

Thursday, 19 February 2026

1

2 (10.00 am)

3 LADY SMITH: Good morning, and now I think, as you indicated
4 yesterday, Mr Peoples, we will be turning to a local
5 authority witness, is that right?

6 MR PEOPLES: Yes, the final witness for this establishment,
7 Gryffe, is John Trainer of Renfrewshire Council.

8 LADY SMITH: Thank you very much.

9 John Trainer (sworn)

10 LADY SMITH: Welcome back. When you were here before, you
11 were happy with me using your first name. Is that still
12 the case?

13 A. That's still the case, my Lady.

14 LADY SMITH: Thank you very much for that, John, and thank
15 you, as I say, for letting us draw on your knowledge and
16 understanding for our purposes again and for the effort
17 that's gone into the written response, which, as you
18 know, is in the red folder in front of you and there are
19 parts of it, if we want to refer to, we'll bring up on
20 the screen. But again, let me reassure you, as I did
21 before, we're not going to take you through it line by
22 line. There are particular aspects that we're
23 interested in.

24 You may remember, John, that the way the hearings
25 are scheduled, I'll normally take a break at around

1 11.30 this morning. If you want a break at any other
2 time, please don't hesitate to let me know, or if you've
3 got any questions, speak up.

4 A. I will, my Lady.

5 LADY SMITH: Do feel free, and I hope you feel comfortable
6 to get back into the swing of things, which you managed
7 so well before --

8 A. Thank you, my Lady.

9 LADY SMITH: -- if I may say.

10 If you're ready, I'll hand over to Mr Peoples and
11 he'll take it from there.

12 Mr Peoples.

13 Questions from Mr Peoples

14 MR PEOPLES: Thank you, my Lady.

15 Good morning, John. You are familiar with how we
16 operate in this Inquiry. You have given evidence in two
17 case studies, one on Foster Care, I think, on Day 339 in
18 2022?

19 A. That's correct.

20 Q. And you also gave evidence in Phase 8 in November 2024
21 in relation to Newfield Assessment Centre?

22 A. That's correct.

23 Q. And as her Ladyship said, there is a folder in front of
24 you, which has some information if you want to refer to
25 it, but I may put some documents up on screen in the

1 course of taking your evidence.

2 I'm not going to -- I have a CV, but I went through
3 it in some detail on the last occasion, so I don't plan
4 to repeat that exercise today, but can I take it from
5 you that your current position is Head of Children and
6 Justice Social Work and Chief Social Work Officer for
7 Renfrewshire Council?

8 A. That's correct, and I think, just when I last appeared,
9 we were making that change in terminology.

10 LADY SMITH: Yes.

11 A. You may recall that, my Lady, that we'd dropped the
12 'Criminal' from the 'Criminal Justice' title and that
13 was part of our modernisation, our reflection, our
14 review of the impact that labelling can have on
15 individuals. So we wanted to drop that word 'criminal'
16 and focus on 'justice', which meant that there would be
17 justice for victims, but equally that we were focusing
18 on rehabilitation for those people who were in conflict
19 with the law.

20 LADY SMITH: Yes.

21 MR PEOPLES: Now, can I start with taking you to the
22 response that was given by Renfrewshire to various
23 matters that the Inquiry were interested in, which we
24 call the A to D response, you'll be familiar with that
25 terminology.

1 A. That's correct, yeah.

2 Q. If I could put something up on screen, which is
3 REC.001.001.0182, and I would like to basically turn
4 initially to Part B of that document at page 36.

5 A. Yep.

6 Q. (Pause)

7 Maybe scroll down a little bit.

8 This is what's called the Part B of a response
9 document that we asked providers to complete. And can
10 I just take this fairly short, because I think things
11 have moved on a bit since this document was submitted,
12 but essentially what's said there is that from a review
13 of records, the only incidents which Renfrewshire was
14 aware of were incidents that occurred in 1988, 1990 and
15 1997?

16 A. That's correct.

17 Q. And just so that we understand the context, we're
18 dealing with Gryffe Children's Home and we know that it
19 was operational from around 1950 through till its
20 closure in 1999, I think?

