

Friday, 30 January 2026

1

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome to the last day this
4 week of our case study hearings in Phase 10.

5 Now, the plan, as explained last night, is to start
6 with a read-in this morning, and I think that's you,
7 Mr Sheldon, who's going to help us with that, is that
8 right?

9 MR SHELDON: That's right, my Lady. The first read-in this
10 morning is the read-in of 'Adrian'. 'Adrian' has been
11 read in before in the Secure Care case study in relation
12 to Brimmond Assessment Centre in Aberdeen.

13 The evidence there is at TRN-12-000000120.

14 LADY SMITH: That was Brimmond?

15 MR SHELDON: That's correct, my Lady, yes.

16 His statement is at WIT.001.001.0061.

17 'Adrian' (read in)

18 MR SHELDON: My Lady, 'Adrian' was born in 1963 and appears
19 to have been at Coblehaugh in the mid 70s.

20 LADY SMITH: Thank you.

21 MR SHELDON: In the first few paragraphs of his statement
22 'Adrian' gives some detail about his early life and
23 about the circumstances in which he came into care. And
24 at page 2 of his statement, he notes that in about 1971,
25 he was taken out of his initial care placement and went

1 to a home in Kirkcudbright, Secondary Institutions - to be published later

2 Secondary Institutions - to be published And then, turning to page 5, he notes

3 that his first social worker was a man called

4 Mr Mathieson, who 'Adrian' describes as brilliant and

5 who used to see him every week when he was in Aberdeen,

6 and even when he moved to Kirkcudbright, Mr Mathieson

7 came down about once a month.

8 But he retired and he got a new social worker, who

9 visited him once and then he never saw her again.

10 After a period at Kirkcudbright, Secondary Institutions - to be published

11 Secondary Institutions - to be published later and was moved back to

12 Aberdeen, where he was placed in Brimmond. And my Lady

13 will have heard that material, but, put short, he

14 complains of marked physical abuse, not least by KEF

15 KEF, about whom we've heard a significant amount of

16 evidence.

17 LADY SMITH: Yes.

18 MR SHELDON: And in about -- moving to page 11, in about

19 1972 or '73, we think, he's moved to Coblehaugh, which

20 he notes is in Inverurie. And reading from

21 paragraph 63, he says:

22 'We had to call the woman who ran it "Aunt HAF".

23 I can't remember her full name.'

24 LADY SMITH: Do we have a date for him being admitted to

25 Coblehaugh?

1 MR SHELDON: Not --

2 LADY SMITH: Or an estimate?

3 MR SHELDON: Not a definite date but I think it's about 1972

4 or '73, my Lady.

5 LADY SMITH: Thank you.

6 MR SHELDON: He says:

7 'She [Aunt HAF] ██████████

8 ██████████ Her husband lived there too,

9 I don't remember his name. I spent about one and a half

10 years in Coblehaugh. I thought it was all right but

11 there are some incidents I want to mention.'

12 Under the heading, 'Physical abuse of the boys', he

13 says:

14 'A member of staff called GTM ██████████ used to give

15 me a hiding now and again. He was cleaning the floor

16 one day and I pretended I was going to stand on it. He

17 told me he would give me a hiding if I did it, but I

18 thought he was joking so I did it again. He came

19 running after me and I pulled a milk crate in his way to

20 stop him catching me. I still thought it was a joke,

21 but he gave me a bad hiding when he caught me. Aunt

22 HAF ██████████ kept me off school for a week as she probably

23 thought I would report it. I wasn't taken to a doctor.

24 'HIC ██████████ gave me a hiding too. He was

25 ██████████ and had a house in Inverurie. He used to

1 come up to Coblehaugh and act like a staff member. I'm
2 sure he wasn't a paid employee. I was carrying on with
3 the cook one day and said something like, "I hope I'm
4 getting seconds". He told me not to be cheeky to the
5 staff and then punched me in the jaw and gave me
6 a kicking.

7 'I saw HIC [REDACTED] slam a boy's face into the
8 corner of a table.'

9 And he names the boy and says:

10 'I've never seen a black eye like it. He could have
11 been blinded. He wasn't taken to a doctor or hospital.

12 'HAF [REDACTED]'s HAK [REDACTED] used to put the fear into us as
13 well. He's dead now. That was before GTM [REDACTED]
14 came. He used to go to the local pub and when he came
15 back and heard that a boy had misbehaved earlier, he'd
16 get him out of bed and give him a hiding. Because he
17 was drunk, he wouldn't leave it until the next day.

18 'HAF [REDACTED]'s HAK [REDACTED] used to go into the girls' wing and
19 interfere with them when he came back from the pub.
20 I could hear him, and the girls sort of talked about it.
21 He used to interfere with a particular girl [who he
22 names, and says that] she was a vulnerable girl. She
23 was in the home with other members of her family [and he
24 names one of them].'

25 He says:

1 'I went to a special school and at first I wasn't
2 getting on well because I was playing up. A teacher
3 took me under her wing. She used to take me home at
4 dinnertime and give me dinner. I started to get my head
5 down and make an effort.

6 'When I was about to go into first year, I was told
7 I'd be able to go to Inverurie Academy. It was just
8 before the school holidays. I think I'd done some kind
9 of test. I was happy about going to the normal school
10 until they told me I would be in a remedial class.

11 'At that time, [REDACTED] the football team at
12 Coblehaugh. We used to play against boys from Port
13 Elphinstone. The boys were my age and I knew they would
14 try to make a fool of me if they found out I was going
15 to remedial, and I would end up getting into fights with
16 them all the time.

17 'The closer it got to me going to Inverurie Academy,
18 the more I thought about it and I decided to run away
19 from Coblehaugh. I handed myself into the police
20 station and they got in contact with a woman called
21 Mrs Urquhart. I think she had something to do with the
22 children's homes in the area. She used to come to
23 Coblehaugh once a week to visit.

24 'A decision was then made to send me back to
25 Brimmond. I had been doing so well at Coblehaugh and

1 was hoping that someone would ask me the reason why
2 I ran away, but nobody did. All I wanted to do was to
3 tell people that I was getting a bit scared about going
4 to remedial because I knew people would make a fool of
5 me.

6 'The police got in contact with Mrs Urquhart and she
7 told them to take me back to Brimmond. She didn't come
8 to see me. My social worker didn't even get involved or
9 come to see me either. The police took me back to
10 Brimmond. I thought I was maybe just going back for
11 a couple of nights to be questioned about running away.'

12 And he says he thinks he was 13 when he went back to
13 Brimmond. So that would make it about 1976, my Lady.

14 LADY SMITH: Yes.

15 MR SHELDON: He goes back to Brimmond and again reports
16 physical abuse. And then, at page 16, he talks about
17 the impact of his experiences, and taking that short, he
18 got married, but his marriage didn't survive because of
19 his upbringing. He got into drugs. And he says at
20 paragraph 97 that he's never been properly educated and
21 can't read and 'I've educated myself most of my life',
22 he says.

23 He now lives in Aberdeen because the house in
24 Carlisle was flooded. And he says at paragraph 101:

25 'I feel as if I'm always looking for something, like

1 love, because I never had it. My mate cracks up with me
2 because I just bide in my room with my dog. The only
3 things I do now are take my dog out and go to places
4 I have to go to. I just hibernate.

5 'For some reason, I can't get close to my family.
6 I try but they won't let me get close to them. I don't
7 feel comfortable visiting them. We've never been
8 a family that shows love. I went out drinking with my
9 mother years ago and when she got drunk, she gave me
10 a cuddle and told me she loved me. That's the only time
11 she's done that.'

12 He talks about his father who has now died, and
13 a good friend whose family treats him like one of their
14 own. But he doesn't have contact with either of his
15 daughters or his grandchildren.

16 Paragraph 106, he's getting support for his drug
17 addiction and he says:

18 'I've done well. I haven't touched drugs since
19 I came back from Carlisle to Aberdeen at the end of last
20 year.

21 'I don't get any support for what I went through in
22 care. I didn't know you could get help for that.
23 I didn't know there was anywhere you could go to for
24 help until I saw information on the Inquiry on the news.

25 'I've always said to my doctor that I should maybe

1 see a psychiatrist or someone like that, but he just
2 keeps giving me tablets.'

3 And he says he's on various forms of medication.

4 He says at paragraph 110 that his drugs key worker
5 in Carlisle helped him get a copy of records from
6 Aberdeen Social Services and he says:

7 'My cousin tried to read them to me, but it was
8 difficult to make sense of them as there were more blank
9 bits than writing and they were all muddled. I was told
10 that they had to be blanked out because other people's
11 names were included. I don't understand that. Surely
12 I'm entitled to see the names if they were involved with
13 me.

14 'I thought my records would include details of what
15 I'd done during the day in the children's homes **Secondary Institutions - to be pub**
16 **Secondary Institutions - to be published later** I was really looking
17 for **Secondary Institutions - to be published later**
18 Brimmond and wanted to see if there was any paperwork on
19 assessments at Brimmond. As far as I know, they didn't
20 assess me, but it was meant to be an assessment centre,
21 so there should have been some sort of paperwork.'

22 And he says he doesn't have the records anymore.

23 And on page 20, his final thoughts are:

24 'I feel that I slipped through the system. I was
25 put into Brimmond and just left there. I don't

1 understand why nobody in social services questioned why
2 I was there for so long or, more to the point, why I was
3 there at all. It's the same as putting someone who
4 didn't commit a crime into prison. I would really like
5 Isobel Dewar or someone from social services to explain
6 why I was abandoned in Brimmond.

7 'I've wanted to do something about what I went
8 through for years, but I've never been in the right
9 frame of mind because of the drugs. I've never reported
10 the abuse to the police.

11 'I think things have changed a lot in children's
12 homes. I visited someone in the 1990s in Oakbank, and
13 was very surprised at how well the young people were
14 treated. They weren't allowed to hit them anymore. It
15 looked to me that things had definitely changed for the
16 better. I think a lot of lessons have been learned.'

17 And he's made the usual declaration, my Lady, and he
18 signed his statement in December 2016.

19 LADY SMITH: Thank you very much.

20 MR SHELDON: I think now, Ms Forbes has two further
21 read-ins.

22 LADY SMITH: Thank you.

23 MR SHELDON: My Lady, Ms Forbes reminds me that the --

24 'Adrian', whose statement I've just partially read in,
25 actually went to Coblehaugh on [REDACTED] 1975.

1 LADY SMITH: So we have got a date, that's very helpful.

2 MR SHELDON: So we actually do have a date, I am sorry about
3 that.

4 LADY SMITH: Thank you. [REDACTED] 1975?

5 MR SHELDON: That's correct, my Lady.

6 LADY SMITH: Thanks.

7 So that's a bit later than you thought. And at that
8 time, he'd be 11 years old. No, 12 years old.

9 MR SHELDON: 12.

10 LADY SMITH: There or thereabouts.

11 MS FORBES: My Lady, the next statement is from an applicant
12 who is anonymous and is known as 'Gus', G-U-S. And the
13 reference for his statement is WIT-1-000000473.

14 'Gus' (read in)

15 MS FORBES: My Lady, 'Gus' was born in 1959 and he tells us
16 he was born in Peterhead, and he says that he doesn't
17 even know his parents' names and all he knows from what
18 his sister has told him later in life is that his mum
19 remarried and later died in Edinburgh and that his dad
20 may have died in a mental institution.

21 LADY SMITH: All right.

22 MS FORBES: 'Gus' tells us he is the youngest of four
23 siblings and he gives us some details about them at
24 paragraph 3. And then he talks about being put into
25 care and being in Aberdeen Children's Shelter.

1 My Lady, we know from records that we've received
2 that he, 'Gus', was received into care in [REDACTED] 1962,
3 aged only 2 years. And the reasons for that seem to be
4 recorded as gross neglect and ill-treatment, and both of
5 his parents were actually prosecuted.

6 LADY SMITH: All right. So he thought he was about
7 16 months old, but that would fit more or less with the
8 records.

9 MS FORBES: Yes.

10 And he then tells us about being in Aberdeen
11 Children's Shelter and also Tarland and from his
12 records, it seems he was in and out of the shelter and
13 at Tarland as well. He says that his sister was also
14 there at Tarland with him, but he didn't get back in
15 contact with her until he was in his 20s and, really,
16 what he knows about these places is from her. Given his
17 age, that seems to make sense.

18 My Lady, it seems then that he was moved to
19 Coblehaugh on [REDACTED] 1969 and he stayed there
20 until [REDACTED] 1978. He tells us then about Coblehaugh from
21 paragraph 9 and he says:

22 'Coblehaugh was for boys and girls aged from 6 or 7
23 up to 18. There would have been anywhere between 20 and
24 25 kids in the home at any one time. It [REDACTED] by
25 [REDACTED] HAF-HAK, who we called Aunt [REDACTED] HAF and

1 Uncle HAK . Aunt HAF was SNR and was in the
2 home full-time while Uncle HAK had a full-time job in
3 Aberdeen as a tax inspector or accountant.

4 'I don't recall arriving there, but it was up
5 a steep hill and it sat overlooking the river and bridge
6 next to where we went to school. I'm led to believe
7 I was taken there by Marjorie Urquhart who ran a lot of
8 the homes. You would walk up the brae and the place was
9 10 or 12 feet off the road with a front and back door.

10 'When you went in the front door, there was
11 a laundry room, dining room, a corridor with a bedroom,
12 a playroom, and Uncle HAK and Aunt HAF's private
13 room, though their bedroom was upstairs. A staff member
14 called GTM had his bedroom downstairs. All the
15 other bedrooms were upstairs on a long corridor with
16 seven bedrooms, two bathrooms and toilets. The girls'
17 bedrooms were at the other end. I think the smallest
18 bedroom held two, while the biggest held maybe seven.

19 'Other staff members I recall are Mrs Robbie, who
20 was the cleaner, Aunt HDA and her twin, whose name
21 I don't remember, Aunt Jessie, and the cook Aunt
22 and her husband HBA, who was a lovely man. GTM
23 GTM was another member of staff. There was another
24 man called HIC but I'm not sure if he was
25 a member of staff or not.

1 'Uncle HAK and Aunt HAF also had a house next to
2 the ██████████, but Aunt HAF didn't move into it until
3 Uncle HAK died. He died maybe a couple of years after
4 I left.

5 'We got woken up at 7.30 am to 8.00 am when the
6 doors were opened by whichever staff were on duty and we
7 all got up at the same time. I seem to recall a bell or
8 a whistle blew to get us up. You weren't allowed to lie
9 in ['lie on', sorry, that says] for even five minutes,
10 though I remember being able to lie in a bit longer
11 years later when I became an apprentice at 15.

12 'We would get up, washed, dressed and then went to
13 school going past the old folks' home. When we got back
14 from school we would play football for a while. In the
15 evening, we would have our bath, then get into our
16 pyjamas and watch TV. We would have a cup of tea before
17 we went to bed, the timing of which was staggered
18 depending on your age.

19 'I had no issues with the food and to this day those
20 of us that went there talk about a cobbler's meal of
21 broth, mince and tatties, and apple crumble. For
22 breakfast we had cereal or lumpy porridge. You ate what
23 was put in front of you and were punished with a slap if
24 you didn't eat it by either Uncle HAK or one of the
25 other male staff, though I can't recall which. In the

1 evening we got things like macaroni or shepherd's pie,
2 though I remember that always made the pans hard to
3 wash.

4 'We sat at three or four tables that were put
5 together. The adults didn't eat with us. I think we
6 sat where we liked but I'm not sure. At night we got
7 cocoa and a treacle or syrup sandwich. I don't recall
8 ever going hungry. We used dinner tokens to get lunch
9 at school. At the weekends, we got lunch in the home.
10 To this day I still eat the sort of food we ate at
11 Coblehaugh.

12 'We shared a bath and when you were younger, there
13 would be three of us in the bath, but as you got older,
14 there would be two, until you were old enough to bath on
15 your own. The baths were supervised by whoever was on
16 duty when you were younger, and the baths were once or
17 twice a week. We had the baths at night before going to
18 bed.

19 'When you got bathed, the water wasn't changed for
20 getting in next. It's possible that sometimes the water
21 would be cold if you weren't one of the first in, but
22 I can't be sure about that. We would be in a queue,
23 like a conveyor belt. I think after a bath, you would
24 be in your pyjamas and watch TV.

25 'We wore school uniforms that were supplied by the

1 home. We also had casual clothes of jeans and T-shirts
2 that we would wear around the home. We had shoes for
3 school and were supplied with black gym shoes and
4 slippers.

