.

17 MR SHELDON: All right.

18 LADY SMITH: Just to complete that picture, I think you do
19 have reserves though.

20 MS BAADE: We do, we have 18 months of running -- of
21 unrestricted reserves. Yes.

22 LADY SMITH: And restricted reserves as well?

23 MS BAADE: Unrestricted.

24 LADY SMITH: Thank you.

25 MR SHELDON: We may come back to that, Sara.

1 MS BAADE: Yes.

2 Q. But perhaps you can just tell us a little bit about the
3 day to day of your role with the Sailors' Society? What
4 does that involve?

5 MS BAADE: In terms of what Sailors' Society do --

6 Q. Yes?

7 MS BAADE: -- or what I do, I assume?

8 So, Sailors' Society, we are there --

9 Q. Yes, just an outline will do.

10 MS BAADE: Yeah, yeah, I'm not going to go through the
11 whole -- we are there to support seafarers and their
12 families wherever they are in the world, and that could
13 be anything from crisis when a seafarer finds themselves
14 as a victim of piracy, or abandonment, or similar, to
15 supporting them with training, and well-being
16 particularly. We try to make sure that seafarers have
17 the training, mental and physical training, to do and
18 have a meaningful career at sea. So that's very much
19 what the Society do today.

20 Q. Well, thank you, Sara.

21 Turning to you, Melanie, you, I think, graduated
22 BA (Hons). When did you graduate, Melanie?

23 MS WARMAN: 1994.

24 Q. All right. And you worked, I think, for a little while
25 as a journalist?

1 MS WARMAN: Yeah, for about 12 years in total. So I trained
2 as a print journalist, and I worked as a print
3 journalist for most of my time in journalism, although
4 I did do some TV and some radio as well.

5 Q. And you seem then to have moved on to roles more to do
6 with generally media and PR; is that fair to say?

7 MS WARMAN: Yes, so I left journalism originally to go into
8 political communications, so I moved to Brussels at that
9 point and worked in Brussels and Strasbourg and London
10 in political comms. And following that, yes, did some
11 much more broadbrush PR, comms, marketing roles, before
12 moving to Sailors' Society.

13 Q. Right. I mean, again, what was your journey to the
14 Sailors' Society? How did that come about?

15 MS WARMAN: Yeah, I mean I think the role with Sailors'
16 Society was obviously Director of Communications, but
17 also involved some advocacy at the time. That seemed to
18 be a really interesting skill match between the
19 political side of the advocacy work that I had done and
20 also the journalism and PR work that I had done over
21 the years.

22 I think as well with Sailors' Society, a part of the
23 big attraction there was this kind of massive, untold
24 story about seafarers, and what happens to them out at
25 sea. It's something not many people know a huge amount

1 about. And there was a big untold story there to help
2 people learn about and know about, so that was part of
3 the attraction for me.

4 Q. Thank you. Just so that we can understand your
5 background, can you tell us a little bit about the role
6 with, I think it was Hoburne, and I suspect that many of
7 us won't fully understand, for example, what brand
8 management involves?

9 MS WARMAN: So, Hoburne had several different branches of
10 their business. They were a holiday park company. They
11 also ran golf courses. And also a building company.
12 The chairman at the time, it was a family business and
13 brand, and the importance of what they stood for, and
14 the ethos and the values behind their company and their
15 name was really, really important to the chairman at the
16 time.

17 Q. Yes, you tell us in relation to your role at the
18 Sailors' Society that one of your functions was the
19 direction of transformation and continual development of
20 the brand with global media success, website design,
21 tone of voice and social strategy.

22 What does tone of voice mean in that context?

23 MS WARMAN: Tone of voice has been very much directed about
24 our different audiences. So we have a number of
25 different audiences, we have funders that we are talking

1 to, we have the industry that we are talking to, but
2 obviously, massively importantly, we have our
3 beneficiaries. So, for example, our tone of voice
4 towards our beneficiaries is very different to the way
5 that we are speaking to funders, necessarily.

6 It also, it's also a cultural thing, that tone of
7 voice. We are speaking to people all over the world,
8 particularly beneficiaries from all over the world. So
9 by tone of voice I mean in terms of our communication,
10 how we are managing that communication, making sure that
11 that's accessible to all of the different audiences that
12 we are speaking to.

13 Q. All right, thank you.

14 Moving on from your CVs, then, I want to look for
15 a little while at the -- what we call the A to D
16 response; the Society's response to the Section 21
17 notice seeking information about the Society and its
18 background and so on. And that's at SSS-000000646.

19 But before we get into a little bit of the detail of
20 that, can you tell us -- and I understand that, Melanie,
21 you may be the person to ask about this -- how was the A
22 to D compiled, and who compiled it?

23 MS WARMAN: So it was compiled over a long period of time,
24 back in 2018/19 for the first time. It was compiled
25 mostly by a member of staff who is no longer with us,

1 who mostly compiled that, along with one of my current
2 colleagues, who did an awful lot of work on it. And
3 I was involved a little in terms of the oversight of the
4 original compilation. Then, of course, we submitted our
5 addendum to that, much more recently --

6 Q. Yes.

7 MS WARMAN: -- for this Inquiry.

8 Q. How did that come about? What was the process for the
9 addendum and where did the additional information come
10 from, as it were?

11 MS WARMAN: So I think there had been quite some distance in
12 time, it may not seem like very long, I guess, between
13 2018/2019, and then 2025, but actually we had learnt new
14 things in that time, both from former residents and
15 other ways of finding out information over those years.
16 But we also became increasingly aware, I think, of what
17 we don't know, and that became far more clear to us over
18 that passage of time as well.

19 Q. You mentioned further information from former residents.
20 But there were other sources as well? What were those?

21 MS WARMAN: So there were various other little pieces --
22 bits of information that turned up, so there was
23 information that came that we found. So we found, for
24 example, those further plans, which I believe we have
25 submitted to the Inquiry. They were found in

1 an archive. We were moving archives from one place to
2 another, and they were found in a box of -- every single
3 box was gone through, and they were found in a box with
4 unrelated paperwork, so we submitted that. So there
5 were bits of information that came from --

6 Q. These were the floor plans or architectural drawings of
7 Lagarie House?

8 MS WARMAN: Yes, yes.

9 Q. Right, but should we understand that this was, as it
10 were, bundled in with some other topical material?

11 MS WARMAN: It was, yeah, that wasn't associated with
12 Lagarie or, indeed, that time at all.

13 Q. What are the archiving facilities or arrangements for
14 the Sailors' Society and can you help us with what they
15 were, as opposed to what they are now?

16 MS WARMAN: I mean, in terms of what they are now, so we
17 have some, um, paper archives, some of which are with us
18 at head office, some of which are stored in a very
19 close-by storage unit, for space reasons. Most of
20 our -- all of our records of Lagarie are now digitally
21 stored, so we have got all of those on digital files.

22 In terms of what they were, I know very little about
23 what they were. I know we've got reports, so reports
24 for example from the SHHD, those couple of reports that
25 we have that talk about records being stored at the

1 Welfare Department. So we glean little bits of
2 information from very limited records like that.

3 Q. But that was material that you had, is that right? The
4 reports, I mean, the SHHD reports?

5 MS WARMAN: No, we found those from the National Records of
6 Scotland, they were part of our investigations.

7 Q. All right, thank you.

8 Well, moving on then to the A to D itself, I just
9 want to look briefly at the very first page, which deals
10 with the history and organisation of the establishment.

11 And paragraph 1, there's a little passage about the
12 foundation of the Society and, at paragraph 2, it is
13 noted that, the question is:

14 'What part did the organisation play in residential
15 care in Scotland?'

16 And the answer is:

17 'Only in relation to the children's home in Rhu.'

18 And it's quite striking where you say the Society
19 only ever had one such establishment in all the
20 countries it operated?

21 MS BAADE: Yes, sorry, we're looking at something different
22 here --

23 MS WARMAN: We're not looking at that.

24 MS BAADE: -- so we are not quite sure what you said --

25 Q. I am so sorry.

1 MS BAADE: -- but I think I can answer the question without
2 seeing, maybe.

3 Q. All right, if it helps, it is SSS-000000646, page 1, and
4 it's paragraph (ii). That should be on the screen in
5 front of you?

6 MS WARMAN: Yes.

7 MS BAADE: Yeah, yeah.

8 So your question was, sorry, have we only run one
9 home?

10 Q. I'm just saying it's striking, I mean, you say that you
11 only ran one home.

12 MS BAADE: Yeah.

13 Q. It's striking that that should be the case and I just
14 wonder if you can help us as to why only one of these
15 homes was ever founded and why it was in Scotland, in
16 the place that it was?

17 MS BAADE: Yes, Mel, do you want to tell the story?

18 MS WARMAN: Yes, absolutely. So Rhu -- Lagarie Children's
19 Home came about, it was an idea of the Scottish Guilds,
20 so these were a group of supporters, essentially, of
21 Sailors' Society, and they wanted to set up the
22 children's home as a memorial to the men of the Merchant
23 Navy who died in the Second World War. And so that is
24 the idea, and how that came about. I do not know why
25 they necessarily thought of a children's home, there's

1 no record in any of the minutes to help me understand
2 why a children's home, or what discussions went on
3 around that, I'm afraid. But that is why it was set up,
4 and that's why Scotland.

5 Yeah, I have no idea as to the specific reasons as
6 to why they chose a children's home. I mean, we can
7 make suppositions, but that is what they would be,
8 around the fact that, you know, we had port chaplains at
9 the time who were visiting seafarers and would be
10 therefore across the concerns of seafarers and the
11 problems that they had, and the background to why a lot
12 of children would have been taken into Lagarie in the
13 first place.

14 So we would have had those kind of conversations
15 with seafarers, and we have the opening of the home, the
16 soft opening, where Mr Swan spoke about the
17 establishment of the home, and says what it was set up
18 for, and the fact that they didn't know of any other
19 institution that fitted that purpose.

20 But that's all I have, I'm afraid.

21 Q. All right. I mean, you use the expression 'soft
22 opening'.

23 MS WARMAN: Mm.

24 Q. I suspect that might not have been the expression they
25 used in 1948?

1 MS WARMAN: Sure.

2 Q. What do you mean by it?

3 MS WARMAN: Sorry, I believe that was actually at the
4 official opening that Mr Swan spoke, but I believe there
5 was a soft opening of Lagarie in 1948. I would imagine
6 that was kind of opening the doors, setting up the home.
7 The home actually opened in 1949 and I believe actually
8 that's where Mr Swan made that speech.

9 Q. All right, so there may -- in fact probably were
10 children in Lagarie from 1948, but there's an official
11 opening in 1949?

12 MS WARMAN: I don't -- I don't know that, sorry.

13 Q. All right.

14 You mentioned a moment ago the idea of port
15 chaplains. Can you tell us a little bit about port
16 chaplains, who they are, what they do, where they're
17 based?

18 MS BAADE: So we actually don't have port chaplains anymore.

19 Q. Oh, right?

20 MS BAADE: But we had up until 2021. It is very much the
21 history of the Society of having port chaplains. They
22 would be based all over the world, and their role was to
23 work from the port, go on to the vessels, and support
24 seafarers with whatever needs they had. If that was
25 talking to them, taking them shopping, sometimes even

1 visiting them in prisons, looking after, helping, you
2 know, with family issues, et cetera. That was the role
3 of the port chaplains. We don't have them anymore. We
4 do most of our support now virtually.

5 Q. Where would they come from? Would they be, as it were,
6 ministers in, already in a role who also perform the
7 role of chaplain, or was the role of chaplain a separate
8 role with its own salary and so on?

9 MS BAADE: Yeah, a mixture.

10 Q. All right.

11 MS BAADE: So some chaplains had a connection with a local
12 church, and they did the port chaplaincy in addition to
13 that. Some of them were pure port chaplains and worked
14 full-time for us, so it was a mixture.

15 Q. But the roles --

16 MS BAADE: I'm talking quite recently. What happened
17 50 years ago, I'm afraid I don't have.

18 Q. But your understanding is that their role was
19 essentially a pastoral one?

20 MS BAADE: Yes.

21 Q. And an outreach one for seafarers and their families?

22 MS BAADE: Yes, absolutely.

23 Q. We know that in 1948 the person selected to be the
24 Matron of the home was this woman, Annie Millar, and
25 we've heard a lot of evidence about her.

1 On the face of it, it does seem an odd choice, and
2 I think you probably heard the evidence, where we saw
3 that she was a woman who had no previous experience of
4 looking after healthy children, albeit she may have been
5 a children's nurse.

6 Can you comment on why or how she may have been
7 selected for the role?

8 MS WARMAN: Very little, I'm afraid, but absolutely, I would
9 agree. You know, she had no experience, as far as any
10 of us are aware, of caring for children in that kind of
11 situation and that environment at all. Why she was
12 chosen to run a children's home, I don't know, I'm
13 afraid.

14 Q. You do say a little bit about that on page 2 of this
15 document. It's at page 2, (iv), and there is material
16 there about Annie Millar and the Reverend and
17 Mrs Barrie. And it's perhaps less surprising that the
18 Barries might have been selected; they do seem to have
19 had some previous experience.

20 Can we just look, please, though at a different
21 document. It's SGV-001034776. And I think we can see
22 there that this is an inspection report in relation to
23 Tyneholm, a Dr Barnardo's home in Pencaitland. And it
24 follows the usual format of these reports; there's
25 material about object numbers, admissions, and so on.

1 But if we turn to page 2, please, we see that there's
2 a section about staff, and in the second paragraph
3 there, we see the statement:

4 'At present, an ex-Baptist minister Mr Barrie (late
5 50s with a grown-up family) and his second wife,
6 Mrs Barrie (late 30s) with no children, are acting as
7 deputies on a three-month probationary period due to end
8 in July. Mr Nesbitt [and we think these are the
9 superintendent and matron] says Mr Barrie is rather
10 rigid in outlook, but his wife is very capable and
11 interested. They reside in the home at present but will
12 occupy a lodge in the grounds.'

13 So I suppose there's some material there that's
14 quite complimentary about Mrs Barrie, although I suppose
15 the idea that Mr Barrie might have been rigid in his
16 outlook might have been a red flag, had that been seen.

17 MS BAADE: Yes.

18 Q. At all events, they then become the superintendent, or
19 house head in 1972 to 1982. And if we go back to the
20 SSS-000000646 document, please, and page 3, (vii), do
21 you see there that we are told:

22 'Lagarie Children's Welfare Home closed in 1982, due
23 to a progressive fall in demand and a drop in numbers.'

24 We are told that in 1982, the remaining children,
25 and we think by that stage there weren't many children

1 left, but the remaining children were taken with
2 Mrs Barrie as their matron and assistant manager, to
3 Overbridge, which was a Quarriers home. But it seems
4 from that, that Mr Barrie didn't go at that stage, it
5 was just Mrs Barrie that transferred across; is that
6 right?

7 MS WARMAN: Yes, so she was taken across to look after the
8 children in Overbridge, yes. There's no mention of
9 Mr Barrie in our documents at this point.

10 Q. Yes, all right.

11 LADY SMITH: Well, he'd have been, if he was still with her,
12 around 70 years of age at that time.

13 MS WARMAN: Mm.

14 LADY SMITH: He might have retired?

15 MS WARMAN: Yes.

16 MS BAADE: He might have. We don't have any records at all,
17 so...

18 MS WARMAN: There's nothing mentioning him.

19 LADY SMITH: It may simply be Barnardo's were not offering
20 him a job, but they were offering her -- not Barnardo's,
21 sorry, Quarriers, it was Overbridge, but they were
22 offering her a job.

23 MS BAADE: Yes.

24 MS WARMAN: Yes.

25 MR SHELDON: My Lady, I think, if it assists, he died,

1 Mr Barrie died in 1993, aged around 83 or 82, I think.

2 MS BAADE: Mm-hmm.

3 LADY SMITH: But he may not have been regarded as employable
4 come 1982, I suppose, or wanted to be employed.

5 MS WARMAN: Sure.

6 MS BAADE: Yes.

7 MR SHELDON: Page 3, (ix), notes that the BSS was and is
8 a Christian organisation, although unaffiliated. Would
9 that have had an effect on the decision to employ
10 a minister, or an ex-minister, whatever status Mr Barrie
11 by then had?

12 LADY SMITH: Or 'ex-Baptist', the document says, and
13 elsewhere we've seen references to him being a Church of
14 Scotland minister.

15 MS BAADE: I think there's some questions about what he
16 actually was, if I'm going to be honest. I don't think
17 we have any real records around it, do we?

18 MS WARMAN: No, and I think aspersions have been cast over
19 that, as to whether, even if, he actually was,
20 particularly in the years that we're focused on, in
21 terms of the years of Lagarie.

22 LADY SMITH: Yes. Just, and I'm sorry to interject on this
23 here, but I noticed in your answer (vii), you mentioned
24 that the drop in numbers was a consequence of local
25 authorities changing their ideas and having policies of

1 keeping children at home or being fostered, or adopted.

2 I couldn't help but observe that Lagarie was opened
3 in 1948/1949.

4 MS BAADE: Mm.

5 LADY SMITH: That coincided with the publication of a report
6 of which you may or may not be aware, the Clyde Report.
7 A group chaired by a then lawyer, before he became
8 a judge, and became Lord Clyde, was asked to look into
9 the existing methods of providing for children, who,
10 from loss of parents or any other cause, are deprived of
11 normal life at home. And one of the clear messages from
12 their report, and just for reference sake, this is
13 particularly at paragraphs 43 and 44, is that:

14 'The difficulties and disadvantages of the present
15 methods of coping with the problem of the homeless child
16 won't be overcome by a mere fusion of departmental
17 control. Something more is needed to weld together the
18 existing system if it is to cope adequately with the
19 problem in the future. The lesson the war has taught us
20 above all is the value of home. It's upon the family
21 that our position as a nation is built, and it's to the
22 family that, in trouble and disaster, each child
23 naturally turns. It's the growing awareness of the
24 importance of family which has largely brought into
25 prominence the problem of the homeless child. How then

1 is family to be recreated?'

2 And paragraph 44 is pretty stark; it's headed 'The
3 Large Institution', and it says:

4 'The answer is certainly not to be found in the
5 large institution. That is an outworn solution and some
6 have left a bad impression on us.'

7 And yet, at the time they were reporting, Lagarie,
8 a large institution --

9 MS WARMAN: Was opening, yes.

10 LADY SMITH: -- was being opened up.

11 MS BAADE: Yes.

12 LADY SMITH: The report then does goes on, explores at some
13 length the options for more foster care in the future,
14 but recognising that that's not the whole solution;
15 there will always be some need for homes.

16 MS WARMAN: Mm-hmm.

17 LADY SMITH: But it is striking.

18 MS BAADE: It is.

19 LADY SMITH: It's not that it was only in the 1970s and
20 1980s that society was suggesting and local authorities
21 were suggesting that the way forward wasn't large
22 institutions. That dates right back to 1948.

23 MS BAADE: Mm-hmm, yes, I agree.

24 LADY SMITH: So what do you think from your researches was
25 provoking this move on the part of the Sailors' Society

1 to open a large institution in 1948/1949?

2 MS WARMAN: I mean, as I said before, it's supposition, it's
3 all supposition.

4 LADY SMITH: Well, I accept that.

5 MS WARMAN: We've got nothing down in our records at all.

6 LADY SMITH: Yes.

7 MS WARMAN: All we know is that, yeah, the Guild, which was,
8 you know, this group of women, had this sum of money,
9 that's what they wanted to set up. They obviously felt
10 that there was a need for that, having spoken to the
11 port chaplains, who would have been speaking to
12 seafarers about those issues that they were facing at
13 home, you know, either wife died, or wife in hospital,
14 struggling with childcare. So they obviously had that
15 perceived need. Yeah. I mean, obviously, you know,
16 today the facts in front of us speak for themselves.

17 LADY SMITH: Well, I wondered about the force of the Guild,
18 and it looks as though they had, by that stage, raised
19 a significant amount of money, and no doubt had been
20 doing so for a while --

21 MS WARMAN: Yes.

22 LADY SMITH: -- after the war ended, to raise £5,000.

23 MS WARMAN: Yes.

24 LADY SMITH: It was a huge achievement. And there was this
25 property.

1 MS WARMAN: Mm-hmm.

2 LADY SMITH: And it was in Rhu.

3 MS WARMAN: Yes.

4 LADY SMITH: The sort of area that these people in need
5 would be broadly familiar with.

6 MS WARMAN: Yes, mm-hmm.

7 LADY SMITH: And they'd think, 'Well, what's not to like,
8 that must be our solution'. They weren't listening to
9 what was going on in Parliament.

10 MS WARMAN: Possibly.

11 MS BAADE: And I think there's some as well, isn't there, to
12 state that there wasn't anything else like it in the
13 area.

14 MS WARMAN: Yeah, well, that's in that opening speech by
15 Mr Swan, that's what he says within there, that this
16 was, you know, there was no -- no other establishment
17 like this to answer this need.

18 LADY SMITH: Yes.

19 MS WARMAN: That's what he said.

20 LADY SMITH: Thank you.

21 MS WARMAN: No problem.

22 LADY SMITH: Sorry to divert you, and sorry, Mr Sheldon, to
23 divert you. Before I forgot I just wanted to mention
24 that.

25 MS WARMAN: No, thank you.

1 MR SHELDON: And just one more thing on the point my Lady
2 just raised. I suppose Lagarie House was close to
3 a naval base, and, indeed, a major port in --
4 MS BAADE: Faslane.
5 Q. -- Glasgow, and Greenock, and so on. So I guess, might
6 that have affected the decision to locate there?
7 MS BAADE: Do you mean Faslane?
8 Q. Faslane and --
9 MS WARMAN: Faslane is a naval base, yeah. I have no idea,
10 I'm sorry, I don't know.
11 MS BAADE: Sorry, we want --
12 Q. No, no, it's all right. If you don't know, then please
13 just say.
14 MS BAADE: Yes.
15 Q. Just to finish off our brief look at the Reverend
16 Barrie, or at least his background, can we look, please,
17 at SSS-000000484. And I think this is clearly a brief
18 timeline of William Ewart Barrie's early life and
19 career. Do we understand that this is a document that
20 the Sailors' Society prepared? It's certainly
21 a document that we got from the Sailors' Society.
22 MS WARMAN: Yes, that's right.
23 Q. All right, thank you. So we see, and I'll take this
24 short, but Barrie is born in 1910. He apparently
25 becomes a minister. He's certainly referred to as

1 a minister by 1935. And he is, by 1939, scrolling down,
2 Secretary of Burnley Free Church Council, and then
3 Minister of Westgate Congregational Church until 1942.

4 But in 1942 we see that he was deleted from the
5 role, and no record has been found of Mr Barrie being on
6 any denominational roll of ministers post 1942.

7 Now, there's some suggestion in some of the
8 statements that Mr Barrie remained a preacher, but
9 certainly this would suggest that he wasn't formally
10 a minister by that stage?

11 MS WARMAN: Mm.

12 Q. Is that the right inference to take from that document?

13 MS WARMAN: Yes.

14 Q. Thank you.

15 Lady Smith mentioned a moment ago sources of funds.
16 If we look at that briefly, please, it's page -- we're
17 back to SSS-000000646 and page 4, please, and the
18 heading 'Funding of Establishment'. And we see that, as
19 Lady Smith said, there was a significant sum raised by
20 the Guild towards purchasing the house, but there were
21 also fees from local authorities, parents'
22 contributions, and donations and so on. So this was
23 very much a mixed funding model?

24 MS WARMAN: Mm.

25 MS BAADE: Mm.

1 Q. And we see at paragraph (ii), it's thought funding was
2 adequate throughout its operation until its closure.

3 We have heard evidence, and I think you've been here
4 to listen to the evidence, that both in Anne Millar's
5 time -- Annie Millar's time and the Barries' time that
6 money seems to be being taken from the children at
7 times, and children sent out to collect. So can we
8 conclude that this was, these were fundraising efforts,
9 or something else?

10 MS WARMAN: I mean, I think the honest answer to that is
11 that we don't know. There's no record in our records of
12 children being sent out to -- that's absolutely what
13 we've heard from former residents here in these last two
14 weeks. There's nothing in our documents associated with
15 that.

16 LADY SMITH: It would be in line with, I'm trying to
17 remember whether it was the Sisters of Nazareth or the
18 Daughters of Charity or both, having the nuns go out to
19 collect for the support of the children's homes that
20 they were running, and this would be a similar era.

21 MR SHELDON: Thank you, my Lady.

22 Again, I hope briefly, on oversight, paragraph --
23 sorry, it's page 38 of this document, so jumping ahead
24 quite a bit. We are told towards the foot of that page,
25 towards the foot of the text block -- yes, that's it,

1 thank you -- from various reports of the Welfare
2 Department, we know that certain people regularly
3 visited the home. That's members of the SAC/SC. What
4 is that, please?

5 MS WARMAN: So that's the Scottish Committee, or the
6 Scottish --

7 Q. All right.

8 MS WARMAN: So it changed its name from the Scottish,
9 I think it was Advisory Committee, or Associated
10 Committee, apologies, but changed its name to the
11 Scottish Committee, but it's the same thing.

12 Q. Thank you. Employees of the Welfare Department,
13 Scottish Guild, Medical Officer. And you refer to the
14 1966 SHHD report which we've seen too. Children are
15 visited by childcare officers from the local authorities
16 involved. Miss Coutts from Edinburgh is a regular
17 visitor and childcare officers from Glasgow and Greenock
18 visit.

19 So at least at that stage, there do appear to be
20 visits by what we might think of as independent persons,
21 or inspectors, even. But it seems clear, does it not,
22 that none of these people were able to detect what was
23 going on?