21 A. That's correct.

22 Q. And in that time there were three local authorities with
23 responsibility for the establishment. Firstly, Glasgow
24 Corporation between 1950 and 1975, local government
25 reorganisation. Thereafter, Strathclyde Regional

1 Council was responsible between 1975 and 1996?

2 A. That's correct.

3 Q. And then for the final three years, responsibility lay
4 with Renfrewshire Council; is that right?

5 A. That's correct.

6 Q. And it's fair to say, I think, at the time that this
7 document was submitted, Renfrewshire Council didn't have
8 a lot of information about the operation during the time
9 of Glasgow Corporation or, indeed, Strathclyde Regional
10 Council?

11 A. Yes, so the -- when we received the request to complete
12 the Section 21 response, our team looked to see what
13 records we held and we didn't have significant records
14 in relation to Gryffe, and we certainly didn't have the
15 very early historical information from the Glasgow City,
16 and similarly for the regional council dates.

17 Q. Yes, and I think what you said there was there were
18 really no official records you were able to unearth for
19 periods when Gryffe was operated by the corporation?

20 A. Yeah.

21 Q. Or, indeed, by Strathclyde Regional Council?

22 A. Yeah.

23 Q. So much of what you have told us in that was more the
24 post-1996 period?

25 A. It was. It was where we had either direct knowledge or

1 some reference in council documents or files or children
2 that we were still working with. And I think that's one
3 of the challenges, I think, that the Inquiry probably
4 faces, that if you think about Gryffe in the 50s and 60s
5 and 70s, mainly children from Glasgow who would be born
6 in the responsibility of Glasgow Corporation.

7 In the Strathclyde days, children could come from
8 any of the areas of Strathclyde and in fact we know that
9 they did, so there would be children from all over the
10 former Strathclyde.

11 In the '96 to '99 period, then the children were
12 exclusively the responsibility of Renfrewshire Council,
13 because they were Renfrewshire residents.

14 Q. I don't know whether you can help us, do you know why
15 Glasgow chose to start up a children's home in
16 Renfrewshire near Bridge of Weir? It's not far from the
17 city, but it's out of the city and very different from
18 the city.

19 A. It is, and I suppose if you reflect on some of the
20 history of residential care in Scotland, a number of
21 care homes and residential schools were established in
22 the countryside. I think there was probably a view at
23 the time that children were being rescued sometimes from
24 the squalor or challenge of living in a city. The
25 availability of big houses, and Gryffe was a very large

1 building, a very imposing building.

2 So I think what happened is that the corporation on
3 occasion would be gifted or would buy a building and
4 would send children, and the countryside was seen as
5 a place where they could grow and flourish, not
6 necessarily -- we now know that to be true.

7 Q. It was a bit like the concept of boarding out in the
8 Highlands and islands?

9 A. Absolutely, yeah.

10 Q. And Glasgow children went there also to a foster
11 care-type of arrangement?

12 A. That's correct. And I think that, again, if you look --
13 my Lady, you may recall that I worked in the Glasgow
14 area of Strathclyde for a number of years, and the
15 nature of the houses that were purchased to be
16 children's houses were either large houses that had been
17 left to the council by perhaps the tobacco barons, that
18 type of person, or when those houses were being sold,
19 families weren't purchasing big houses. So you'll
20 recall, I mentioned a children's house called Fairfield,
21 it was two great big properties in the south-west of
22 Glasgow that had an adjoining corridor. Glen Rosa
23 was the same. Big houses that were lying empty, so the
24 council got them.

25 I think Gryffe, as I say, that vision of sending

1 children to the country, not too far but sufficiently
2 distanced to provide a buffer.

3 Q. And yet I think we heard from a witness yesterday,
4 Carol McCaig, that when she went there, she described
5 it, certainly when she went in 1998, as unwelcoming and
6 might have been a terrifying experience for a child
7 going there, certainly at night, but perhaps at any
8 time?