5 'There were cupboards with clothes that kids had
6 grown out of and these were given to new arrivals, but
7 school uniforms were bought new out of a shop in
8 Inverurie. As you grew, you went to the cupboard, where
9 you would get bigger clothes to fit you.

10 'We played over in the park kicking a ball about.
11 I was always into football. I was football mad and
12 would play whenever I could. At weekends we often went
13 to the pictures and would spend our pocket money in the
14 local sweet shops. Weekends were usually fun times,
15 though sometimes we didn't get pocket money if we had
16 misbehaved. I also remember watching things like
17 Doctor Who, Top of the Pops, and Z Cars on the TV.

18 'We also went to the Cubs, the Scouts, the Boy's
19 Brigade and the Cadets in the evening during the week.

20 'We went to Huntly every summer, where lots of homes
21 sent kids. It was held in a school where the classrooms
22 had been set up as dorms. Those were generally happy
23 times. There was the odd scuffle between rival homes,
24 but there was always lots to do and lots of sports,
25 especially football. I enjoyed it that much that I used

1 to cry when I had to go back to Coblehaugh. Uncle HAK
2 and Aunt HAF didn't go to these camps and it was
3 Marjorie Urquhart who ran them.'

4 And I should say separately, my Lady, I have seen
5 records, brief records from Coblehaugh, talking about
6 Marjorie Urquhart's camp, which seemed to be over the
7 summer, and the list of children who would go.

8 LADY SMITH: Okay, so that would fit. Thank you.

9 MS FORBES: 'Gus' continues at paragraph 25:

10 'I started at Port Elphinstone Primary School which
11 was just along the road. My teacher was Mrs HBK
12 and the headmaster was Mr Nichol. His house was
13 adjacent to the school and I would fetch his wife's
14 groceries for her. I have no issues with my time in
15 primary school.

16 'I then went to Inverurie Academy secondary school
17 where I stayed until 1975. It was over the bridge from
18 the home and about a mile away. I don't recall passing
19 any exams, and left before I turned 16 in 1975. I was
20 strapped by various teachers and there was a metalwork
21 teacher called Mr RDN who used to throw things at
22 you. That was just the way it was in those days. It
23 was an accepted punishment. It was especially sore
24 getting strapped when it was cold.

25 'During my time in Coblehaugh, a lot of the kids in

1 the secondary school didn't take to us from the home.
2 There were a couple of guys [and he names them] and on
3 one occasion I got slapped from them and their gang.
4 This was actually a regular thing. A lot of the other
5 kids didn't have ties and when we were out of sight of
6 the home, we would take our ties off to try and blend in
7 with the others.

8 'My memory of healthcare was being naked in a room
9 with a doctor, Aunt HAF and Uncle HAK. What I look
10 back on and find strange about that was that the
11 curtains were open and the window looked out onto the
12 woods. It wasn't just boys that would be examined like
13 that, but girls as well. And anybody passing could see
14 into the room. I recall the doctor would make you cough
15 and hold your testicles. You were seen one at a time,
16 but I still don't understand why we were naked. I think
17 that happened every year.

18 'I don't recall a doctor coming in regularly, though
19 I think they came in for things like measles or mumps.
20 My recollection is that I was quite a healthy child.
21 I have no recollection of going to see a doctor, so
22 I assume they came to see us.

23 'Similarly with dentists, I think they came to the
24 school in a van to see us, rather than us going to see
25 them.

1 'We were all marched to church every Sunday at
2 St Andrew's Church in Inverurie. Then we would go into
3 the Mission in the hall next to it. I think we also
4 went there one night during the week. When we went to
5 church, we would all be dressed in our Sunday best. We
6 also said grace before each meal.

7 'There was a rota for sweeping up or doing the
8 dishes and I think the rota was hung in the kitchen or
9 in the hall. Mrs Robbie cleaned the bedrooms. The
10 dishes were done after supper and we used to have to
11 sweep up the goose poo, which was done whenever you felt
12 like it, as a lot of us just liked being outside. It
13 was very much a regime and you did the chores as and
14 when it was your turn.

15 'Certain charities like the Round Table came at
16 Christmas and gave us presents. To this day, I still
17 get more pleasure out of giving presents than receiving
18 them. I seem to recall that somebody would dress up as
19 Santa. They also sang carols and I think we had
20 a Christmas dinner. I remember Christmas as a happy
21 time.

22 'I'm sure birthdays were celebrated and we would get
23 a present that had been donated. I think any presents
24 we got would be put in a cupboard the next day and we
25 would get to play with them if we had been good. We

1 would then take them into the playroom, which also had a
2 piano that I learned to play a bit.

3 'I believe that both my dad and my brother tried to
4 visit me, but weren't allowed to. I think it may have
5 been because my dad was an alcoholic and I'm led to
6 believe that my brother was starting to show his
7 homosexuality, which the home didn't wish to encourage.
8 My brother was much older when he came to visit and
9 I could actually see him, but we weren't allowed to
10 speak to each other.

11 'Marjorie Urquhart was Head of Social Work and
12 sometimes came along if there was anything happening,
13 like if somebody had run away or if somebody had a Panel
14 coming up. She may have spoken to me on the occasions
15 I ran away, but I'm not sure about that. I personally
16 always believed that she was a children's person and
17 cared about them, but I'm sure I told her about Uncle
18 **HAK**. She was usually the person who brought new
19 children into the home.

20 'The only times I saw my siblings was that sometimes
21 I saw my brother at summer camp. He would be there with
22 kids from another home. The only other time we all got
23 together was at my sister's wedding. I've got
24 a photograph of us all together that day, which is one
25 of my favourite possessions as it's the only one of us

1 all together. To this day, I don't understand why we
2 were all put in different homes.

3 'I was about 14 when I ran away with [and he names
4 two boys]. They stole a car and we got stopped by the
5 police in Perth. Because they were older, they got the
6 blame and were basically accused of leading me astray,
7 though truth to be told, I went with them willingly.
8 I didn't get punished officially for that, but I'm sure
9 that was a night that Uncle HAK battered me.

10 'Prior to running away, we had all been in GTM
11 GTM's room and he had me [and he names two other
12 boys] and two other boys smoking dope and blowing the
13 smoke out a window in his downstairs bedroom. This
14 would have been in 1974.

15 'GTM was a member of staff and I was told
16 years later by HIC that GTM was only
17 there as a result of a community court order in
18 Liverpool sending him there. I'm also led to believe
19 that the home was later raided by the police for drugs.

20 'I am sure there were two other occasions that I ran
21 away with another boy and on one of those occasions,
22 a farmer, whose door we knocked on, either took us back
23 or got the police to take us back. I'm sure I told them
24 why I had run away and asked them not to take me back.
25 I'm not sure how old I was at those times.

1 'I wet the bed. When you did, you got punished by
2 getting a slap, though I don't recall by who. On
3 occasions, they also wiped the wet sheet in your face.
4 This happened to me and others on several occasions. It
5 got to the extent that you would be scared to go to
6 sleep in case you wet the bed. I have this recollection
7 that Mrs Robbie, the cleaner who stayed in the village
8 and was a lovely woman, would come in, and if she saw
9 you had wet the bed, would try and cover it up so as you
10 wouldn't get into trouble.

11 'I have this memory that when I went to the camps in
12 the summer, Marjorie Urquhart used to take me to the
13 bathroom before I went to bed, and would put water on my
14 privates to try and make me do the toilet. Aunt **HAF**
15 used to do the same thing when I was in the home. I'm
16 sure somebody else used to do it as well, but I can't
17 recall their name now.'

18 'Gus' then talks about abuse at Coblehaugh from
19 paragraph 44 onwards:

20 'Uncle **HAK** hit me regularly and, on at least one
21 occasion, used a belt on me. He would punch and slap
22 all the kids, especially when he came back from the pub.
23 There was a bedroom that was on the side of the home
24 overlooking the pub. We would be looking out the window
25 and see **HAK** coming up the brae. I don't want to name

1 the others who were there.

2 'I recently met up with a friend [and he names him]
3 who had also been in Coblehaugh. I asked him what job
4 it was that Uncle HAK had, was he an accountant or
5 a tax inspector. And his reply was, "He was a beater-up
6 of kids, that's what he was".

7 'On one occasion, when I had been slapped by the
8 gang at school, I returned home with blood on my shirt
9 and rather than being sympathetic, Uncle HAK gave me
10 another battering. I was thinking to myself that
11 I couldn't win. I'd get slapped at school and then get
12 slapped in the home for being slapped at school. Uncle
13 HAK wasn't even drunk that night. HAK often had
14 a bottle of some sort of spirit in his room.

15 'We knew on several occasions that it was inevitable
16 that we were going to get a beating off Uncle HAK.
17 When we saw him coming up the brae from the pub, we
18 would look to our door handles and know that if they
19 turned, we would be getting a beating. It was just
20 something we got used to, and we could also hear him
21 beating his wife through the walls. That was hard, as
22 we could do nothing about it.

23 'I have recently met people from the village who, as
24 children, used to come and play with us in the home, and
25 their recollection of Uncle HAK was that he was

1 a coarse man and a bully. They didn't even live in the
2 home, but knew that.

3 'On one of the occasions that I ran away, the police
4 took me back, despite the fact that I asked them not to.
5 When I got back, Uncle HAK hammered me. I remember
6 that Uncle HAK grabbed me in a way that I couldn't
7 defend myself, and put his knee into me.

8 'There was another occasion that I didn't even
9 remember, that my friend [and he names him] told me
10 about recently. He said that I had made him laugh one
11 time when we were children and Uncle HAK came in and
12 hit us or slap us for it. As I say, I don't recall that
13 but I'm not surprised, as it's a typical example of how
14 he would hit us for nothing.

15 'If Uncle HAK was sober when disciplining us, he
16 would usually take us into his private office, which we
17 called the punishment room. If he was under the
18 influence of alcohol, he would hit you where you stood.

19 GTM was a member of staff whose bedroom
20 was on the ground floor. One night, he had me and two
21 other boys in his room smoking a joint which had dope in
22 it. I was 14. I'm not saying that GTM dragged
23 me into that room or forced me to smoke the dope, but it
24 just wasn't right that a member of staff was giving
25 drugs to somebody of that age.

1 'My other complaint about GTM is what I've
2 learned since, and that is that he had been sent there
3 under a community service order from a court in
4 Liverpool. I can't be sure that that is true, but if it
5 is, then it's a disgrace that such a person was employed
6 there. It was HIC who told me this and
7 I have no reason to disbelieve him. GTM is now
8 dead.

9 'The only other member of staff I would complain
10 about, other than Uncle HAK for the beatings, and GTM
11 GTM for giving me cannabis, would be HIC,
12 and I'm not completely certain he was a member of staff.
13 Anyway, I have it in my head that he once gave me
14 a beating, but I just can't remember the details or be
15 100 per cent certain that it happened.

16 'I told the police who took me back after I ran away
17 about what was happening in Coblehaugh, and I'm sure
18 I told Marjorie Urquhart, the woman responsible for all
19 the homes in the area.

20 'During my last three years at Coblehaugh, I became
21 an apprentice slater/roofer. That was between 1975 and
22 1978 and I really enjoyed it. I would give my wages to
23 Auntie HAF and she opened a Halifax account for me.
24 Earning money meant I could buy the other kids chips at
25 the weekend, which I enjoyed doing. By the time

1 I became an apprentice, Uncle HAK had laid off me,
2 probably because I was so much bigger by then.

3 'I knew because of my age that I would be leaving
4 Coblehaugh, and on the day I left, I actually cried as
5 I walked away. Having said that, I had been taught no
6 life skills in preparation for leaving, and anything
7 I learned, I picked up as life went on. I moved in with
8 [and he names a person] who took in lodgers, and
9 I believe others who had left Coblehaugh may also have
10 used her place.

11 'It's strange, but despite the abuse I got from
12 Uncle HAK, the first thing I did when I arrived [and he
13 names the lodging place again] and unpacked was to go
14 back up to Coblehaugh to visit people.'

15 'Gus' then talks about life after care from
16 paragraph 59 and he says that after he left care, he
17 moved out of the lodgings and moved to Aberdeen. He
18 started going to football a lot and he followed Aberdeen
19 and then he says, after being bullied for years, he
20 turned full circle and he would go looking for trouble.
21 He would go to the roughest pubs looking for the
22 toughest guys and he even ended up involved with
23 football groups down in London.

24 He talks about being a night supervisor for three
25 years, but got many warnings about his involvement in

1 football hooliganism, and that involvement continued
2 until he received a serious brain injury in 2005 as
3 a result of an assault he received from four men. And
4 after that, he didn't leave the house for two years and
5 was diagnosed with depression and PTSD.

6 'Gus' says he was in England for 27 years and he met
7 a woman and her daughters and he was a slater for seven
8 years and then went to sea, but then missed the
9 camaraderie of his friends and gave it up. He was going
10 back and forth to Aberdeen three or four times a year
11 but eventually moved back there full time due to his
12 sister's poor health. He says by this time he'd
13 accepted what had happened to him down in England and
14 tried to move on with his life.

15 'Gus' talks about impact from paragraph 63 and says:

16 'It's difficult for me to say what impact my time in
17 care has had on me, as I have had psychiatrists and
18 psychologists telling me one thing, and me telling
19 myself other things. As far as I am concerned, my time
20 in care had no impact on me. As far as I am concerned,
21 I was just nuts.

22 'I was diagnosed with PTSD after being attacked, but
23 experts suggest that I could have had PTSD as a result
24 of my time in care. They are the experts, so I would
25 have to go along with what they say, despite my own

1 reservations about their diagnosis. However, I want to
2 be clear about the fact that I would never blame my time
3 in care for how my later life turned out, especially my
4 involvement with football hooliganism.

5 'I never married or had children, and that may have
6 been to do with my time in care. I've always found it
7 hard to form relationships and really prefer women's
8 company, rather than be in bed with them. I like going
9 on walks and seeing animals and things like that with
10 women.

11 'I suppose my education did suffer because I was in
12 a home. Being in a home led to me spending most of my
13 time in school in fear, because we were bullied by
14 others, and that would have to have had an effect on my
15 ability to take in what I was being taught.

16 'It's only in my adult years that I wish I could
17 have knocked a door and have it answered by my mum and
18 dad. I wish me and my siblings could have led a normal
19 life. I have sometimes wanted to take my own life, but
20 then I remember that there's a lot of good in my life
21 and a lot of good people.

22 'Had the supervision been better, then I think my
23 life would have been better. Marjorie Urquhart was in
24 charge of a lot of the children's homes and I'm sure she
25 knew what Uncle HAK was up to, but I suppose she was

1 never able to be everywhere at the same time. I'm as
2 close to 100 per cent that she tried to stop what Uncle
3 HAK was doing to us, but they didn't want to split up
4 Uncle HAK and Aunt HAF.

5 'I only spoke to my friends about what had happened
6 to me in Coblehaugh in the years after I left. However,
7 the police have now spoken to me twice about it.
8 I first spoke to the police in England after seeing
9 something on TV in about 2008. I think it had something
10 to do with the NSPCC. They must have spoken to the
11 police in Aberdeen, and officers came to see me.

12 'However, by then, Uncle HAK was dead and I decided
13 to withdraw my complaint. I didn't see the point of
14 listening to an apology from somebody who probably
15 wouldn't even have been born when Uncle HAK was
16 assaulting me.

17 'When I moved back to Inverurie in 2016, I spoke to
18 HIC, who told me about GTM, and
19 I contacted the police about him. However, the police
20 said that since GTM had also died, they didn't want
21 to take my complaint against him any further. That
22 annoyed me because, even though GTM was dead,
23 I would like to have known why GTM had been put in
24 Coblehaugh under a community order.

25 'I was never interested in compensation or punishing

1 anybody, as those who were guilty are now dead.'

2 In relation to hopes for the Inquiry, 'Gus' says at
3 paragraph 74:

4 'I only hope that those who inflicted abuse on
5 children face the consequences of their actions, though
6 so many of them have since died. I hope that by saying
7 what happened to me, it can help children in the future.
8 What happened to me has happened, but people must have
9 known what was going on. They can't all be punished,
10 but hopefully the Inquiry can ensure that such people
11 cannot stay hidden in the future.

12 'I don't want people to think that my whole time in
13 Coblehaugh was miserable. It wasn't, and there were
14 some good times. As I said, I even cried when I left
15 the place. And I wouldn't have a word said against Aunt
16 HAF, who was a lovely lady, and later was [REDACTED]
17 [REDACTED]. My main complaint is against Uncle HAK, who
18 was a brutal man, and it was him who made our lives
19 miserable.'