24 MS WARMAN: Absolutely. And in fact these are really
25 isolated snapshots, aren't they? I mean we have three,

1 three years of SHHD reports compared to the number
2 of years that Lagarie was operational, so a really
3 limited snapshot. And indeed, if we look at other
4 entries in those SHHD reports, you know, things like
5 'There is no corporal punishment used at this home',
6 et cetera, and other comments like that, it's clear --
7 I'm not sure how much we can actually gauge from those
8 SHHD reports in terms of the facts of what was going on
9 at Lagarie, to be honest.

10 I think as well, there's certainly, there's no
11 evidence of them in any way attempting to talk to the
12 children, there's no evidence of that in the reports,
13 and that's certainly from all the residents that we've
14 heard from over these two weeks.

15 Q. Yes.

16 MS WARMAN: And, indeed, over the years that we've been in
17 correspondence with former residents. You know, that's
18 never been the case; nobody's ever told us that they
19 were spoken to.

20 Q. Yes.

21 LADY SMITH: Could we just scroll up to the beginning of
22 that box, please. There, stop. The third line in the
23 box says 1968 to 1968 for the three annual visits.
24 That's an error.

25 MS BAADE: That's probably a mistake.

1 MS WARMAN: I'm sorry, that's an error.

2 LADY SMITH: It should be 1964?

3 MR SHELDON: 1966 to 1968.

4 MS WARMAN: 1966, yeah, apologies.

5 LADY SMITH: That's fine.

6 MR SHELDON: I may say, my Lady, that those are the only
7 reports, certainly that we've seen, in that -- there
8 were three visits in quite a short period of time, and
9 then apparently no more.

10 Yes, and I think we've heard evidence from a number
11 of children who say, even if someone was there for them
12 to speak to, and many of them weren't aware of it, they
13 would have been too scared to do so in any event.

14 MS BAADE: Mm.

15 MS WARMAN: Mm-hmm, yes.

16 Q. That said, there are some reports of possible concerns,
17 and we will look at those briefly a little later, but
18 for the moment can we move on, please, to Part B of this
19 response. It's page 40.

20 And just at the foot, the very foot of the page is
21 where the section begins, and the question is:
22 'Does the organisation accept that between 1930 and
23 2014 children cared for at the establishment were
24 abused?'

25 MS WARMAN: Mm.

1 Q. And over the page, at the top, it's said:

2 'Yes, we do, and we're appalled at what we've heard
3 from former residents. We have very limited evidence as
4 those who ran the home are dead, but we've listened to
5 what former residents have told us and we accept what
6 they say.'

7 In the light of the evidence that you've heard in
8 the last week or so, is there anything that you would
9 want to add to that statement?

10 MS BAADE: I think from my end, I think acceptance of it is
11 the bare minimum. Of course, we accept that abuse took
12 place. And I think, having listened to the last two
13 weeks, obviously it's been awful, absolutely awful.

14 Q. Sara, I'm really sorry to stop you, but I'm struggling
15 to hear you again, I'm afraid.

16 MS BAADE: Oh, sorry. There, is that better?

17 LADY SMITH: Thank you.

18 MS BAADE: No, just to say, absolutely appalled. We've
19 obviously spoken to residents over the years, so we knew
20 quite a few of the ones that have come into the Inquiry,
21 and have heard from them before and spoken to them
22 before. But it's obviously awful to listen to, and
23 absolutely accept that abuse took place in the home that
24 we ran.

25 MR SHELDON: You also look at the question of the extent and

1 scale of the abuse in (ii), and you say you know of 55
2 former residents who have reported being abused, and
3 there is a further 25 instances of alleged abuse of
4 others. In total, 80 specific complaints.

5 As I think I indicated to Lady Smith at the very
6 start of this block, the material that we have access to
7 suggests 98 different complaints, albeit not all of them
8 directly to the Society. But at all events, we can see
9 that there is a large number of complaints.

10 MS BAADE: Yep.

11 Q. And given the number of children that may have passed
12 through the home, of course, the actual number of those
13 who were abused may be higher, perhaps much higher?

14 MS BAADE: Yep.

15 Q. Could we just look at that issue briefly, please. If we
16 go back to page 17 in this same document. This is where
17 you deal with the numbers of children that Lagarie
18 accommodated, and in the text box towards the foot of
19 the page, 1.6(a)(i), there are snapshots, as it were, of
20 the numbers in the home at particular times. So 1953:
21 38 children. 1968: 27. Just as examples. And it's
22 said that from 1974 onwards, it's understood that the
23 capacity was 30 children at any given time, down from 40
24 when the home was established.

25 But if we go over the page, page 18, there's

1 a question:

2 'How many children in total were accommodated by the
3 organisation?'

4 And I think, putting matters short, you say:

5 'We're not really sure'.

6 Can you just talk us through the reasons for that,
7 and the numbers that we see above that in the text box?

8 MS WARMAN: Yes, sure. So these numbers that we have here
9 are, as it says here, taken from the Scottish Committee
10 meetings, so they give us a snapshot of those years.
11 However, that's just a snapshot of those years; we don't
12 have any figures for other years. We also don't know
13 how many of these would be double-counted, so for
14 example, the 117 in 1950 on the top line there, by 1951,
15 is that the same children? Is that different children?
16 We have no idea.

17 So in terms of coming up with even a guess at the
18 total number of children is impossible, given that I've
19 no idea how many of those children are double-counted
20 through, potentially, many of those years.

21 Q. And I suppose if one had the admissions and discharges
22 books, if there were admission and discharges books --

23 MS WARMAN: Absolutely.

24 Q. -- then one might be able to say, but we don't have,
25 really, any records?

1 MS WARMAN: No.

2 Q. From the time?

3 MS WARMAN: No, we don't.

4 Q. And I'll ask you something about that in a moment or
5 two. But just concentrating on the figures here, for
6 the years 1978 and -- I think that perhaps should be
7 1958, 1959. Certainly 1978 is out of sequence.

8 MS WARMAN: Oh, yeah.

9 Q. But figures are given such as 1,750, 1,820. What's
10 intended by those figures? Are those, as it were,
11 running totals, or best guesses, or what?

12 MS WARMAN: My guess is that those were given as a running
13 total at that point.

14 Q. Right.

15 MS WARMAN: But that's all that's listed in the Scottish
16 Committee meeting, in the minutes, where it just
17 literally just says a total of 1,750 since inception.

18 Q. All right.

19 MS WARMAN: It's been impossible for us to reconcile those
20 figures, I am afraid.

21 Q. Yes. So assuming that that is, these are correct
22 figures for a total without double-counting, and that's
23 perhaps a big assumption, but assuming that's right,
24 then by 1982, the number could have been considerably
25 more than that, perhaps in the 2,000s, or perhaps more?

1 MS WARMAN: Indeed, if we were to make those assumptions.
2 However, we've no idea what double-counting was going
3 on.
4 Q. Yes.
5 MS WARMAN: Or how they were counting each year.
6 Q. All right, thank you.
7 LADY SMITH: Or how to explain the total --
8 MS WARMAN: No.
9 LADY SMITH: -- for 1959 --
10 MS BAADE: Yes.
11 LADY SMITH: -- being more than the total for 1978 in the
12 way this is being presented. That doesn't make sense.
13 MS BAADE: Indeed.
14 MR SHELDON: Could you perhaps check for us, actually,
15 whether 1978 is the year, apparently the year 1978 is
16 out of sequence there, or whether it's just a misprint
17 for 1958?
18 MS WARMAN: Yeah, absolutely.
19 MS BAADE: Yes, we can definitely check, we can check. We
20 have 1978 further down with 34.
21 MS WARMAN: Exactly.
22 MS BAADE: So I would have thought it is missed from our
23 end, and I apologise but we will double-check.
24 MR SHELDON: Thank you; if you could check, that would be
25 very helpful, thank you.

1 MS WARMAN: That would be my assumption too, but we can
2 check.

3 MR SHELDON: So back then, and I apologise for jumping
4 around a little, but if we go back, please, to page 41
5 in this same document. And this is in relation to the
6 acknowledgement of systemic failures. And I think in
7 broad terms you do accept that there were systemic
8 failures?

9 MS BAADE: Mm-hmm.

10 Q. Could you talk us through your thinking on that, please?

11 MS BAADE: Yeah, sorry, I don't know if there's a specific
12 one that you're talking about. Just about --

13 Q. I'm looking, really, particularly at paragraph 3.2(ii)?

14 MS BAADE: Okay.

15 MS WARMAN: Sorry, I think it's just coming up, we haven't
16 got that at the moment.

17 Q. I'm sorry.

18 MS WARMAN: That's okay.

19 Q. That's it.

20 MS WARMAN: Yeah, absolutely. So, as I say here, I mean,
21 our assessment today, absolutely, would be that that
22 systemic failure was profound. You know, there is very
23 limited evidence of some limited systems in place to try
24 and prevent that. There's limited evidence of, you
25 know, very limited oversight of the home. And we can,

1 we can sit here today and say that we believe Lagarie
2 would have been set up with those good intentions, but,
3 yeah, I mean, it was limited, very limited oversight of
4 the home. And therefore absolutely, systemic failure,
5 we would say today, was profound.

6 Q. Thank you. And just about halfway down that same
7 paragraph, 3.2(ii), it said:

8 'There are two examples where action was taken when
9 policies were not adhered to with regards to corporal
10 punishment, but a dearth of records to allow us to
11 understand the extent of systemic failure.'

12 MS WARMAN: Mm-hmm.

13 Q. And just for clarity, can we look, please, at -- it's
14 Part C of the A to D response, which is SSS-000000649.
15 At page 51. And this is in relation to, I think you can
16 see the heading just towards the bottom of the screen,
17 'Approach to/process internal investigations'.

18 MS WARMAN: Mm.

19 MS BAADE: Mm.

20 Q. Are these the two examples that are referred to in the
21 passage that we looked at a moment ago? This is
22 Mrs Barrie saying that a port missionary -- and pausing:
23 is a port missionary the same as a port chaplain or is
24 there a difference, or was there a difference?

25 MS BAADE: I would have thought that is the same.

1 MS WARMAN: The same, mm.

2 Q. So she's reported for slapping a girl's jaw, and in
3 essence I think she admits that she did that, and
4 there's then the chapter relating to the industrial, or
5 employment tribunal -- I think an industrial tribunal at
6 that stage, it would have been -- involving a Mr and
7 Mrs **GAD-SPO**

8 MS BAADE: Mm-hmm.

9 Q. Are these the two incidents that you are talking about
10 in the earlier passage?

11 MS WARMAN: Yes, I mean, I think there is potentially --
12 there's also the other one, isn't there, of 1978 which
13 we learn about, albeit through Mrs Barrie's statement,
14 but we learn about again; somebody coming to visit her
15 to do with chastisement of a child in the home.

16 Q. Yes.

17 MS WARMAN: At that point, her attention is drawn to the
18 code of discipline, the one that we're talking about
19 here. The first one is, 'Together we drew up a code of
20 discipline'. So those must be two separate incidents.

21 Q. Yes. We'll look a little bit more at that later,
22 particularly the industrial tribunal issue.

23 MS WARMAN: Mm, yep.

24 Q. But for the moment another issue which I think, and if
25 we can go back to SSS-000000646, please, at page 42.

1 This is a passage about acknowledgement of failures,
2 deficiencies, and so on. And at 3.3(i) it's noted:

3 'It's believed there were failures in 1990 and the
4 early 2000s. The gravity and effect of abuse on
5 individuals was not understood and from the records we
6 have, we did not carry out a thorough investigation.'

7 Is it fair to say that all of these investigations,
8 and indeed your response to the Section 21 notice, would
9 have been, or were, seriously hampered by the lack of
10 records?

11 MS WARMAN: Absolutely.

12 MS BAADE: Oh, absolutely.

13 Q. And it seems to be unclear even how the records, if
14 there were records, came to be lost.

15 But can we look, please, at another document. It's
16 SSS-000000158. And this should be a letter, I think, to
17 the General Secretary of the BISS, as it then was. If
18 we scroll down we can see it's from a Judith Wagner, and
19 this is October 2003. But if we scroll back up, there's
20 a reference. Sorry, scrolling down again a little,
21 please. There's a reference, I think, towards the
22 bottom of that page. You can scroll down again, please.
23 Yes, there's a passage there that begins:

24 'As to the "true" story of the flooded storeroom and
25 swimming pool, I can't be of any assistance other than

1 to advise the Society ...'

2 That they were kept in their centre in Whitechapel.
3 She thinks Whitechapel, but certainly the East End of
4 London:

5 '... in boxes around the pool. The boxes were
6 completely saturated.'

7 And so on. So the suggestion seems to be that the
8 records were lost because damaged beyond repair by water
9 ingress of some sort?

10 MS BAADE: Mm.

11 Q. Can I just ask first of all, were there such premises
12 and are there now, and why would there be a swimming
13 pool in BISS premises?

14 MS BAADE: That's a good question, yeah.

15 MS WARMAN: Yeah, so there was a premises with a swimming
16 pool that was, I believe, a sailors' home in London.
17 I can't tell you where in London it was, but there was
18 such a property. It did have a pool. However, my
19 understanding is that that property was sold before
20 Lagarie closed, and so therefore would beg the question
21 of why records would have moved from Scotland to be
22 stored by a swimming pool in a property in London, when
23 the Scottish operation was still running. Yeah, I have
24 no idea.

25 It's true to say that a lot of the documents that we

1 do still have, few as they are, have signs of water
2 damage, but that's all I can say about that.

3 Q. All right. So it remains largely a mystery?

4 MS WARMAN: It does. I mean, we did our absolute best to
5 look into this story of the swimming pool. There's been
6 various stories, though. I've heard stories of a fire,
7 I've heard stories of the flood, I've heard one of the
8 former residents even told us that the records moved
9 with them to Overbridge. We've looked into those
10 avenues. Overbridge said no, they didn't have records.
11 And in terms of the flooding story, it just seems to
12 have been a story that's been passed down. We've gone
13 back, we went back to employees that were working for
14 the organisation back in the 1980s, and all that they
15 tell us about it is, 'Oh yes, I was told that when
16 I joined by X'.

17 We just reached a dead end on that. All I can say
18 is that there's no proof of there having been a flood,
19 or a fire. That's not mentioned --

20 Q. All right.

21 MS WARMAN: -- in any minutes.

22 Q. I suppose the alternative, or perhaps an additional
23 explanation, is that the Scottish Committee, and,
24 indeed, the Society generally, were simply not
25 sufficiently professional at that time, properly to look

1 after these records?

2 MS BAADE: Mm.

3 MS WARMAN: Possible. No idea what happened to them, I'm
4 sorry.

5 Q. If we could look, please, at SSS-000000174. And this
6 appears to be a note of a telephone conversation.

7 Again, I think we understand this is a BSS, or BISS,
8 record. And it's said that Reverend Morris phoned, and
9 he seems to have been one of the Scottish Committee; is
10 that right, does that accord with your recollection?

11 MS WARMAN: I'm sorry, I can't recall.

12 Q. All right. Anyway, he calls on 4 April 2003, saying
13 he's no idea what happened to the committee records. He
14 said that:

15 'There appeared to be no formal dissolution of the
16 Scottish Committee, they just simply stopped going to
17 meetings.'

18 And he suggested contacting various other people.

19 So if that is right, then does it appear that there
20 was little or no formal shutting down of the Scottish
21 operation; it was just ended, and that was it?

22 MS WARMAN: Again, I know very little about this. I would
23 say Scottish Committee records, we have a full set of
24 Scottish Committee records, so we do have those.

25 In terms of formal dissolution, I'm not sure. There

1 are parts of minutes which talk about the Scottish
2 operation being closed down. There seems to be some
3 association there with financial issues around that
4 time. But I don't know any specifics. But definitely
5 some kind of financial problem. Some kind of financial
6 issue and the closure of the Scottish operation.

7 Q. All right. So we have the committee reports, the
8 minutes of meetings and so on, and certainly we've seen
9 some of those.

10 MS WARMAN: Mm.

11 Q. But in relation to the actual home records, the matter
12 simply remains a mystery?

13 MS BAADE: Mm-hmm.

14 MS WARMAN: Yes.

15 Q. I want to move on, then, to looking at some more
16 specific records, and particularly reports, or concerns,
17 about abuse at the home over the years. So if we can
18 look, please, first of all to SSS-000000319. This is
19 an email from an individual, dated September 2018 to the
20 Sailors' Society. It's addressed to 'Hi Stuart'. Would
21 that be Stuart Rivers?

22 MS WARMAN: Yes.

23 MS BAADE: Yes.

24 Q. Then, at that time, still Chief Exec?

25 MS BAADE: CEO, yes.

1 Q. CEO of the Society. And the writer says that he was at
2 home with two sisters and his mother had a difficult
3 birth. Home was atrocious, taking things short. There
4 were beatings. And he talks about recurring nightmares
5 about:

6 'When I didn't finish a meal, Matron got a staff
7 member to hold me down in a chair and then started to
8 push brussels sprouts down my throat.'

9 And he says that she at one point dragged him,
10 locked him in a cupboard and gave him another beating.
11 His sisters and he tried to escape twice, but were
12 returned to the home and he was then removed by his
13 older cousin, who'd returned from the army, and simply
14 took them out of the home with a lot of shouting and
15 threats. He says he informed the NUS Glasgow branch
16 about 1970 of the terrible time there, but nothing came
17 of it.

18 Would the NUS have been the National Union of
19 Seamen?

20 MS BAADE: I don't know. Do you know?

21 MS WARMAN: I don't know. Possibly.

22 Q. At all events, he informs someone, as it were, official,
23 he says he's tried to put it behind him, and so on.

24 So there's that. I think you'll have been here when
25 we heard the evidence about the little boy who ran away

1 naked, running down the street?

2 MS WARMAN: (Nods)

3 Q. But there were also concerns about his sister, who was
4 found with a black-and-blue back, so this would have
5 been around 1969/1970. So there are some concerns at
6 that point, and clearly, nothing was done about those
7 concerns at that stage.

8 We then have the chapter relating to the Barries.
9 And if we can look, please, at SSS-000000629. I think
10 this is an example of the minutes of the Scottish
11 Committee, and we see on the first page the various
12 attendees?

13 MS WARMAN: Yes.

14 Q. Chaired by Sir Ivar Colquhoun.

15 MS WARMAN: Yes.

16 Q. And various other individuals with titles and
17 qualifications of various sorts.

18 It is perhaps striking that there isn't obviously
19 anyone there with particular expertise or experience in
20 childcare, social work, anything of that sort?

21 MS WARMAN: Indeed.

22 Q. And if we look, please, at page 2 about halfway down, it
23 is a paragraph beginning 'Mr Stockton':

24 'Mr Stockton reported on the outcome of the recent
25 industrial relations tribunal on the dismissal of Mr and

1 Mrs GAD-SPO SNR at Rhu. The case had,
2 unfortunately, gone against the Society.'

3 Skipping to the next paragraph:

4 'The Society's case against GAD-SPO was that they
5 had been ill-treating the children under their care, but
6 as we were unwilling to call the children as witnesses,
7 this charge could not proceed.'

8 So the Society loses this case, and had to pay
9 damages to GAD-SPO as a result. And if we look,
10 please, at SSS-000000104, I think we can see that this
11 is the decision of the industrial tribunal. Sorry, I'm
12 just trying to get that in front of me as well. And
13 I think we can see that this was held in Glasgow in
14 1977.

15 And we don't need to look at the page, but the
16 decision is issued in November, 25 November 1977. If we
17 look at page 2, the second paragraph, please. There's
18 just a summary of the facts, the background facts. The
19 GAD-SPO it gives their ages, they were employed as
20 SNR and SNR at the home at
21 Lagarie in Rhu. They were in post underneath the
22 Barries as superintendent and matron.

23 If we look at page 3, please, first of all the
24 second paragraph, 'Both applicants'.

25 'Both applicants were dismissed from their posts

1 allegedly on grounds of being unsuitable for them, given
2 intimation of the dismissals at a meeting which took
3 place February 1977.'

4 And we see in the next paragraph, we're told
5 Mr GAD had previously been employed as [REDACTED]
6 [REDACTED] at Calder House Assessment Centre
7 from [REDACTED] 1969 until [REDACTED] 1976. And it's noted,
8 interestingly, I think:

9 'This was a fully established position in
10 an establishment of the remand home type, where
11 a certain amount of control and discipline of children
12 in the home was necessary.'

13 So the suggestion there is that Calder House was, or
14 perhaps was intended to be, a rather different sort of
15 establishment from Lagarie.

16 If you look at page 4, please, the third paragraph.
17 Sorry, I think it's -- yes, the paragraph starting 'The
18 first incident'. There's an incident in September 1976.
19 There is an issue with a boy who'd been scratching
20 a name on a banister. And it was decided, about eight
21 lines from the bottom, to take some action. And if we
22 then look over the page to page 5, about halfway down,
23 there certainly seems to have been something said
24 about -- sorry, about eight lines down:

25 'There then followed what clearly was an element of

1 physical or corporal punishment of the boy. Evidence on
2 the nature of this was conflicting.'

3 But, scrolling down, we see there's a sentence
4 beginning:

5 'The tribunal accepted that the boy acted in some
6 measure of self-defence but could not accept that the
7 amount of force used by Mr GAD constituted assault.
8 The tribunal did not accept that there were severe blows
9 of a punching nature, nor that the punishment amounted
10 to what Mrs Barrie later described as "belting him round
11 the laundry".'

12 So that had been Mrs Barrie's account, but it's
13 an account which the tribunal wasn't prepared to accept.

14 And if we look at page 7, and it's the third
15 paragraph down beginning 'Sometime in January', we are
16 told:

17 'Miss GAA first spoke to Mrs Barrie about the
18 earlier incident on 10 September when the boy had been
19 punished.'

20 And we understood Miss GAA to be a member of
21 staff at Lagarie:

22 'Although Miss GAA had said nothing about this
23 before, she'd heard stories at a college she attended
24 about the possibility of Mr GAD having been involved
25 in some form of incident in his previous work at

1 Calder House.'

2 And we're told that she decided therefore to speak
3 to the Barries. Mrs Barrie, we're told, took no steps
4 to investigate the incident at first hand or put the
5 evidence of it to Mr GAD. But we're told she did go
6 and talk to someone at the college in question, but that
7 was done without the knowledge of either applicant, and
8 ultimately the tribunal finds that these allegations
9 were unfounded and the suggestion that GAD-SPO were
10 unsuitable to work in Lagarie was rejected.

11 It's quite detailed, I don't want to go into any
12 more detail on that, but we can see that there are
13 a number of things going on there; there are allegations
14 of, really, physical abuse, in essence, allegations
15 which are being made by members of staff, including,
16 apparently, Mrs Barrie, and that's not accepted.

17 And there's also the idea that the Society didn't
18 want to call the children as witnesses, and on one view
19 that was a laudable approach to take. But we don't know
20 whether the Society also talked to the children to find
21 out their view of what had happened.

22 And if I can take you then to another document,
23 SSS --

24 LADY SMITH: Just before we leave that, there is also
25 an indication there that the tribunal were not happy

1 about the procedures. The allegations weren't put to
2 Mr and Mrs GAD-SPO at the right time, if at all, and the
3 final decision on unfairness may have been as much
4 procedural unfairness than substantive unfairness.

5 MR SHELDON: That seems to have been the principal ground of
6 decision, my Lady, yes.

7 LADY SMITH: It's not uncommon.

8 MR SHELDON: If we look, please, at SSS-000000019, and
9 I think we can see this is another meeting minute, this
10 time from 1979, [REDACTED] 1979, and we see the usual list
11 of attendees. But if we look, please, at page 3.
12 Scrolling down, there's various reports, and on page 3,
13 letter (f), there's an entry about 'Children's home
14 Rhu'. We're told:

15 'Mr [REDACTED] reported that following the resignation
16 of Mr and Mrs GAF-SPO [who were then] SNR
17 SNR [REDACTED] houseparent, these posts had been
18 advertised ...'

19 Interviews took place and SNR [REDACTED]
20 post has been offered to a Mr [REDACTED] and the post of
21 houseparent offered to his wife. They both accepted.

22 So, just pausing to think about the evidence that
23 we've heard, we heard. I think, yesterday, that for
24 a while a couple called the Russells [REDACTED] SNR
25 SNR [REDACTED] under the Barries when they first started

1 the home. They [REDACTED]. GAD-SPO [REDACTED], in
2 about 1976, and there's the industrial tribunal. And
3 although their dismissal was said to be unfair, they
4 don't come back and this couple, GAF-SPO [REDACTED],
5 1977, presumably, to 1979. And [REDACTED]
6 SNR [REDACTED] [REDACTED] in 1979.

7 So we've had, really in the course of five years or
8 so, four different SNR [REDACTED]. And setting
9 aside any reports that might have been received about
10 abuse otherwise -- and we've seen the one in 1970 that
11 I took you to; there's the one that you talk about where
12 the port missionary speaks to Mrs Barrie -- we now have
13 this extraordinary turnover of staff. Surely at this
14 point, serious alarm bells should have been ringing in
15 relation to what was going on in this home?

16 MS BAADE: Yeah. I would have thought, if it was today, it
17 definitely would have been serious. I don't understand
18 what was happening. So I agree, it should have been,
19 there should have been big bells ringing here.

20 LADY SMITH: Just picking up one matter, Mr Sheldon, you
21 said despite the finding of unfair dismissal, GAD-SPO [REDACTED]
22 didn't go back. Well, they wouldn't have had a right to
23 go back unless the tribunal had made an order for
24 reinstatement.