9 A. I think that the building itself was imposing. I think
10 that the distance was certainly concerning. I think
11 even by the point where Carol was referring to her
12 experience, the driveway, the drive out, all of those
13 types of things make it difficult to get to. It's not
14 a particularly accessible building. So it was probably
15 a decision made by people who did not think about those
16 as consequences. They only saw a place for children to
17 live.

18 Q. I think she also said that she certainly was clear that
19 by the time she went there, it was totally unsuited by
20 layout and design to be a children's house or home, and
21 indeed it provided opportunities for someone who was
22 minded to abuse children physically or sexually, it
23 provided opportunities because of its layout for that to
24 happen.

25 A. So again, if you consider that the property at Gryffe

1 wasn't built as a children's house. It was a family
2 home, it was a mansion-type home, so it had servants'
3 quarters, it had nooks and crannies, it had a lot of
4 different connections. So actually it was a very, very
5 challenging building to manage --

6 LADY SMITH: Was it known as a castle?

7 A. It was, yes, my Lady, and folk often talked about the
8 Gryffe Castle. So I think that just again gives you
9 an indication of how physically imposing the building
10 was and, you know, the fact that there are multiple
11 entries, there were very large bedrooms, which meant
12 that multiple children who were not always related were
13 sharing those bedrooms. So I think that the building
14 itself became a challenge.

15 Was it -- I suppose I would reflect back and say,
16 was it ever suitable to a children's house? Probably
17 not. But certainly by the 1990s, when Renfrewshire
18 Council was doing its review of how we were providing
19 residential services, that was one of the reasons we
20 decided that Gryffe was going to close. It was too
21 large, it was too imposing --

22 LADY SMITH: But I suppose at the time, and when I say 'the
23 time', I'm looking back to the '50s when they're making
24 the decision to take on the place, it would seem to have
25 lots of space to accommodate lots of children, if that

1 was what was required?

2 A. I think absolutely, and again I would reflect on some of
3 those other establishments that were around at the same
4 time. There were large numbers of children who were
5 being accommodated. So I don't think there was
6 sufficient thought given in any of those types of
7 establishments to privacy or dignity of children. But
8 it was large. It meant that lots of children could be
9 in the same place and you could, in theory, supervise
10 them, but I think it did expose lots of vulnerabilities
11 in the service as well.

12 LADY SMITH: And when it goes back to the original decisions
13 made by the local authority, do you understand that any
14 of it was affected by the idea of getting the children
15 out of the city where it was dirty, where it was smoky
16 and polluted, into clean air and fresh country
17 atmosphere for the sake of their health?

18 A. I think that's one of the points I was attempting to
19 make, was I think that it was probably made with the
20 best intentions, my Lady. So the countryside was seen
21 as a place where children could flourish, they could
22 grow. The city itself in the 50s, I think, would have
23 been seen as a place where there was that smog, that
24 grime, there was obviously reorganisation in terms of
25 the layout of the areas. Places like the Gorbals

1 ultimately through the 60s and 70s lost parts of their
2 community to the motorway. So I think there was
3 a period where the countryside was seen as a place where
4 they were giving children chances. I think the
5 schooling would have been seen as being slightly better.

6 So there was a number of things that I think, when
7 you look at the history of residential childcare, there
8 would have been good intentions.

9 LADY SMITH: Yes.

10 A. But it's then later, how did that manifest and was that
11 delivered.

12 LADY SMITH: Indeed, and, of course, if we're talking 1950,
13 many dreadful diseases were prevalent, polio --

14 A. Polio.

15 LADY SMITH: -- for example, whooping cough for example.
16 Pre-vaccination.

17 A. That's correct, my Lady.

18 LADY SMITH: And children in deprived circumstances in the
19 city would be peculiarly vulnerable physically to
20 picking up these diseases, to say nothing of the usual,
21 sad to say, the usual infections with lice, nits and the
22 like.

23 A. That's correct, and I think, my Lady, that there
24 potentially at the time was what I would call a 'rescue
25 complex', where you absolutely seen the services

1 attempting to rescue children from certain circumstances
2 at home, which were seen as poorer than what could be
3 offered in state care.