20 Then 'Gus' has made the usual declaration and he's
21 signed it, and it's dated 22 October 2020.

22 LADY SMITH: Thank you.

23 MS FORBES: My Lady, the last statement to be read in for
24 Coblehaugh is an applicant who is anonymous and is known
25 as 'Benjamin'. The reference for his statement is

1 WIT-1-000000006.

2 My Lady, 'Benjamin's' statement has been personally
3 read in during the Phase 8 case study on secure care,
4 and it was read in on 27 September 2024. The reference
5 for that is TRN-12-000000110. That was Day 477 and it
6 was for Oakbank.

7 LADY SMITH: Thanks.

8 'Benjamin' (read in)

9 MS FORBES: 'Benjamin' tells us he was born in 1968 and then
10 talks about his life before going into care from
11 paragraph 2. He says his earliest memory was about when
12 he was 3 or 4 years old and he lived in Tillydrone in
13 Aberdeen with his mum and stepfather. He says there was
14 a lot of alcohol involved with their relationship. They
15 both drank a lot. He's never met his real father and he
16 says he has a half-brother who is three years younger
17 than him. That is to his mother and stepfather. He
18 also has two half-sisters from when his mother married
19 again after that, and he tells us about them.

20 He says he spent most of his time at his
21 great-grandmother's and she had a partner who he thought
22 was his grandfather, but I think it turns out later that
23 he wasn't, but it was his great-grandmother's partner
24 and he called him 'Grandad'.

25 He talks about his first primary school and he was

1 there for only Primary 1, then his family moved, and he
2 went to another primary school. And at that time there
3 wasn't any social work involvement with the family, but
4 one day he was at school, a social worker visited him.
5 He thinks that someone must have told the social work
6 that he was a bit dishevelled and dirty and he was
7 disruptive and unruly in class and had been smashing and
8 breaking windows. And then they started to visit his
9 great-grandmother's house. He says this seemed to be
10 when he was out and he only saw them when he was coming
11 back to the house.

12 He thinks, looking back, that the social work
13 started to think it was too much for his
14 great-grandmother to look after him, and he started to
15 go to a family in Tarves -- I don't know if I'm saying
16 that right -- at the weekends. And he says that was to
17 give his great-grandmother some respite and he loved
18 going there.

19 He says he hated the social worker, who he names,
20 and then he says that he was about 8 years old when he
21 first went into care at Urquhart House in Dyce in
22 Aberdeen.

23 He was at his great-grandmother's house when the
24 social worker came and took him away, and he thought
25 they were just going out for a jolly, for a day out.

1 There was no talk in the car about where they were going
2 or what was happening.

3 'Benjamin' then tells us about Urquhart House
4 between paragraphs 11 and 46 and we know from his
5 records, my Lady, that he was admitted there on
6 [REDACTED] 1979.

7 Secondary Institutions - to be published later
8 [REDACTED]
9 [REDACTED]

10 He left Urquhart House then, from the records we
11 have, on [REDACTED] 1980 and he tells us then that he
12 thinks he'd been at the home about eight or nine months
13 when he left and he went to stay with his mum and her
14 partner at Portlethen in Aberdeen. He thinks his
15 great-grandmother died not long after he moved back
16 there, but he's not certain.

17 He went to another primary school then before moving
18 on to Mackie Academy and he wasn't there long before he
19 was expelled, he was absconding from school and being
20 boisterous, and he was put out of school and placed into
21 care at Bon Accord Children's Home, and that was just
22 for a couple of weeks [REDACTED] Secondary Institutions - to be published later

23 He says he then went back to stay with his mum and
24 her partner who had moved at that point to Bridge of
25 Don.

1 He then goes on to tell us that he was about 13 when
2 he went to a Children's Panel, the social work had still
3 been involved and in contact with the family, and it was
4 decided he was going to be going to Coblehaugh
5 Children's Home. 'Benjamin' says at paragraph 54:

6 'I was really angry when I was told this. I had to
7 be calmed down.'

8 And then he says he thinks it was the social worker
9 who took him there in the car.

10 'Benjamin' then tells us about Coblehaugh, from
11 paragraph 56. We know from his records that he was
12 admitted there on [REDACTED] 1982.

13 'Benjamin' says:

14 'GTN-SPO [REDACTED] home'.

15 Now, my Lady, from his records, we know it is
16 a Mr GTN [REDACTED] --

17 LADY SMITH: GTN [REDACTED].

18 MS FORBES: -- who was SNR [REDACTED], so a slightly
19 different name but it seems to be the same person he's
20 talking about.

21 And he goes on:

22 'I think I met them when I arrived. There were
23 other staff who worked there as well. The only ones
24 that I remember were GTM [REDACTED] and his wife.

25 'GTN [REDACTED] and [REDACTED] stayed in [REDACTED]

1 the ground floor. I think that the rest of the staff
2 worked shifts. I'm not sure if some of them worked
3 night shift or it was just GTN and [REDACTED] who covered
4 night times.

5 'Coblehaugh was another big building. There was
6 a living room, games room and dining room downstairs.
7 All the bedrooms were upstairs. There was also
8 a bathroom upstairs. Some of the rooms were single,
9 other rooms slept between two and four people. I was
10 moved about between rooms. Sometimes I had a single,
11 other times I would be sharing.

12 'There were both boys and girls in the home. The
13 oldest was 16 and the youngest around 8.'

14 And 'Benjamin' tells us he remembers three brothers,
15 who he names.

16 He goes on:

17 'In the morning you got up, washed and went for
18 breakfast. [REDACTED]

19 We all sat around a big table. Once we finished
20 breakfast, you just headed out to the academy.

21 'There were set times for going to bed. The
22 youngest went first and the oldest last.

23 'At mealtimes, you were still expected to help out
24 a bit with cleaning up and washing dishes [REDACTED]

25 [REDACTED] I think that there were more

1 domestic staff who helped at Coblehaugh Secondary Institutions - to be published later

2 Secondary Institutions - to be published later

3 'You were given a bath once a week. I remember the
4 Vosene shampoo and carbolic soap. The door was never
5 locked, staff would come in. This was just to hurry you
6 up if someone else was waiting. There was no issues
7 when I was having a bath.

8 'At the home we had a receipt book from the social
9 work that we used to go and buy clothes with. You would
10 go to a shop and they would keep a copy of what you had
11 bought. The shop would then claim this back from the
12 social work.

13 'I had a school uniform that was provided to me by
14 the home. Me and some of the others from the home would
15 take a change of clothes with us when we went to school.
16 We changed into our other clothes on the way to school
17 so we didn't have to wear the uniform. We would change
18 back into the uniform on the way home.

19 'At night, you could play pool in the games room or
20 go outside where there was a big rope swing in the
21 grounds. There was no encouragement to do any homework
22 that you had. I remember this because I got into
23 trouble at school for not doing mine.

24 'There wasn't any sports that were run by the home.

25 'You were more or less left to do what you wanted at

1 the weekends. You could go into Inverurie, but there
2 wasn't much to do there.

3 'I think that we were given a token amount for
4 pocket money but I can't remember exactly how much this
5 was. If you wanted to go swimming, then there had to be
6 other children who wanted to go as well. One of the
7 staff members would go with you. The cost of the
8 swimming would be taken out of your pocket money.

9 'I went for a week's holiday with the home to
10 Butlin's in Ayr. I ended up getting sent back to the
11 home for putting washing powder in the swimming pool.
12 One of the staff had to take me back to the home in the
13 minibus.

14 'On one occasion, I had a bit of metal in my eye
15 from metalwork. I was taken to the doctor to sort this.
16 The dentist would also visit the school. That was the
17 only time that I saw a dentist.

18 'I can't remember any birthday being celebrated.
19 I think that Christmas would have been acknowledged.
20 There was a Christmas tree and maybe a present.
21 Everything was shared at the home, so what you were
22 given was never really your own. I wasn't used to
23 celebrating Christmas anyway.

24 'My mum would visit me if [and he names her partner]
25 was back from working offshore. It was only now and

1 again, at a weekend they would visit. I was allowed out
2 for the day with them. We would go to Inverness or
3 Stonehaven.'

4 His social worker, he says, would still visit him
5 and at paragraph 75, he says:

6 'This only seemed to be if I was in trouble for
7 doing something wrong. There were still reviews taking
8 place. It was just a meeting in a room in the home.
9 I was asked how I was and what I thought could be
10 better. I don't know if I was listened to. Maybe
11 sometimes, but not all the time. The thing for me was
12 that I was still in care, going through the motions.

13 'I had seen my brother a few times when I was
14 outside the home. He told me that he was still with
15 a foster family. I told my social worker that I wanted
16 to meet him. I think that because I made a big thing of
17 it, they agreed to me meeting him. These meetings took
18 place at a local café. My social worker or a staff
19 member would take me there to meet him. The meetings
20 lasted about an hour. I think that this maybe happened
21 about three or four times in the 18 months I was at
22 Coblehaugh.

23 'These meetings stopped after I moved into foster
24 care at Ellon.

25 'I ran away a few times from the home. I would go

1 to my grandad's. He would always either take me back or
2 phone for someone from the home to come for me.

3 'If you ran away, you were put into a locked room on
4 your own. It was a small room on the ground floor. It
5 had windows looking out to the garden. You would be
6 left there a few hours and you might miss a meal. You
7 wouldn't be left overnight.

8 'My grandad died when I was at the home. I was
9 outside playing when one of the staff said that they had
10 something to tell me. I was taken to a room and they
11 told me my grandad had died. I was then left in the
12 room, which was locked. There was no support for me.
13 I think that they knew I would run away and thought it
14 better to try and control me. Once I was allowed out
15 the room, I ran away back to Aberdeen. I wasn't away
16 long before I was back at the home. I think it was
17 a member of staff who came and found me. This was
18 a very traumatic time for me, after finding out about my
19 grandad dying.

20 'The staff would sometimes give me tobacco and
21 a paper to make a cigarette. Even though I was only 14,
22 I had been smoking since I was 8.'

23 'Benjamin' then talks about abuse at Coblehaugh from
24 paragraph 82:

25 'GTM [REDACTED] was the main person for handing out

1 punishments. I would be given a dead arm, slap on the
2 head or the back of the legs for doing things wrong.
3 Sometimes it was made out to be a joke, but it's not
4 what you should be doing to a teenager.

5 'If you misbehaved at night, then whatever staff
6 member were on would take you to the cloakroom. You
7 would be put in there with only your pants on. It was
8 a concrete floor in the room. You would be left there
9 a long time. Sometimes this might be 4.00 in the
10 morning. There was a toilet in the room and a wooden
11 bench to sit on.

12 'GTN [REDACTED] would also punish me by hitting me
13 on the head with his hand. He never did this as much as
14 GTM did.

15 'I was punished a lot at Coblehaugh. It wouldn't be
16 all the time. There could be a bit of time between the
17 times that something happened to me.

18 'I was at Coblehaugh for about 18 months. Someone
19 from the home told me that I was going to foster
20 parents. I was asked to pick a name that I wanted to be
21 called. For some reason, I said I would like to be
22 called [and he gives us the name].'

23 And he says he thinks part of that name was chosen
24 because it was one of his middle names. And he goes on:

25 'I don't know why I was asked about a name. There

1 was an advertisement put in the local paper by the home.
2 It asked if anyone was interested in looking after me as
3 foster parents. There was no discussion with my mother
4 about me being moved to a foster home.

5 'After what seemed like months, I am not sure how
6 long it actually was, a couple got in touch.'

7 And he names them and says they were from Ellon, and
8 it was a coincidence that they had the same surname as
9 the surname that he'd chosen:

10 'I think that I went to stay with them for a day at
11 first. I then started to go for a few separate
12 weekends. After this, they decided they would foster
13 me. I wasn't told how long this would be for.
14 I assumed that it would be until I left school.'

15 And he says he doesn't know if there was any vetting
16 done before they took him, it just seemed to him they
17 had responded to the newspaper advert.

18 'Benjamin' then talks about being in foster care in
19 Ellon between paragraphs 90 and 106, and we know from
20 the records, my Lady, that he was admitted there on
21 [REDACTED] 1984.

22 LADY SMITH: So how old was he then?

23 MS FORBES: He was born in [REDACTED] 1968.

24 LADY SMITH: '68, right, so he's 15, nearly 16. Yes.

25 MS FORBES: He tells us about his time in foster care and we

1 have that there, my Lady, and I don't think he really
2 had any issues, although he did say that his foster
3 father could be aggressive towards him, but it was never
4 physical. And the foster mother could never punish him,
5 she was far too nice.

6 'Benjamin' then says at paragraph 107:

7 'I started to get into trouble with the police for
8 smashing windows.'

9 And he says he also stole money and he tells us
10 about running up the foster carers' account with the
11 local bakers. And they decided that that was enough and
12 they contacted social work. The social worker then said
13 that he would be going to Oakbank. He says there was no
14 real preparation, he was going and that was that. And
15 he just looked at it as another stepping stone.

16 At paragraph 109, he says:

17 'I wouldn't say I was disappointed, I was more
18 worried.'

19 But he says he'd heard about Oakbank, he knew it was
20 an approved school and that it was a bit wild. And he
21 says he thinks that they had exhausted everything else
22 and this was a last resort for him, and he says, 'the
23 bad boys' school'.

24 And he tells us about Oakbank between paragraphs 111
25 and 164, and that was read in previously and we know he

1 was admitted there on [REDACTED] 1984.

2 LADY SMITH: Thank you.

3 MS FORBES: My Lady, in relation to Oakbank, he does talk
4 about staff being physical there and there would be
5 physical assaults from staff members, who he names. He
6 then says that he left Oakbank, this is at
7 paragraph 165, in [REDACTED] 1985 just after his 16th
8 birthday and there was no real preparation for leaving.
9 The social worker and his mum was involved, and it was
10 decided that he would be going to his mum's. And he
11 says he wasn't prepared for adult life when he left and
12 he never saw the social worker again or had any contact
13 with her.

14 'Benjamin' then talks about life after being in care
15 from paragraph 167 and says he moved into his mum's, got
16 a job with a food packaging company. After about four
17 months, he moved out and he was sofa surfing with
18 different friends. He got himself into trouble and
19 ended up in jail a couple of times. But after about
20 18 months, he realised he had to get himself sorted. He
21 says he eventually met his wife and they have two
22 children.

23 He did a number of manual labouring jobs before
24 working in the oil industry and he worked there for
25 about 19 years before getting a work-related injury

1 which meant he had to stop doing that job, and he does
2 part-time work in a warehouse.

3 In relation to impact, he talks about that from
4 paragraph 173, but I think it relates really to his
5 whole time in care. He talks about the way he -- his
6 parents being impacted from his time in care, and that
7 he's had trust issues and been constantly let down
8 whilst he was in care.

9 My Lady, in relation to lessons to be learned, from
10 paragraph 179, he says:

11 'I should have been better prepared for leaving
12 care. There should have been some sort of supported
13 accommodation for me to stay in and a transitional
14 period for me to adjust. To be basically thrown out and
15 just get on with it was a big shock.

16 'When children leave care, they should have
17 an allowance to live on until they get a job. There
18 should be an effort to find them a job and support for
19 them for the first bit of time they are away from care.
20 This would have helped me. I felt I was just allowed to
21 find my own way instead of having any support.

22 'I believe that there should be less children in
23 individual children's homes and more staff. This would
24 allow more interaction between the staff and the
25 children. There has to be reason for children's

1 problems. There should be help for them to try and find
2 out what issues they have and how to deal with them.'

3 In relation to hopes for the Inquiry, at
4 paragraph 182, he says:

5 'I think that there needs to be more transparency in
6 homes. There should be things in place to make sure
7 that this happens. Policies and procedures need to be
8 in place that have to be adhered to. The child should
9 be the most important person when they're in care.

10 'The reason that I came forward to the Inquiry was
11 to help children who are in care now and make sure that
12 they don't experience what I did when I was in care.'

13 He tells us he's never thought about taking out any
14 civil action against any of the local authorities who
15 put him into care, and he's not had any counselling
16 about how his time in care has affected him. He has
17 always just dealt with things himself or spoken to his
18 wife.

19 'Benjamin' then has made the usual declaration, and
20 he's signed his statement and it's dated
21 6 December 2019.