25 MR SHELDON: Yes.

1 LADY SMITH: Their dismissal would have just taken effect.

2 MR SHELDON: I think in fairness --

3 LADY SMITH: So I don't think we can take anything from

4 that, for instance a choice on their part not to go

5 back.

6 MR SHELDON: Yes, I think, well, I think in fact, they

7 didn't want to go back, my Lady, but at all events, they

8 didn't.

9 LADY SMITH: Yes, and they got some money.

10 MR SHELDON: They got some money. So I think they were

11 happy enough.

12 So going back to that issue, it does seem as though

13 there was no one putting all this material together, and

14 reaching any sort of view as to the running of the home.

15 It seems to have been assumed that the Barries, perhaps

16 because of the Reverend Barrie's apparent title, that

17 everything must be all right.

18 MS WARMAN: Mm.

19 MS BAADE: Yes.

20 MR SHELDON: And one final matter to put on that topic, or

21 vein. We looked, I think, briefly at one point at

22 a report from, we think about 1981. It's at

23 SSS-000000480. And this is the handwritten note which

24 appears to be part of a BISS risk register. Can you

25 help us with when --

1 MS WARMAN: It's attached to the risk register.

2 Q. It's attached to the risk register?

3 MS WARMAN: Yes.

4 Q. When did risk registers as such come in?

5 MS WARMAN: Sorry?

6 Q. When did risk registers as such start to become
7 a feature of administration of --

8 MS WARMAN: I'm sorry, I don't know. I could find out for
9 you, probably. But I don't know that.

10 Q. At all events, we understood from you, from those
11 representing you, that this individual, David Harries,
12 worked for the Society from about 1981, so it must have
13 been 1981 or 1982 when this report was made, because
14 it's a reference to a visit to Mr and Mrs Barrie,
15 I think about, or over, an allegation of brutality.
16 They convinced him, no substance to them. He also
17 visited the home on occasions and found it to be well
18 run.

19 So in terms of an investigation into an allegation
20 of brutality, have you any comments to make on the
21 substance of this?

22 MS WARMAN: Well, there's nothing here that indicates any
23 kind of investigation, does it, apart from him going up
24 and visiting and being told by Mr and Mrs Barrie, no,
25 that didn't happen. I mean, there's no indication in

1 this handwritten note that there was any substantial
2 effort to look into this at all.

3 I think he was in post around 1980, in actual fact.

4 Q. Right.

5 MS WARMAN: What we don't know, unfortunately, this, as you
6 know, as we've heard before, that this is not dated,
7 this note, unfortunately. What we don't know is whether
8 this is another allegation of abuse, or whether in fact
9 this is the 1978 allegation, and potentially the dates
10 have been confused.

11 Q. Yes.

12 MS WARMAN: By somebody. I have absolutely no idea,
13 unfortunately.

14 Q. All right. It is just very difficult to make anything
15 of it.

16 MS WARMAN: Absolutely.

17 Q. Apart from the fact that it is extremely brief.

18 MS WARMAN: Yeah.

19 Q. And arguably very unhelpful.

20 MS WARMAN: Yeah, and potentially we can read into the fact
21 that it's just so very brief, and a handwritten note
22 that's just handed in.

23 LADY SMITH: Would that be a good point to break,

24 Mr Sheldon?

25 MR SHELDON: Just one more document, if I may, my Lady --

1 LADY SMITH: Well, let's do that, then we'll break.

2 MR SHELDON: -- just because it rounds off that particular
3 chapter, I think.

4 It's the document SSS-000000781. And I think we can
5 see from the first page, this is the British Sailors'
6 Society Scottish News, Christmas 1981, and scrolling
7 down to page 2 there are two articles on that page. In
8 the third column to the right, there's one by Reverend
9 William Barrie, Superintendent, children's home at Rhu.
10 And we have looked at the content of this briefly before
11 in relation to the port missionary at Aberdeen, MLV
12 MLV. But if we look to columns 1 and 2, I think we
13 see an article really about Christmas and the message of
14 Christmas from a Reverend David Harries, RM Retired
15 Superintendent Chaplain, British Sailors' Society.

16 So does it appear, on the face of it, that the
17 investigation, if that's what it was, at Lagarie that we
18 saw in the handwritten note, was carried out by another
19 chaplain from the Sailors' Society?

20 MS WARMAN: Yes.

21 Q. And again, can you comment, what is your comment, on the
22 appropriateness of that?

23 MS WARMAN: That there was a chaplain that went and spoke to
24 the Barries, as opposed to somebody from the board of
25 British Sailors' Society. If you've got an allegation

1 of something as serious as brutality, as that's
2 described as in that note, that perhaps somebody more
3 senior within the board of British Sailors' Society
4 should have been across that and investigating that.

5 Q. It's also highly -- it's also possible, if not probable,
6 that the Reverend Harries and the Reverend Barrie knew
7 each other, possibly quite well?

8 MS WARMAN: Possibly.

9 Q. And given both of their roles as, apparently, clergymen,
10 again, there might be a suspicion to an outside observer
11 that not much of an independent review is going on here?

12 MS WARMAN: Absolutely. I mean, there's no indication of
13 a review at all, I don't think, from that handwritten
14 note.

15 MS BAADE: I think we don't see anywhere the voice of the
16 children, and I think that's the bit that is missing
17 throughout, in all of this, to be honest with you.

18 Q. Yes, no indication that children were spoken to?

19 MS WARMAN: No.

20 MS BAADE: No.

21 MR SHELDON: My Lady, would that be --

22 LADY SMITH: We can take a break now for the morning break,
23 and then get back to your evidence after that; is that
24 all right?

25 MS WARMAN: Thank you.

1 MS BAADE: Thank you.
2 (11.34 am)
3 (A short break)
4 (11.51 am)
5 LADY SMITH: Welcome back, I hope the break was helpful.
6 MS WARMAN: Thank you.
7 LADY SMITH: Are you ready for us to carry on?
8 MS WARMAN: Yes.
9 MS BAADE: Yes.
10 LADY SMITH: Thank you very much.
11 Mr Sheldon.
12 MR SHELDON: Thank you, my Lady.
13 Sara, Melanie, I want to move on now to look at the
14 Society's reaction to the legal actions brought in the
15 early 2000s, I think most of them were raised in 2004,
16 and the lead-up to that.
17 Can you look, first of all, please, at the document
18 at SSS-000000680. And I think we can see that this is
19 a letter from the Society's then solicitors,
20 Simpson & Marwick, to -- sorry, I beg your pardon, it is
21 a letter from Alan Smith of the Society to Peter
22 Anderson of Simpson & Marwick. And if we just look at
23 the first line of that:
24 'Thank you for your letters. Sergeant Lappin's
25 account does not make comfortable reading. On the

1 question of giving Mrs Barrie some form of financial
2 indemnity, the actions are against us and she is not
3 named. I therefore assume that in any judgment, no
4 penalty could be applied to her and the only way that
5 she would become subject to a financial claim would be
6 if we were to try [to] recover part of any judgment
7 against us ... I think the Society would not wish to
8 take such a course, but I can't answer for the
9 insurers.'

10 And he then goes on to talk about a search for
11 information and in the last sentence says:

12 'I've received another letter from [it is] MPM .
13 [And] you will see that the tone is a lot calmer than of
14 late. Would it be appropriate to reply to her?'

15 So I leave that for the moment, and go to another
16 document, SSS-000000776. And we can see that this is
17 a letter to the Scottish Child Abuse Inquiry from Stuart
18 Rivers, CEO, and it's 2018. But if we go to page 8 of
19 this document, please.

20 This appears to be a precognition of DS Lappin of
21 Strathclyde Police. So is this the precognition that
22 has been referred to in the letter we've just seen?

23 MS BAADE: I don't know. Mel, do you?

24 MS WARMAN: I'm sorry, I am not sure.

25 MR SHELDON: We can see this is a precognition about, second

1 paragraph, 'Children's home'.

2 LADY SMITH: Do you want to go back to the letter again?

3 MS WARMAN: Yes, sorry, I didn't see that for long enough.

4 LADY SMITH: Can we go back to --

5 MR SHELDON: Yes it is SSS-000000680. It's referred to as

6 Sergeant Lappin's account.

7 LADY SMITH: Do we need to go to the top of this letter?

8 MS WARMAN: Thank you.

9 LADY SMITH: There we are.

10 MR SHELDON: The letter is 2003.

11 MS WARMAN: Thank you.

12 LADY SMITH: And this is the Society writing to us.

13 MR SHELDON: And this is the Society. The SSS-000000776 is

14 the Society writing to us, enclosing a number of

15 documents, including this one, and it's what we would

16 call a precognition, a statement, by this police

17 officer.

18 I don't think it's dated, but if we scroll down to

19 page 13, we can see that there are a number of

20 paragraphs there relating to individual former

21 residents, and there's a summary in each case of what

22 they say happened to them.

23 So the first one there, for example, is PDP

24 speaking with the account of being slapped by the

25 Matron, and the various episodes of physical abuse that

1 he and his siblings suffered, and so on.

2 So on the face of it, this appears to be an account
3 by DS Lappin.

4 MS BAADE: Mm-hmm.

5 MS WARMAN: Yes.

6 Q. And on any view, this would be uncomfortable reading?

7 MS BAADE: Yes.

8 Q. And that's certainly Alan Smith's view of it.

9 I just want to pick up a few other references from
10 this wider document. If we look at page 12 in the
11 document.

12 LADY SMITH: So this is still the Sergeant Lappin document.

13 MR SHELDON: This is still Sergeant -- DS Lappin's document.

14 LADY SMITH: Yes.

15 MR SHELDON: He is talking about -- I should perhaps take
16 you back to the last paragraph on the previous page, the
17 foot of page 11, and DS Lappin says:

18 'Having identified only three suspects, Rev Barrie,
19 Mary Barrie and Anne Millar, and having established that
20 two of the three are dead, I believe criminal
21 prosecution being proceeded with by the PF office,
22 specifically the complaints against Mary Barrie, were
23 simply of physical abuse, and of the three she was by
24 far the minor player in what took place, despite the
25 fact she was plainly aware of what her husband was

1 doing, and likely what Anne Millar was doing.'

2 LADY SMITH: How would she have been aware of what Anne
3 Millar was doing?

4 MR SHELDON: Certainly in relation to Anne Millar, my Lady,
5 that's right. But certainly DS Lappin's view seems to
6 have been that Mrs Barrie was aware of what her husband
7 was doing.

8 LADY SMITH: Well, yes.

9 MR SHELDON: And he then goes on to say:

10 'Despite that, given her age, and given the attitude
11 of the PF's office in Dumbarton to such matters, I'm
12 confident that when I submit my final report to the PF,
13 no prosecution against Mrs Barrie will be brought.
14 Accordingly, I'm currently considering speaking to the
15 lady and attempting to have her provide evidence as
16 a witness, as opposed to a suspect, simply to allow me
17 to confirm as much of the allegations made to me as
18 possible.'

19 And of course I think we saw in earlier evidence in
20 the last week that in fact the prosecution was dropped,
21 or at least not brought at that time.

22 If we go to page 17 of the document, we can see that
23 there's also a statement of Mrs Barrie, then aged 72,
24 and she gives an address in Shawlands in Glasgow. And
25 she talks about the background. If we turn to, first of

1 all, page 21, there's a paragraph starting, 'We used to
2 have staff meetings'. She says, second line:

3 'At one time I asked them to write down what they
4 said their pet hates were with regard to the staff.'

5 So this is going back to the questionnaire, or
6 feedback form.

7 LADY SMITH: So where are we, which paragraph?

8 MR SHELDON: This is page -- I'm sorry, my Lady, this is
9 page 20.

10 LADY SMITH: 20. This is 21, we're on.

11 MR SHELDON: Yes, I am sorry, my Lady.

12 LADY SMITH: I am sure we can get page 20.

13 MR SHELDON: If we can go to page 20 first.

14 LADY SMITH: This is the long paragraph beginning, 'We used
15 to have staff meetings'.

16 MR SHELDON: Yes, 'We used to have staff meetings'. She
17 told them:

18 'I told them that there would be no comeback, that
19 we would just look and see what they thought and if
20 there were things that could be taken out of that, then
21 we would discuss it. After a bit of persuasion, the
22 kids said I shouted too much. Another child said that
23 he didn't have to worry when I shouted, it was when
24 I went quiet that they had to worry.'

25 And if we go to page 21, about halfway down the

1 paragraph beginning, 'I'm asked more generally about
2 chastisement', and she talks there about the port
3 missionary incident, where she's reported for slapping
4 a girl's jaw, and 'my husband for hitting a boy'. And
5 she says, line 3:

6 'I said that I had done it.'

7 So she admits to having done that, and sets out the
8 circumstances of that.

9 She doesn't then say anything about the allegation
10 against her husband, but at page 22, the foot of
11 page 22, on to page 23, she says:

12 'The police said that my husband and Mr MLV (the
13 port missionary from Aberdeen, not Arbroath as is
14 alleged) and Mr Skelton (the gardener) had interfered
15 with children. I would not have thought that was
16 possible. My husband was not alone with the children.
17 There was always someone else around. I suppose
18 sometimes he was on duty when I wasn't and he took the
19 minibus out with the children sometimes. However,
20 I never suspected anything.'

21 What do you make of that last passage?

22 MS WARMAN: I mean, you know, we know that it was perfectly
23 possible for him to be alone with children and we've
24 heard from many former residents about how he would come
25 into their room at night when Mrs Barrie was back at the

1 cottage, and he would come back into the home and take
2 the children from their dormitories.

3 Q. Yes.

4 MS WARMAN: In the house.

5 Q. Do you take from this passage, as I do, that this
6 indicates that Mrs Barrie indeed did suspect something?

7 MS BAADE: I think I take from it that at least she wasn't
8 being fully honest here, maybe. But that's speculation,
9 obviously. But that's what I would take from it, maybe.

10 Q. All right.

11 MS WARMAN: And from some of the allegations that we have
12 had about Mrs Barrie, I think it is difficult for us to
13 put too much store in what Mrs Barrie has to say.

14 Q. Yes.

15 LADY SMITH: Just that account of her hitting the girl.

16 MS WARMAN: Mm.

17 MS BAADE: Mm.

18 LADY SMITH: To get the message across that she mustn't --

19 MS WARMAN: For an issue with washing a bag.

20 LADY SMITH: Yes, and that the bag mustn't go in the washing
21 machine, and because she was about to do that, she got
22 thumped, slapped.

23 MS WARMAN: And slapped her jaw, I mean, yeah.

24 MR SHELDON: Moving on from that document, please, to, it's
25 another Mary Barrie document, essentially, it's

1 SSS-000000704. And this appears to be a handwritten
2 document from Mary Barrie, dated 25 February 2005,
3 enclosing information about all the families you were
4 asking about. This is to a Ms Hall. Are we to assume
5 that Ms Hall was either a representative of the Sailors'
6 Society or someone acting on their behalf?

7 MS WARMAN: I believe she worked for the Sailors' Society.

8 Q. All right.

9 MS WARMAN: I don't know for absolute sure. If you want me
10 to check I can, but I believe that was the case.

11 Q. All right, thank you. If there's confirmation of that,
12 that would be helpful.

13 MS WARMAN: Yes.

14 Q. At all events, she writes to Ms Hall with information
15 about the various families and --

16 LADY SMITH: So this was information that Mrs Barrie had
17 held on to; is that right? This is a 2005 letter.

18 MS BAADE: I don't know. Mel, do you know where it's coming
19 from?

20 LADY SMITH: Or is this another Barrie?

21 MS WARMAN: No, I mean, I know in investigations that were
22 carried out by the Sailors' Society, they spoke to all
23 kinds of people, including Mary Barrie, at one point,
24 and she told us about, you know, things that she had
25 passed on to families, like photographs and things like

1 that. So she definitely had things in her possession,
2 some of which she told us she had passed on to those
3 former residents concerned, some of which she was
4 clearly passing on to us at that point.

5 LADY SMITH: Interesting.

6 MR SHELDON: Yes, in fairness it's perhaps not clear, my
7 Lady, whether this information is material she wrote
8 down earlier or whether it's from memory. But at all
9 events, she talks about the family of which the person
10 that we know as MPM was part, and she writes about
11 that family that she didn't know:

12 'Another child born, don't know who the mother was,
13 this child was born while some of the siblings were at
14 primary school. Father remarried, lived in Barmulloch
15 or Balornock.'

16 And she says very little contact with social workers
17 who kept changing. She thinks Maryhill's social work
18 department, but not sure.

19 So although we saw before the morning break that
20 there may have been visits of various sorts in the
21 1960s, it appears on the face of this note from Mary
22 Barrie, whatever that's worth, that there was little
23 contact and few visits, certainly to this family. And
24 again, perhaps we can't tell what other families'
25 experiences were, but certainly Barrie is saying that

1 this family didn't really have much contact with social
2 workers.

3 MS BAADE: Mm-hmm.

4 MS WARMAN: Mm, and we've certainly heard over the last two
5 weeks, heard from other former residents who said that
6 they have no recollection of seeing social workers come
7 to the home.

8 Q. Indeed. Or indeed inspectors, or independent persons of
9 whatever sort?

10 MS WARMAN: Indeed, yes, mm.

11 Q. So moving then to SSS-000000667, please. This is
12 a letter from a Gloria Seagrave, PA to the General
13 Secretary, so Alan Smith's secretary, presumably?

14 MS WARMAN: Yes.

15 Q. To a Mr WIR Ward. We're perhaps not entirely sure what
16 Mr Ward's role was, but he certainly seems to have been
17 associated with the Sailors' Society?

18 MS BAADE: He was a trustee.

19 MS WARMAN: He was a trustee.

20 Q. I'm sorry?

21 MS BAADE: He was a trustee.

22 Q. All right, thank you. The letter just says:

23 'Thank you for making the time to come down to
24 Southampton.'

25 Reading short:

1 'Ve received notice from the Scottish Legal Aid
2 Board that MPM has been refused legal aid on appeal.
3 A copy of the notice is attached. You will recall that
4 MPM's allegations were the most serious of those
5 received to date, so this is very welcome news.'

6 So the focus there I think is fairly clearly on the
7 idea that this is good news, that MPM's claim
8 wouldn't be able to proceed. And we know, in fact, that
9 some claims did proceed, but were abandoned in
10 June 2008.

11 The reference for that, my Lady, is SSS-000000775,
12 but we don't need to go to that.

13 LADY SMITH: And the letter here is dated when?

14 MR SHELDON: This is 2004.

15 LADY SMITH: Thank you.

16 MR SHELDON: There were appeals in relation to the granting
17 of legal aid, my Lady, and they were refused; the
18 actions must have proceeded on a speculative basis,
19 I think.

20 LADY SMITH: Yes, so the inference is drawn that MPM
21 wouldn't be able to afford to carry on without legal
22 aid.

23 MR SHELDON: Yes. And I want to look at a document that
24 we've looked at before, and this is SSS-000000763. And
25 you'll recall that we looked at this with Mark Daly last

1 Wednesday. And it's an email chain and, as it were, the
2 lead email in the chain is from Ian Ward, intimating
3 that -- this is June 2008:

4 'In the light of the Law Lords' decision [a test
5 case we know] the pursuers are unlikely to have their
6 legal aid certificate renewed.'

7 So there must have been some legal aid certificates
8 granted, my Lady.

9 LADY SMITH: Yes.

10 MR SHELDON: 'Our solicitors will advise us, but my instinct
11 is the cases should be withdrawn rather than left
12 assisted.'

13 And he concludes his email, saying:

14 'I seem to remember that some of our supporters and
15 contributors in Scotland made it clear that they would
16 not continue to support us. Should these be told when
17 the actions are finally buried?'

18 And if we look, then, at page 2 of this document,
19 and this is an email from a Robert Adams, General
20 Secretary. And this is the email that concludes, just
21 the last paragraph:

22 'As the decision [I think "is"] not in favour of
23 claimants against us, I don't think that it will appear
24 newsworthy if it becomes public knowledge. I doubt that
25 any press interest will arise from the decision of the

1 claimants to withdraw. Nevertheless, should the media
2 contact anyone for comment, I would appreciate it if all
3 enquiries are referred to me for comment. My stance
4 will be to play down any sense of success and put across
5 that we are relieved that the matter is finally
6 determined and that we can press on with our work
7 without the burden of the claims weighing over us.'

8 And at page 3 of this document, sorry, I beg your
9 pardon, I think it's page 5, there is an email to Robert
10 Adams from a David Morris:

11 'Thank you for the news.'

12 He says:

13 'There are no winners and losers in such cases, but
14 relief that these matters should hopefully be at an end.

15 'I'm grateful to those who have advised and worked
16 to achieve this result, which seems to me entirely
17 reasonable.'

18 And at page 6 there's a letter from -- sorry,
19 an email from a Captain Emma Tiller to the group. She
20 says:

21 'It's with mixed feelings that I've read this news;
22 relief and gratitude for the Society and sorrow for
23 those who are obviously at a low ebb in their life.

24 'I agree wholeheartedly that the matter is best left
25 to rest, it serves neither side to highlight such

1 circumstances.'

2 Now, when I put that material to Mark Daly for his
3 reaction, he said that it was a reaction that lacked any
4 sense of humanity, and he said that if these individuals
5 had been here, he would have asked them whether they
6 were ashamed of their reaction to the end of these court
7 cases.

8 So I have to ask you, and you weren't there, you
9 weren't part of this, but on behalf of the Society; are
10 you ashamed of this reaction, put in this way, in these
11 terms?

12 MS BAADE: Yeah. I think it's really difficult hearing --
13 reading. I think it's awfully badly put. It is the
14 wrong sentiment behind it. So yes, this answer,
15 100 per cent.

16 Q. It's pretty heartless?

17 MS WARMAN: Yes.

18 MS BAADE: Yes, 100 per cent.

19 Q. And the focus seems to be very much on the public image
20 of the Society and the financial implications?

21 MS BAADE: Yep.

22 MS WARMAN: Absolutely. It's a self-preservation focus, as
23 opposed to anything to do with the former residents, or
24 how they might be feeling.

25 Q. Thank you.

1 LADY SMITH: I suppose what could be said is that at least
2 Captain Tiller, unlike other commentators on this
3 section of the history of what's been going on, does
4 recognise that there are people who deserve a sense of
5 sorrow. She's obviously hoping, 'Oh, they're just at
6 a low ebb at the moment and they'll get through this and
7 out the other end', without any realisation of how
8 lifetime damage has been caused to them. But it's
9 a glimmer or some from her, the only person, of
10 something getting nearer to an appropriate response.

11 MS WARMAN: I would agree.

12 LADY SMITH: Not a greatly appropriate response, but a bit
13 better.

14 MS WARMAN: I would agree. I think all we could say on that
15 really is that it's a shame she hasn't called out some
16 of the others in that response as well, given that we
17 see that glimmer from her.

18 LADY SMITH: Yes.

19 MR SHELDON: Well, I wonder, my Lady, about that, because
20 I suppose one implication of what Captain Tiller says is
21 not, 'Let's be sorry for these people because they've
22 been horribly abused', but 'because they've made
23 allegations which have ultimately not been successful,
24 not been accepted'.

25 MS BAADE: Mm.

1 MS WARMAN: Mm.

2 Q. At all events, let's move on.

3 LADY SMITH: It also, just one final reflection, it fails to
4 recognise that what was being tested here in the courts
5 was not the credibility and reliability of what these
6 people wanted to tell the court about what had happened
7 to them, but whether, in particular the law on time bar,
8 would let them get there to do that.

9 MS WARMAN: Mm.

10 LADY SMITH: There shouldn't have been any sense of triumph
11 at all.

12 MS BAADE: No.

13 MS WARMAN: No.

14 MR SHELDON: And if I may say so, my Lady, and I'm trying to
15 formulate this as a question for you, ladies, but in
16 relation to that issue, other bodies have taken a rather
17 different view about time bar and the justice of
18 allowing time bar to halt claims of this sort, and
19 sought to compensate former residents in other ways.
20 But that's not something that certainly seems to feature
21 in any of the material here; is that fair to say?

22 MS BAADE: I think so, yes.

23 LADY SMITH: And of course we're using the expression 'time
24 bar' loosely to cover all circumstances in which
25 a pursuer in a personal injuries claim like this can go

1 ahead with their claim. Time bar is where the law of
2 what we call limitation steps in; it's just, 'You're too
3 late'. But there is also prescription, and in some
4 cases people are referring to what happened that's so
5 long ago that by law their claim has disappeared. It's
6 not just that they can't take it further forward. And
7 although the law has now changed to enable, in some
8 circumstances, people who would be stopped by time bar
9 to go forward, there are still tests to apply. If their
10 claim is prescribed, there's nothing you can do about
11 that.

12 MS BAADE: Okay.

13 MS WARMAN: Okay.

14 LADY SMITH: Not that that is, I think, a problem in
15 Sailors' Society cases, but it is in some of the cases
16 that Mr Sheldon is referring to.

17 MS BAADE: Okay.

18 LADY SMITH: Mr Sheldon.

19 MR SHELDON: My Lady, there's one more document to look at
20 under this head, as it were. It's SSS-000000720. It's
21 also a set of emails, an email chain from 19 June 2008,
22 and towards the foot there's a message from someone in
23 the group. There's a set of emails, and an email to
24 Robert, we think probably Robert Adams, from a Tom:
25 'Hopefully and thankfully this dark cloud on the

1 Society's horizon will now be lifted, with negligible or
2 no media publicity.'

3 And he then says something about the costs.

4 But looking back, does that wish, hope, whatever it
5 is, does that now look a bit naive?

6 MS BAADE: I don't think -- if I'm being honest with you, we
7 can't move away. Lagarie is part of who Society is
8 today, even if it closed down all those years ago. It
9 is something that we are responsible for and we continue
10 to be responsible. So I think reading it as a cloud
11 that will now be lifted and removed is a little bit
12 naive and strange, in my mind, because it's not
13 something that we can either -- never remove from who we
14 are. So ...

15 Q. And as things have turned out, the publicity, one might
16 think the negative publicity, goes on?

17 MS WARMAN: Sure.

18 MS BAADE: Absolutely.

19 Q. Let's move on then to what I might call the 2014
20 chapter. This is where the Society met with a number of
21 former residents, survivors of Lagarie. And I want to
22 look at SSS-000000556, please. And this is a letter,
23 it's to PDP as it happens, dated 29 October 2014,
24 from Stuart Rivers. And he says that in relation to
25 a meeting on the 12th, which is to be 12 November, he

1 says:

2 'The first hour will be a full group meeting, where
3 there will be an opportunity for all of those attending
4 to tell [these two individuals, trustee and chairman of
5 the Society] and I what you are expecting from the day.'

6 And he says a little bit more about the
7 arrangements:

8 'You will then be offered the opportunity for
9 individual meetings in order that each of you has the
10 opportunity to give a brief overview of your story.
11 This is in order to respect one another's privacy.'

12 I just wonder what you think about that format,
13 having, as it were, a plenary meeting with the various
14 survivors, and then individual meetings. Does that seem
15 an appropriate format to you?

16 MS BAADE: No, I don't think it's in the appropriate format.

17 I do believe -- and Mel can possibly tell a little bit
18 more around this -- that once Stuart did come into his
19 role, he did take a new emphasis of, I think what he
20 thought, trying to do the best and trying to do
21 something different. So I think this is part of that
22 chain.

23 Looking back at it, obviously we can see now that
24 what he thought was best was quite wrong in many ways,
25 and I'm sure we will go on and see more examples of how

1 that didn't quite work out as it was -- as I think he
2 intended.

3 Mel, I don't know if you want to fill in on that
4 a little bit?

5 MS WARMAN: Yeah, I mean, I think the whole structure of it,
6 for a start, we are forcing the structure of that
7 meeting onto former residents, which seems a little odd.
8 This is their meeting to come to us and talk to us.
9 I think setting even time limits is all just very --
10 yeah.

11 LADY SMITH: And also not being allowed to bring your own
12 note-taker.

13 MS WARMAN: Well, absolutely, yeah, further down, you know,
14 absolutely, if they had wanted to bring their own
15 note-taker to the meeting, what's the issue with that?

16 LADY SMITH: Well, absolutely. And saying, 'Well, you don't
17 need that because you'll get minutes distributed to
18 you', completely defeats the object of having your own
19 note-takers.

20 MS WARMAN: Absolutely. Absolutely. And at this point they
21 have, you know, little to no trust in us as
22 an organisation, so why --

23 LADY SMITH: Why trust your minutes?

24 MS WARMAN: Why would that be of any comfort to them at all,
25 that we would be providing the notes. So, yeah,

1 I agree.

2 MR SHELDON: And indeed, if we can look, please, at
3 SSS-000000606. And this is an email from an Ann Brogan
4 to Stuart Rivers, 31 October 2014, and she says:

5 'PDP [REDACTED] has just phoned me. He's extremely irate, as
6 in reading the letter concerning the separate
7 note-taker. He is assuming we have employed solicitors
8 without consulting any of the attendees of the meeting.
9 He say if this is the case, he will go to the press and
10 tell them everything. He says, 'How does it make us
11 feel, going to the solicitors? I'm extremely cross
12 you've gone behind our backs.'

13 So does that just illustrate what we've just been
14 saying, that this is clearly someone who has no trust in
15 the process and is very suspicious of the idea that
16 there wasn't to be a separate note-taker?

17 MS BAADE: Mm.

18 MS WARMAN: Absolutely.

19 Q. And if we just look at the last two paragraphs, he says,
20 sorry, the last three:

21 'He say he cannot understand why they cannot take
22 a dictaphone into the meeting or have their own
23 note-taker.

24 'He also believes that we are covering up the fact
25 about the missing records.

1 'I've assured him that someone will get back to him
2 on this to clarify matters. However, this confrontation
3 has left me feeling pretty shaken up. I'm not used to
4 dealing with such angry people.'

5 So, aside from the personal note at the end there,
6 does this, the record of this phone call, not illustrate
7 in advance of the meeting on 14 November that it might
8 be wise to rethink the format?

9 MS WARMAN: Absolutely.

10 MS BAADE: Yeah, absolutely.

11 MS WARMAN: Absolutely.

12 Q. And indeed, and I should have asked you this before, but
13 did Stuart Rivers engage anyone who was experienced or
14 trained in dealing with survivors of abuse to sit in on
15 this meeting?

16 MS BAADE: I don't know.

17 MS WARMAN: No, there was -- yeah, there was Stuart, there
18 was [REDACTED] and there was Alastair at that meeting.
19 I mean I think, yeah, I think this email from Ann kind
20 of makes that clear, a bit, about how the organisation
21 was dealing with this at the time. You know, 'I'm not
22 used to dealing with'. So this is somebody that's not
23 trained or not in any way able to deal with that kind of
24 phone call and was clearly upset by it. So we didn't
25 have somebody in place that was dealing with that.

1 LADY SMITH: It's interesting, she's talking about herself:
2 'Look, I'm feeling bad, I'm feeling pretty shaken up
3 because I'm having to deal with this angry person'.
4 Not: 'My goodness, we're engaging with somebody who is
5 deeply upset and is hurting, how do we best handle
6 this --
7 MS WARMAN: Absolutely.
8 LADY SMITH: -- looking at it from their perspective'.
9 MS WARMAN: Absolutely, yeah.
10 MS BAADE: Yep.
11 MR SHELDON: And just to be clear, none of the individuals
12 from the Society who attended the meeting were trained
13 professionals in social work or childcare or anything of
14 that sort.
15 MS BAADE: Not as far as I know.
16 MS WARMAN: Not as far as we are aware, no.
17 MS BAADE: Both of them, I know both of the individuals, and
18 they don't work with that, so I can assume that they're
19 not, but I don't know that for sure.
20 LADY SMITH: And no training in trauma-informed practice?
21 MS BAADE: Not as far as I know either, no.
22 LADY SMITH: Thank you.
23 MR SHELDON: SSS-000000757, please.
24 And this is a document headed 'Rhu notes for
25 meeting'. And I think we understand these are notes

1 prepared in advance of the meeting. Would this have
2 been by one of the individuals who was to attend the
3 meeting from the Sailors' Society?

4 MS WARMAN: It was not, no, it was compiled by another
5 member of staff.

6 Q. All right, thank you. Can you tell us who?

7 MS WARMAN: Gosh, I'm trying to remember her name, I'm
8 sorry. I can't recall right this minute, I'll keep
9 trying to remember her name, sorry.

10 Q. If you can, and if not, then if you can supply that,
11 that would be --

12 MS WARMAN: I think her name might have been Alice. Alice
13 Todd.

14 Q. All right. Alice Todd?

15 MS WARMAN: Yes, sorry. I believe that's the case. I can
16 check again.

17 Q. All right.

18 MS WARMAN: But I'm sure it was -- I think it was her that
19 prepared these notes.

20 Q. And this would have been compiled from the various notes
21 and information that the Society had by that stage?

22 MS WARMAN: I'm assuming so, yes.

23 Q. Presumably from, for example, the court actions brought
24 in 2004?

25 MS WARMAN: Indeed.

1 Q. So we see there that the note deals with a number of
2 families and makes notes on them, and I just want to
3 perhaps draw to my Lady's attention the first family
4 that's dealt with there, 1960, and one of them had been
5 the head girl of the home, but later sent to Balgay
6 Approved Home?

7 MS BAADE: Yes.

8 Q. Her trial was in 1961/1962 at Glasgow Sheriff Court.

9 LADY SMITH: That's the trial of the girl.

10 MR SHELDON: That's the trial of the girl.

11 LADY SMITH: Being prosecuted there.

12 MR SHELDON: And this, my Lady, seems to be the girl
13 referred to in PDP's statement, who spent three years
14 inside, as he puts it.

15 LADY SMITH: Of course, yes. But it's not clear whether
16 that was a criminal prosecution or some other disposal;
17 is that right?

18 MR SHELDON: It's not, my Lady. But I suppose that this is
19 pre-Children's Hearings.

20 LADY SMITH: It's pre Children's Hearings, yes.

21 MR SHELDON: So possibly a Magistrates' Court, possibly
22 a Juvenile Court.

23 LADY SMITH: Yes, and the disposal was to send her to
24 Balgay, which we heard about last year.

25 MR SHELDON: Indeed, but which, at least on PDP's account,

1 this girl found --

2 LADY SMITH: Better.

3 MR SHELDON: -- positively pleasant compared with Lagarie.

4 LADY SMITH: Yes.

5 MR SHELDON: So next document, please, is SSS-000000561.

6 And this appears to be meeting notes from the meeting on
7 12 November. There's a list of attendees. And there's
8 a section about, on page 1, about the Meeting 1 Plenary.
9 And Stuart Rivers opened the meeting and set out really
10 the process, I suppose. Someone then raises a concern
11 that he'd already raised concerns with the police and
12 Sailors' Society in 2001, and that these had been pushed
13 away and ignored. Stuart Rivers then reiterates that
14 the representatives of the Sailors' Society were at the
15 meeting to listen, as had been requested. Only one
16 member of the current board had been around in 2001, and
17 the attendees of the board were willing to listen to
18 what was being said.

19 PDP then says:

20 'BISS was responsible, and needed to be accountable,
21 and that it did not matter if the Society had changed
22 its name. The Society had decided not to listen and had
23 got heavy by bringing in a legal team.'

24 And if we then scroll down to page 3, at the top,
25 this individual, we think it is PDP, says, describes

1 an incident where he was beaten and he says:

2 'I want the Sailors' Society to compensate me.
3 I cannot go on anymore.'

4 So does it seem from this at least that, while
5 Stuart Rivers may have been saying, 'We are there to
6 listen', that's actually not what at least PDP wanted;
7 he wanted compensation?

8 MS BAADE: Mm.

9 MS WARMAN: Yes.

10 Q. And at page 5, please. Sorry, bear with me.

11 Yes, someone, we think one of the residents, says,
12 just below something that AF has said, I think
13 Alastair Fischbacher, someone says:

14 'Mrs Barrie is still alive. Following the
15 investigation in 2001, why did the Society not think it
16 was necessary to conduct an investigation itself?'

17 And then further down, someone else says:

18 'The things that happened to me were disgusting.
19 I've got four kids and I've never told anyone about what
20 went on. Not a counsellor, doctor, or anyone else.
21 This should be private.'

22 And Stuart Rivers, towards the foot of that page,
23 then just reiterates:

24 'I promised we would listen to your stories and this
25 is what we are here to do.'

1 And on the last page, there's a section about
2 post-meeting amendments omitted from the original
3 minutes. And of course these are the minutes prepared
4 and sent out to residents by the Society.

5 So we can see there that perhaps there's a range of
6 views among the survivors, but would you agree that the
7 thrust of it seems to be that they want more than simply
8 someone to listen to them?

9 MS BAADE: Yeah.

10 MS WARMAN: Absolutely.

11 Q. At SSS-000000722, please.

12 I'm sorry, I'll move on. It is SSS-000000765,
13 please. So this is the minutes of the final item
14 discussed at the board meeting. The Sailors' Society
15 board on 18 June 2015 in offices in London:

16 'Following the departure of SLT --'

17 Who would SLT be?

18 MS WARMAN: Senior --

19 MS BAADE: Senior Leadership Team.

20 Q. 'The trustees, together with Stuart Rivers and Paul
21 Langham, discussed the issues relating to [it says
22 there] "Lagarie". The discussion started with Paul
23 Langham giving a verbal report updating trustees as to
24 what had happened.'

25 Under the heading 'Former Residents', and this is

1 taken from Paul Langham's notes from which he gave his
2 verbal report, he narrates meetings with former
3 residents and he says, towards the foot of that section:

4 'Showing a human face to former residents has helped
5 in a small way to show that we are not completely
6 ignoring them.'

7 He then talks about the police investigation:

8 'Met with DCI MacLeod who confirmed that the
9 Procurator Fiscal has authorised an investigation into
10 Lagarie. This means that they believe a prosecution is
11 in the public interest and that there's a reasonable
12 chance of conviction. It doesn't mean that they have
13 commenced the investigation, at present no decision as
14 to whether DCI MacLeod and the team will do so or if the
15 National Child Abuse Team will do so.'

16 I think we know that latterly the case was passed on
17 to the National Child Abuse Investigation Unit:

18 'They class Lagarie as a major case, as it is not
19 just an institution; it is the time over which the abuse
20 occurred, the numbers of staff involved and that it
21 appears to involve an external paedophile network. They
22 are now looking at Lagarie Children's Choir because that
23 resulted in further indications of abuse in locations
24 across Glasgow.'

25 Over the page to page 2, there's then a reference to

1 what they call there the 'Historic Abuse Inquiry':

2 'The Scottish Government have now appointed Susan
3 O'Neill QC ...'

4 I think we know that it was Susan O'Brien QC:

5 '... to Chair the Inquiry.'

6 It said:

7 'Her appointment has not been universally welcomed
8 as some have said, why has a judge not been appointed,
9 and others have said that in their view of her specific
10 work on representing former residents ... she may not be
11 impartial enough.'

12 There's then a paragraph about the length of time
13 that the Inquiry was likely to take, and there is then
14 a paragraph:

15 'The Scottish Government are also proposing to
16 remove the three-year time bar specifically for
17 institutional abuse cases.'

18 And moving on in that paragraph, the sentence
19 beginning 'If we assume':

20 'If we assume, and with no documentation, that is
21 all we can do, we can assume that at least one-third of
22 the children that went through the home were long-term
23 residents, these would be the target for the abusers and
24 around 1,500 could fit in this category.'

25 So that was certainly the estimate of numbers at

1 that time:

2 'This could result in a large number of cases.'

3 And there's a note that:

4 'Criminal cases will run alongside the Inquiry, but
5 may be delayed. Civil action would have to follow any
6 criminal cases. This could mean that it may take up to
7 a decade before this matter is behind us.'

8 And in one sense that was prescient, wasn't it?

9 MS WARMAN: Mm.

10 MS BAADE: Yes.

11 Q. 'I had set out in my note of the 9th that we should
12 consider additional options, and faced with the possible
13 length of time this matter will take to move past us.'

14 And over the page, Mr Langham then says:

15 'I would suggest that the board should consider
16 a form of settlement that will enable closure.

17 'A form of apology that's sufficient and meets the
18 needs of former residents and also our insurers.

19 An apology does not necessarily result in unlimited
20 liability if done correctly.

21 'An ongoing care package for counselling.'

22 And then he says:

23 'An ex gratia that will provide closure and a full
24 and final on any future claims.'

25 I think -- do we have to read the word 'payment'

1 after 'ex gratia' in that paragraph?

2 MS BAADE: I assume so, yes.

3 MS WARMAN: I would assume so, yes.

4 Q. And skipping the next two bullet points, there is some
5 redaction there, and Mr Langham then says:

6 'Being able to go to the former residents with such
7 a message will be a game changer and we need to do
8 that.'

9 So that's I think clearly what he says, we see it
10 there; yes?

11 And that's Paul Langham, 18 June 2015.

12 There's then a general discussion of the issues:

13 'Asked about his background, Paul Langham said he
14 had no experience of public inquiries or prosecutions,
15 he was not legally qualified or a counsellor.

16 'Doubts were raised about our being relayed legal
17 advice in this way.

18 'There was general discussion on the proposed 10K,
19 [I think £10,000] settlement, both as to quantum and the
20 desirability particularly as we could never be sure who
21 would settle and how many more ex-children would then
22 turn up and continue to battle. Mrs Barrie is still
23 alive and lives in a home in Rhu.'

24 And reading short:

25 'There was agreement that we needed to get on to the

1 right footing, and it was agreed that SRR ...'

2 SRR?

3 MS WARMAN: Stuart Rivers.

4 Q. '[Stuart Rivers] should instruct a PR company to prepare

5 a report with their advice to go to the board as soon as

6 possible, prepare a statement to be used and, when

7 necessary, go public.

8 'The board will then consider the report and plan

9 a proper course of action.'

10 There's then to be liaison with Scottish lawyers.

11 In the meantime, a watch to be kept. The PR report and

12 any matters to be circulated as soon as possible.

13 So from all that, should we take first of all that

14 there's a clear recommendation that some form of

15 ex gratia payment scheme should be set up, yes?

16 MS BAADE: I think there was a recommendation from Paul on

17 that from what I'm reading, yes.

18 MS WARMAN: Yes.

19 Q. And Paul Langham was a consultant that the Sailors'

20 Society engaged --

21 MS BAADE: Yes.

22 MS WARMAN: Yes.

23 Q. -- at that time. I think he wasn't just consulting on

24 this matter but also in relation to certain commercial

25 matters?

1 MS WARMAN: Yes.

2 MS BAADE: That's right.

3 MS WARMAN: That's right.

4 Q. And he emphasises himself, he's not legally qualified,
5 he's not a counsellor?

6 MS BAADE: No.

7 Q. But he's spoken to the residents, at least, and his
8 recommendation is that some form of payment scheme
9 should be set up and, in his words, that 'that would be
10 a game changer'?

11 MS BAADE: Mm.

12 Q. Was he not right about that, at least potentially?

13 MS BAADE: Mel, do you want to take it, or should I take it?

14 MS WARMAN: Potentially. I mean, I think -- I mean, the
15 amount in question there, perhaps, needs to be
16 questioned. But I'm not sure then, you know, if we
17 think about some of those cases that we've heard about,
18 I am not sure what I would say about that amount, apart
19 from the fact that it sounds potentially insulting.

20 Q. There's certainly a question as to whether £10,000 would
21 be attractive --

22 MS WARMAN: Exactly.

23 Q. -- as an offer, but the clear recommendation is that
24 offering, I think, the former residents some form of
25 payment would have been a game changer, in his view at

1 that time?

2 MS BAADE: Mm.

3 Q. And does it also seem clear, then, that at that time,

4 the board's response was to instruct a PR company?

5 MS WARMAN: Mm, yes.

6 MS BAADE: Which is a very odd response to something like

7 that, in my opinion, but ...

8 MS WARMAN: And for further advice, legal advice.

9 LADY SMITH: Legal advice, as top of the list, I can expect,

10 but that is, on the face of it, surprising, the first

11 person that you are going to go to are your media

12 advisers.

13 MS WARMAN: Although in their board minutes up until now

14 they seem quite obsessed with that side of things.

15 MR SHELDON: The next document, please, is SSS-000000580.

16 This, I think, slightly pre-dates the document that

17 I have just looked at. It's an email of 18 November

18 2018 (sic). And this is an email from Stuart Rivers to

19 Ann Brogan:

20 'You will see from [REDACTED]'s email below that we

21 have agreed to pay for additional counselling sessions

22 for PDP [REDACTED]. Could you check with [REDACTED] whether she has

23 agreed a specific number of sessions and contact (our

24 solicitor) at Simpson & Marwick and just check that

25 paying for counselling won't be interpreted as

1 an admission of liability.'

2 So, again, there seems to be a focus particularly on
3 questions of liability, rather than, perhaps, doing
4 what's right for this individual? (Pause)

5 True?

6 MS BAADE: True. Yes, sorry.

7 Q. Thank you. We know, and taking that matter short, that
8 the police investigation went ahead in 2015, and if we
9 can look just briefly, please, at SSS-000000283.
10 (Pause)

11 Sorry, bear with me.

12 This appears to be a note from Paul Langham. It's
13 dated 23 January 2017. Headed 'Lagarie police
14 investigation concludes'. He says he has spoken with DI
15 Martin, this is from the National Child Abuse Unit, my
16 Lady:

17 '... who advises that the investigation has now
18 reached a conclusion and in view of the principal
19 suspects being deceased and the remaining two former
20 members of staff are deemed to have been on the
21 periphery of matters, it's been deemed by the Procurator
22 Fiscal not to be in the public interest to continue with
23 the inquiry.'

24 So again, a police investigation comes to an end
25 without any prosecution taking place.

1 I just want to ask you about the last paragraph in
2 that note. Mr Langham says:

3 'I'm in the process of retrieving our documentation
4 supplied to the police so it cannot get archived or
5 perhaps come to the attention of the statutory Inquiry.
6 It is possible that statements made to the police may
7 end up there as the police inquiry is not proceeding.'

8 What did Mr Langham mean by that? Can you help us
9 with that?

10 MS BAADE: I have no idea, I'll be honest with you. But it
11 seems totally inappropriate.

12 MS WARMAN: Yes.

13 MS BAADE: Do you know anything, Mel?

14 MS WARMAN: No, I don't.

15 MS BAADE: I've never seen that before, sorry. But, I don't
16 know.

17 MS WARMAN: And in actual fact in terms of the Inquiry, and
18 supplying documents, that's something that we have done,
19 we have supplied a lot of documents to the Inquiry,
20 that's -- yeah.

21 Q. We appreciate that, and I'm not suggesting that the
22 Society has failed to fulfil its obligations in that
23 respect.

24 MS WARMAN: No, no.

25 Q. But, it does on the face of it appear that Mr Langham at

1 least was considering some form of exercise in disposing
2 of documentation, hiding documentation?

3 MS BAADE: Yes. I agree. That's what it sounds like. It
4 sounds just appalling to me.

5 MS WARMAN: It does. I'm certainly not aware of any
6 documentation being destroyed at that point, at all.

7 LADY SMITH: Realising that otherwise, we would be in
8 a position to require the Society to deliver them to us.

9 MS WARMAN: Sure.

10 MS BAADE: Yeah.

11 LADY SMITH: Under my statutory powers.

12 MS BAADE: Absolutely.

13 MR SHELDON: We then have the Daly, the Mark Daly
14 documentary, the BBC Disclosure documentary. And we've
15 seen that and heard some evidence following on from it.

16 If we can look, please, at INQ-0000001125. And this
17 is a Press Association report headed 'Charity head
18 apologises over abuse allegations at Lagarie House'.
19 And in this article at least we are told:

20 'The head of a charity which ran a children's home
21 has apologised after a BBC Scotland investigation
22 alleged residents were abused.'

23 And this is 17 September 2018. And there is some
24 material there about the content of the documentary.
25 But scrolling down towards the foot of that report, it's

1 about five lines from the bottom:

2 'Stuart Rivers, Chief Executive of the
3 Southampton-based Sailors' Society, told the programme
4 "I was horrified when I heard these accounts. We do
5 regret any abuse happened and have apologised
6 unreservedly that this abuse happened".'

7 So there is an apology. Do you regard that as
8 a sufficient apology to the former residents?

9 MS BAADE: I don't -- we talked a lot, I'll be honest about
10 it, we talked a lot about what is a sufficient apology;
11 what does it mean? I mean, we can say sorry and we can
12 say sorry, and meaning it from the absolutely bottom of
13 my heart, sorry. Is that sufficient? And what does
14 sufficient look like? And we talked a lot about this,
15 and still listening, still learning, and still trying to
16 figure out, what can we do that actually shows that we
17 are sorry? But that we are sorry. Do I think that is
18 sufficient? I think it needs to potentially come with
19 more.

20 LADY SMITH: Did either of you see the documentary at the
21 time it was broadcast in 2018?

22 MS BAADE: No.

23 MS WARMAN: Yes, I did.

24 LADY SMITH: Because you were working for the Sailors'
25 Society by then, weren't you, Melanie?

1 MS WARMAN: I was, yeah.

2 LADY SMITH: What was the reaction at work to it?

3 MS WARMAN: Just, yeah, awful, just so upset. Really upset.

4 We learnt a lot of new information in that documentary

5 that we had no idea about before.

6 LADY SMITH: Mr Sheldon.

7 MR SHELDON: Now, ladies, of course, as we know, further

8 legal actions followed.

9 MS BAADE: Mm.

10 MR SHELDON: And ultimately those were, again, dismissed on

11 the basis, essentially, of -- essentially of time bar.

12 That's perhaps simplifying and perhaps oversimplifying.

13 LADY SMITH: Easier to use that expression.

14 MR SHELDON: But it's undeniable that these actions were

15 knocked back, if I can put it colloquially, in 2021.

16 MS BAADE: Mm-hmm, yes.

17 Q. Obviously there were submissions made to the court and

18 I think, Melanie, you produced an affidavit for the

19 purposes of that court action; is that right?

20 MS WARMAN: I did.

21 Q. And among the issues which the court considered was the

22 issue of whether residents would have any alternative

23 remedy if the actions were to be dismissed, and there

24 was discussion of the Redress Scotland scheme, which was

25 I think then in progress, albeit not fully implemented

1 at that stage?

2 MS WARMAN: Yes.

3 Q. And if we can look, please, at, it's Lady Carmichael's
4 judgment in the case, it's now in our system as
5 SSS-000000778. And we see the first page there, it's
6 the opinion of Lady Carmichael in the cause B and C v
7 Sailors' Society and material about the
8 representations -- representation -- and background.

9 But taking matters, I hope, fairly briefly, if we
10 scroll, please, to paragraph 56. Paragraph 56, which
11 is, bear with me, on page 17.

12 It's said there, and should we understand that, this
13 material about 'the financial position of the defenders
14 was precarious'; is that coming from affidavits,
15 including the affidavits that you prepared, Melanie?

16 MS WARMAN: Yes.

17 Q. 'The financial position of the defenders was precarious.
18 They were "heavily impacted" by the crash of 2008, and
19 the Covid-19 pandemic was having a further negative
20 impact. The 2008 recession had affected the shipping
21 industry.'