22 LADY SMITH: Thank you very much.

23 So, does that complete the read-ins, then?

24 MS FORBES: It does, my Lady.

25 LADY SMITH: And the live witness for today will be ready

1 when?

2 MS FORBES: My Lady, I think he's due to be ready for
3 11.45 am.

4 LADY SMITH: Okay. That's fine. I will rise now until
5 11.45 am. But meanwhile, names of people whose
6 identities are protected by my General Restriction Order
7 and not to be identified as referred to in our evidence
8 outside this room. And starting with the last statement
9 first, GTN ██████████, GTM ██████████. Then we've got
10 ██████████, HIC ██████████, Aunt HDA ██████████,
11 Mr RDN ██████████, Aunt HAF ██████████, Uncle HAK ██████████ and I think Aunt ██████████
12 as well. And some others? No, they've already been
13 covered.

14 HBA ██████████, thank you. Ah, that makes sense. It
15 sounded like ██████████. HBA ██████████, also protected. But
16 otherwise I think that's everybody.

17 Very well, I'll rise now until 11.45 am. Thank you.

18 (11.06 am)

19 (A short break)

20 (11.45 am)

21 LADY SMITH: Mr Sheldon.

22 MR SHELDON: My Lady, we continue now with evidence in
23 person, and we have the representative of Aberdeenshire
24 council, Andrew Dick.

25 LADY SMITH: Thank you.

1 (Pause)

2 Andrew Dick (sworn)

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

4 Andrew, thank you for coming along this morning to
5 help us with the council's evidence regarding Coblehaugh
6 School. You'll know that's one of the institutions we
7 are looking into in the course of this Inquiry.

8 And let me say at the outset that I know in your
9 position, as somebody who I think was appointed to the
10 role that has to now speak to all this, it's not easy
11 when you've not been in the position for very long, if
12 I have read your CV correctly, so we will bear with you.
13 But thank you very much for what's been provided in
14 writing. That's all in front of you in the red folder
15 and the particular parts that we'd like to discuss with
16 you will be brought up on screen from time to time, so
17 I hope that's helpful as well.

18 I'll run through to 1.00 pm for the lunch break, but
19 let me know if you want a break at any other time.
20 Please ask any questions you have. If you don't
21 understand why we're asking something or why we're
22 asking it the way we are, that's our fault, not yours,
23 so speak up.

24 Do you have any questions at the moment?

25 A. No, my Lady.

1 LADY SMITH: Thank you.

2 Mr Sheldon.

3 Questions from Mr Sheldon

4 MR SHELDON: Thank you, my Lady.

5 First of all, are you all right if I call you Andrew
6 as well?

7 A. Yes, that's fine, thank you.

8 Q. Thank you.

9 As Lady Smith has said, you've provided a CV for us
10 and I would just like to look at that with you briefly,
11 please. And I think it should be in the folder in front
12 of you there.

13 So we see that in 2005 you graduate, first class, in
14 religious studies and then go on to do postgraduate
15 qualifications, first of all in social work, child
16 welfare and protection. And they are, I think, fairly
17 self-explanatory in terms of your current role.

18 In 2012, we see that you completed a postgraduate
19 certificate, I think, in Securing Children's Futures.

20 Can you talk us through that a little bit, please,
21 just to help us understand the relevance of that for
22 what you've been doing?

23 A. Yes. That was a one-year post-qualifying course,
24 through the University of Strathclyde and the British
25 Association of Adoption and Fostering, as it was at that

1 time, and that was an in-depth course which supported
2 training around permanence planning for children and
3 young people, and required the undertaking of a number
4 of modules and assessments to gain the qualification.

5 Q. So permanence planning, this is for children who are
6 going forward towards adoption, is that right? Have
7 I understood that?

8 A. That's right. Adoption, fostering or kinship care.

9 Q. Just looking through your career history, you start off
10 in 2007 as a social worker, working with Children and
11 Families. And fast-forwarding a little to 2012, you
12 acted as a review manager up until 2015. Do we
13 understand that that was your first management role at
14 that stage?

15 A. That's right.

16 Q. And then you move on to become a team manager and
17 thereafter a social work manager at -- excuse me, 2021
18 to '25.

19 To what extent do these managerial roles actually
20 involve contact with children and day-to-day interaction
21 with children?

22 A. So the team manager role would have required some degree
23 of interaction with children and young people, mainly
24 through support to social work, social workers and
25 unqualified staff within the team. So social workers

1 and family support workers would have undertaken the
2 direct work and I would have supported the staff in
3 relation to their work. But in terms of, in that
4 interaction, perhaps when I was chairing a meeting or
5 such, which, we would have a culture of ensuring that
6 children, young people and families are involved in
7 meetings, and so my interaction with them would really
8 be through those sorts of events.

9 Q. Thank you. And we then see that in 2025, you came into
10 your present role, and as Lady Smith has said, so you
11 are very recently into that role. Should we understand
12 that you are both interim Head of Children's Services
13 and interim Chief Social Work Officer?

14 A. I was appointed as interim Head of Children's Services
15 in May and interim Chief Social Work Officer
16 in June 2025, but was appointed permanently to both
17 roles in December --

18 Q. I see.

19 A. -- 2025.

20 Q. All right. Thank you.

21 LADY SMITH: Yes, you've let us have the minute approving
22 your appointment, I think, at a council meeting.

23 A. Yes.

24 LADY SMITH: Thank you.

25 MR SHELDON: So, thank you for that, Andrew.

1 Now, I want to move on to look at Aberdeenshire's
2 response to the Section 21 notice, the general one which
3 the Inquiry served, which we know as the A to D
4 response. First of all, did you have any input into the
5 preparation of the A to D, either originally or more
6 recently?

7 A. So the original A to D response was completed in 2017
8 and that was by -- coordinated by Robert Driscoll, who
9 was the then Head of Children's Services. I had no
10 input into that at that time.

11 However, last year, in 2025, we were invited to --
12 if we wished -- to undertake any updates to the parts A
13 to D and so I was responsible for coordinating that, and
14 I have provided the updates that are before you.

15 Q. This was an invitation from the Inquiry, this Inquiry?

16 A. Yes.

17 Q. All right, thank you.

18 So, and again, with the caveat that we understand
19 that you may not be able to help us, at least from the
20 point of view of personal knowledge of these matters,
21 but I just want to look at some aspects of it for your
22 comment and, I hope, further explanation.

23 If we can look at that, please, it is
24 ASC.001.001.0002.

25 And just on the first page, we see at 1.1(i), that

1 you set out the, as it were, local authority history of
2 all this. So Aberdeen County Council was the relevant
3 authority to 1975, and then we have Grampian Region, and
4 from 1996 to the present, it's Aberdeenshire. So to
5 that extent, Aberdeenshire has only had responsibility
6 for children's services from that time.

7 We see at (iii) you say you can identify no formal
8 records showing the historical use or evolution of
9 residential homes in Aberdeenshire, and go on to say
10 that there's some anecdotal history, but you can't
11 locate written records regarding the general running of
12 establishments pre-Aberdeenshire Council.

13 Can you help us, please, with that, and I think
14 moving on in the A to D response, there's a suggestion
15 that there are no records, I think, prior to about 2008;
16 is that right?

17 A. So we have provided some records to the Inquiry in
18 relation to council minutes which exist in terms of more
19 historical information. That's essentially the
20 historical records that we've been able to identify that
21 we thought would have any mention of residential
22 childcare and Coblehaugh in particular.

23 Q. Andrew, I'm very sorry, but could you perhaps come
24 a little bit closer to the microphone?

25 A. Of course.

1 Q. I'm struggling a little bit to pick up what you say.

2 LADY SMITH: Yes, it'll help us hear you, Andrew.

3 A. Sorry.

4 LADY SMITH: Thank you, that's better. If you can keep that
5 distance away from it.

6 MR SHELDON: Could you perhaps just go over that again; you
7 were talking about the records and the records position
8 prior to 2008.

9 A. Yes, so we have provided to the Inquiry some minutes of
10 council meetings in terms of historical, historical
11 information. I understand that was submitted with the
12 original submission in 2017, and that has some
13 historical reference to residential childcare and
14 Coblehaugh Children's Home.

15 However, in terms of stored records in relation to
16 Coblehaugh and residential childcare, we have not been
17 able to identify any particular records before that
18 period that you identify.

19 Q. All right. And if we could look at page 7, please. And
20 just at the foot, this is in a section about numbers,
21 which we'll look at in just a moment, but almost right
22 at the foot, it's said:

23 'We can provide records of a number of young people
24 in children's homes since 2008 when our records moved to
25 CareFirst.'

1 What's the significance of moving to CareFirst? Is
2 that a record-keeping system, some sort of IT system?

3 A. Yes, CareFirst is an electronic records and case
4 management system that we use in Aberdeenshire, and the
5 recording is such that it allows the extraction of data
6 that would give figures such as those that are noted.

7 Q. What happened to records before 2008?

8 A. My understanding is that the records would be kept more
9 manually than in the formal records system in that way.

10 Q. So should we understand that those records still exist,
11 but just in paper form?

12 A. Yes.

13 Q. And they are kept, what, on the council's premises or at
14 a third-party site of some sort?

15 A. So the records that would be stored on CareFirst would
16 relate to individual young people, and so the records
17 that predate 2008 and the recording on CareFirst would
18 then be stored in the individual children and young
19 people's paper files, which are held in storage.

20 Q. All right, thank you.

21 Since we're on that page, perhaps we can just look
22 at numbers, the issue of numbers. And it's said at
23 paragraph 1.6(i), the question is how many children did
24 the organisation accommodate, and it's noted that
25 Scalloway Park and Coblehaugh were originally 12-bedded

1 units, but both moved to being six-bedded when
2 Aberdeenshire Council was established.

3 Do you understand that that is really the modern
4 trend, that children's homes, children's houses, are
5 much smaller than formerly?

6 A. That's right, that would be about evolving practice in
7 terms of residential childcare, underpinned, I think, by
8 the -- Angus Skinner's publication of 'Another Kind of
9 Home', in 1992, I believe, that would have made a number
10 of recommendations in relation to residential childcare
11 practice.

12 Q. So the Angus Skinner work is perhaps still echoing down,
13 even though it's, what, 30 years ago, more or less?

14 A. Yes. Although it was published over 30 years ago, it
15 was groundbreaking work and still has significant
16 relevance I think today, in terms of the recommendations
17 that were made within it.

18 Q. Thank you. And looking down the page, for particular
19 numbers in particular years, just as an example, we see
20 that in 2014 there were 28 in the local authority home.
21 Should we understand that's Coblehaugh you're talking
22 about?

23 A. The -- my understanding, those numbers would relate to
24 all of the council's residential children's homes, so
25 there were -- at that time, there were three residential

1 children's homes.

2 Q. I see.

3 A. And my understanding would be that that would be the
4 numbers over the course of the year, rather than at any
5 given point.

6 Q. Yes, so that takes account of people moving on, children
7 moving on from care and perhaps being replaced by
8 others?

9 A. That's right.

10 Q. Just looking a little more at the historical picture,
11 perhaps we can look briefly, please, at INQ-0000001287.

12 And I think we see that that's an article, a piece
13 written by a Wilma Stickle, 'Coblehaugh: An Account of
14 the Redevelopment of a Children's Home', 'History of the
15 Project'. And we'll look at a little bit more of that
16 a little later, but it's just to note that we see that
17 Ms Stickle -- who I think managed Coblehaugh for
18 some time, is that right?

19 A. She is still the manager.

20 Q. Oh, she is still the manager?

21 A. Yes.

22 Q. All right, thank you. And she indicates that the
23 original building was purpose-built in the 1950s,
24 providing residential care for up to 20 children, but
25 that that number seemed to reduce, I think relatively

1 quickly, to 12 and then again down to six; is that
2 right?

3 A. That's what's stated there, yes, I don't have any
4 knowledge of where those figures come from.

5 Q. Yes.

6 I suppose, as manager, Ms Stickle may have had
7 access to anecdotal evidence of various sorts?

8 A. I think that's correct, given the length of time that
9 she's been the manager of Coblehaugh and the knowledge
10 that she's gathered anecdotally over that time, yes.

11 Q. Yes, she was certainly the manager from the early 2000s,
12 if not before that?

13 A. Early 2000s, yes.

14 Q. As I say, we'll come back to that piece, because it's
15 quite interesting and instructive about the
16 redevelopment process. But just to take from you now,
17 the new home, as it is now, was completed in about 2013,
18 is that right?

19 A. That's right.

20 Q. If we can go back to the A to D, please, that's
21 ASC.001.001.0002, and look to page 5, please.

22 I'm looking at a passage quite near the top, it is
23 (vi), and it's said there that:

24 'Since the mid 1990s ...'

25 And I guess that would be the Aberdeenshire period:

1 '... all the young people looked after in our
2 children's homes would be the responsibility of
3 Aberdeenshire Council. We do not look after young
4 people from other local authorities in our homes.'

5 I just wanted to ask you about that. Is that purely
6 for resourcing reasons, or are there other reasons for
7 that policy?

8 A. It would really be in terms of resourcing. There's
9 continually a high level of demand for residential
10 childcare in Aberdeenshire and so our homes are always
11 operating at capacity with children who originate from
12 Aberdeenshire, and therefore that doesn't allow any
13 capacity to offer places to children from other local
14 authorities.

15 Q. All right.

16 Over the page, please, page 6, again towards the
17 top, (vi), the question is:

18 'Were there changes over time in terms of what the
19 organisation saw as the establishment's function?'

20 And so on.

21 And it's said:

22 'Post the '68 Act, no. Aberdeenshire Council would
23 have adapted its provision of care according to
24 statutory and national policy requirements. The homes
25 did move to being for teenage children primarily and

1 also to each child having their own bedrooms.'

2 Can you tell us, please, about that move to
3 accommodating teenage children primarily? Why was that
4 and what were the implications of that for the
5 administration and the running of the homes?

6 A. My understanding is that that would originate from
7 evolving policy and practice in relation to residential
8 childcare. And, again, I think that would originate
9 largely in part from the Angus Skinner report in 1992,
10 about the focus on caring for older children within
11 residential childcare and trying to support other forms
12 of care for younger children.

13 Q. Other forms of care such as?

14 A. Such as foster care or kinship care.

15 Q. Okay, thank you.

16 But I suppose that teenage children may have
17 particular needs and particular traits that might make
18 their care more difficult; is that fair to say?

19 A. I think that would be what would have led to evolving
20 the understanding that caring for smaller numbers of
21 young people within each residential children's home
22 makes it more nurturing and supportive for those
23 individual young people, in managing the individual
24 needs of each young person within a group-living
25 environment.

1 Q. All right, thank you.

2 Page 11. Page 11, please. At the foot of page 11,
3 it's paragraph, yes, paragraph 1.8(i), the question is:
4 'How many people were employed with responsibility
5 for residential care services?'

6 It's said:

7 'It's only been possible to identify individuals at
8 the relevant children's homes as far back as April 2004.
9 And paper files for non-teaching employees who have left
10 the council are held for the period 1999 to date, some
11 of which are stored off-site.'

12 What happened to the records prior to 1999?

13 A. So my understanding is that the retention periods apply
14 to those records and unless particular circumstances
15 applied, records were only retained for a set period of
16 time and then were destroyed in line with procedures
17 relating to that.

18 Q. All right.

19 We talked a little bit before about children's
20 records. Did that apply to children's records too, or
21 are they available in paper form prior to 1999?

22 A. There would be children's records available prior to
23 1999, again, due to the retention periods that would
24 apply to those records.

25 Q. What is the retention period in respect of those

1 records?

2 A. My understanding is that for looked-after children,
3 that's 75 years, and for children who have been adopted,
4 that is 100 years.

5 Q. Okay.

6 Moving on to page 16, please, and it's
7 paragraph 2.2(i). It's a question about culture and
8 it's said that:

9 'Practice is very much child-centred.'

10 And if we then look at (iii), moving down, there's
11 a paragraph about demonstrating what the culture was,
12 and there's some examples given, with an emphasis, about
13 halfway down that paragraph:

14 'Emphasis on staff supervision culture, emphasis on
15 training staff for the task, eg TCI and life-space
16 training.'

17 First of all, 'staff supervision culture'? What's
18 intended by that?

19 A. I think it would be fair to say that, again, that has
20 been an evolving practice over time, and in more recent
21 times, there has been a recognition of the importance of
22 ensuring that staff have regular one-to-one supervision
23 sessions, to support their reflection on their practice
24 and to ensure that the work that they are undertaking is
25 in line with policies and procedures. And so, you know,

1 nowadays we would have a very strong culture and
2 expectation around staff receiving one-to-one
3 supervision on a monthly basis. But I think that has
4 been an evolving practice and, you know, may well not
5 have been the case at earlier points of the provision of
6 residential childcare.