22 There's reference to the number of staff, buildings,
23 charity shops, the need to make redundancies, and it's
24 said:

25 'It's likely that investments would have to be sold

1 to fund future deficits. Unspecified contingency plans
2 were in place for the event that the financial position
3 were to become "untenable" [in quotation marks]. They
4 were considering [that is, I think, the defenders were
5 considering] the potential financial consequences of the
6 Scottish Government's Redress Scheme, and had had
7 a meeting with the Scottish Government's team. It was
8 likely that a contribution by the defenders to that
9 scheme would be substantial. The claims in the present
10 cases were valued at [particular figures]. There were
11 19 claims in total.'

12 LADY SMITH: So those figures related to the two cases that
13 were being litigated here and then it was known there
14 were another 19 outstanding.

15 MS BAADE: Mm.

16 MS WARMAN: Yes.

17 MR SHELDON: So -- and I suppose this is really a question
18 for you, Melanie -- what should we take from that
19 sentence:

20 'It was likely that a contribution by the defenders
21 to that scheme would be substantial.'

22 Are you saying there that the Society intended to
23 make a substantial contribution to the Redress Scheme?

24 MS WARMAN: I think we knew that what the Redress Scheme
25 would be looking for from us would be substantial.

1 I met with the Redress team myself, many times, to try
2 and thrash out. It was something that the Society
3 really wanted to be part of, the Redress Scheme, and we
4 met with them, like I say, a number of times. We then
5 presented -- we presented all of our financial accounts
6 to them. We projected forwards over ten years, in terms
7 of the Society's financial position over the next
8 ten years, and put forward a figure that we thought we
9 could manage over that ten-year period.

10 In actual fact, in that projection of the ten years,
11 that actually dipped us into the red at one point. We
12 looked at that and just thought, we're going to have to
13 hope that things are slightly better than we thought
14 that maybe they might be.

15 However, the amount that we put forward to the
16 Redress Scheme was not accepted. What they wanted from
17 us was --

18 MS BAADE: Significantly --

19 MS WARMAN: -- far higher and we simply didn't have the
20 money to be able to pay what the Scottish Government
21 wanted us to pay for Redress.

22 Q. What was the amount?

23 MS WARMAN: 1.2 million.

24 Q. All right. So are we to understand, then, that the
25 decision was that you were not going to contribute to

1 the Redress Scheme?

2 MS BAADE: Well, we wanted to, we put it forward, but what
3 they came back with was more money than we had
4 available.

5 Q. But I think, certainly at the moment, if I've understood
6 your latest accounts properly, the reserves are about
7 3.7 million?

8 MS BAADE: That's the full reserves. We have about, I've
9 written it down, we have free reserves of 1.9 million at
10 the moment, which is actually less than the policy of
11 18 months' running cost, which is unrestricted. The
12 other amount is either restricted or in buildings,
13 et cetera.

14 Q. And I think in the last financial year, the Society
15 spent -- again, if I've misunderstood the accounts
16 please tell me, but the Society has spent about
17 1.25 million on charitable activities?

18 MS BAADE: Yes. I think it's slightly higher, actually.

19 Q. So the money is there, is it not?

20 MS BAADE: The money's there to deliver the work that we are
21 doing today, and that's always a -- the consideration
22 that we have to take into place is, if we go and say,
23 yes, we want to provide financial contribution, that
24 means that we would empty everything and we would not be
25 able to continue doing the work for the beneficiaries

1 that we are responsible for today. So it's trying to do
2 that moral decision on, where do we find that right
3 balance? And it's not saying that we don't want to do
4 something for the Lagarie, absolutely. But we also want
5 to make sure we can continue to operate as a charity.

6 LADY SMITH: If some of the potential claimants were in this
7 room just now, I imagine they would say to you, 'But
8 what you're telling me is finishing yesterday's work,
9 namely, doing what can be done for the failings of
10 yesterday, has to be forgotten for the sake of your
11 ongoing work today'. Is that what you're saying?

12 MS BAADE: Not necessarily.

13 LADY SMITH: That's how it might be seen.

14 MS BAADE: Yeah, I can see why that would be seen. And
15 I think that is the challenge that we have. And I think
16 also, we want to. We don't want to put Lagarie as
17 saying it's something that is undone and we don't want
18 to take responsibility for it. We do. But if we were
19 to say financial compensation is the only way that we
20 can do that, it's very difficult for us to calculate
21 what would that look like in the long term and still
22 being able to be financially viable for our existing
23 beneficiaries. If that makes sense.

24 LADY SMITH: Well, it's almost time for the lunch break, but
25 let me leave you with this question: what else -- and

1 don't answer it just now. What else do you think you
2 could do?

3 MS BAADE: Mm.

4 LADY SMITH: If your answer is, 'We cannot adequately
5 compensate in financial terms', what else is there?

6 MS BAADE: Mm.

7 LADY SMITH: But let's return to that at 2 o'clock, unless
8 there's one thing that Mr Sheldon wants to ask.

9 MR SHELDON: Well, my Lady, I really only have one further
10 question for the ladies.

11 LADY SMITH: Oh, well, very well.

12 MR SHELDON: Well, it's a set of propositions, but it's
13 brief. I hope it's brief, anyway.

14 LADY SMITH: Well, while Mr Sheldon is getting this
15 together, perhaps you can fast-forward your thinking on
16 my question.

17 MR SHELDON: I just want to recap, then, on the material
18 that we've looked at and the evidence that we've heard.
19 And essentially, there are years of abuse, some of it
20 atrocious abuse.

21 MS BAADE: Mm.

22 Q. There are reports and warning signs about abuse in the
23 late 1960s and 1970s which aren't heeded, and no one
24 puts it together. The survivors' claims, court claims,
25 are knocked back in the early 2000s, and apparently not

1 treated very respectfully, one might say, by the Society
2 at that time. There's an unsuccessful prosecution,
3 arguably bungled, in 2004, and then a possibly
4 well-meaning but rather poorly executed attempt to
5 liaise with survivors in 2014/2015, which leaves some of
6 the survivors, as we've heard, feeling pretty sore.
7 There's an apology and, from Stuart Rivers, an apparent
8 promise to, in quotes, I think, 'Do things right now'.
9 There's another fruitless police investigation. There's
10 a further court case, also opposed by the Society, and
11 unsuccessful. The Society makes no contribution to the
12 Redress Scheme, in spite of what was said during the
13 2021 court case.

14 So at every point, and this is my question, or
15 proposition for your reaction; at every point after
16 allegations have come to light, the focus of the Society
17 seems to have been more on its financial position and
18 image than on the welfare and feelings of the former
19 residents. Is that not right?

20 MS BAADE: I can see where you're coming from, and I can see
21 that that's definitely what it looks and sounds like.
22 I also think that we have seen and heard some areas that
23 is appalling, appalling practice, appalling look at it
24 and an appalling way of taking responsibility. So
25 I agree to part of it. Well, not part of it, I agree

1 with a lot of what you are saying.

2 I think for me there's also, I guess, the bit that
3 we were going into a little bit, about the reality of
4 where we are today and what we can do, versus what we
5 want to do.

6 And I think that's the final thing.

7 Q. But it does seem, and this is my final proposition, that
8 it does seem, as my Lady has pointed out, that your
9 approach subordinates the position of the survivors,
10 again, to what you see as your charitable purposes, to
11 someone else's purposes?

12 MS BAADE: I think we would love to support, if we could,
13 them. But is that to the consequence of not being able
14 to support anyone else? And it's that balance that
15 I find incredibly difficult to find the right one, to be
16 honest with you. Is there other ways that we can
17 support more than just financial? Because what Mel was
18 alluding to before as well, even if we used all our
19 money to pay out a financial compensation, it wouldn't
20 be a significant amount of money to people that would
21 actually justify for the abuse that they were going
22 through.

23 So is there something else that we can do that is
24 not a financial compensation, that is meaningful, and
25 I think that's the bit that we've been thinking a lot

1 about. We continue -- I think the last two weeks,
2 sitting here listening in, has been incredibly helpful
3 for continuing that thought and continuing that
4 discussion.

5 Q. You say it wouldn't be very much money, but it would be
6 something, Sara, and something to make the survivors
7 feel, perhaps, that they were finally being listened to?

8 MS BAADE: Mm. Yes.

9 MR SHELDON: I have nothing further, my Lady.

10 LADY SMITH: Thank you.

11 I take it from the way you've answered those
12 questions that you've got nothing further to offer to me
13 by way of concrete ideas as to how --

14 MS BAADE: Not at the moment.

15 LADY SMITH: -- you could meet your responsibilities,
16 because you've said you do want to take responsibility,
17 you've said that in terms.

18 MS BAADE: Mm, we do. And what we've done to date, and
19 I appreciate what we've heard over these last two weeks
20 has been mixed, but we have, today, just -- we've got
21 two dedicated members of staff that is working on
22 Lagarie, that is there to be the point of contact for
23 all former residents. We are offering counselling. We
24 are trying to find evidence to help them with their
25 redress, and everything. We are trying. But we are

1 also always trying to see what more we can do. If it is
2 not parting with our whole savings, is there anything
3 else that we can do? And savings is the wrong word used
4 here, because it is our operational costs, we don't have
5 a big coffer sitting there. If we did, I would
6 definitely think the place to be would be to pay them.

7 LADY SMITH: Well, I leave my question with you, and I do
8 hope you manage to keep addressing that.

9 MS BAADE: Will do.

10 LADY SMITH: But finally to both of you, thank you for
11 coming this morning. I appreciate we've pressed you,
12 and it can't have been an easy task coming to answer
13 questions of the sort that we've been firing at you for
14 three hours or so now.

15 I am now able to let you go.

16 MS BAADE: Thank you.

17 LADY SMITH: And please, I hope the rest of the day is more
18 restful. You've heard me say that to other people, but
19 it's not just tokenism; I do realise what it's like
20 being here, and then trying to recover from it.

21 Thank you very much.

22 MS WARMAN: Thank you.

23 MS BAADE: Thank you.

24 (The witnesses withdrew)

25 LADY SMITH: Now, just before I rise for the lunch break,

1 I've got a note of three names, there may have been
2 others, of people whose identities are protected and
3 they mustn't be mentioned as referred to in our evidence
4 outside this room in a way that identifies them. And
5 one is Mr GAD, or actually both GAD-SPO. And then
6 PDP was referred to, and MPM was referred to. Have
7 I covered everybody? Oh, Mr MLV as well, yes. My
8 apologies, Mr MLV as well. Thank you very much.
9 I'll sit again at about 2 o'clock.

10 (1.10 pm)

11 (The luncheon adjournment)

12 (2.07 pm)

13 LADY SMITH: Now, Ms Forbes.

14 MS FORBES: Good afternoon, my Lady. The first read-in this
15 afternoon is from an applicant who's anonymous and is
16 known as 'Elizabeth'.

17 LADY SMITH: Thank you.

18 'Elizabeth' (read in)

19 MS FORBES: 'Elizabeth's' statement is WIT-1-000000989.

20 LADY SMITH: Thanks.

21 MS FORBES: 'Elizabeth' was born in 1964 and talks about her
22 life before going into care, between paragraphs 2 and 5.
23 She was born in Edinburgh and has two sisters, one who's
24 seven years older and one who's a year younger.

25 She doesn't have many memories from when she was

1 young, and she can't really remember her mother. Her
2 father worked at sea and her mother died when she was
3 4 years old, and she and her sisters went to stay with
4 her grandmother, her father's mother, and she thinks
5 that that was about July 1969.

6 Oh, sorry. She went to stay with her father's
7 mother, her grandmother, and she thinks she was about
8 5 years old, and she was told that her grandmother had
9 died and she was very upset, and she thinks that was
10 around July 1969. And that's her earliest memory.

11 They then went to live with their aunt, and she
12 stayed there until she was 7. And then her aunt died
13 and they went to another aunt's, and after that they
14 went to stay at Lagarie.

15 She didn't understand why they were going to
16 Lagarie, because they had aunts and uncles they could
17 have stayed with, but she says at the end of
18 paragraph 5:

19 'I think they pretended we just didn't exist.'

20 She then tells us about Lagarie from paragraph 6
21 onwards, and it's headed there in '1972 to 1974'.

22 We only have the school records from Rhu, and they
23 show that she was admitted there on [REDACTED] 1971,
24 age 7, and she left on [REDACTED] 1973, at the end of the
25 [REDACTED]. So we know she didn't come back after the

1 ██████████ and she would have been about 9 then.

2 LADY SMITH: Okay, thank you.

3 MS FORBES: She tells us that when she first went there,
4 that Mrs Smith was the matron and was very nice and kind
5 and her sister, her eldest sister got on well with her.
6 Then Mrs Smith retired and the Barries took over and she
7 says a lot of staff left at that time.

8 She tells us about Reverend Barrie at paragraph 7,
9 and says:

10 'I never thought Reverend Barrie was a real
11 minister. I don't know why he dressed up like that.
12 I don't think there is any chance he studied divinity at
13 any UK university. He must have got a qualification
14 from somewhere else. He always had this horrible grin
15 on his face. I don't know if it's a thing that children
16 just have but when I was younger, I would sometimes know
17 not to go near a person. Reverend Barrie was one of
18 those people.

19 'Mr Barrie would go round with his dog collar on and
20 that grin on his face. It wasn't a nice grin. I don't
21 know if it is a false memory, because sometimes you
22 question if something has really happened, but I have
23 visions of Mr Barrie sitting in the hall with children
24 sitting on his lap. I knew I didn't want to do that.
25 I didn't want to go near him. I don't know if it was

1 a trust thing.

2 'It was a bit more obvious with Mrs Barrie, because
3 she was always shouting at people, grabbing people and
4 being really nasty. You knew not to go near her.
5 I used to go up the staircase to a tiny room that was
6 crammed with linen. I don't know if it was called the
7 sewing room, but nobody went up there, so I used to hide
8 there and just stay out of the way so I could avoid
9 Mrs Barrie, because I was terrified of her.

10 'Regarding the other staff, there was
11 Heather Skead.'

12 And I think, my Lady, that is the witness we heard
13 from yesterday who's now called Heather Le Sommer.

14 LADY SMITH: Thank you.

15 MS FORBES: And she says that she became a good friend of
16 her older sister, and she tells us about two other
17 members of staff, and one in particular, called Carol,
18 who left shortly after the Barries took over, and then
19 she talks about RDM [REDACTED], and she says at
20 paragraph 10:

21 'RDM [REDACTED] wasn't nice. I think there were
22 some people who wanted to work with children, and there
23 were some people who maybe couldn't get a job elsewhere.
24 Some people should work with children and some people
25 shouldn't. RDM [REDACTED] was one who shouldn't have

1 worked with children. She didn't have a caring
2 attitude.'

3 She then, at paragraph 11, talks about the cook and
4 the kitchen and then she goes on to talk about
5 Mr Skelton and says:

6 'Mr Skelton was the gardener, but I didn't go near
7 him, he was scary. He lived in the cottage at [REDACTED]
8 [REDACTED]. At the age I was, he seemed really
9 old. I don't know why I found Mr Skelton scary. He
10 never smiled at anyone, he just walked around with
11 a lawnmower. I see how people act with children
12 nowadays. If someone is leading a group of children in
13 an activity and a child's shoelace is undone, they will
14 rush up to the supervisor and they will tie the child's
15 shoelace. It is all as it should be. You wouldn't have
16 done that with Mr Skelton, you would just avoid him. It
17 was a very different way of treating people.'

18 She tells us then about the routine on her first day
19 at Lagarie, from paragraph 13. She says that herself
20 and her two sisters went together, and she thinks she
21 was 7, but it is all a bit vague. She says at
22 paragraph 14:

23 'The only thing I can remember about going to
24 Lagarie was being in a minibus and someone said to me,
25 "It's just like boarding school". I don't know why that

1 phrase stuck in my mind.'

2 She then goes on to tell us about the house and the
3 layout and then, at paragraph 15, near the end of the
4 paragraph, she says:

5 'There were small staircases with rooms off for
6 staff rooms and a sewing room. I used to hide on those
7 stairs. I would hide to avoid Mrs Barrie because I was
8 terrified of her.'

9 She goes on:

10 'I remember being in a dormitory at the start but
11 I don't know how many children shared the dormitory,
12 I just remember there being beds. I remember being in
13 a bed by the door and one day I was there by myself,
14 I must have been off school sick, and a man came in. He
15 stood between me and the door. I presume he was
16 a doctor.

17 'I didn't spend much time in the dormitory because
18 then ...'

19 She names her two sisters and says that the three of
20 them had a room to themselves with two bunk beds.

21 She goes on then to talk about mealtimes and washing
22 and bathing and I'm not going to read that out, my Lady,
23 because we've heard a lot about that already.

24 LADY SMITH: Mm-hmm.

25 MS FORBES: In relation to clothing and uniforms, she talks

1 about that from paragraph 20 and she just says she
2 remembers she didn't have her own clothes, and various
3 clothes were washed and handed out based upon your age
4 and size.

5 She talks about leisure time at paragraph 22 and
6 says she had a Tiny Tears doll, but she played outside
7 a lot and hid a lot. And then she talks about the big
8 gardens at the home and the fact that there were woods
9 as part of the grounds, and an old abandoned car which
10 was pale blue, which didn't have any doors on it, and
11 that they used to play there a lot.

12 She tells us about the people that she played with,
13 the [REDACTED] groups, and names them. And talks about
14 a particular [REDACTED] group at paragraph 25, and says that
15 she saw them on the BBC documentary.

16 At paragraph 26, she says:

17 'During the Barries' time we were told to watch
18 television in the playroom. It would be one of the
19 staff who would tell us, but I didn't want to watch
20 television and I didn't like being told to just watch
21 television. I would rather go and read a book. I still
22 don't really like watching television. Although I liked
23 reading, there weren't really books available.

24 'I couldn't take friends back to Lagarie and
25 I wouldn't have wanted to admit that I lived in a home.'

1 And she says she can't remember bringing any friends
2 back, and that might have been a combination of not
3 being allowed to do that or not wanting to.

4 She goes on to tell us about schooling at
5 paragraph 28 and says she went to Rhu Primary School and
6 was initially put in the wrong class.

7 And she goes on to say, at paragraph 29, she doesn't
8 remember having time to do homework in Lagarie and that
9 she knows her older sister struggled because she was
10 trying to revise for her exams but there was nowhere for
11 her to study.

12 At paragraph 29, she says:

13 'Mrs Barrie told her to go and study in the
14 playroom, which was not conducive to study. Mrs Barrie
15 was so nasty to her, she would go out of her way to stop
16 her from studying.'

17 She talks about healthcare from paragraph 30 and
18 talks about going to the dentist, and I think that was
19 when Mrs Smith was there. And she tells us about that.
20 But she doesn't remember any other medical treatment
21 when she was there.

22 She then goes on to tell us, at paragraph 32, that
23 she cut [REDACTED]
24 [REDACTED] and perhaps -- later on in life thought about it
25 and considered that maybe it was a form of self-harm.

1 But she didn't do anything like that again.

2 She tells us about religious instruction from
3 paragraph 33, and says that:

4 'People like the Barries made a big thing about
5 going to church every Sunday, and they sat at the front
6 so everyone could see them.'

7 And she says:

8 'There are some people who don't go to church but
9 they are the kindest people. When the Barries took us
10 to church, they would come across as trying to be very
11 well-meaning, as if they adored children. In reality,
12 Mrs Barrie was very nasty.

13 'One of the horrible things was that we always
14 seemed to be going out to churches and places like
15 churches. Groups of us had to stand and sing for the
16 congregations. It was always done to raise money, and
17 I remember watching people donating money. I was very
18 shy when I was young and I hated it. I even hated some
19 of the songs. There was one in particular called "Count
20 Your Blessings". I just can't even think about it
21 because it brings back memories of having to stand in
22 front of congregations and sing.

23 'One of the things that makes me really angry was
24 that we were being used to collect money for them.
25 There was no choice about doing it. No one ever asked

1 me if I wanted to do it.'

2 She tells us about trips and holidays then from
3 paragraph 36 and she says she doesn't know when it was,
4 but she went to a theme park. Thereafter, she says, at
5 the very end before leaving Lagarie, she and her sister
6 went on a trip to Arbroath, and they went round churches
7 again singing. She says at paragraph 38:

8 'I remember we went to a church in Arbroath [and she
9 names her sister and says that] they had to stand up in
10 front of the congregation.'

11 She goes on:

12 'Mr Barrie started talking to the congregation about
13 us. He started talking about [and she names her eldest
14 sister] who was 17 years old and was going to be looking
15 after us. He referred to her as being a minor, and
16 I thought he meant someone who worked in a coal mine.
17 I didn't understand what he meant and that has always
18 stuck in my memory. I remember feeling absolutely
19 humiliated standing in front of the whole congregation
20 while they were all looking at us and he was smiling and
21 talking about us before they did a collection. I was
22 mortified. I wanted the ground to open and swallow me
23 up. That is one of the things that made me want to talk
24 to the Scottish Child Abuse Inquiry, because future
25 children in care should not be used like that. It is

1 totally wrong.'

2 She tells us about birthdays and Christmas at
3 paragraphs 40 and 41 and, at paragraph 40, she says:

4 'I remember being given some toys at Christmas and
5 thinking that they were not new toys. I presume that
6 was in the Barries' time. Years later, when people were
7 collecting things to give out to children at Christmas,
8 I would think that they should buy new toys because
9 children do realise the difference.'

10 She goes on to tell us about bed-wetting at
11 paragraph 43 and she says that:

12 'One time [her younger sister] told me that a little
13 boy had wet the bed and Mrs Barrie hit him.'

14 She goes on to talk about visitors from
15 paragraph 44, and says that her father used to come and
16 visit and they saw him in the playroom. She remembers
17 him bringing presents but she can't remember being taken
18 out for the day. She tells us that her older sister
19 remembers Lagarie a lot more than she does. And she
20 says, at paragraph 45:

21 'I remember her [referring to her older sister]
22 telling me years later that she did warn [her] father
23 that the Barries were not nice people, but he thought
24 they seemed to be very nice and pleasant. I think the
25 Barries were very good at putting on a show, spinning

1 people along.'

2 She then talks about family contact at paragraph 47,
3 and says that her extended family never came to see
4 them, and she talks about that.

5 She then goes on to tell us about sibling contact
6 from paragraph 48, and she says that she thinks it was
7 Mrs Smith who instigated her and her two sisters going
8 into a separate room, that she was supportive of them
9 being together. And she goes on at paragraph 48 to say:

10 'Mrs Barrie would have liked to have split us up.
11 At night, when we were sound asleep, Mrs Barrie would
12 come into the room to shout at [her older sister]. It
13 must have happened quite a few times. I found that
14 really upsetting and distressing because I had never
15 experienced young people being treated like that
16 before.'

17 She says:

18 'Sometimes [my younger sister] and I would wake up,
19 but we would still pretend to be asleep.'

20 And she tells us that her older sister stood up to
21 Mrs Barrie and would have answered her back.

22 At paragraph 49, she says:

23 'When Mrs Barrie came in and shouted at [my older
24 sister] it wasn't from a place of concern or to tell
25 [her] to do something differently, or check with her

1 about the way [she] did something. It was really nasty
2 and full of hatred. Looking back, it was like being in
3 a Grimms' fairytale. There were characters you didn't
4 want to be with or go near.'

5 She says that after Mrs Smith retired and they left
6 Lagarie, they went up to visit her in Cruden Bay and
7 stayed with her for a few days.

8 She tells us at paragraph 51 that her relationship
9 with her sisters was difficult, because her older sister
10 started looking after her and her other sister when she
11 was 17 years old. That caused a lot of problems. There
12 was no help, advice or support, and that upsets her the
13 most.

14 They had to leave, I think she is referring to leave
15 Lagarie, because it was such a toxic environment, and
16 she says she's glad they did leave, because she doesn't
17 know what would have happened if they'd stayed. But on
18 the other hand, her older sister was looking after two
19 children while trying to put herself through university,
20 and she feels guilty about ruining her life because they
21 got no help.

22 At paragraph 52, 'Elizabeth' says:

23 'In dealing with discipline, I think Mrs Barrie
24 would be violent. I don't think you should use violence
25 against children, or people in general. If you bring up

1 a child properly, if they are naughty, a stern word
2 should be enough.

3 'I didn't run away from Lagarie, I didn't think
4 about it.'

5 And she tells us that the naval base, or part of it,
6 was across the road and they had a big hangar that they
7 used to take hovercrafts to, and she was scared of the
8 noise at night.

9 She didn't know that [REDACTED] that she names in
10 paragraph 54 had tried to run away and she says she
11 wasn't aware at the time of children running away.

12 She then tells us about abuse from paragraph 55.
13 And she says:

14 'I used to hide on the small staircase or in the
15 grounds because I was afraid of the Barries. In
16 contrast to Mr Barrie, Mrs Barrie was never smiling, she
17 was in a constant bad mood.'

18 She says her oldest sister was one of the oldest
19 children in Lagarie, if not the oldest:

20 'She was very bright, but she didn't realise the
21 extent of the sexual abuse going on. I think that's why
22 she feels really guilty.'

23 And then she thinks that if the [REDACTED] that
24 she names in that paragraph had confided in her, she
25 would have said something. I think she's referring to

1 her older sister --

2 LADY SMITH: Yes.

3 MS FORBES: -- when she says that.

4 LADY SMITH: Yes.

5 MS FORBES: She says that [REDACTED] were the same age as
6 them, but they kept themselves to themselves.

7 At paragraph 57, 'Elizabeth' says:

8 'Mrs Barrie smiled in pictures but that wasn't what
9 she was like in real life. I remember her grabbing
10 a boy in the kitchen. It wasn't a grab to protect him
11 from harm, it was a vicious grab. I just knew to stay
12 out of her way. She was a really horrible, vicious
13 character. I think that's why a lot of staff left.
14 I think she made it difficult for a lot of the nice
15 staff to stay.