7 Q. All right.

8 So the supervision now is monthly, you say?

9 A. That's right.

10 Q. Every care -- member of care staff has that?

11 A. Yes.

12 Q. And who is the supervision with?

13 A. So in residential childcare, that would be with the
14 manager of the residential home.

15 Q. So the establishment manager, rather than someone from
16 outwith the establishment?

17 A. Yes.

18 Q. All right.

19 LADY SMITH: Is there a culture of an ongoing relationship
20 with the person who is involved in the supervision, such
21 as could be compared to mentoring, or not?

22 A. So the supervision would be provided by the same member
23 of staff each time in terms of that developing
24 relationship. A mentor may be a separate person for
25 a new member of staff.

1 LADY SMITH: All right.

2 I'm really thinking of in between times. It's all
3 very well having once a month and no doubt dates get
4 fixed and refixed, that you have a session with your
5 supervisor, but in between time you're working away,
6 doing your job, looking after children. And don't you
7 need somebody else that you can go to, to talk about the
8 work, talk about difficulties you may be having, share
9 successes, whatever?

10 A. While there would be formal supervisions once per month,
11 my Lady, we also have a strong culture of informal
12 supervision as well in terms of, you know, ongoing
13 support, advice and guidance from the manager, but also
14 peer support as well, in terms of shift partners who
15 staff are working alongside, for example.

16 LADY SMITH: All right. Thank you.

17 Mr Sheldon.

18 MR SHELDON: And just following from that, Andrew, are there
19 staff who come into the establishment from -- excuse
20 me -- from outwith the establishment to meet with
21 internal staff members, senior staff members and, as it
22 were, workers on the floor? Is there a system of
23 visiting of that sort?

24 A. So in addition to the responsibilities of the manager of
25 the home, nowadays there are external management

1 arrangements. So a service manager, which is the post
2 that I occupied prior to coming into this role, I was
3 the service manager with responsibility for residential
4 childcare and so I would visit, and now the person who
5 holds that post would visit, on a monthly basis to meet
6 with the manager for supervision, but also to provide
7 oversight in terms of the functioning of the home. And
8 there are specific external management guidance
9 arrangements in relation to that from Scottish
10 Government.

11 Q. So what does that actually involve? What does it look
12 like? If we're thinking about a typical visit of that
13 sort to a home by a service manager, what are the kinds
14 of things the service manager will do to satisfy herself
15 or himself that all is reasonably well?

16 A. So there would be some level of interaction with the
17 members of staff who are on duty, for example. And
18 conversation with them about the functioning of the
19 home. Part of that, however, would also be, in terms of
20 those external management arrangements, would be about
21 the staff knowing that outwith those visits, that
22 contact can be made as well if there were any concerns,
23 because obviously, if the service manager is visiting
24 and the manager is there, then staff may feel more
25 prohibited in relation to raising any concerns, and so

1 staff would be aware of ways to contact and raise
2 concerns outwith that as well.

3 Q. Still with this particular paragraph, about culture,
4 there's a reference to a couple of examples of staff,
5 types of staff training. So TCI, is that Therapeutic
6 Crisis Intervention?

7 A. That's right.

8 Q. All right. And that's a form of -- do we understand
9 correctly, that's a form of primarily de-escalation for
10 challenging incidents?

11 A. That's right. My understanding would be that it would
12 be training to staff both in physical and non-physical
13 methods of de-escalation and restraint, and so each of
14 the -- TCI was an older tool that would have been used
15 in terms of training in the children's homes, but would
16 have incorporated non-physical de-escalation techniques,
17 leading up to physical techniques.

18 Q. Yes, I was just going to ask you. We've certainly heard
19 of TCI coming into play in the 90s and early 2000s. Is
20 that still the mode or technique that's used in those
21 circumstances?

22 A. So TCI was replaced by CALM training, C-A-L-M, and that
23 is Crisis Aggression Limitation Management training.
24 And that would have been in place for some years in our
25 children's homes, replacing TCI.

1 In more recent years, however, we have moved away
2 from the use of physical restraint in our children's
3 homes, and formally removed that as an approach, in
4 a review of residential childcare that was undertaken
5 earlier, in the 2020s. So staff are now trained in
6 Dyadic Developmental Psychotherapy, a model --
7 LADY SMITH: Can you give me those words again, trained in?
8 A. Dyadic Developmental Psychotherapy, my Lady.
9 LADY SMITH: Dyadic, yes. Dyadic Developmental
10 Psychotherapy?
11 A. That's correct.
12 LADY SMITH: All right, how does that work, when a child is
13 raging out of control?
14 A. So it is a technique that doesn't involve physical
15 intervention. As I say, we now take an approach that we
16 do not physically restrain children in our homes. And
17 if a child was raging in the way that you describe, my
18 Lady, we would manage that in different ways which
19 didn't involve laying hands on the child.
20 LADY SMITH: Can you give me an example?
21 A. So that may -- the technique is very much led by Dan
22 Hughes, an eminent psychotherapist, and involves the
23 PACE technique, which is Playfulness, Acceptance,
24 Curiosity and Empathy. And there are a number of
25 techniques within those -- that approach, which involve

1 the interaction with children, to try to manage and
2 de-escalate the situation without laying on of hands.
3 And so, you know, perhaps, moving to a different room or
4 a different space, but as I say, not using physical
5 restraint.

6 LADY SMITH: Mr Sheldon.

7 MR SHELDON: Thank you, my Lady.

8 But if perhaps I can press you on that a little
9 further?

10 A. Yes.

11 Q. What if a child is plainly putting themselves in danger
12 or plainly endangering someone else; is that not
13 a circumstance in which some form of physical
14 intervention might be not only necessary but required?

15 A. In that situation, you know, staff would very much look
16 to try to exhaust all options to manage it in the ways
17 that I described. As a last resort it may be necessary,
18 for example, to contact the police in such an instance.

19 Q. So the staff -- well, can we just be clear about that.
20 If a child is in danger, are staff trained or instructed
21 not to lay hands on the child even in those
22 circumstances?

23 A. That's right, because it would be required to have
24 training in physical intervention in order to do that
25 safely, and so staff would not be able to do that

1 without the training being in place.

2 LADY SMITH: Have you engaged with the police regarding this
3 approach that you've just described?

4 A. We have very good ongoing multi-agency working
5 relationships between police and our residential
6 children's homes in Aberdeenshire. My Lady, yes. So
7 there's ongoing liaison meetings and dialogue with
8 police about managing our children's homes in
9 Aberdeenshire.

10 LADY SMITH: I just -- I wonder about this business of
11 calling the police, if, for example, the problem is the
12 child is a danger to themselves. Because it's not
13 a crime to hurt yourself. It could be a crime to
14 assault somebody else. But how the police could be
15 expected to intervene is, the problem is, you want to
16 stop the child hurting themselves; almost as if you want
17 the police to do the job that your people used to do and
18 now they don't do?

19 A. Just to reassure my Lady, we certainly wouldn't be
20 looking for the police to replace any role that staff
21 would be required to undertake.

22 And perhaps to just give context as well, that prior
23 to the formal decision to remove restraint as an option
24 within our children's homes, restraint techniques had
25 not been utilised for several years within our

1 children's homes, staff were very clear that that wasn't
2 a technique that they wished to use with young people,
3 and used other methods instead and, you know, we're very
4 supportive of the decision to remove that as
5 an approach.

6 LADY SMITH: Mr Sheldon.

7 MR SHELDON: Might there not be some circumstances though
8 where, if staff didn't intervene where a child was
9 endangering themselves, that that would be, in effect,
10 a breach of their duty of care towards the child?

11 A. I think there would always be extreme circumstances
12 where perhaps it's necessary for people to take, kind
13 of, action to ensure that they are protected. That sort
14 of thing. But we certainly wouldn't be promoting the
15 use of restraint techniques as a par-for-the-course
16 approach.

17 Q. And as a matter of course, staff are not trained in any
18 form of physical intervention technique?

19 A. That's right.

20 Q. Are any staff so trained?

21 A. No.

22 Q. All right. There aren't, as it were, a group of staff
23 who might, in extreme circumstances, be used in that
24 way?

25 A. No.

1 Q. Moving on then, but still with this paragraph, and it's
2 another term that certainly I'm not familiar with, this
3 is the idea of life-space training. What is life-space
4 training, or was it, perhaps?

5 A. So life-space theory would be particularly utilised
6 within residential childcare and it would relate to that
7 idea that the staff who are caring for children and
8 young people are inhabiting that same space as the
9 children and young people. And it's about that
10 awareness and alertness to the individual things that
11 are going on within the home that then potentially
12 create a wider impact for the group of young people who
13 are living there, and the awareness and -- of that and
14 the utilisation of that, to ensure the smooth running of
15 the home and ensuring that the individual needs of each
16 young person is met within that group-living
17 environment.

18 Life-space training also involves the undertaking of
19 life-space interviews at times as well, when that's
20 appropriate, and it would really involve, if there had
21 been a particular situation or incident, that reflection
22 by someone who inhabits that life space with the young
23 person, so a member of staff, that reflection on what
24 has happened and how to support the young person in
25 relation to that. It's a technique that's not utilised

1 as often now because we've very much invested in the
2 developmental dyadic psychotherapy approach, which
3 I referenced earlier.

4 Q. Perhaps we can just look at an example of that briefly,
5 it's ASC-000001167, please.

6 And I think we can see that this is a record from
7 2006, 22 March 2006. It describes an incident at
8 a particular Aberdeenshire school, and a young person
9 who is based at Coblehaugh. And we see there adults
10 involved were Wilma Stickle and another member of staff.
11 And scrolling down the page, we can see that the
12 particular child had been abusive to teachers and
13 refusing to comply with instructions, on a warning of
14 sine die exclusion.

15 At the foot of the page, I think, it seems that the
16 child was brought back to Coblehaugh, adults tried to
17 talk to him to explain what was happening and help him
18 understand why he was being asked to leave school, and
19 he was too angry, it's said, to listen.

20 And if we move then to page 3, please, we see in the
21 second text box, a member of staff caught up with this
22 child, first held him in a secure comfort hold. Do you
23 know what a comfort hold would be?

24 A. I don't have the detail of the individual holds, the
25 training involved, you know, training to staff in

1 utilisation of, you know, specific techniques to safely
2 hold and restrain young people, but -- as I say, I don't
3 have the specific detail other than that it would
4 involve an escalation of holds and methods, depending on
5 the situation.

6 Q. Yes, it seems that another member of staff then arrived
7 and the child was held in a figure 4 hold and walked out
8 of the school. So two members of staff now involved and
9 this child was put in the back of a car, with child
10 locks used, and it said:

11 'When the child was ready to talk, we conducted
12 a life-space interview in the car, helping him
13 understand what had happened.'

14 So does that accord with your understanding of what
15 a life-space interview is and when it might be used?

16 A. Yes, because those members of staff would be people who
17 would inhabit that life space with that young person and
18 who would then be supporting him or -- I think it's him,
19 yes -- to reflect on what had happened and what had led
20 up to the circumstances. And the idea would really be
21 that those were safe people to him, because they were
22 known to him and could support that reflection and
23 understanding of the events that had led up to the
24 difficult circumstances that are described.

25 Q. And just to complete that, I think we see at page 7

1 there is a summary there of, as it were, the fallout
2 from this incident. There's a section about the child's
3 point of view, other main points of discussion, and the
4 outcome.

5 And it's indicated that, towards the foot of that
6 page, that in the staff's view, the situation was fully
7 resolved.

8 But if we can look at another record, briefly,
9 please, it's ASC-000001168. This is another incident
10 record, also from 2006. There's an incident involving
11 knives and a BB gun which had been confiscated from
12 a child's room and it's said that the child was
13 shouting, swearing, threatening violence, smashed
14 a coffee table up and then lifted a chair above a member
15 of staff's head, I think, in a threatening manner.

16 And we're told that this child was becoming
17 increasingly angry.

18 If we could then go to page 3, please, it's noted
19 there is a risk, there at the top, of physical assault,
20 severe injury, by being hit by a chair, and it's said
21 that a figure 4 hold was applied.

22 Now, is that not precisely the kind of situation
23 where that sort of physical intervention would seem
24 appropriate, provided it's properly done?

25 A. As I say, I think our practice has evolved since that

1 time in terms of the ways that situations are managed.
2 In this particular situation, it may have been the case
3 that that was required. It's also the case in terms of
4 not being able -- you know -- not -- sorry -- in terms
5 of not having restraint as an option available, in our
6 children's homes, it does, it influences matching
7 considerations as well, in terms of the profile of young
8 people that may be able to be safely cared for within
9 children's homes as well, or whether other environments
10 may be more appropriate.

11 Q. Well, can I just ask you about that. If it's felt that
12 a child can't be safely accommodated in a children's
13 home, a children's house, what would be the appropriate
14 course of action?

15 A. If they were not able to be cared for within our own
16 residential children's homes in Aberdeenshire, there
17 would be consideration given to external homes or
18 residential schools which may be more appropriately able
19 to meet the child or young person's needs.

20 Q. And is there then a policy, and I'm sorry to press you
21 on this, but, would Aberdeenshire look at that
22 establishment or that institution's policy on physical
23 intervention?

24 A. Yes, that may be the case.

25 Q. Sorry, it may be the case or it is the case?

1 A. Yes, it is the case.

2 Q. Just, again, to complete this, looking at this record,
3 if we look at the foot of the page, it's said:
4 'The child was let go when he appeared to be calm;
5 another violent incident followed before a life-space
6 interview could take place.'
7 So another life-space interview. It said:
8 'It was concerning that the child calmed so
9 quickly.'
10 It might be a slightly unfair question for you
11 because you weren't obviously there, but why would that
12 be concerning, do you think?

13 A. My understanding would be that that would be based on
14 staff's knowledge of that individual young person, but
15 also staff's knowledge, skills and expertise about what
16 would be expected in those circumstances. And my view
17 would be that that comment would likely align to staff
18 not expecting that to be the usual way in which a young
19 person would respond in such circumstances.

20 Q. So they might be apprehensive that this was a precursor
21 to another incident, or something like that?

22 A. Yes.

23 Q. If we can go back to the A to D, please, it's the same
24 document, this time at page 20. Yes, page 20, please.
25 Now, this is the, what we know as Part B, the

1 current statement, just towards the foot of that page,
2 and an acknowledgement of abuse.

3 And it says, just (i):

4 'Does the organisation accept that [during the
5 Inquiry's reference period] some children were abused?'

6 And it's said there:

7 'Aberdeenshire Council does not accept this. We
8 can't comment on predecessor organisations.'

9 Now, I don't want to go through the whole of that
10 particular part of the A to D because I think
11 Aberdeenshire's position on this has shifted a little;
12 is that fair to say?

13 A. Yes.

14 So this was the original response that was submitted
15 in 2017 and then, as I said earlier, we were invited, if
16 we wished, to make an update. And I reviewed the
17 response and updated that, because, upon review, my
18 consideration was that that didn't reflect our current
19 position.

20 Q. So if we can look, please, at ASC-000001218, so this is
21 the update to Part B; is that right?

22 A. That's right.

23 Q. And I think very helpfully you've juxtaposed the
24 previous position, the 2017 position, with what is now
25 said about these matters.

1 And there's an acknowledgement about two allegations
2 and a recognition of the seriousness of the concerns.
3 It's said:

4 'Both individuals have made complaints to the
5 police. We understand that neither investigation has
6 resulted in any convictions and therefore the council
7 accepts that it is not possible to determine
8 definitively whether abuse occurred.'

9 Now, I'm not sure whether you have managed to follow
10 the evidence over the last couple of days that has been
11 heard about Coblehaugh; is that -- have you or --

12 A. I have not been able to, no.

13 Q. All right. Because we've certainly heard some evidence
14 of abuse at Coblehaugh, particularly physical abuse
15 perhaps in the 1960s and 1970s. And I just wonder if,
16 once you have had a chance to review that evidence, you
17 might be willing or able to review this particular
18 section of the A to D; is that something you could do?