16 'Mrs Barrie would snarl at [my oldest sister]. She
17 put on a front. Apart from seeing Mrs Barrie grab a boy
18 in the kitchen, I can't remember her physically abusing
19 other children.'

20 She then tells us that she watched the BBC
21 documentary on Lagarie and she didn't know how bad
22 things were until she watched that. At paragraph 59.
23 she says:

24 'I was horrified, I couldn't sleep.'

25 And then she said it made sense why the [REDACTED] group

1 she names there avoided them, and maybe why Mrs Barrie
2 was angry all the time. She says:

3 'She obviously knew what was going on.'

4 She then tells us about leaving Lagarie, and she
5 says she can't understand why she remembers so little
6 about the routine at Lagarie, and she thinks that part
7 of her has just blocked off the memories because it was
8 such an unhappy time. And she thinks she was about 9 or
9 10, which seems to -- I think 9, is probably close.

10 LADY SMITH: She'd still be quite young.

11 MS FORBES: Then she tells us about life after being in care
12 from paragraph 62 and she talks about the flat in
13 Helensburgh with her sisters, and that her sister was
14 trying to go to university in Glasgow, and this was all
15 very difficult with no help or support.

16 She started a new primary school in Primary 5, and
17 she talks, at paragraph 64, about a teacher who saw her
18 younger sister, and said she knew her from Lagarie. And
19 she failed her sister on a basic swimming test, but her
20 sister could swim like a fish, and she says:

21 'It was just a power thing.'

22 She goes on to tell us more about her older sister
23 struggling as a teenager to manage money and look after
24 them, and that they would have no electricity sometimes
25 and were occasionally short of food.

1 She finished school when she was 17 and feels that,
2 her schooling was disjointed. Her father died just
3 before she sat her Highers, and she has often felt that
4 time was wasted, in that they weren't allowed to reach
5 their potential.

6 She tells us her sister didn't complete her degree
7 and she remembers her crying in her bed. And she goes
8 on, at paragraph 68, to talk about how other relatives
9 just didn't bother and acted like they didn't exist.
10 And she talks about that in more detail at paragraph 68.

11 At 69 she says:

12 'There was no support, no advice given, so we were
13 really on our own. I think this has had an impact on
14 all our lives.

15 'I didn't know what I wanted to do after school. We
16 got no careers advice. Because I failed at school,
17 I feel I had to push myself and I am constantly studying
18 things. I just feel as if I didn't reach my potential.
19 It's the same for my sisters as well.'

20 She then tells us about impact from paragraph 71 and
21 she says:

22 'I try not to think about my experiences at Lagarie,
23 I just get upset. Sometimes I wish I had a boring life.
24 My childhood is not something I want to share with other
25 people. I have never been able to trust people that

1 much, it is difficult.

2 'Lagarie was an atmosphere of fear. Everyone was
3 afraid of stepping out of line with Mrs Barrie.
4 I didn't enjoy my time there. I just remember having to
5 hide all the time. The main thing was being really
6 scared of Mrs Barrie. I was just frightened.

7 'I have always felt difficulty in asking for help
8 because no one helped us at Lagarie. I like helping
9 other people, but I find it difficult to accept help
10 from others.'

11 And then she tells us how going without food and
12 having financial hardship has affected how she acts now.

13 She tells us she didn't carry on going to church
14 after Lagarie and she says at paragraph 74:

15 'I think it can be a great thing if it is done the
16 right way and people want friendship or comfort from it,
17 but I think that Mr Barrie was a fake. I get annoyed by
18 that. I don't think anyone checked his background.
19 Nowadays you have to jump through hoops, but Mr Barrie
20 was a man working with children and there were clearly
21 no checks done whatsoever.

22 'I do get stressed sometimes. Since the Scottish
23 Child Abuse Inquiry came about and I saw the adverts,
24 I have had trouble sleeping. Part of it is the stress
25 about what happened to [and she says ██████████ of the

1 group of girls from the home and in the documentary] and
2 feelings of guilt. Part of it is about things being
3 made public, because I don't talk about it. I don't
4 want people to know about my situation.'

5 She talks about lacking trust in other people at
6 paragraph 76 and she says:

7 'I feel my time at Lagarie has affected my
8 confidence. I have never had any confidence. I don't
9 have the confidence to ask for a promotion at work.

10 'I have never gone back to Lagarie but I have driven
11 past it and I just want to get past it as quickly as
12 possible. It's been turned into flats now. I have
13 occasionally seen flats up for sale. God knows how
14 anyone could live in a place like that.'

15 She tells us, at paragraph 78, she's never had any
16 treatment or support about her experiences. She thinks
17 it's too late at her age.

18 At paragraph 80, she says:

19 'Maybe if we were given support at Lagarie and if it
20 hadn't been so bad there, my older sister might have
21 left my younger sister and I there, knowing that we were
22 safe. She could have had a chance at university to make
23 a better life for us. We had to leave because Lagarie
24 was so bad, but we weren't prepared for life outside.
25 We got no support whatsoever, we just had to bumble

1 along.'

2 She tells us at paragraph 81:

3 'The Barriers are dead now and I feel that justice
4 can't be achieved.'

5 In relation to lessons to be learned, she tells us
6 at paragraph 85:

7 'Children shouldn't be used for raising money.
8 I think that is despicable. Children shouldn't have to
9 do things they don't want to do, they should be treated
10 as individuals. In Lagarie, they lumped everyone
11 together. If the television was on, everyone had to
12 watch it. If they were going out for a walk, everyone
13 had to go out as a group. There was no taking into
14 account individual personalities and needs. I also
15 think that the idea of taking photographs of vulnerable
16 children which allows them to be identified is wrong.
17 Even if children seem quite happy to have their
18 photograph taken, I don't think it's right.'

19 She then talks about the fact that she thinks there
20 should be thorough background checks on anyone working
21 in a children's home, and people should be asked why
22 they want to work there and what their motives are, and
23 it's more than just checking to see if they have
24 a criminal record. She says:

25 'Not only do they have to be very careful about who

1 works with children, they have to monitor them
2 constantly.'

3 And she says at paragraph 87:

4 'With children like me, we were put there and nobody
5 checked back to see how we were doing over a period
6 of years, which is incredible.'

7 She says, at paragraph 88:

8 'I think that so much of these awful situations that
9 have happened shouldn't have happened. People have to
10 be very conscious of how children are brought up in
11 care. There should be safeguarding, with people
12 monitoring that. There was nobody monitoring the
13 Sailors' Society. Lagarie was obviously a cash-cow for
14 them. Nobody asked me how I was coping, or how things
15 were being dealt with. Nobody asked us anything when we
16 left. You can't just say to a child, "You're 17, go out
17 into the world with no family, and no support".

18 'Children in care should be given help and support
19 to learn how to cope with finance, even simple things
20 like how to do laundry, how to get a job or apply for
21 a mortgage. They should be given a lot more support
22 when they leave care. We were put in risky situations
23 when we left.'

24 'Elizabeth' says, in relation to hopes for the
25 Inquiry, at paragraph 90:

1 'I hope the Sailors' Society admit what happened and
2 that they are sorry. I hope people like [the family
3 group that she mentioned] who were abused are finally
4 going to be believed and given a lot of support, because
5 their lives have been totally ruined. You never recover
6 from things like that. That is one of the things that
7 I find so upsetting. Maybe if we, or more likely [my
8 older sister], had known about it at the time, we could
9 have helped.

10 'The Barries were just so evil. Sometimes you think
11 there would be no point in telling people because they
12 wouldn't believe how bad things were.

13 'It may have assumed ... '

14 I don't know what that should say, but, 'They may
15 have assumed', I think maybe.

16 LADY SMITH: Yes. 'It may have been assumed'?

17 MS FORBES: Yes.

18 LADY SMITH: Or, 'They may have assumed'.

19 MS FORBES: '... that I would have got some sort of support
20 when I left care, but I didn't.'

21 And she's made the usual declaration at paragraph 92
22 and she signed that, dated 20 May 2022.

23 LADY SMITH: Thank you very much.

24 MS FORBES: My Lady, I think Mr Sheldon has a read-in now.

25 LADY SMITH: Thank you.

1 MR SHELDON: Yes, my Lady, this is the statement of another
2 anonymous applicant, whose chosen name is 'Tom'.

3 'Tom' (read in)

4 LADY SMITH: Thank you.

5 MR SHELDON: His statement is WIT-1-000000417.

6 'Tom' was born in 1965. Again, his school records
7 indicate that he was admitted to Rhu Primary
8 in [REDACTED] 1974 but as we will see from the statement, my
9 Lady, he was there until [REDACTED]
10 1982, and indeed moved to Overbridge, the Quarriers
11 home, with the remaining children and Mrs Barrie.

12 My Lady, it's quite a long statement again, and
13 without taking away anything from the importance of the
14 surrounding detail, I'll take it as short as I can to do
15 justice to what 'Tom' tells us.

16 My Lady, 'Tom' gives us information about his early
17 life. He grew up in Mull, specifically in Tobermory.
18 He says that his father was a sailor in the Merchant
19 Navy, his mother was an alcoholic. He had four
20 siblings; a sister and three brothers. He went to
21 school in Tobermory, and high school there as well.
22 But, paragraph 5, he remembers his mother battering him
23 all the time. He says:

24 'We all got battered because she was drunk and
25 wanted peace. My granny lived in a caravan about half

1 a mile away up in the [REDACTED]. We moved in there for
2 a little while.'

3 And reading on to paragraph 6, he says:

4 'All five us were in the caravan, as well as my mum.
5 My dad was at sea. I'm not sure how long we were there
6 because I had another head injury before my main one.
7 I jumped [off] the back of a coal lorry.'

8 This was in Tobermory. And he says halfway through
9 that paragraph:

10 'I was all bruised and did something to a bone at
11 the bottom of my head. I was about 5 or 6 when this
12 happened. I do think to myself that I had ADHD or
13 something, because even in the children's home, they
14 took me to a psychiatrist before I was 12.'

15 He then says, paragraph 7, that his mother responded
16 at some point to an ad in a paper from a farmer who
17 wanted a wife, so she packed them all up and they went
18 to Crieff.

19 At paragraph 8, his father returned from sea and
20 realised, or found out what had happened, and the
21 implication seems to be that there was a disturbance, or
22 certainly a confrontation.

23 And he tells us, paragraph 8, that his father left,
24 and social workers and police came to pick all of them
25 up, and they ended up in a place called Kippen House,

1 which was a children's home. At this stage he was still
2 5 or 6.

3 He tells us something about his time at Kippen
4 House, Secondary Institutions - to be published later

5 So moving to paragraph 29, page 7. He says,
6 paragraph 29, that:

7 'A social worker came and took us and told us we
8 were going for a drive. It was a long drive. We went
9 to Lagarie Children's Home in Helensburgh. We went
10 through a gate and saw this huge white house. From the
11 gate it was about 400 yards to the front door. It was
12 beautiful. There were rhododendrons, swings and a big
13 rock. There was a gardener's hut at the side.

14 'Me being me, I jumped out of the van and kids were
15 playing on the grass. I saw a bow and arrow and picked
16 it up and shot it at a member of staff. That was my
17 first recollection of getting battered. It was a female
18 staff member, and she slapped me about the back of the
19 head, saying I was a naughty boy. I thought, "I'm just
20 playing". I'd been there for five minutes. This was
21 Lagarie.'

22 He names the member of staff who he thinks was the
23 one that hit him. He says:

24 'I couldn't remember her name, but my brother told
25 me on the phone last year. It was a shock being hit.

1 I just thought I'd stay away from that staff member.'

2 He then says at paragraph 32 that:

3 'We were separated when we went into the home, into
4 dorms with our own age groups. I was in a dorm with
5 four other boys.'

6 And he gives some information in the rest of that
7 paragraph about where others were sleeping, which rooms
8 they'd been allocated.

9 At paragraph 33, he says:

10 '██████████ was a member of staff. As soon as we
11 arrived, she took [his brother] in her arms. She took
12 care of him there and he took care of her until she died
13 a few years ago.'

14 And reading that short:

15 'She was there until the day we left, she was one of
16 the good staff.'

17 'We just ran around and saw the reading room, which
18 was also the TV room. We called it the reading room.
19 There was a separate playroom. You went up a corridor
20 and there was a big hall with a piano in it. The
21 toilets were at the back. The hall was just massive,
22 really long. You turned into a long corridor, then into
23 a laundry and kitchen. I loved running. It looked like
24 a lovely place. It was massive.

25 'My brother said we were there for seven years.'

1 But he says he thought it was eight or nine, but
2 might have been counting Kippen House in that. He says:

3 'The problem is, we didn't know our ages until we
4 left the home and got our birth certificates. I found
5 out I was a year older.'

6 At paragraph 36 he talks a bit about the arrangement
7 of the bedrooms and in the last sentence of that
8 paragraph, he says:

9 'When the boys got to 16, Mr and Mrs Barrie had
10 a cottage near the big house about 30 yards away, where
11 they learned to live themselves.'

12 It seems to have been some sort of halfway house
13 arrangement.

14 LADY SMITH: Yes, yes.

15 MR SHELDON: Paragraph 37:

16 'Mr and Mrs Barrie ran Lagarie. It was Mrs Miller
17 before them. GAA was a member of staff.'

18 He says:

19 'She was an angel. I'm still in contact with her
20 today. There was an old lady called Barbara and she
21 drove up in a gold Beetle car. She was as mad as
22 a hatter, but lovely. We would hear her coming up the
23 stairs because we were having a carry on, but she was so
24 slow, we were sleeping by the time she got to our room.
25 Mary Chambers was one of the cleaners. She became

1 a member of staff. When you were ill, she brought you
2 sweeties and told you to hide them under your pillow.

3 'If the Barries were on, there would be four or five
4 others on duty.'

5 And he talks about other members of staff, but says
6 that there were about 20 members of staff there over
7 the years, and about 20 to 30 children in the home.

8 Paragraph 39, he describes the morning routine.
9 Towards the end of that paragraph, he says:

10 'The lockers had your school clothes and play
11 clothes in them. You had no other personal possessions.
12 You only had toys at Christmas, but you left them in the
13 playroom and everybody played with them.

14 'After breakfast, Mrs Barrie would give us all
15 chores to do. Two to do the washing up, two to dry the
16 dishes, tidying the rooms, hoovering the floor. Between
17 the ages of 7 and 12 I could sew, knit, darn, be
18 a waiter, everything.'

19 Paragraph 41, he says:

20 'We all sat in our families.'

21 And reading short, he says:

22 'I ate with my siblings, but didn't play with them
23 when we were outside.

24 'The food was good, they had a cook who came in.
25 A big lorry came in once a month with tons of food. You

1 had to eat what you got. I hated lemon curd, so I went
2 off bread for about six months. We had our own orchard
3 and they made our own jam. Christmas time was great, we
4 would get strawberry or raspberry, but the rest of the
5 year it was gooseberry and things like that.

6 'The one problem with the food was one night at
7 supper time, my little brother got a potato scone and
8 put it in the bin. Mr Barrie saw him do this, took it
9 out and forced him to eat it.

10 'We showered twice a week. There were two showers,
11 so you would wait to use them. Your named towels were
12 on a hook. There was a curtain pulled over the shower,
13 but a female member of staff was outside when you pulled
14 the curtain back. This happened right through my time
15 there, no matter how old you were.

16 'You had a name tag on the back of your clothes.
17 When we outgrew them, we had our own clothing store with
18 secondhand clothes in it. Mr and Mrs Barrie would take
19 you up and get you to try clothes on. When something
20 fitted, then that was yours.'

21 Reading that short, he says:

22 'At one time, they didn't have boys' shoes to fit
23 me, so I got girls' school shoes. I was 7 or 8 when
24 this happened.

25 'We walked to Rhu Primary School. It was about

1 a mile and a half to two miles away. We would walk
2 round the back way, past the big houses and into Rhu
3 that way. I wasn't very good at reading and writing
4 until the last year. I had [a teacher] who got one of
5 the clever girls to help me. I did quite well then.

6 'We went to Hermitage Academy secondary school. We
7 would get the bus there to Helensburgh. Before we got
8 on the bus, we would sneak into the bushes and put our
9 tracksuit tops on so that we didn't look out of place.
10 The other kids at the school were going with play
11 clothes on and we had uniforms on. The Barries didn't
12 know until they found one of the boys' clothes at the
13 bottom of the drive one day, so they put a stop to
14 that.'

15 And at the end of that paragraph, he says that he
16 loved school:

17 'I was in a class with a lot of hard men, and they
18 knew I was in a children's home, so they looked after me
19 for four years.

20 'Although I liked school, I got on terribly.
21 I didn't get any qualifications. For the first couple
22 of years, I was still wetting the bed and trying to hide
23 it. I thought I smelled. Nobody said anything, but
24 I could smell it. I got As for history and geography,
25 but I didn't take O-Levels in those subjects, just maths

1 and things like that. I think I got an F in them.

2 'You done your homework in the playroom or reading
3 room. You were made to do it. If anything happened at
4 the school, they called the home. So if you didn't do
5 your homework, they called the home. We had Bible
6 homework too from Mr and Mrs Barrie. When it was
7 raining and you couldn't play outside, you had to go
8 into the reading room and read the Bible for about four
9 hours. They would then call you into their office and
10 ask you what the story was about, and ask questions
11 about it. I never read it right, so I had to go back in
12 and read it again.'

13 He then says that he was at Hermitage Academy for
14 four years and then Bellahouston Academy when he was at
15 Overbridge. He says that he got the belt a few times at
16 Hermitage for bunking school, which he says he did twice
17 a week, and gives an anecdote about being caught smoking
18 in the woods by a gamekeeper and says:

19 'The police took us back to school. We said we had
20 a free period, and they said that's all right, so we got
21 out of that one.'

22 Paragraph 52:

23 'You had chores to do every day, morning and night.
24 We did the same things later as we did in the morning,
25 wash dishes, dry dishes. There was a big marble hall

1 floor and two of us mopped that. Some people brought
2 washing down for the Barries to put on. There were four
3 cleaners there that cleaned the bedrooms, so I wondered
4 why we had to make the beds and wash and mop the floors.

5 'When it was sunny we would run up to the woods and
6 build a den in the trees. After tea and chores, you
7 were told to get out. When you came in, after an hour
8 or so, you got to watch the TV. Then different age
9 groups went to bed at different times. If you were in
10 the choir, there was practice nights. After choir
11 practice, you could stay up and watch Sports scene if you
12 liked it. I hated football so I just went to bed.

13 'At weekends, I would get my pocket money, go down
14 to the beach and build a little fire and just sit on the
15 beach. It was right outside the home. I think we got
16 about 3 pence pocket money, but that bought you a lot.
17 There was a wee newsagent in Rhu and you'd get sweeties
18 and juice then go down to the beach. I did this from 7
19 or 8 years old until I left Lagarie. I was usually on
20 my own, but sometimes others came.'

21 He says, paragraph 56:

22 'Most of the kids got caught stealing in
23 Helensburgh. I did it once, but I owned up to it. The
24 police came one day and gave us a lecture. I stuck my
25 hand up and said, "She told me to get her purse". I got

1 battered for that, but from the girl. I can't remember
2 who it was.'

3 He said he was in the Sea Cadets in Helensburgh.
4 They did their diving and swimming practice at Faslane
5 Naval Base. He says:

6 'I wanted to be a merchant sailor like my dad, but
7 I failed the test. Because it was a British Sailors'
8 Society home, we had to join the Sea Cadets.'

9 And before that, he said it was the Cubs, and at
10 paragraph 58 says that Lagarie provided them with
11 the uniform for the Cubs.

12 59:

13 'Every year we went to the firework display in
14 Helensburgh. They hired a coach for us. We also went
15 to the carnival at the SECC. It was Kelvin Hall in
16 those days.

17 'We went choir singing at Christmas and we would go
18 to big halls in places like Falkirk. We would go to
19 clubs, big massive places with hundreds of old people
20 and they would throw money at you. Mr Barrie would tell
21 us to leave it, and put it all in his pocket. We never
22 saw it again. Choir practice was once a week, whenever
23 he wanted to do it. He would tell you if you were in
24 the choir. I did it because you got a sausage supper
25 and could stay up later. Mr Barrie was off key with his

1 squeeze box but you just kept singing. We went out
2 a few times a month to City Missions all over the place:
3 Glasgow, Falkirk and Edinburgh.'

4 At paragraph 61:

5 'Sometimes GAA came to the choir because
6 she was a Christian and she played the guitar and could
7 sing. She had a beautiful voice. Mrs Barrie came
8 sometimes. She sang, but she was terrible. She thought
9 she was excellent.

10 'Every year we went to Arbroath for two weeks.
11 I thought we were going on holiday, but we were singing
12 there during the Christian convention. We got the use
13 of one of their halls to sleep in. We sang every night.
14 I loved the two weeks there because it was always sunny.
15 We got money every day to spend. Mr Barrie had a big
16 bag of money and he would ask how much you wanted,
17 because he had saved up £60. I would ask for a fiver,
18 but he would say I wasn't getting that, and gave me £2.
19 Mr Barrie said we'd saved so much, as you got pocket
20 money, and some was put away to save and sometimes your
21 dad would leave you money. That was the only holiday
22 every year.'

23 He says, paragraph 63, that on his first birthday at
24 Lagarie. they gave him a cake with seven candles. He
25 goes on:

1 'I said I was 8, but they told me I was 7. The cake
2 came out at teatime after school.'

3 Reading short:

4 'There was no present, just the cake. We got things
5 from our parents when they eventually came.

6 'Christmas was wonderful in Lagarie, like Hogwarts,
7 the castle in Harry Potter. Christmas trees all over
8 the place, lights everywhere, a 16-foot Christmas tree
9 in the hall. I sneaked down at night and sat between
10 three trees and stared at the lights. There was
11 a Christmas dinner.

12 'On Christmas Day, you didn't do any work, the staff
13 did it all. They would call your name out and you would
14 go out the side door and be given a huge big bag of
15 toys. Everybody got their own sack. These came from
16 donations and things. You got thousands of Easter eggs
17 at Easter too, all handed in. The toys were spilled out
18 and everybody played with them and after a couple of
19 weeks, everyone's toys were everyone's.'

20 Paragraph 66:

21 'We had to go to church twice on a Sunday.'

22 And taking that short, at the end of the paragraph
23 he says:

24 'We said Grace before every meal and prayers at
25 bedtime. I don't go to church nowadays because it was

1 forced upon me then. I believe there is a Lord, but
2 I don't think I have to go to a church to celebrate
3 him.'

4 He says, paragraph 68, that his father turned up one
5 night after midnight when his ship came in:

6 'He brought us jumpers, but I didn't see mine again.
7 I think it was taken because it fitted one of the older
8 boys. We didn't get to keep them. They got us all out
9 of bed to sit with him in the staff sitting room on
10 a big, orange couch. Mr and Mrs Barrie sat there too,
11 to see what we said. That's the first time I'd seen my
12 dad for a while. He came about six times altogether.'

13 Reading on to paragraph 69, he says:

14 'My mum and stepdad came three times. I was wise.
15 If she was staggering up the drive, I knew she was
16 drunk, so I would run into the woods and they would have
17 to come and find me. There was a hotel next to the home
18 and they took us there to have a coke, so that they
19 could have a drink. We were in the staffroom at first,
20 but then they asked if they could take us to the hotel.
21 They stayed about an hour.'

22 And moving to paragraph 70, he says:

23 'I'm sure Ron Creamer was still our social worker.
24 Every year we went to a tribunal in Perth and our mother
25 was supposed to turn up and give her evidence on why she

1 wanted her kids back. We didn't want to stay in the
2 home, but our mother didn't turn up to the tribunals.
3 Her or my father never came. Mrs Barrie drove us up and
4 told the panel we were loving it at the home and they
5 could keep us there another year.'

6 LADY SMITH: Those references to tribunals sound as though
7 they were Children's Hearings --

8 MR SHELDON: I think it must have been by that stage, my
9 Lady, yes.

10 LADY SMITH: At this period, because it's post 1970.

11 MR SHELDON: Yes, it's really almost the mid 1970s by this
12 point.

13 LADY SMITH: Yes.

14 MR SHELDON: 'We were under Ron Creamer's care because he
15 had taken us from the caravan into the first home and he
16 was still in charge of us when we went to Overbridge.
17 He would pop down to Lagarie once or twice a year to see
18 how we were getting on. All five of us were spoken to
19 together. All of us wanted to go home to our mum. We
20 told the social work and the panel, but they wouldn't
21 listen. The Barries would be in the room at first when
22 the social work visited but then left, but you knew they
23 were listening, their office was next door. They were
24 just your carers, there was no love. When we left
25 Overbridge, we all got a flat in the south side of

1 Glasgow, and the Shawlands Social Work Department were
2 looking after us then.'

3 Paragraph 72, he talks about healthcare, and talks
4 about a particular healthcare issue at paragraph 73. He
5 says in summertime he got migraines, and he found that
6 he had a sinus problem, and ultimately that caused
7 meningitis. This, I think, is after being in the home,
8 my Lady.

9 LADY SMITH: That was when he was at summer camp, wasn't it?

10 MR SHELDON: Yes, there's a passage about it later in the
11 statement, my Lady; we can perhaps come to that.

12 LADY SMITH: The sinus problems wouldn't cause the
13 meningitis.

14 MR SHELDON: Indeed.

15 LADY SMITH: But it might make him more vulnerable to
16 meningitis bacteria.

17 MR SHELDON: Yes. He clearly made that association, and
18 that's understandable.

19 LADY SMITH: Yes, yes.

20 MR SHELDON: Paragraph 74, he says:

21 'Every few months the doctor was there to see
22 someone.'

23 Reading short to paragraph 75:

24 'One time when I was 11 or 12, I had to go to the
25 Ear, Nose and Throat Hospital in Glasgow as I had

1 a tooth growing at the back of my ear and they didn't
2 know how it got there. So I was there for a couple of
3 weeks. Mrs Barrie visited me twice a week and brought
4 me sweets. I never got them, though, they were shared
5 with everyone.'

6 Paragraph 76, he talks a little more about
7 healthcare issues. Paragraph 77, he says:

8 'I was sent to see a psychologist by the Barries
9 because I was play-fighting with my brother and jumping
10 on couches. I probably had ADHD that kids are diagnosed
11 with now. I can see in their behaviour what I was doing
12 back then, but they thought there was something wrong
13 with me. I remember in my files [the psychologist]
14 wrote, "'Tom' would fight with his own shadow", but
15 I only used to fight with my brother on the couch.
16 I can't remember seeing him, or where it was, but it's
17 in my records.

18 'We ran away one time when we were in Arbroath.
19 About four of us got cheesed off and thought we would
20 run away. We had a couple of rolls then we walked about
21 20 miles. We then called the police because we were
22 cold. The Barries didn't hit us for some reason, we
23 just got sent to bed. I was about 14 or 15 years old
24 then.'

25 And reading short to paragraph 81, he says:

1 'I continued to wet the bed in Lagarie. At the top
2 of the stairs was our bedroom, but the toilet was along
3 a hall, then a long corridor. But I thought I saw a nun
4 sitting at the window and I was scared to go to the
5 toilet. The story that Mr Barrie said was that before
6 it was a children's home, it used to be run by nuns and
7 this woman turned up with a child and they couldn't let
8 her in and she died. I always thought that was a bit
9 spooky. I wasn't the only one. After I left the home,
10 a few boys said they thought there was a nun sitting at
11 the bottom of their beds. They were maybe there to
12 protect us, but people don't believe in that.

13 'Some of the staff were all right when I wet the
14 bed. They would try to get me into the shower before
15 Mrs Barrie came. But if she was there, she would drag
16 you out of bed, throw you in the shower room, change the
17 bed, come into the shower room and close the door. She
18 would skelp you and throw you in the shower and
19 scrub-wash you. I learned when I went into the second
20 bedroom. I slept next to a radiator, so if I woke up
21 during the night and I had wet the bed, I would put the
22 quilt over the radiator and fall back asleep. In the
23 morning it would be dry, but then you were going to
24 school, smelling.

25 GAA [REDACTED] who had started there, told the

1 Barries that if they gave her two weeks with me, I'd
2 stop wetting the bed. She used to bribe me with
3 10 pence any time I didn't wet the bed for two weeks.
4 She told me that the Barries took her in the office and
5 told her she wasn't there to mollycoddle kids, and that
6 she was finished with me. Mrs Barrie was a big woman.
7 She would tell me that I was disgusting and shouldn't be
8 doing that at my age. When you were a little kid, she
9 was very big. My bed-wetting stopped when I was about
10 13.

11 'Because it was a Christian ...'

12 And this is 'Tom' going on to talk about abuse at
13 Lagarie:

14 'Because it was a Christian children's home, if you
15 mentioned the word "God", as in, "For God's sake", you
16 would get slapped and they would grab you into the
17 bathroom and stick carbolic soap in your mouth. That
18 was disgusting. Mr and Mrs Barrie would do this, none
19 of the other staff.

20 'If you came out of the shower room, there was
21 a staff staircase you weren't allowed to use. We would
22 go past the girls' toilets and down the back stairs, but
23 most nights you came out of the boys' toilets and ran
24 round the corner, and Mr Barrie would be kissing one of
25 the girls just after their bath, or one of the staff

1 members. So we would run quickly down the staff stair.'

2 It's perhaps not clear from that, my Lady, whether
3 he means Mr Barrie was kissing staff members as well as
4 the girls.

5 LADY SMITH: Yes.

6 MR SHELDON: Or whether the staff members were also kissing
7 the girls.

8 LADY SMITH: Yes, I see what you mean.

9 MR SHELDON: At all events, he's clear that Mr Barrie was
10 one of those who were kissing girls.

11 LADY SMITH: Yes.

12 MR SHELDON: Paragraph 86:

13 'There was a choir. If you didn't join the
14 Christian choir, you got no pocket money on a Saturday.
15 I joined just to get the sausage supper afterwards, but
16 I didn't sing, I just mimed. Mr Barrie would touch the
17 girls up in the front seat of the minibus. He would
18 have one of the older girls in the front seat. One
19 night, after singing on the way back, [REDACTED] screamed
20 as he was touching her up. Two of the older boys, I was
21 up the back with them, grabbed [REDACTED] and took her to
22 the back. He touched her knees while he was driving.
23 When we got back, Mr Barrie took one of the older boys
24 [who he names] into his office and battered him. But it
25 was like that every weekend, going to Glasgow City

1 Missions and places like that. On the way back, he
2 would always have one of the nice girls in the front
3 seat. We had our own minibus with "the Sailors'
4 Society" written on the side of it. We could see the
5 girls being uncomfortable. You could see he was doing
6 something. We knew what he was up to.

7 'When I was about 11 and my sister was about 9, on
8 a rare occasion I was playing with her in the woods. In
9 the prior two or three weeks some of the sailors from
10 Faslane Naval Base came and built rope swings and
11 climbing frames for us. My sister and I came into the
12 home, hand in hand. We skipped round the corner of the
13 kitchen and Mr Barrie was standing there and looked at
14 me and said, "Take your sister up to the room to show
15 her appreciation to the sailors". I wondered why,
16 because I was playing with her, but he said "Now".

17 'I took her up to the room and there were five beds.
18 Every one was full, except the last one. The young kids
19 were over at one side. As soon as we walked in, my
20 sister let go of my hand and joined them. I just stood
21 there looking. I thought, "What are they all doing?"
22 The older girls were on the other side and the sailors
23 had their hands where they're not supposed to be, up
24 their skirts and down their blouses. They were men.
25 One sailor was sitting at the bottom of a bed, staring

1 at me. He freaked me out, so I ran. I knew I had taken
2 my sister there, but I hid from it for all these years.

3 'About two years ago, I was down at my mate's in
4 Clydebank and my sister phoned me and said the police
5 wanted to talk to me. They'd been on the phone to my
6 sister speaking about Lagarie. I can't remember
7 anything apart from sailors in a bedroom. I don't know
8 what happened to her in there. I should have looked
9 after her. We could have went along to my bedroom. She
10 forgave me straight away. A psychologist said it wasn't
11 my fault. I had to reenact it to make it easier for me.
12 During the reenactment I went away, then came back and
13 took her out of the room.

14 'After we met the police, I had taken too long,
15 I was about five hours, we then had a coffee in Marks
16 and Spencer and she told me about three others that
17 raped her in the home. I know some of the older boys
18 went into the girls' bedrooms when they were in their
19 beds, moving from bed to bed. My sister told the police
20 everything about what they all did to her and nothing is
21 going to happen.'

22 Reading short to paragraph 91, 'Tom' says:

23 'There was a rumour that after the sailors left
24 a couple of the older girls started going out with them.
25 The Chief Superintendent investigated the abuse but

1 there's a difference with military law and civil law and
2 Faslane wouldn't give them any information. I saw the
3 sailors for a couple of weeks while they were building
4 the climbing frames. I was climbing trees and things.
5 Even before they had finished, I was climbing their
6 ropes. They didn't stay in Lagarie while they worked
7 there.'

8 He talks about the BBC documentary in paragraph 92,
9 and my Lady, that moves on to a slightly different topic
10 and I'm conscious of the time.

11 LADY SMITH: Should we break just now, and go to the next
12 topic after that --

13 MR SHELDON: There's quite a long way to go in the
14 statement.

15 LADY SMITH: -- because there's quite a lot here.

16 MR SHELDON: Yes.

17 LADY SMITH: Just before we leave that section of the
18 statement, it's very odd, the two paragraphs he refers
19 to, setting fire to the laundry store, the clothing
20 store, yet nothing seems to have come of it.

21 MR SHELDON: Yes.

22 LADY SMITH: No investigation as to why he was doing that.

23 MR SHELDON: Yes.

24 LADY SMITH: Staff knew, staff put it out. But it was, they
25 just moved on.

1 bedroom. That poor girl was molested for years by
2 Mr Barrie. He was always putting her to bed early. You
3 couldn't see anything, but when he came out you knew
4 something was going on. He was probably bribing her
5 with sweeties or pocket money.

6 'This girl would be about the same age as my
7 brother, because he fancied her. They were maybe 8
8 upwards. She was there for years and came to Hermitage
9 Academy with us. But it was strange how she had her own
10 little bedroom and all the girls slept in a dorm.
11 Mr Barrie had a key for it.'

12 And reading short, he says:

13 'That particular room was always empty until that
14 little girl moved in. Mr Barrie was a dirty man, a bad
15 man.

16 'You couldn't say anything or do anything because
17 Mr Barrie would just take you in the office and he had
18 a lovely big wooden ruler sitting on top of his
19 typewriter. It was bloody sore. Mrs Barrie would hold
20 you down and she (sic) would belt you over the backside,
21 or he would hold you down and she would belt you. She
22 wore wooden Scholl shoes and belted you over the
23 backside with them. He would use his ruler. It
24 happened to me a lot. We were all carrying on one day
25 ...'

1 And another boy and he were going to be sent to the
2 office.

3 '[This other boy] said, "Grab a book and stick it
4 down your pants", so he stuck a paperback, soft book
5 down his pants. I went down with a hardback and they
6 saw it. That was sore.

7 'They would do this for being naughty, or for just
8 being kids. Kids run about. We weren't allowed to run.
9 It was only the Barries who hit us, not the staff. If
10 you ran along a corridor, and they came round the
11 corner, they would slap you across the face and just
12 keep going. If the staff had a problem, they had to go
13 to the Barries, and the Barries would pull the person
14 aside, take them in the office where no one could see,
15 and shut the door. You knew what was going on.

16 'There was mental abuse too. "You're useless", "You
17 won't amount to much", were said to me regularly by
18 Mrs Barrie. I was beaten once or twice a week, maybe
19 more. I saw it happen to others too. One time my big
20 brother was getting battered by Mr Barrie, getting
21 slapped coming up the stair. I was sitting watching it.
22 He slapped him right across my bed. My brother got up
23 and clenched his fists and Mr Barrie ran out the door.
24 He came back in and said, "What are you doing?" and
25 started punching him in front of me. I couldn't believe

1 a minister would act like that.

2 'Someone had scraped initials on the wooden
3 staircase. You could spot it a mile away.'

4 The initials were shared both by him and this other
5 boy:

6 'So it had to be one of us. I kept saying it wasn't
7 me, then one of the bigger boys said it was him. He got
8 battered for that. It was me, I was rebelling. Other
9 than the abuse, the place was beautiful. It was a bit
10 like the Harry Potter castle.

11 'The Barries had their own little caravanette and
12 they used to go touring. On one of those occasions,
13 there was a guy who came from a borstal to look after us
14 for a couple of weeks. He was handy with a pool cue
15 across your back. I can't remember his name. Before he
16 came to look after us, he took us to the borstal to show
17 us around. It was somewhere outside Glasgow. On the
18 drive back, Helensburgh has a big hill on it down to the
19 waterfront, and as we approached it, he turned the
20 engine off and took his hands off the wheel. We were
21 all screaming in the back. He was laughing, saying,
22 "Look at you all greeting". I was about 13. He was
23 a grown man.'

24 The implication, my Lady, is that this was Mr GAD .
25 This incident's described also by [REDACTED] in her

1 statement.

2 LADY SMITH: Right, yes, thank you.

3 MR SHELDON: Interesting that 'Tom's' perception was that he
4 was only there for a couple of weeks.

5 LADY SMITH: Yes. It was more than a couple of weeks, but
6 it wasn't a long time.

7 MR SHELDON: It was. Yes, it seems, I guess, very short to
8 them.

9 'Tom' says:

10 'He had a son and daughter, I can't remember their
11 names, and if you didn't let his son play pool, he would
12 hit you with the pool cue. On his first day there, he
13 put his foot down and started battering everyone,
14 throwing us over tables and things like that.'

15 'Tom' says:

16 [REDACTED]
17 [REDACTED]
18 [REDACTED] He put fear into
19 you. He never got back after that.

20 'We went to church once and were sitting in the back
21 of the minibus after it, and my older brother started
22 a fight with someone. Mr Barrie came in and started
23 punching him in front of the congregation, who were
24 standing outside the church. You could see all the
25 crowd thinking, "What's he doing?" He gave himself away

1 in front of a church crowd. He was evil when he wanted
2 to be.

3 'There were only eight kids left in Lagarie [REDACTED]
4 [REDACTED] and we all had to leave and went to Overbridge, part
5 of Quarriers. They only had about six to eight kids in
6 there too. I laughed at the guy in charge of the home
7 one time at breakfast and he grabbed me, took me outside
8 and held me up against the wall by my throat. His
9 daughter came out and pulled him off and told me to run.
10 I ran down to the park. The next minute, [REDACTED] drove
11 his Mercedes right through the park looking for me.
12 I jumped into someone's garden and he drove right into
13 it, put me in the car, took me up to the home, took me
14 around the back, grabbed me by the throat and headbutted
15 me.'

16 And he names this individual, and says that:

17 'I know he was in court for doing something with one
18 of the girls in there, but he got off with it.
19 Seemingly there wasn't enough evidence, as usual.

20 'There were allegations about the gardener at
21 Lagarie, Mr Skelton, and I think that was one of the
22 reasons my brother hanged himself. Seemingly the
23 gardener was a bit of a touchy guy. I'd been in the
24 shed with him myself, but nothing happened to me, but my
25 brother done his training with him for four years. He

1 was going to college too and he was in the Barries'
2 little flat at the back and doing his course, and
3 working with Mr Skelton. Something came into his mind
4 the night before his death, but he never said to the
5 person he was talking to what it was. Then he was dead.

6 'He was in contact with [the girl who 'Tom' spoke
7 about earlier in his statement who'd been abused
8 constantly]. He says they'd stayed friends and she
9 treated him like a big brother. He was on the phone to
10 her and he said, "I'm going to do it", and she shouted
11 at him, "No, you're not going to do it". When he was
12 talking to me, he knew about dates, times, days when the
13 home shut down. The next day, he was found dead.

14 'There was seemingly something that happened to me
15 that I've blocked out, but the psychologist told me not
16 to go there.'

17 So he says, at paragraph 106, that he thought he was
18 16 when they went to Lagarie. 107, they went to
19 Overbridge, part of Quarriers, and they found that he
20 was actually 18 when they moved there, he says. And he
21 got an ultimatum from the person running the home,
22 'You've got a few months to leave, we're not in control
23 of you anymore', and 'Tom' thought, 'I'm not able to
24 look after myself'.

25 108:

1 'Mr Barrie had retired [REDACTED].
2 Mrs Barrie didn't want to retire, so went to work in
3 Overbridge as a staff member. We were taken there in a
4 minibus. Mrs Barrie was so nice in Overbridge, she
5 never hit anyone, she had totally changed. I would be
6 up in my room myself and she would come back in and ask
7 if I was okay and liking the place. There were two
8 people above her now [who he names]. Mrs Barrie and
9 [the matron at Overbridge] didn't get on, they didn't
10 see eye to eye.'

11 And he then describes Overbridge, at paragraph 110,
12 and says:

13 'The place wasn't bad, but similar to Lagarie.'

14 And at paragraph 111, describes the interior at
15 Overbridge. He goes into some detail about the routine,
16 morning routine, mealtimes, school, and so on. And at
17 paragraph 119, page 27, he says:

18 'I know the social worker used to come down from
19 Perth and talk to us in the violin room at the front of
20 the home. We weren't allowed in there unless with
21 a social worker. This was about twice a year. You
22 could tell [the superintendent and matron] were outside
23 listening. You could hear the floor creaking so you
24 couldn't say anything. There were no visits from my mum
25 or dad while we were there.'

1 And page 28, he talks about healthcare, and running
2 away. Paragraph 121, says that although they ran away,
3 they didn't get punished.

4 He talks about abuse at Quarriers, and there's the
5 account at paragraph 123 of, I think, the same incident
6 that he refers to earlier in the statement. But he
7 says, paragraph 124, that:

8 '[The superintendent] was fair, he never hit me.
9 There was only that one occasion he got ████████ to do
10 it. One time, a boy and I were having a joint round the
11 back of the bins and he caught me. He said, "I let
12 everyone try something once. It's up to you whether you
13 like it or not", and he walked away. It did nothing for
14 me.'

15 And he then gives an account of being sexually
16 assaulted at the St Enoch Centre in Glasgow. He was
17 standing at the bus stop with a grey suit on and was
18 chatted up by a guy, and sexually assaulted in the
19 St Enoch Centre.

20 He says, paragraph 127, that he went into the army
21 when he was 17. He says:

22 'It was worse than the children's home. It was as
23 regimented, don't speak until they speak, throwing me up
24 against the wall because I wasn't listening. Bullies.
25 I was in a room with 12 other guys. It was hard trying

1 to shower when you've been abused.'

2 He talks a little bit more about the army routine
3 and says that, paragraph 128, he was only there for
4 about six months. And at paragraph 129 says that when
5 he left the army he had nowhere to stay.

6 They got a flat through the social work, and all
7 five of the siblings stayed there, but they weren't
8 getting on, the police were up, he says, and neighbours
9 were complaining. There are clearly continuing family
10 difficulties. And at paragraph 132, he says that he
11 went to the United States to look after kids in summer
12 camps, and says:

13 'The weather was too hot and I got bacterial
14 meningitis and collapsed. My dad was called and told
15 I would be dead in the morning and to get over there.
16 He didn't come. In the morning, I woke up and ripped
17 off all the machines that were attached to me. That was
18 it, I couldn't remember a thing.'

19 And in the subsequent paragraphs, he says,
20 paragraph 133, for example:

21 'I still have problems today so I don't speak much
22 to people. Sometimes I get my sentences mixed up.'

23 And he was told at paragraph 134 that he had anger
24 issues. 135:

25 'I've never had another proper job. I work

1 voluntarily with Barnardo's now, I've been there for
2 12 years. They keep me through the back, looking at all
3 the antiques and things, because I say things
4 I shouldn't do to customers. I say things first, then
5 think about them.'

6 Paragraph 137, he says:

7 'I've been on my own for four years now. I was with
8 a girl for 12 years before that, and another girl for
9 12 years before that. I don't look after myself too
10 well. I'm a bit of a hoarder, but not like the ones on
11 the TV with bin bags all round them. It's just nice
12 artwork out of Barnardo's. I've got about 100 paintings
13 and lovely Wedgwood figures, because I love all these
14 old things.'

15 He says his brother helps him three days a week with
16 their mother:

17 'She's in an old folks' complex on the south side of
18 Glasgow. I do her shopping and things.'

19 And he says that he's her financial guardian and
20 does her washing and cleaning on a Friday.

21 Paragraph 139, he says that he was with a girl for
22 four years down in London:

23 'But there was no intimacy because of what happened
24 to her in the home and I was just messing relationships
25 up. It didn't work out. We're still best of friends.

1 I went to her engagement party a couple of months ago.

2 She was engaged to a professor out of university.'

3 In relation to impact, 'Tom' says:

4 'I want to climb trees, I don't think I had
5 a childhood. You still try to be a kid, but I can't
6 because I'm in my 50s. I just want to have time for
7 me.'

8 Paragraph 142:

9 'You're scared to commit to anyone. I still don't
10 know things about looking after myself.'

11 Paragraph 143:

12 'I think it has had an impact on my mental health.
13 I hadn't been going out for a few years, but I've
14 started going out with boys from the mental health club.
15 I think they like me for some reason. You always think
16 people don't like you, but [REDACTED] the football team
17 for six years and they all like me. So I went along to
18 the jam session. I drive a couple of them home after
19 it. I look after people. I'm still a member of the
20 mental health club.

21 'I just wish things were better and I had studied
22 a bit better and had a nice job and things like that.
23 I suppose God gave me this life and I've just got to
24 make the best of it.

25 'I had my last breakdown in March. We were talking

1 about my brother's incident from last year. I was told
2 by the doctor that there was a bed in Aberdeen and one
3 in Argyll. I said I [didn't] want a bed, I just want
4 someone to get this out of my head. I saw the
5 psychologist over three weeks and I started feeling
6 happier again. I'm getting there.

7 'I've been getting help with mental health issues
8 since 1991.'

9 And he says at the end of that paragraph that he got
10 a flat through the Scottish Association for Mental
11 Health, SAMH.

12 Paragraph 147:

13 'I used to be on nine tablets a night. Now I take
14 five in the morning and five at night. These are for
15 mental health, blood pressure and cholesterol. I saw
16 a psychologist for a year. We finished in August. She
17 said she'd given me the tools, it's up to me now. When
18 I imagine the paedophile sailor who was staring at me in
19 the room, I've now got him looking away from me.
20 I've trained my mind to do things like that, and going
21 back in the room in the home and taking my sister out.'

22 He says he made up with his brother before he died:

23 'I'm pleased with that and I think I did a good job
24 with scattering his ashes. I'm in charge now, the one
25 with mental health problems. I've just got to take one

1 day at a time.'

2 He says he has support, he has a project worker in
3 the mental health club and someone from Future Pathways
4 and a project worker from Cornerstone.

5 And paragraph 151, in relation to reporting, he
6 says:

7 'In 2016, the police called me and asked me to come
8 and see them about my sister. They said they wanted me
9 to tell them everything. I said okay, but I don't
10 remember much because of my injury. I was there for
11 five hours. Someone interviewed my sister in another
12 room. I met her later and she told me that two boys
13 molested her, two other residents molested her while we
14 were in the home. Nothing came out of that interview.

15 'I got a call from Thompsons solicitors out of the
16 blue asking me to come in for a meeting with [two of his
17 siblings].'

18 He says, at paragraph 153:

19 'I told them what I'd witnessed in Lagarie. I don't
20 exactly know how Thompson's knew about it. After the
21 meeting with the police, there was a meeting with
22 different organisations in George Square. Thompsons
23 were there and I gave them my details then. They are
24 fighting the Scottish Government and Helensburgh City
25 Council for compensation for us. They're trying to get

1 files from Perth Social Work, but they said they've lost
2 all the files.'

3 He says, paragraph 154:

4 'Mark Daly interviewed the head of the British
5 Sailors' Society, who said they would look after the
6 kids that had been there, but they got rid of him a few
7 months ago and they have a new head. But Thompsons said
8 it's the lawyers they're fighting, they can put anyone
9 they want in charge.

10 'I have a photo of six of us round the minibus with
11 "Lagarie Children's Home" written on the side of it.
12 Thompsons took a photocopy. They said that's all the
13 proof that they need. I think Thompsons are only in it
14 for the money. They get 10 per cent if they win and
15 I think they have over 200 people to claim for.'

16 On records, he says:

17 'My older brother got all of our records and I read
18 mine, but when he died, all that was found was my sister
19 and two younger brother's records, not mine, or [the
20 brother's records who died]. There was a big file on
21 the family, and the solicitors said that proves we were
22 in the home because the British Sailors' Society said we
23 weren't in the home.'

24 He thinks that his brother might have burnt his,
25 'Tom's', when they fell out.

1 At paragraph 157, on lessons to be learned, he says:

2 'Even today, when you see programmes on mental
3 health homes where staff were assaulting people, nothing
4 changes until the camera catches them. I think
5 organisations should turn up unannounced, come
6 unexpectedly. They don't like that. The Barries knew
7 when someone was coming, so everyone was nicely dressed
8 and all prim and proper. If they came unannounced, they
9 would see if they were dressed like tramps with girls'
10 shoes on.'

11 And over the page, my Lady, he's made the usual
12 declaration and signed, and that was in September 2020.

13 LADY SMITH: Thank you very much.

14 MR SHELDON: And now Ms Forbes has a further read-in.

15 LADY SMITH: Thank you.

16 MS FORBES: My Lady.

17 LADY SMITH: Ms Forbes.

18 MS FORBES: The next statement is from someone who is
19 an alleged abuser, and they are known as 'Jean'.

20 LADY SMITH: Thank you.

21 MS FORBES: And the reference is WIT-1-000001722.

22 'Jean' (read in)

23 MS FORBES: My Lady, 'Jean' tells us she was born in 1955,
24 and then talks about her background and qualifications
25 at paragraph 2, and she says:

1 'I had no training before I went to Lagarie and it
2 was my first proper job. I worked there from 1972 until
3 I left in 1978 when I went to ██████████ Hospital, Glasgow,
4 working as an auxiliary nurse.'

5 She then tells us that she worked at another
6 hospital for about 12 years before having to leave due
7 to ill-health aged 37, and she hasn't worked since.

8 She then goes on to tell us about her experiences at
9 Lagarie from paragraph 3, and she tells us a bit about
10 the background of Lagarie at paragraph 3, and we've
11 heard a lot about that already, so I won't go into
12 detail about that. But she says that Mr Barrie was
13 a superintendent.

14 At paragraph 4 she says:

15 'It was my first proper job and I wasn't very keen
16 to go. Mr and Mrs Barrie were in charge. Mr Barrie was
17 21 years older than Mrs Barrie. She was about 40 when
18 I was there, so he was in his 60s. Mrs Barrie was
19 frightening and she was a bully. The Barries lived
20 within the grounds in a cottage at the back of Lagarie.