19 A. Yes, absolutely. I would wish to do that.

20 Q. All right.

21 And the same document, paragraph 3.2, towards the
22 foot of that page, it's acknowledged that there may have
23 been failings in the protection afforded to particular
24 children and, over the page, the organisation's
25 assessment of the extent of systemic failures, and it's

1 said:

2 'The council recognises the importance of reflecting
3 on historical practices with transparency and
4 sensitivity. However, Aberdeenshire Council remains
5 confident in the integrity and effectiveness of its
6 current safeguarding systems and robust procedures are
7 in place ...'

8 Now, I think you are responsible for overseeing
9 this, so is that really what you are telling the
10 Inquiry, that you're confident in safeguarding systems?

11 A. Yes, that reflects confidence in current safeguarding
12 systems, while noting that that has evolved over time
13 and that, I would certainly acknowledge, that it's very
14 much likely to be the case that such robust and strong
15 safeguarding processes have not been in place
16 historically.

17 Q. And what's said at (iv):

18 'What's the organisation's explanation for such
19 failures?'

20 And it's said:

21 'We recognise that historically, prevailing cultural
22 norms and practices differed significantly from those
23 currently upheld and were not aligned with current
24 standards and expectations.'

25 Now, that may just be a continuation of what you've

1 just been saying, but perhaps you can help us understand
2 what is -- what precisely is meant by that, Andrew?

3 A. Yes. Really, just further to what I said earlier, that
4 I believe that we, you know, over time, we have put in
5 place increasingly robust arrangements in relation to
6 safeguarding and independent oversight, staff training,
7 supervision, qualifications that are required, over
8 time, but historically, that that has not always been
9 the case and -- in earlier times.

10 Q. What were the cultural norms and practices that you were
11 thinking of in that particular passage?

12 A. I think really, in terms of the measures that we now
13 have in place, where it's very clear, in terms of
14 expectations of staff and how to care for and support
15 children, and young people, that being done in nurturing
16 and non-physical ways, and I think it's very much the
17 case that it's likely that that wasn't the case
18 historically, and that children and young people may not
19 have been afforded that same degree of nurture and
20 support and upholding of their rights.

21 Q. Thank you.

22 If we can go back then, please, to the original A to
23 D, I just want to ask you a couple of questions about
24 staffing. If we can go then to page 25, and this is
25 a section about qualifications, but I just wanted to ask

1 you, again to help us understand, what is the difference
2 between social care officers and residential childcare
3 officers?

4 A. A residential childcare officer would be a member of
5 staff who holds a social work qualification, and
6 a social care officer would not hold a social work
7 qualification but may hold another form of
8 qualification, such as a HNC.

9 Q. And just very generally, what is the staffing position?
10 We've heard evidence in many different contexts about
11 staff shortages, difficulties in attracting suitable
12 candidates for these types of jobs. What is
13 Aberdeenshire's experience in that respect?

14 A. In current times, our residential children's homes in
15 Aberdeenshire are predominantly staffed by members of
16 staff who hold a social work qualification; as I say,
17 the vast majority of staff hold that. We have a small
18 number of staff who don't hold that qualification but
19 have other skills, experience and training. But what
20 I would also note is that we have, in our children's
21 homes, we have high levels of staff stability as well.
22 We have many staff in our children's homes who have
23 worked there for several years and therefore have
24 considerable experience and also, through remaining in
25 post for several years, establish ongoing working

1 relationships with the children and young people who
2 live there as well, which is a crucial part of the role.
3 And the fact that they then are in post for
4 a considerable period of time means that often, when
5 young people move on from care, those relationships can
6 be maintained as well.

7 Q. What about the use of temporary staff? Is that
8 something that Aberdeenshire has to do from time to time
9 and what's the experience of that?

10 A. In addition to the permanent members of staff -- so we
11 have in each children's home, there are seven full-time
12 members of staff who work on a rota basis to care for
13 the young people on a 24/7 basis, and that's
14 supplemented by a relief pool of staff.

15 However, those are all members of staff who do work
16 regularly within our homes and so who are known to
17 children and young people as well. As I say, they're
18 not employed full-time on the established rota, but they
19 supplement that work and are known to young people. We
20 don't utilise agency staff.

21 Q. All right. That's helpful, thank you.

22 If we can move on then, please, to the Parts C and

23 D. So this is ASC.001.001.0043.

24 So these are the Parts C and D, and Part C is
25 a section about the prevention and identification of

1 abuse. Again, just looking at selected parts of that,
2 at page 8, please, (ii):

3 'Was there a particular policy and/or procedural aim
4 or intention?'

5 This is about the day-to-day running of the
6 establishment.

7 It said:

8 'Coblehaugh sought to look after young people who
9 could manage group living and manage mainstream school
10 and community living.'

11 Perhaps you can just talk us through what's intended
12 by that, if you can?

13 A. So in terms of group living, that would be the
14 acknowledgement of the need for the young person to be
15 able to live alongside other young people who are living
16 in that environment, and for that to be successfully
17 managed. Obviously issues arise from time to time, but
18 for that to be manageable overall.

19 Because the home doesn't have an education
20 component, the mainstream schooling reference would
21 relate to the requirement for the young person to be
22 able to -- to be able to manage within a mainstream
23 school setting, rather than a more bespoke residential
24 school environment.

25 And community living would really relate to that

1 ability to live alongside others nearby and to be able
2 to access appropriate leisure and recreational pursuits.

3 Q. Yes, if we can look, please, at perhaps an example of
4 the type of situation which might arise. This is --
5 excuse me -- ASC-000001164.

6 And we can see again, this is a record of
7 an incident where restraint was required. This is now
8 2012, it's September 2012. And it's said in the first
9 text box:

10 ' [REDACTED] had assaulted another child in the community.
11 The parent had been to the house to complain. Older
12 children were laughing and encouraging the child to be
13 defiant. He was shouting and swearing at adults,
14 telling us that he was going out. The staff agreed to
15 separate him from the older children and he [the child]
16 didn't resist until [I think] another child told him to
17 run for the front door.'

18 And if we can go to page 3, please, it's said:

19 'What was the specific risk to the welfare of the
20 child or others that led to the restraint?'

21 It's said.

22 Again:

23 'Risk that the child may assault others or be
24 assaulted by other children in the community. When in
25 his room once he had smashed the stereo. I was

1 concerned that he may come into contact with mains
2 electricity.'

3 And there's then a description of the hold or holds
4 that are used.

5 Am I right in thinking that level 1 and level 2
6 holds at this time would have been comparatively mild or
7 light intervention; is that right?

8 A. Yes, that would be my understanding of holds, that
9 perhaps involve guiding or looking to usher the young
10 person in that sort of way, rather than physically
11 restraining arms or legs, for example.

12 Q. And it's said at the foot of that page that the staff
13 member had to leave the child with the older children to
14 defuse a more dangerous situation because -- and I'm
15 sorry, I missed out, further up that page:

16 'Two older children had intervened by assaulting the
17 staff member.'

18 So this seems to be quite a fast-moving situation?

19 LADY SMITH: And there's something else going on somewhere
20 else --

21 MR SHELDON: Yes.

22 LADY SMITH: -- that this member of staff has to take
23 themselves to.

24 A. Yes, my Lady. It appears there are a number of
25 concurrent situations going on.

1 MR SHELDON: And if we look now at page 5, please. This,
2 again, is the outcome, or fallout perhaps, of the event.
3 Again, it's Ms Stickle who is completing this. It's
4 said that the child doesn't understand why the staff
5 member carried out a CALM hold. Second text box:

6 'The involvement of the other residents has had
7 serious repercussions for the staff member.'

8 Because they seem to have been assaulted.

9 The outcome was:

10 'Staff to continue to use CALM where appropriate.'

11 But there's then an indication in the final text
12 box:

13 'The child is inappropriately placed at Coblehaugh.
14 The staff team cannot safely care for him.'

15 So in that kind of situation, and again, perhaps
16 casting your mind back a little, what would be the
17 outcome for the child? What would happen to the child?

18 A. I think that would represent the culmination of a number
19 of incidents that had likely taken place where, in the
20 first instance, there would be attempts to manage the
21 situation and to adjust approaches, adjust staffing, for
22 example, to make the situation manageable for all the
23 children and young people living there.

24 However, yeah, it appears in this situation that the
25 situation has now escalated to a point where it's

1 assessed that the young person can no longer continue to
2 live there safely alongside the other young people, and
3 so there would be exploration of alternative
4 accommodation for that young person.

5 Q. So this is an example of a young person who perhaps, in
6 the view of the staff at least, couldn't manage group
7 living, appropriately, anyway?

8 A. I think perhaps not able to manage group living, but not
9 able to manage the group living with the model of care
10 that's provided in this particular children's home.

11 Q. We saw -- actually, no, sorry, I'll take that out.

12 If we go then, please, to page 19 in this
13 document -- sorry, the A to D, I should say. This is
14 a section on volunteers.

15 It's about halfway down, 4.8, 'Volunteers', and it's
16 just (i). This is ASC.001.001.0061, on page 19.

17 Oh, I'm so sorry, I'm giving you the actual Delium
18 page reference.

19 So of course it's -- yes, I'm sorry, that's my
20 mistake.

21 It's ASC.001.001.0044 at page 19.

22 I'm told it might be 43, rather than 44. I'm sorry.

23 And so, a passage on volunteers, Andrew. It's said:

24 'Since 1996, children's services had a policy in
25 relation to the use of volunteers within our

1 looked-after documentation. This required appropriate
2 checks, references and assessment.'

3 It said:

4 'We no longer have such a policy and the only usage
5 of volunteers is where they are recruited by a specific
6 agency for a specific purpose.'

7 And examples are given of befriending drivers.

8 So which agencies -- excuse me -- which agencies
9 might that be?

10 A. That may be, for example, where children and young
11 people require transportation, perhaps to go and visit
12 family, and so organisations such as volunteer drivers
13 might have been utilised.

14 More recently in our residential childcare, we
15 wouldn't utilise volunteers, really. We wouldn't
16 utilise volunteers in terms of the care of young people.
17 That would be undertaken by paid staff.

18 Q. But volunteers might still do things like driving?

19 A. That was a scheme that was in place some time ago. We
20 don't have that volunteer driver scheme in place, and so
21 essentially, if there are people involved in supporting
22 young people in relation to particular aspects of their
23 lives, that's likely to be through other agencies or
24 organisations, which would have their own policies and
25 procedures in place.

1 LADY SMITH: You say, Andrew, you don't now use volunteers.
2 When did it stop? Do you know?
3 A. I don't have the exact date, my Lady, but it would have
4 been perhaps around 10 years ago.
5 LADY SMITH: Okay. Do you know why the decision was made
6 not to use volunteers anymore?
7 A. I don't have the detail of that, my Lady. I imagine
8 that's probably just in relation to tendering and
9 contracts and such.
10 LADY SMITH: Okay, thank you.
11 Mr Sheldon.
12 MR SHELDON: Thank you, my Lady.
13 So do we understand then that the second part of
14 this paragraph is, as it were, redundant? It's said:
15 'In these circumstances, the contract would specify
16 that the organisation requires to have carried out full
17 vetting of the individual, including PVG.'
18 So, pausing there, when that was in operation,
19 should we understand that the council was, in effect,
20 contracting out the vetting process, as well as the
21 specific function which was being carried out?
22 A. As I say, my understanding would be that that would
23 relate to staff from, you know, perhaps third sector
24 organisations or partner organisations, who would have
25 their own processes in place, rather than the

1 contracting out of the vetting by the council.

2 Q. All right. Are there third sector organisations that

3 come into, for example, Coblehaugh to help with the

4 childcare function?

5 A. Not in relation to the childcare function, but may be

6 involved in supporting the young person in relation to

7 particular aspects of their lives.

8 Q. So advocacy workers, for example?

9 A. Yes.

10 Q. All right. And how does the council satisfy themselves

11 that they have been fully vetted?

12 A. That would be about the relationship that exists between

13 the council and the partnership agency, the contracts

14 that are in place in relation to that, and through that,

15 ensuring that the organisation has appropriate vetting

16 processes in place to make sure that the staff have

17 things like PVG.

18 Q. Right.

19 LADY SMITH: Mr Sheldon --

20 MR SHELDON: My Lady, would that be a --

21 LADY SMITH: -- it's now 1 o'clock, would that be a good

22 place to break?

23 Well, Andrew, let's stop now for the lunch break and

24 I'll sit again at 2 o'clock. Thank you.

25 (1.03 pm)

1 (The luncheon adjournment)

2 (2.00 pm)

3 LADY SMITH: Welcome back, Andrew. Are you ready for us to
4 carry on?

5 A. Yes, I am, thank you.

6 LADY SMITH: Thank you.

7 Mr Sheldon.

8 MR SHELDON: Thank you, my Lady.

9 Andrew, before the lunch break, we were looking at
10 the Parts C and D response for Aberdeenshire, and if we
11 can go back to that, please, and in particular to
12 page 35.

13 Sorry, this is ASC.001.001.0043. And it's page 35.

14 So this is the section dealing with abuse. And
15 there's some material there, in particular 5.1, and
16 we're told there's an awareness of one previous resident
17 who made repeated allegations and so on.

18 But I think this is another one of the sections that
19 was updated much more recently, and that process that
20 you assisted in; is that right?

21 A. Yes, I think that was one of the areas that we updated
22 in the 2025 response.

23 Q. Yes. And if we could look, please, at ASC-000001216.

24 And is that the updated Part D?

25 A. That's right, yes.

1 Q. And again, helpfully, you've included the original
2 response and the update and it's noted in relation to
3 the allegation, or set of allegations that we just
4 looked at, that you'd undertaken a further search of
5 records and no further information to add. These were
6 serious allegations which were referred to the police.

7 And if we could look, please, at page 5 -- sorry,
8 page 2, please.

9 Just at the top of that page, it said:

10 'Against how many staff have complaints been made in
11 relation to the alleged abuse?'

12 The original response was 'Unknown', but the update
13 is that:

14 'Aberdeenshire Council are aware of one former
15 employee against --'

16 I think, should that be 'against whom complaints
17 were made'?

18 A. Yes, that's right.

19 Q. And:

20 'We've not been informed by Police Scotland of any
21 current employees identified in the course of the
22 investigation.'

23 Who was the former employee that was involved here?

24 A. I think we noted that later in the response, that
25 an allegation was made against a member of staff named

1 [REDACTED].

2 Q. Yes. If we look at page 9 -- I beg your pardon -- yes,
3 it's the very foot of page 9 and into page 10.

4 LADY SMITH: Yes.

5 MR SHELDON: At the top of page 10:

6 'Does the organisation know of specific abusers or
7 alleged abusers?'

8 And the original response was 'No'.

9 But, 2025:

10 'We were made aware by police at the time of the
11 investigation of named individuals.'

12 And there's a reference to:

13 'Only known alleged abuser, [REDACTED].'

14 If we can go back, though, please, to page 2,
15 there's also an awareness at the foot of that page, the
16 2025 response is that:

17 'We're aware that a police investigation was ongoing
18 in late 2022.'

19 Don't have any updates on that, but:

20 'This related to an allegation of sexual abuse.'

21 I think that should be sexual abuse 'against':

22 '... a female resident who lived in Coblehaugh in
23 the late 1960s who has made an allegation [over the
24 page] against an older teenage male who previously or
25 may have continued to be a resident during her time

1 there.'

2 Now of course, that's an allegation against another
3 young person or apparently young person in the home and
4 not an employee, but would you accept that the
5 predecessor authority, and, indeed, Aberdeenshire, had
6 and have a duty to protect children in care from abuse
7 by other young people, as well as by employees?

8 A. Yes, I would accept that that would be the
9 responsibility of the people who were caring for our
10 young people, to make sure that they're all protected
11 from any abuse from any other young person living there.

12 Q. Thank you. And then page 5, please. There's
13 a reference in -- excuse me -- (v) to complaints about
14 members of staff, plural, who were named in the
15 complaint and who no longer work for Aberdeenshire
16 Council.

17 Did this refer to the, as it were, the original
18 complaint noted in the 2017 response and which we can
19 see at page 1? That was a complaint against multiple
20 members of staff, was it?

21 A. Yes, I understand -- sorry, would it be possible to see
22 the original?

23 Q. Yes, page 1. Could we look briefly at page 1 again
24 please, just that paragraph at the top.

25 A. So that would be in relation to different circumstances.

1 Q. Yes. And if we go back to page 5, please, and again,
2 towards the foot of that page, there's a passage
3 beginning:

4 'One individual who was named ...'

5 And scroll back up a little, please. Yes, just
6 there:

7 'One individual who was named in the complaint
8 continued to work at the home. They were not charged
9 with any offences and senior management at that time
10 concluded that his employment continue as the
11 allegations were not substantiated.'