21 'My direct manager was a deputy and I answered to
22 them. During my time there, they went through quite
23 a few deputies. Miss Stewart was there when I started.
24 She had worked with Mr and Mrs Barrie at Barnardo's in
25 Edinburgh and came to Lagarie with them. She left

1 during my time there and GAA [REDACTED]. [REDACTED]
2 [REDACTED] was Mr and Mrs GAD-SPO. The Barries were friends with
3 GAD-SPO [REDACTED] and then something happened. I'm not sure
4 what. But GAD-SPO [REDACTED] took them to a tribunal and left.
5 [REDACTED] Mr and Mrs Russell [REDACTED]. Mrs Russell was
6 Mrs Barrie's sister and they weren't trained as far as
7 I know. [REDACTED], GAA [REDACTED]'s uncle,
8 Mr GAF [REDACTED] took on SNR [REDACTED], and his wife and
9 family moved in too.

10 'The deputies were easier to speak to than
11 Mrs Barrie. Miss Stewart, who was there when I started,
12 was nice and I liked her. I hadn't been there long
13 before she left.

14 'I couldn't really complain about the other
15 houseparents. They were all right. As housemothers, we
16 all had our own group of kids that we were responsible
17 for. I had five young girls in my group and had no
18 problems. I can't really talk about the relationships
19 between the other staff and their groups, they were fine
20 as far as I was aware.

21 'I was only 17 when I started working at Lagarie and
22 was there until I was 23. I got the job because
23 somebody had told me that there was a vacancy there.
24 I think I contacted them by phone to apply and I got
25 an interview and then was given the job. It was either

1 Mr or Mrs Barrie that interviewed me. I can't remember
2 if they asked me for references.

3 'My role when I was there was housemother. I was
4 looking after the five girls who were in my allocated
5 group. I had to make sure they were washed and dressed.
6 One of the housemothers would take some of the children
7 to school and pick them up again at the end of the day.
8 We would get them ready for bed and put them to bed.

9 'We worked ten-hour days. Some days, we had to do
10 a split shift, 7.00 am to 12,00 pm, and then 5.00 pm to
11 10.00 pm. Once or twice I ended up being on duty ten
12 days in a row, which was a long slog. We didn't get
13 proper breaks on our shifts, we would eat our lunch or
14 dinner with the kids and were expected to be around the
15 whole of our shift. After I had been there for a wee
16 while, the shifts did eventually change to 7.00 am to
17 3.00 pm and 2.00 pm to 10.00 pm. There also wasn't any
18 night shift staff. You finished your shift at 10.00 pm
19 and that was you until the next day. We were
20 technically on call through the night, and you got up if
21 you heard anything or any of the children were up.
22 There was no rota to cover the nights.

23 'There was no formal training given, none of us had
24 any training. When I started, there was a girl who was
25 going to college once a week for training, so I asked

1 the Barries for the same. In 1977, having had to ask
2 for it, I went on a training course at Langside College,
3 Glasgow. The course was one day a week for a year and
4 I came out of that with a qualification in childcare.
5 I enjoyed the course. I was aware of another
6 housemother who went on the same training I did in the
7 same year, but her college day was different. Other
8 than that, I wasn't aware of any staff going for
9 training.

10 'Not many of the staff had any training.
11 Miss Stewart was trained, but she left after an incident
12 where a child had her up against a wall. She went off
13 sick not long after that. Mr GAD had some training,
14 as he came from a List D school. I didn't like
15 Mr GAF, he was a horror, and I don't think he was
16 trained. He was GAA's uncle. Mrs Barrie's
17 sister, Mrs Russell, who came down to Lagarie with her
18 husband and two kids, wasn't trained either. I think it
19 was a bit unfair on both staff and the children.

20 'Mr and Mrs Barrie were in charge and below them was
21 a deputy. Mrs Barrie put a third-in-charge person in
22 role and that was [REDACTED]. She had no qualifications.
23 The majority of staff didn't have any training or
24 disqualifications. From [REDACTED], the next level was
25 then the houseparents. When I was there, there were six

1 houseparents. Each houseparent had responsibility for
2 four or five children.'

3 Then to paragraph 15, she goes on, 'Jean' goes on to
4 say:

5 'I didn't ever have any appraisal or supervision
6 whilst I was there, and I wasn't aware of anybody else
7 having any. I wasn't ever responsible for or had any
8 supervision of staff. I wasn't ever involved in
9 training others either.'

10 She goes on to talk about the children, the routine
11 at Lagarie, and says she doesn't know how the children
12 came to be placed there and she wasn't told anything by
13 the Barries. She tells us at paragraph 18:

14 'There were about 25 children in total at Lagarie,
15 ranging in age from 3 to 16. The children had to leave
16 when they were 16. The children would generally stay
17 for a few years. I do remember one girl only being
18 there a year, but most stayed longer.'

19 She then talks about how many staff would be on at
20 a time, and whether you'd look after extra children
21 sometimes. At paragraph 20 she said:

22 'I had five girls in my group that I was responsible
23 for and their ages range from 3 to 7. I didn't have the
24 same girls for the whole time I was there, as some would
25 leave and others would come in. I didn't ever know why

1 the children came in, or why they left, the Barries
2 didn't tell you anything. I know one of my girls went
3 home as her dad came up to get her and took her away,
4 but I can't remember ever being told that someone was
5 leaving.

6 'I was live-in at Lagarie, all the staff were. You
7 weren't allowed to go home. You had to live in. We
8 were always on call because if any of the kids needed
9 you overnight, you would have to help them.

10 'All of the staff had bedrooms in the home but some
11 of us had to share. I shared a room with Janice, she
12 was a year younger than me at the time, but didn't start
13 until she was 19 or 20. She was a housemother too. My
14 bedroom was just next door to my girls that I looked
15 after. I did eventually get my own bedroom when
16 somebody left. It was just across the hall from the one
17 I was sharing.

18 'There was a cook at Lagarie and the children all
19 ate together in the dining room. We ate with the
20 children and had the same meals. The food was okay, it
21 was just normal food that you'd have at home. It was
22 cereal for breakfast, pilchard salads for dinner, things
23 like that. There was no choice over food, the children
24 ate what was put in front of them.

25 'One day Mrs Barrie brought in a big pot of soup.

1 There was a trolley in the kitchen for bringing it in
2 on, but she carried it instead, and spilt the boiling
3 hot soup all over a poor girl [who she names]. She was
4 only 7 or 8 at the time. I wasn't on duty that day, but
5 heard about it from others. She ended up in Canniesburn
6 Hospital, Glasgow, because of the burns. Her chest, all
7 down her front, is still a mess to this day.

8 'The Barries didn't always eat the same food as us.
9 They wouldn't eat gammon as they said that it was in the
10 Bible that it caused cancer. However, it was all right
11 for the rest was us to eat it.

12 'The children were in bedrooms with four or five
13 beds in each. My five girls were all in the same room.
14 I think the kids got up about 7.00 am in the morning.
15 There wasn't a set bedtime as they went to bed at
16 different times, depending on their age. I would make
17 sure they were bathed and would read them a story and
18 get them settled in bed each night I was on.

19 'All members of staff had access to the children's
20 sleeping area. The front door was always unlocked so
21 anybody could have walked in.

22 'In the girls' bathroom, there were two baths and in
23 the boys' bathroom they had showers. I would bath the
24 wee ones as they were too little to go in on their own.
25 When I was on shift, I would give them a bath every

1 night before bed, and they would go into their bed after
2 that.

3 'There wasn't much for the children to do. There
4 was a playroom with toys and they could watch television
5 on three or four nights of the week. The home was set
6 within large grounds and there were swings and a doll's
7 house out the front. Up the back of the house there
8 were woods they could play in.

9 'I don't remember any of the children going to
10 things like Brownies or Guides. I also don't remember
11 being aware of any trips out.

12 'We did go to Arbroath every year for the Glasgow
13 Fair Fortnight. The Barries were always there, but
14 I didn't see much of them. I went twice, once in 1973
15 and again in 1978. We stayed in the YMCA and the kids
16 were all split up in bedrooms and the staff had to
17 share.

18 'I used to take some of the children to the big
19 boating pond in the park there or I'd take them for
20 a walk along the cliffs. At nighttime I'd take them
21 down to the sea front. That was the only holidays that
22 I was aware of.

23 'I wasn't aware of any staff taking children out of
24 Lagarie and I don't know if that was allowed. You were
25 scared to ask Mrs Barrie anything, she was frightening.'

1 At paragraph 35, 'Jean' talks about religious
2 instruction, and says:

3 'There was a lot of religion in the home. The
4 children were only allowed the television on three or
5 four nights a week. One of the kids came to me as there
6 was something they really wanted to see, so I put the
7 television on. Mr Barrie came in and gave me a terrible
8 row because I'd put the television on. It wasn't
9 a normal household at all.'

10 She talks about chores at paragraph 38 and says:

11 'Every day, the children had to clear the tables and
12 do the dishes. There were cleaners in Lagarie who did
13 the general cleaning, the bedrooms and bathrooms,
14 et cetera.

15 'Sometimes the children were asked to do some
16 cleaning, I know of a girl, one of the [REDACTED] girls,
17 who had her appendix out when she was about 15 or 16.
18 She was out of hospital and was back at Lagarie a few
19 weeks later when Mrs Barrie caught her mopping the back
20 corridor and went off her head, bawling and shouting at
21 her. The girl must have been told to do it, as she
22 wouldn't have done it off her own back, but Mrs Barrie
23 went right through her because she had a mop and bucket,
24 Mrs Barrie said it was because she'd her appendix out
25 that she shouldn't be mopping the floor but she must've

1 been told to do it by someone.'

2 She then talks about the fact she doesn't remember
3 there being many visitors there and she doesn't remember
4 other kids apart from two being taken home for the
5 weekend and doesn't remember seeing any social workers
6 or psychologists either.

7 She also goes on to say at, paragraph 42, she wasn't
8 aware of any review of the children's care and she says:

9 'There was no communication between the Barries and
10 staff. We didn't know anything. Other than [REDACTED],
11 who was a bit older than the rest of the houseparents,
12 we were all quite young. It was all female staff and we
13 didn't have the confidence to question the Barries or
14 ask them what was going on.'

15 In relation to discipline and punishment, 'Jean'
16 tells us from paragraph 45:

17 'Mrs Barrie would shout at the children and I saw
18 her taking her hand across their face. I don't remember
19 any children being sent to their room. She would rather
20 just hit them. I never saw Mr Barrie lifting his hand
21 to any of the children.

22 'There weren't any sanctions like not getting out to
23 play or anything like that. I certainly didn't see
24 anything like that.

25 'Apart from telling children off now and again,

1 I never disciplined them. I doubt that there would have
2 been a record kept of any punishment given out to the
3 children. The Barries did have a logbook they kept for
4 day to day things. I don't know what was recorded in
5 the book. The staff didn't put anything in it. We
6 didn't even get to read it. The only reason I knew
7 there was a logbook is because the phone rang one day in
8 Mr Barrie's office and there was a large book lying on
9 his desk which had "logbook" written on the cover.

10 'I think we should have been able to write things in
11 the logbook, but it was very dictatorial. If Mrs Barrie
12 hit a child she was never going to record it in the
13 logbook.'

14 She then says that restraint was never used in
15 Lagarie and medication was never used as a means of
16 restraining or sedating the children. She then talks
17 about concerns about the institution from paragraph 52,
18 and says:

19 'I don't know about any concerns raised about
20 Lagarie from outwith.

21 'In 1977 or 1978, a couple from the head office in
22 Glasgow came down for two weeks because the Barries went
23 on holiday. I'm sure it was a Mr and Mrs Wallace. They
24 were quite well on in their years. They were a lovely
25 couple and they were great with the kids. The kids and

1 staff thought him and his wife were great. I'm sure
2 they stayed in the Barries' cottage while they were
3 there.

4 'Myself and another member of staff, Elizabeth
5 Hefferman, told the Wallaces about the Barries. I told
6 them everything about the verbal abuse, and the physical
7 abuse. Mr Wallace did take it back to head office,
8 because later, after their holiday, Mr Barrie pulled me
9 into the sitting room and told me I had no right to say
10 anything about them to Mr Wallace. As far as I was
11 aware, nothing else was done about it because the
12 Barries were there until Lagarie closed.

13 'Nothing changed. Mrs Barrie still shouted at kids
14 and she still hit them on their backsides and regularly
15 slapped kids across the face. I didn't ever see her
16 using anything to hit the kids with, it was always her
17 hands. She was very quick-tempered and she took no
18 nonsense. She looked quite severe too.

19 'I never heard any of the kids saying that they
20 wanted to complain. Mrs Barrie wouldn't have listened
21 anyway. Even when I raised the issues with Mr Wallace,
22 nothing was done.'

23 She then talks about allegations of abuse from
24 paragraph 59:

25 'No child ever reported to me that they had been

1 abused. I don't think a child would have come to staff
2 to report anything for fear of the Barries and the
3 consequences. More abuse other than that I saw could
4 have gone on at Lagarie and gone undetected.'

5 She then talks about abuse specifically, and under
6 the heading 'Mrs Barrie' from paragraph 60:

7 'She was in charge and was a bully. If you did
8 anything wrong at work she would come right up to you,
9 point her finger in your face and bawl and shout at you.
10 She did that in front of the kids too. I honestly can't
11 remember why that was, but I'd had obviously done
12 something that wasn't to her satisfaction. That
13 behaviour was unacceptable, especially when you were as
14 young as I was then. I had only turned 17 in
15 the [REDACTED], and started there in the December of the
16 same year.

17 'Mrs Barrie wasn't a nice person. She shouted at
18 both staff and children, and was very much "I'm the boss
19 and you'll do what I say". Mrs Barrie was good with her
20 hands and didn't think twice about slapping the
21 children. The staff weren't allowed to hit the
22 children, it was only Mrs Barrie that hit them.

23 'I remember one particular incident involving one of
24 the little girls I cared for who was only 3 years old,
25 [REDACTED], and Mrs Barrie battered that wee girl.

1 She leathered her four or five times in the one day
2 because she had wet herself. I knew that she wasn't
3 a bed-wetter, as I didn't have any bedwetters in my
4 group, so I said to Mrs Barrie that she must have a wee
5 chill, because it wasn't like her. Mrs Barrie didn't
6 care and battered her anyway.

7 'I never saw another member of staff hitting
8 a child. We would give them a row if we saw them doing
9 something they shouldn't have been doing, but that was
10 it.'

11 She then goes on to talk about Mr Barrie from
12 paragraph 64:

13 'When I was there I never saw Mr Barrie lifting his
14 hands to a child, he was all right. I know that the
15 kids have said some things about Mr Barrie, but I never
16 saw it. On two or three occasions, and I'm not the only
17 staff member he did it to, he grabbed me round the
18 waist. I was trying to prize his hands off me but he
19 wouldn't let go. He would be laughing but I didn't find
20 it funny at all. He did that two or three times to me.
21 There are a few members of staff that still live near me
22 now and I mentioned it to them just two or three years
23 ago, and they said he'd done the same to them.'

24 She tells us about recordkeeping at paragraph 67 and
25 says there was no records kept apart from the big

1 logbook she saw in Mr Barrie's office. And at
2 paragraph 68, she says:

3 'Until I was contacted by the Inquiry I have never
4 been the subject of allegations or investigations into
5 the abuse of children. I have never been involved in
6 any investigations on behalf of Lagarie into the abuse
7 of children.'

8 And then she goes on to talk about other staff over
9 the page, and then under a heading 'Mr and Mrs Barrie'
10 at paragraph 72 she says:

11 'Mr and Mrs Barrie were in charge of Lagarie for the
12 whole time I worked there. I think they were there
13 until it closed in 1982. Mr Barrie was about 60 years
14 old and his wife was around 40 years old. There looked
15 to be about 20 years or so of an age difference. He was
16 classed as a superintendent and she was classed as the
17 matron. They didn't have a great deal of involvement
18 with the children but they were in and out a lot. She
19 sat in the sitting room quite often.'

20 She says she was at Lagarie for six years and she
21 doesn't think they changed much over that time, and she
22 didn't really have any conversations with the Barries.
23 But she says, at paragraph 73:

24 'He was very much the boss. I don't think I ever
25 saw him interacting with any of the children. I didn't

1 see Mrs Barrie ever interacting with the children
2 socially during their leisure time or just generally
3 talking to them.

4 'I saw Mrs Barrie physically abusing children a few
5 times, although I couldn't say how many times. She
6 either smacked their backside or slapped them across the
7 face. I did not see or hear of Mr Barrie physically
8 abusing any children.'

9 She mentions under the heading 'Heather Le Sommer'
10 at paragraph 75, and says she knows a Heather, but not
11 her surname, and that Heather was working there when she
12 was there and she was around 19 or 20 years old and was
13 a housemother.

14 She talks about [REDACTED] at paragraph 76. She says
15 she was a housemother and third in charge. She says she
16 was okay but very much in with the Barries, but didn't
17 see her disciplining or abusing any children.

18 She then talks at paragraph 77 about Norman [REDACTED]
19 PXX [REDACTED]. And she says:

20 'Norman Skelton was the gardener, PXX [REDACTED] was [REDACTED]
21 [REDACTED], but he wasn't a gardener at Lagarie. There was
22 another gardener there, called [REDACTED], but he left.
23 PXX [REDACTED] didn't work there while I was there,
24 Norman must have been in his 60s at the time. I didn't
25 have anything to do with him. He would come into the

1 home for a coffee or a cup of tea but I never saw him in
2 the company of the children and therefore never saw him
3 disciplining or abusing any children.'

4 Going forward, then, to paragraph 82, she tells us
5 about GAA [REDACTED], who worked there and was a SNR [REDACTED].
6 And then again going forward in her statement to
7 RDM [REDACTED] at paragraph 88, she says RDM [REDACTED] was
8 a housemother when she was at Lagarie and was about
9 30 years old and seemed to be all right with the kids.
10 She didn't see her disciplining or abusing any of the
11 children.

12 She then talks about allegations that have been made
13 to the Inquiry about her. At paragraph 90, she talks
14 about PTH [REDACTED], and paragraph 25 of PTH [REDACTED]'s
15 statement was put to her, and I will read that out, the
16 part is:

17 'Another member of staff I remember was [and she
18 names 'Jean'] who was from Helensburgh. She was
19 connected to something that happened to a boy at Lagarie
20 that I wasn't particularly happy about, in fact I still
21 hate her for it. She caused the boy to get hit.'

22 And then paragraph 26 of PTH [REDACTED]'s statement, she says:

23 'It was when the Barries were at Lagarie and we were
24 all getting ready for school one morning. One of the
25 younger boys was all excited because he had won

1 a coconut at the circus the weekend before. He was
2 outside our room hitting the coconut off a cast iron
3 radiator, to try and break it open. There was a crowd
4 of us watching him and laughing, but he ended up
5 breaking the radiator and water started coming out of
6 it. 'Jean' was there and had been laughing at him with
7 everyone else, but then she disappeared and didn't come
8 back up. Mrs Barrie came back up, though, and we knew
9 instantly that we were all in trouble.'

10 She continues at paragraph 27:

11 'Mrs Barrie came up to us and just hit that boy.
12 Everyone was so stunned that we couldn't speak. That
13 was the first time I saw Mrs Barrie hit anyone. She was
14 so full of rage and anger and hate, and that was towards
15 a boy who was only about 6 or 7 years old. I don't
16 remember the boy's name. I blame 'Jean'. She told
17 Mrs Barrie. She caused the poor boy to get hit.'

18 'Jean' says at paragraph 93, that that is a lie,
19 that she says she wasn't there, and she says that she
20 knows that there was a member of staff called Heather
21 who told her about this incident, and she says that she
22 wasn't there when it happened and she knew nothing about
23 it.

24 She says she remembers PTH being at Lagarie, but
25 had no dealings with her at all, and she talks about her

1 and her sisters. She says she has no idea why she would
2 say such a thing, but she agrees that if it happened it
3 would be abuse.

4 She then goes on to talk about MPM at
5 paragraph 96 who's given a statement and says,
6 paragraph 80 of MPM 's statement is put to her and it
7 says:

8 'One time I saw her (Mrs Barrie) hit one of the
9 children. It was one of two black brothers who were in
10 there. She did it after he spat his food out because he
11 didn't like it. She had the spoon in her hand and tried
12 to force-feed him. His older brother came over and
13 tried to stop her and hit her, but Mrs Barrie just
14 grabbed him and dragged him out by the hair into the
15 hall. Mr Barrie appeared and joined in. I couldn't see
16 what was going on, but one was obviously holding him
17 down and the other was hitting him. The slap Mrs Barrie
18 gave this child was crazy. Other members of staff who
19 were there would have seen the slap or the immediate
20 aftermath were 'Jean' ...'

21 And she names ██████████, and then that paragraph
22 trails off.

23 She goes on to say, at 89 of her statement:

24 'A few months after that, Mrs Barrie lined all the
25 boys up in the main hall and forced them to strip naked.

1 She did this because there was a game we used to play
2 called "Kiss, cuddle or torture". Mrs Barrie found out
3 about it and told us that she would show us what torture
4 was, and that is when she insisted that the boys
5 stripped naked and got the girls to look at them.
6 I refused, but Mrs Barrie grabbed me by the hair and
7 pulled me into the hall. The boys were made to stand
8 there for hours. This was obviously really embarrassing
9 for the older boys. They weren't allowed to cover
10 themselves. The older boys would sometimes hold
11 themselves and ... would just slap them on the fingers
12 [I think there is a break in the paragraph there] with
13 a ruler and tell them to get their hands away. My
14 brother [and there's a gap] was there, and he would have
15 been 10. He just thought it was funny. I was 14, I was
16 embarrassed. She made some other girls come and watch
17 too.'

18 And at paragraph 90, she goes on:

19 'There were several members of staff who would have
20 seen the boys lined up naked, they were 'Jean' ...'

21 And then she names ██████ again, and it trails off.
22 'Jean' says, at paragraph 99:

23 'I don't know where she's getting this all from.
24 These are false accusations against me. I'm not
25 accepting it.'

1 And she says:

2 'I don't even remember these things and I don't
3 believe they happened. That's the first I've heard of
4 that.'

5 She says she never had any dealings with MPM, she
6 wasn't in her group, and she never punished or
7 sanctioned her and never had an issue with her.

8 LADY SMITH: MPM's not alleging that she did punish or
9 sanction her.

10 MS FORBES: No, she is just saying she was there when
11 something else happened and didn't intervene, yes.

12 LADY SMITH: Which 'Jean' says she doesn't remember, but she
13 knows it didn't happen.

14 MS FORBES: Yes. But she does say that if it was true, she
15 agrees it would be abuse, but she says 'I wasn't even
16 there'.

17 She then talks about an allegation from RJF, at
18 paragraph 100. And she's seen an extract from a
19 statement, which says:

20 'There was also a lady called 'Jean' who lived in
21 Helensburgh and was a housemother. She held me under
22 the water when I was a kid and would only let me up when
23 I was gasping. She's still in Helensburgh today.'

24 'Jean' says that that's a lie and then she talks
25 about the fact that she has been getting harassed in the

1 street by RJF's daughter and that now that she's seen
2 this allegation, she realises why that was. But she
3 states that she'd met RJF in Helensburgh a few times
4 with her daughter and that her daughter had come --
5 well, she says 'her daughter came at me'. She didn't
6 assault her, but she didn't know what she was meant to
7 have done, and didn't know about any of this until she
8 got information from the Inquiry through the post. But
9 she says at paragraph 102:

10 'It's a lie, and I wasn't there.'

11 And she has no idea why RJF would say anything to
12 her daughter about her, or tell lies.

13 She then goes on to say, though, she has heard from
14 someone, she doesn't want to say who, that had
15 originally made the same accusation, but later admitted
16 that it wasn't 'Jean', and she makes the point she
17 didn't look after either of them at Lagarie. She says
18 if what RJF said happened, then of course it would be
19 abuse, and she says she's hurt and upset that these
20 things have been said about her.

21 She then tells us, at paragraph 105, she left
22 Lagarie because she wanted out of it, and she went to
23 Hospital. She says, paragraph 105:

24 'When I handed in my notice to Mr Barrie, he tried
25 to get me to stay. I don't know why. He wouldn't

1 accept my resignation. I told him I was going because
2 I wanted a change. I went up to Glasgow to work.
3 I can't remember if the Sailors' Society provided
4 references.'

5 And then 'Jean' has made the usual declaration and
6 she's signed her statement on 14 January 2026.

7 LADY SMITH: Thank you very much. That completes the
8 read-ins for this afternoon, and we resume evidence
9 tomorrow morning with?

10 MS FORBES: We have an applicant for Widowers', we start the
11 Widowers' chapter tomorrow and the applicant evidence
12 will be at 10.00 am, and then there will be some
13 read-ins.

14 LADY SMITH: Very well.

15 We still have one Lagarie read-in, have we, or not?

16 MS FORBES: I think that --

17 It could be done at some point, my Lady, but I think
18 for now we're content that we put it --

19 LADY SMITH: Just put it to one side just for the moment.

20 MS FORBES: Yes.

21 LADY SMITH: Very well.

22 Well, before I rise, names again, people whose
23 identities are protected by my General Restriction
24 Order. They're not to be identified outwith this room
25 as having been referred to in our evidence. We've had

1 Mr GAF, Mr GAD again, GAA, PXX,

2 MPM, PTH, and RJF, and

3 I think that was everybody. But please check if

4 a name's about to be used that wasn't on that list.

5 Thank you very much.

6 I'll rise now until tomorrow morning.

7 (4.08 pm)

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

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