12 Now, again, Andrew, it may be a question that you
13 would have difficulty in answering because again you
14 weren't there and presumably weren't involved in that
15 decision. But, first of all, this individual that's
16 referred to here, is this **GTM** again?

17 A. That's my understanding, yes.

18 Q. All right.

19 And it's said that this individual was not charged
20 with any offences, and it seems to be as a consequence
21 of that that senior management concluded that his
22 employment should continue.

23 First of all, can you comment on -- I'm sorry, I'll
24 start that again.

25 Can you tell us whether that is the correct

1 implication of what's said there, that the decision was
2 based on the lack of prosecution, rather than, for
3 example, any internal investigation of the matter?

4 A. My understanding would be that there would be separate
5 processes in relation to the criminal matter, but also
6 internal personnel or human resource investigations, and
7 that the conclusion to continue with employment would be
8 based on exploration of internal investigation as well
9 as the considerations from the police.

10 LADY SMITH: Andrew, did you see any documentation telling
11 you that, or are you just surmising?

12 A. My Lady, I've not seen any documentation specifically in
13 relation to that. My view on that is based on the
14 processes that would be in place for the local authority
15 around that.

16 LADY SMITH: Well, I can see that there would be processes
17 there available to be used if somebody decided to use
18 them, but that doesn't mean they were necessarily used;
19 and do you see what I mean about Mr Sheldon raising with
20 you -- the way this reads, it sounds as though whoever
21 drafted it only looked at the fact of the police taking
22 no further steps?

23 A. I can see that's how it reads, my Lady, yes.

24 LADY SMITH: Would you accept that that shouldn't have been
25 enough? To satisfy the council that it was okay to keep

1 them in their employment?

2 A. I would accept that, that a conclusion on that basis
3 would not be acceptable, my Lady. I don't have the full
4 range of information to determine whether there was
5 further internal investigation that would have existed
6 alongside that.

7 LADY SMITH: Perhaps we can leave that with you, Andrew, to
8 see if there is any evidence of the council's own
9 disciplinary processes, investigation processes, being
10 used in relation to **GTM**, or whether matters
11 were just left when the police decided to take no
12 further steps. Can I leave that with you?

13 A. Yes.

14 LADY SMITH: To see if there is anything there?

15 A. Yes, my Lady, I would be happy to clarify that.

16 LADY SMITH: Mr Sheldon --

17 MR SHELDON: Thank you, my Lady.

18 LADY SMITH: I maybe second-guessed what you were going to
19 ask next.

20 MR SHELDON: Indeed, my Lady, and thank you for that.

21 But at all events, Andrew, you're clear, and I think
22 you set it out at the foot of that page, that, well,
23 certainly in your view, and I think it's policy, that
24 making a decision on that basis alone would not now be
25 acceptable and it would be done differently, if it was

1 done that way?

2 A. Yes, absolutely.

3 Q. And just, I think, to round that off, I think I'm right
4 in saying, am I not, that Aberdeenshire are contributors
5 to the Redress scheme?

6 A. That's right, yes.

7 Q. Redress Scotland? All right. Along, indeed, with
8 a number of other Scottish local authorities.

9 A. Yes.

10 Q. Well, thank you, Andrew and we can put the A to D
11 response aside, at least for the moment. And I want to
12 look with you at a selection of records which perhaps
13 give some -- give us some background to the evidence
14 that we've heard, and which may be relevant to some of
15 the issues which have arisen.

16 First of all, can we look at INQ-0000001115.

17 Sorry, if you bear with me. (Pause)

18 This, as I hope you can see, is an obituary which
19 appeared in The Guardian in 2007, of a woman called
20 Marjorie Urquhart. And we've heard I think some
21 evidence about her. And the obituary, I think, makes
22 clear that this was someone who had a rather remarkable
23 career.

24 She died at the age of 94 and became one of the
25 first women to obtain a BSc in Agriculture. She then

1 enlisted in the Metropolitan Police in 1936, recruited
2 by Special Branch -- this is the second paragraph -- and
3 although reluctant to speak about her experiences as
4 a spy, it's known that she was involved in tracking down
5 enemy agents. She then became one of the first women
6 police inspectors.

7 But then in the third paragraph, we see that it's
8 said she developed an interest in children and had
9 trained as a probation officer, and in 1949, appointed
10 Officer for the Children's Department of Aberdeen
11 County, responsible for 400 deprived children.

12 It's said she persuaded the council to engage
13 further staff, and there's some more information there
14 about her career up to her retirement in 1977.

15 And it's said in the second-last paragraph:

16 'Marjorie was a doughty woman who had survived in
17 a completely male-dominated police force. She led from
18 the front in childcare and was known to put other
19 children's officers in their place. Her strong
20 character was displayed in her commitment to deprived
21 children, together with the warmth and loyalty she
22 showed towards them.'

23 Now, Andrew, we've heard evidence that, whatever
24 this obituary may say about that particular issue, she
25 was prone to physically abusing children and indeed, in

1 some instances, emotionally to abuse them as well.

2 I just wonder if you have any comments on that, and
3 the likely suitability of someone with this background
4 to be someone who was closely involved in the care of
5 children?

6 A. I would say that I certainly would not support the
7 physical or emotional abuse of children in our care at
8 any time. I think the -- in terms of the suitability
9 and the recruitment of this person, I think the
10 processes at the time are likely to have been much less
11 robust than they are today and that that has perhaps
12 been a contributory factor towards that.

13 Q. Yes, I think one of the applicants described her as
14 being somewhat militaristic, and I suppose the risk may
15 be that someone of this background, and particularly at
16 that time, might be carrying practices that might have
17 then been acceptable in police practice, over to the
18 care of children.

19 LADY SMITH: And did you note, Andrew, she was described as
20 'doughty', as having survived 'in a completely
21 male-dominated police force', somebody who 'led from the
22 front', would put other children's officers 'in their
23 place' and with a 'strong character'.

24 Not immediately such as would strike you as having
25 the qualities, all the qualities, that you want for

1 somebody in that role?

2 A. Yes, I think that's absolutely correct, my Lady, and
3 I think the processes at the time were likely to be very
4 different from how they are today, both in terms of the
5 recruitment and perhaps the skills and expertise and
6 characteristics that were deemed to be suitable at that
7 time. But also then, also the continued oversight, once
8 someone has been recruited as well, and how that is
9 overseen, I think, would have been very different at
10 that time and much less robust.

11 LADY SMITH: Yes.

12 MR SHELTON: If I can move on please, then, to another
13 document, perhaps also of mainly historical interest,
14 but it's a striking matter. It's ASC-000001219.

15 We can see on the first of these pages, this is,
16 I think, minutes of the Social Work Committee for the
17 Counties of Aberdeen and Kincardine.

18 Am I right in thinking that would have been one of
19 the predecessor authorities for Aberdeenshire?

20 A. Yes, that would be right.

21 Q. And if we go to the second page, this is an entry,
22 scrolling down the page -- sorry, I should have taken
23 the date from you but it's, I think we can see towards
24 the top, there's various dates in 1971, October,
25 September 1971, and so on.

1 And if we scroll down to about halfway, it's
2 paragraph 11, headed in quotes 'Malcolm Miller'. It's
3 said:

4 'The director reported that some time ago
5 an anonymous person endowed a berth on this ship once
6 every year for a boy in the care of Aberdeen County
7 Council. In addition to this endowment, the donor
8 provided [I think that's] £40 towards sending a boy on a
9 cruise. The director reported this cost had now
10 increased to £60, and the committee agreed to pay the
11 difference. On report from the director, the committee
12 authorised the attendance of a boy at a cruise, starting
13 at Leith on 9 July 1972.'

14 Now, in fairness, it's not clear which home or which
15 type of care setting this boy was in, but it does seem
16 to have been Aberdeen County Council, one of
17 Aberdeenshire's predecessors.

18 And just thinking about that, what comments would
19 you want to make about the circumstances set out here?

20 It seems rather extraordinary, doesn't it?

21 A. It certainly seems extraordinary, yes, and the limited
22 context makes it very difficult to comment, I think, on
23 what exactly was involved here, but it's certainly very
24 unusual.

25 Q. I mean, there are perhaps fairly obvious safeguarding

1 concerns about that?

2 A. Yes, I think that would be -- that would be right to
3 say. I think without the context, it's very difficult
4 to comment, in terms of age and such.

5 Q. It fairly clearly says that this is a boy, not, for
6 example, a young man.

7 Again, you may not be able to comment on this, but
8 does this reflect a period when concerns about sexual
9 abuse, for example, were simply not at the forefront of
10 social workers' minds?

11 A. I think that would be fair to say. I think again,
12 practice and policy has evolved since that time, and
13 I think it would be fair to say that it would be likely
14 there would be much less safeguard around aspects such
15 as this, compared to what there would be now, which
16 would have created much more risk and vulnerability for
17 young people, such as the boy referenced.

18 Q. Yes.

19 Moving on then to a rather more contemporary record,
20 the record is at CIS-000011815.

21 And we can see that this is a -- it bears to be
22 an accident report from Coblehaugh Children's Home,
23 created 10 January 2005, but apparently relates to
24 an incident or 'accident', as it's described, on
25 31 December 2004.

1 It's said that -- actually, that's quite difficult
2 to follow, because it says the date of the occurrence is
3 31 December, but it's said then:

4 'An incident occurred on 30 October 2004 whereby
5 a young person sustained a carpet burn injury during
6 a restraint. Following on from this, the young person's
7 mother made a complaint to police, who investigated. As
8 a result of this, the police formally charged
9 [a particular residential childcare officer] with
10 assault. This incident was also investigated internally
11 and the actions both [of the staff member] and his
12 colleague are fully supported by Aberdeenshire Council.
13 We therefore do not believe that [the staff member]
14 assaulted this young person.'

15 Just thinking about the way -- the language that's
16 being used here, this is a child who sustains a carpet
17 burn injury during a restraint. Is it appropriate to
18 call that an accident?

19 A. I think the terminology is unfortunate there and I think
20 our language of recording would have moved on since that
21 time, and I would accept that wouldn't be the way that
22 we would wish to see that recorded at the current time.

23 Q. And in terms of not suspending this individual from
24 duty, again, I suppose you don't know all the
25 circumstances, but what would you say about the way that

1 aspect of it was handled?

2 A. As you note, without knowing the intricate details of
3 the specific situation, it's difficult to comment.

4 Each of these situations would be assessed on their
5 own, their own individual circumstances, rather than
6 a black-and-white approach to every situation. And so
7 it would depend on the wider context and the wider
8 information, in terms of what action was taken, in terms
9 of a member of staff continuing in -- to work and not be
10 suspended during such an investigation.

11 Q. But clearly, this must have been a fairly dynamic form
12 of restraint for the young person to sustain a carpet
13 burn?

14 A. Yes, that certainly appears to be the case.

15 Q. Again, in more modern practice, is there -- well,
16 I suppose Aberdeenshire's policy is not to restrain at
17 all. But in the period perhaps before they introduced
18 that policy, was there any policy on taking a child to
19 the ground, doing, in other words, what I think we have
20 come to know as prone restraints; any policy about that?

21 A. Yes, my understanding -- excuse me -- my understanding
22 would be that there would be particular restraint
23 techniques that would involve supporting a young person
24 to the ground, which may then have resulted in
25 a situation like this, where they are then injured in

1 such a way.

2 Q. But that's not, we think, relevant now, because of
3 Aberdeenshire's updated policy?

4 A. Yes, we no longer restrain young people, and so
5 a situation like this would not now occur to a young
6 person in this way.

7 Q. All right.

8 Moving on again then, please, this is ASC-000001165.

9 This is another incident record. Again this is
10 2006, and the members of staff involved are named and
11 we're told that a young person, a girl, was missing, she
12 was returned by police, wanted to go back out, refusing
13 to settle or go to bed. Tried to leave through the fire
14 door in the games room and was stopped.

15 She'd gone missing earlier, persistently saying she
16 will go out again, saying she doesn't care what happens
17 to her, wanting to go out despite the time, which was
18 then 11.30 to 3.00 am.

19 The staff say they talked calmly to the girl,
20 advising her to settle and go to bed, 'Telling her we
21 would stop her leaving the building', she consistently
22 saying that she was going out and not going to bed.

23 I think if we then go to page 3. So, specific risk:

24 '... is putting herself at risk by going missing
25 late at night.' And reading that short, it says:

1 '[She's] in an emotional state, angry/sad, feeling
2 confused about her life in general, risk of self-harm,
3 risk from strangers, risk of cold.'

4 Now, does that seem to you to be actually rather
5 a good example of both notetaking and understanding of
6 this young person's needs?

7 A. Yes, I think the language used conveys that concern and
8 the background and context to the situation, yes.

9 Q. And the risks that staff are concerned about are set out
10 really quite clearly there, including, for example, the
11 risk from strangers, which is perhaps an obvious risk in
12 those circumstances.

13 A. Yes, I would agree that it's very helpfully set out in
14 terms of the clear concerns.

15 Q. And we are told towards the foot of that page that
16 eventually this girl stood, sat on the floor, gradually
17 became calmer, got into bed around 5.10 in the morning,
18 and staff stayed with her until later that morning. And
19 it's said that three members of staff effectively spent
20 all night with her, trying to talk to her, encouraging
21 her to calm down.

22 So, again, this seems like rather a good example of
23 staff work and caring practice?

24 A. Yes. That's right, and I say very much in line with the
25 approach that we would currently promote around the best

1 ways of supporting young people.

2 Q. Next record is CIS-000011765.

3 This is a Care Commission inspection report from
4 2007 and it's just a short point about this. If we can
5 go to page 5, please, under 'Areas for development':

6 'The manager reported that staff would record in the
7 daily notes or in the service diary that work was taking
8 place in line with recommendations made. Staff write
9 full and detailed accounts of each days' events and
10 whilst this is very thorough, it results in a large
11 volume of written material. Some staff summarise these
12 notes on a monthly basis. However, some don't.
13 Discussions took place on producing a simple system that
14 will note in a permanent record what work has taken
15 place and when.'

16 So there's perhaps quite an interesting point there,
17 Andrew, about what is the optimum level of detail in
18 taking notes for this kind of purpose?

19 A. Yes, I think that's an area that we've been giving quite
20 significant attention to over the past few years.

21 I think that The Promise has really brought that to
22 particular prominence, the Scottish Government's
23 independent care review and recommendations within that
24 about the ways in which records are kept as well.

25 And it's an area we have been working on quite

1 considerably across our social work, our children's
2 services, social work service, but also specifically in
3 residential childcare, and quite considerable change
4 there in terms of how logs are now kept there.

5 A recent change over the past few years has been
6 writing logs to the young person, rather than about
7 them, and a quite noticeable change in terms of how that
8 then comes across in terms of nurturing, supportive
9 language. And I think that has been recognised by the
10 Care Inspectorate in more recent inspections that we've
11 had as well.

12 Q. So, you're saying that -- excuse me -- you're saying
13 that in writing the log entry, the staff member has to,
14 as it were, imagine that they are directly addressing
15 the child?

16 A. That's correct, yes.

17 Q. And you've told us that that has effected a change in
18 the language that's used?

19 A. Yes, I think by being encouraged to write in that way,
20 it encourages a much more natural, nurturing language,
21 with a focus on that young person potentially accessing
22 their records in the future and understanding why
23 particular actions or decisions were taken, and that --
24 young people being able to read that and understand that
25 and see that conveyed in a nurturing and positive way.

1 Q. The next record, it's not perhaps quite
2 a counter-example, but it does contrast a little,
3 I think. If we look at ASC-000001156, please. This is
4 yet another report of an incident. This from 2011, so
5 a little bit later in the timeline.

6 It's described as a 'CALM RESTRAINT'; I presume
7 that's C-A-L-M, the acronym, rather than saying the
8 restraint itself was necessarily calm?

9 A. Yes, the former.

10 Q. It's said:

11 '[The event leading to the incident was that the]
12 child had been taken to hospital by ambulance following
13 excessive alcohol consumption.'

14 And the behaviour of the child is described in the
15 second text box:

16 'Drunk, swearing, threatening to jump out of the
17 [writer's] car, [wanting to go and] find her phone.'

18 And there are some details of the response there,
19 'reassuring' and so on, and 'made a plan to search for
20 the phone in the morning'. So perhaps all well and
21 good.

22 If we can go to page 3, please, again, there's
23 a description of the specific risk:

24 '[The girl] was intending to walk through parks and
25 streets at 1.30 am and to visit an unknown house.' So

1 again, perhaps obvious safeguarding concerns. And
2 there's a description of the restraint.

3 But if we can go to page 5, please, and this is the,
4 I suppose, the outcomes page that we've seen before.
5 Child's point of view: can't remember, wasn't aware of
6 being restrained. Other main points of discussion:
7 relationship not affected.

8 But the outcome of the discussion is simply stated
9 as:

10 'Not getting drunk.'

11 Now, up to a point, of course, that may be good
12 advice, but in your view, is it particularly helpful?

13 A. I would agree, I don't think that's the most helpful
14 outcome, in the way that it's noted there. I would very
15 much say that that should be around support to the young
16 person in relation to any alcohol difficulties, and that
17 the language there is clumsy.

18 Q. And would it not be appropriate also to include some
19 material about trying to understand why this girl was
20 behaving as she was, including the getting drunk part?

21 A. Yes, I think that's entirely reasonable to say. We'd
22 want to understand the antecedence to the situation and,
23 as I say also, the supports that would be put in place
24 to support the young person in relation to alcohol use.

25 Q. Thank you.

1 Next record, ASC-000001163, please.

2 This is another incident report, this time from
3 2013, December 2013. And there's a description of the
4 incident and at page 2, some more material about the
5 method of restraint, said to be 'turning and guiding';
6 this is the second text box down.

7 And in that text box, the writer is saying:

8 'I used the child restraint.'

9 So we're not perhaps quite sure what that means, but
10 they go on to say:

11 'There were no complications with this. However,
12 this restraint was not included in my last CALM
13 training. I am therefore not accredited to use this
14 restraint.'

15 And there's perhaps the obvious observation that,
16 clearly, that's not ideal. But I suppose the question
17 following on from what we've been discussing over the
18 last couple of hours, is there not a risk that if you
19 don't train staff physically to intervene on occasion,
20 that you risk putting them in this situation, that they
21 are not then qualified and haven't been trained if
22 a restraint then becomes necessary in, perhaps extreme
23 circumstances, but necessary all the same?

24 A. I would say, you know, we have given very significant
25 consideration to the position on restraint and not made

1 any decisions lightly around about that. The position
2 has been very much in consultation with staff,
3 associated professionals, children and young people
4 themselves. And very much in line with the, again,
5 another recommendation of The Promise that Scotland
6 should not restrain its children and that we should use
7 other methods instead to make sure that we care for our
8 children and young people and support them.

9 And as I mentioned earlier, there'd been a period of
10 several years in our children's homes where restraint
11 had not required to be used and that continues to be the
12 case, where we are able to manage situations that arise
13 for children and young people without the need to place
14 hands on them, to physically restrain them.

15 Q. Next record, please, is CIS-000011883.

16 And this again is an inspection report for
17 Coblehaugh, this is 2008 this time. And taking it --

18 LADY SMITH: So a 2008 inspection?

19 MR SHELDON: Yes, my Lady, it's 21 October 2008.

20 LADY SMITH: Thank you.

21 MR SHELDON: You see all that on page 1.

22 But just taking this quite short, Andrew, I just
23 want to go to page 13 and 14. In fairness I should
24 point out that this is, in almost all respects,
25 a positive report.

1 But, at page 13, there's an entry -- I think it's
2 probably the end of page 13, into 14. Yes, this is
3 'Areas for development' at the foot of page 13:

4 'Manager produced the self assessment ... the
5 service has not yet carried out its own systematic
6 quality assurance.'

7 And then over the page:

8 'During the inspection it became apparent that the
9 service --'

10 I think that should be 'service users' -- no, sorry:

11 '... the service uses purchase orders for grocery
12 shopping. The use of purchase orders in shops are
13 stigmatising as they draw unwanted attention to the
14 young people and staff. Staff explained that it was
15 organisational policy that purchase orders be used,
16 rather than have large amounts of money kept in the
17 service. The Care Commission officer understands the
18 safety issues, however can't support the use of purchase
19 orders in modern care.'

20 And can you understand why that's said, Andrew?

21 A. Yes, I think that's just an example there of procedures
22 that have been in place over time that have been
23 stigmatising to children and young people, and areas
24 that we have been keen to develop to ensure that young
25 people living in our children's homes are not treated

1 any differently to children and young people who live at
2 home.

3 So this will be one example where there has been
4 change in relation to that.

5 There are various other examples, I think, where
6 we've taken action to ensure that young people are not
7 stigmatised in terms of their living in children's
8 homes. Things, you know, just sometimes very simple
9 things like ensuring that the people who come in and out
10 of our children's homes don't wear ID badges and things
11 like that, because that's a child's home.

12 A recent development that we made was just, I think
13 along the lines of what's noted there, young people said
14 that over time, pocket money that they had received had
15 developed into very specific amounts in terms of
16 inflationary rises. So a young person might receive
17 £11.27 pocket money, for example, and, you know,
18 a person saying to us that that feels quite
19 stigmatising, that 'My friends wouldn't receive £11.27
20 pocket money'. And we listened to that and made those
21 changes so that young people receive round amounts in
22 terms of their pocket money, in the same way that their
23 peers would. So just as an example.

24 Q. Yes, and my Lady will recall that we heard some evidence
25 from 'Megan' yesterday about lunch tokens --

1 A. Mm-hmm, yes.

2 Q. -- historically, so this seems to be something that had
3 gone on for some time?

4 A. Yes.

5 Q. But you're clear that efforts are now made to make sure
6 that that kind of situation doesn't occur?

7 A. Absolutely, yes, and I think crucial to that is about
8 listening to children and young people's direct
9 experiences of what that feels like and the impact that
10 it has on them, and making changes based on listening to
11 that feedback. That would be something I would be very,
12 very clear that's pivotal in terms of the provision of
13 our services.

14 Q. Next report, please, is CIS -- sorry, the next record,
15 CIS-000011906.

16 This is another inspection report, this time for
17 19 October 2010. And, again, just cutting to the part
18 that I want to look at, it's at page 14. About halfway
19 down, we're told that three questionnaires have been
20 returned; young people spoken with, supported well, and
21 had good relationships with staff.

22 In the next paragraph, there's a sentence:

23 'One questionnaire was very negative about a number
24 of things about living in Coblehaugh, including
25 bullying.

1 'In response to the question: 'Overall, how happy
2 are you with the quality of care?', one young person
3 responded "Happy", one "Unhappy" and one "Don't know".'

4 And --

5 LADY SMITH: Do you know if in the questionnaire, was there
6 a follow-up question to be answered, if the answer was
7 'Unhappy', of 'Why?' 'Why are you unhappy?'

8 A. I don't know the specifics of the questionnaire.
9 I would anticipate that there would be an opportunity to
10 elaborate on that.

11 The questionnaires would be anonymous as well, but
12 I would also -- I would say that the Care Inspector
13 would then obviously follow up on the responses that
14 were given within the questionnaires as well, to try to
15 establish further any concerns.

16 LADY SMITH: Of course, these are questionnaires by the Care
17 Inspectorate.

18 A. Yes.

19 LADY SMITH: Does the council ever ask children themselves
20 appropriate questions as to what their ongoing
21 experience at the home is?

22 A. Yes, that would be an expectation of the child's social
23 worker, to be meeting with the young person regularly to
24 establish how they're getting on and the care that they
25 are receiving.

1 Our children and young people also have access to
2 our Children's Rights Service as well, to be able to
3 give independent views to Children's Rights Officers
4 about their experiences. Our Children's Rights Officers
5 would visit our children's homes regularly, perhaps go
6 for tea with the young people, that sort of thing.

7 LADY SMITH: Do you use 360 feedback for staff appraisals
8 and professional development?

9 A. We have used that at times as a -- in the council, but
10 not specifically in residential childcare, my Lady.

11 LADY SMITH: I just wondered whether there would be room for
12 slotting into that, feedback from children to then
13 discuss with individual members of staff, to assist them
14 with their own development?

15 A. I mean, I think we're certainly always keen to review
16 the tools that we have available to us, to make sure
17 that we're getting robust responses from young people.

18 LADY SMITH: You'll see what I'm getting at, Andrew, we're
19 much better now at involving everybody that people work
20 within an organisation in their appraisals. But in this
21 situation, you could miss the key potential
22 contributors, namely the children, if you don't think of
23 a way of slotting that in?

24 A. Yes, my Lady, I think there's always room for
25 improvement around about that.

1 I would say -- we try to involve our young people
2 through all of the processes that are in place. In
3 terms of staff recruitment, for example, young people
4 would often be involved in our recruitment processes,
5 meeting with potential new staff members and inputting
6 into the recruitment process around things like that as
7 well.

8 LADY SMITH: Yes. Thank you.

9 Mr Sheldon.

10 MR SHELDON: Thank you, my Lady.

11 Andrew, if we can look at page 20 in this document.
12 And I suppose all the remaining documents to look at --
13 and there are only two more after this -- are on the
14 subject of learning and feedback.

15 Page 20, towards the foot, 'Areas for improvement':

16 'At the time of the inspection, there were serious
17 issues of bullying and intimidation within the group.
18 The staff team had done their utmost to protect the
19 young children, however, there were still worrying
20 incidents and young people stating that they did not
21 feel safe and were always bullied.'

22 It said:

23 'A plan was in place which would address this
24 situation, therefore no recommendation or requirements
25 have been made (see additional information at the end of

1 this report).'

2 And if we go on to the next page, page 21, there is
3 the additional information, and again it's said:

4 'There are significant difficulties with bullying
5 and intimidation. The staff are aware of this and doing
6 their utmost to address this with a plan in place which
7 would hopefully resolve the situation. As this
8 reflected the situation at the time, the statement was
9 therefore graded as 3 [or] (adequate). It should be
10 noted this doesn't reflect the overall service.'

11 So we're told there's a problem with bullying, the
12 staff have a plan. It seems a bit unfortunate that we
13 are not told what the plan actually is, because anyone
14 looking at this to try to learn about how to deal with
15 a bullying problem, for example, would then have to look
16 at another document, which I suppose may or may not be
17 easily accessible.

18 What sort of plans might be put in place to address
19 bullying and intimidation within a group?

20 A. I think in this situation, the plan would likely include
21 aspects relating to the individual young people involved
22 and the supports that are provided to each of them, and
23 then the overall supports that are in place. There
24 could be, for example, part of a plan could be to
25 increase staffing levels for a limited period of time,

1 to ensure that each young person is supported and try to
2 manage the situation. And I guess, leading up to the
3 most extreme kind of action, I suppose, which would be
4 that perhaps it's determined that it's not suitable for
5 all those young people to continue to live together in
6 the same group-living setting.

7 Q. If, and I've no reason to think otherwise, but if a plan
8 was put in place, where would that be found? Where
9 would that be filed, as it were?

10 A. The report doesn't reference specifically whether, you
11 know -- it could be a written formal plan or it could
12 have been a verbal plan that was expressed to the Care
13 Inspectorate. But if it was a written plan, it would be
14 held within the records of the care home.

15 Q. So if we can move then, just to complete this, to
16 CIS-000011932. This again is an inspection report, page
17 1, it's an unannounced inspection of 22 December 2010.
18 And again, if we can just skip to the relevant part,
19 which is page 19, and towards the foot of that page,
20 under 'Areas for improvement', it said:

21 'At the previous inspection there had been concerns
22 about bullying and intimidation. This situation had
23 been addressed. However, the staff remained alert to
24 the potential for bullying within the group.'

25 So, again, Andrew, I think the point to be made is

1 perhaps that we're not told how the matter was
2 addressed. So someone like me, coming to this report at
3 a rather later stage, has no real way of understanding
4 how what sounds as though it was a serious, certainly
5 unpleasant, situation for some young people was
6 resolved.

7 A. Yes, I can certainly see that. The report's obviously
8 produced by the Care Inspectorate rather than the local
9 authority, and I think there's an ambition to keep the
10 reports in terms -- at a manageable length, and that's
11 perhaps why the detail is not included. But I wouldn't
12 wish to speak for the Care Inspectorate around -- or the
13 Care Commission, as it was at the time, around that.

14 Q. And the final document I want to take you to, Andrew, is
15 CIS-000011844.

16 This is another unannounced inspection, from
17 April 2013. And, again, cutting, as it were, to the
18 chase, if we can go to page 9, please. Yes, it's just
19 at the foot of page 9 and into page 10 again.

20 It says under the heading, 'Taking carers' views
21 into account':

22 'The inspector spoke to four social workers involved
23 with the young people. They commented positively about
24 the service. They felt they were always made welcome by
25 a staff team who were professional and committed to good

1 outcomes for young people. Communication was stated to
2 be very good between all relevant people, including
3 families. They stated that relationships between young
4 people and staff were exceptional and that the staff
5 teams' investment in young people was "glaringly
6 obvious". Very good examples were given of positive
7 outcomes for young people living at Coblehaugh.'

8 So it's quite a glowing report, at least in that
9 regards.

10 But I just wondered, if it is indeed the case that
11 this is an example of good practice and where there are
12 good relationships and those relationships are nurtured,
13 how is that kind of good practice rolled out? Is there
14 a process for sharing it and making it more widely known
15 within Aberdeenshire as an example of how to do it,
16 rather than how not to do it?

17 A. I think what's fundamental here is the focus on
18 relationship-based practice and as the Head of
19 Children's Services, that's an ethos that I am committed
20 to ensuring is in place in our children's services in
21 Aberdeenshire, and promoting relationship-based practice
22 across all of our services to children and young people.

23 In terms of that sharing of good practice in
24 situations such as this, the inspection reports would be
25 taken to our children's services management team, for

1 example, for wider sharing and for cascading to staff
2 members, in terms of the strengths and the areas of
3 development that are identified within that, so that we
4 can share good practice, but also work together on any
5 areas of remedy that are required as well.

6 LADY SMITH: Yes, but how? How share it?

7 A. So --

8 LADY SMITH: I mean, there's absolutely no problem with
9 agreeing it's a really good idea to do that if you've
10 had an outsider tell you, you are doing things well in
11 this institution.

12 How do you then go about sharing it, and sharing it
13 in a way that helps other people adopt similar
14 practices?

15 A. Yes, so through discussion, my Lady, our children's
16 services management team, we would be identifying the --
17 any actions that are required or any good practice that
18 should be shared, and asking that to be cascaded through
19 to our individual teams and social workers within those
20 teams, so that we ensure that cascading of that good
21 practice.

22 LADY SMITH: Mr Sheldon.

23 MR SHELDON: I just really wondered, Andrew, and following
24 on from what Lady Smith was saying just now, is there
25 any way of modelling this kind of practice to other

1 practitioners, or does it have to be filtered through,
2 as it were, the management process?

3 A. I think what comes out from this as well is about the
4 interactions between children's home staff and staff
5 from other teams and services as well. And so through
6 those interactions, I think some of that would come out.
7 I think modelling is a really positive way of supporting
8 good practice, so through staff who have got the skills
9 around about some of these areas to be modelling those
10 to other staff in more informal ways, as well as more
11 formal mechanisms, such as the cascading of information.

12 Q. And that seems appropriate because relationships with
13 young people in particular, and between members of
14 staff, are probably not so good if they are formal as if
15 they are informal; would that be fair to say?

16 A. Absolutely, yes.

17 MR SHELDON: My Lady, I don't have anything further for
18 Andrew.

19 Thank you, Andrew.

20 LADY SMITH: Andrew, I don't have any further questions
21 either. All I want to do is thank you again for coming
22 here today and bearing with us, with all the questions
23 we've had for you. So thank you for that.

24 And now, I'm able to let you go and make your way,
25 I take it back north. Safe journey back. Thank you.

1 A. Thank you.

2 (The witness withdrew)

3 LADY SMITH: Well, Mr Sheldon.

4 MR SHELDON: My Lady, that concludes the evidence about
5 Coblehaugh.

6 LADY SMITH: Yes.

7 MR SHELDON: And I think that concludes, indeed, this block
8 of hearings.

9 LADY SMITH: Indeed.

10 MR SHELDON: And we're back on 17 February, I think.

11 LADY SMITH: The 17th. Tuesday the 17th, I think.

12 MR SHELDON: And, the 17th, we'll start by hearing evidence
13 about Gryffe Children's Home.

14 LADY SMITH: Thank you very much. I hope everybody has
15 a good weekend.

16 (3.06 pm)

17 (The Inquiry adjourned until Tuesday, 17 February 2026)

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