4 LADY SMITH: Yes. Thank you, John.

5 Mr Peoples.

6 MR PEOPLES: I think we know that Gryffe Castle, as it was
7 once known, was built around the mid-19th century. It
8 was purchased or acquired in 1950 and that was before
9 the post-war regeneration of Glasgow. There was quite
10 a big movement in the 50s and early 60s to try and
11 regenerate Glasgow after the war. And we were told in
12 Gryffe's case by one applicant that once it got some bad
13 publicity in the 60s, it was rebranded as Gryffe
14 Children's Home. I don't know if he's correct in that,
15 but one can see perhaps sometimes why that is done.

16 A. I don't recall that or -- sorry, I'm not aware of that,
17 but I can see the logic in that. That often when
18 establishments have had a troubled past or you're trying
19 to change the ethos, you may in fact make a name-change.

20 And I would cast us back to the last time I was here
21 when we talked about Newfield. As we remodelled,
22 Newfield had been a 48-bed assessment unit, you may
23 recall, my Lady, and what we decided when we reduced the
24 number of beds, we wanted to break that connection to
25 Newfield and we reramed the unit as Rowanlea, So I think

1 you can see where that would happen.

2 Q. And of course, we're talking about large houses in the
3 country, which were quite a favoured form of institution
4 in past decades and we weren't yet at the stage where
5 the large institutions, like Quarriers and Aberlour and
6 the like, which held many hundreds of children at times,
7 were being dismantled in favour of group homes, smaller
8 units and so forth. That was much more into the 60s --

9 A. Yeah.

10 Q. -- and then to the era of diversification from the big
11 places to small -- smaller units with fewer children.

12 A. And I think that it's actually probably only in the last
13 15 to 20 years that we've seen that progress even
14 further to children's houses, perhaps no more than four
15 or six children in a children's house now, compared to
16 the 1960s, the 1970s, the 1980s, the 2000s, that they
17 previously were accommodated in the same accommodation.

18 Q. And in the community --

19 A. And in the community.

20 Q. -- in a community setting?

21 A. In a community --

22 Q. So they're not in the middle of nowhere?

23 A. That's correct.

24 Q. So going back to your Part B response, you tell us,
25 I think there, about three matters, two of which were

1 related to staff. There were allegations made in 1988
2 and again in 1990 about two particular members of staff
3 at Gryffe and they were investigated, and I think the
4 council's position was that they were appropriately
5 handled, these particular matters, and that based on
6 these alone, there was no evidence of any systemic
7 failure to protect children from abuse; is that -- that
8 was the council's position.

9 I'll come to where we are now --

10 A. Yeah.

11 Q. -- but that's, I think, the essence of what was being
12 said?

13 A. That, I think, was based on a review of the information
14 that was available, and people, I think, looked at that
15 as two separate incidents and therefore saw no linkage
16 and no evidence of linkage so made the decision that it
17 had been dealt with appropriately.

18 Q. Whereas it's important to look at the bigger picture and
19 a broader sweep to get maybe a true picture of the
20 reality of life for children in care?

21 A. I think it is, and I suppose, as I look at where we are
22 now, for example if the Care Inspectorate was working
23 with a local authority to look at incidents in the
24 house, or even for an individual child, they would
25 encourage cross-referencing through the chronology.

1 They would be looking to see if there were patterns.
2 I don't think there was probably as inquisitive a mind
3 in 1988 and 1990 as there would be today.

4 Q. Yeah. And if we just touch on briefly these two cases,
5 I'm not going to spend a lot of time, but the first case
6 involved a residential care worker, I think, was
7 reasonably senior --

8 A. That's correct.

9 Q. -- in terms of service, who was suspended in 1988
10 following a discovery of essentially love letters to
11 a 13-year-old female resident?

12 A. That --

13 Q. That's the essence of what --

14 A. That's the information we had.

15 Q. And that he was suspended when this discovery was made?

16 A. That's correct.

17 Q. And that in his case, he took his life -- his own life
18 shortly afterwards?

19 A. After the suspension, that's correct.

20 Q. Very shortly afterwards?

21 A. That's correct.

22 Q. The second incident involving staff in 1990 was
23 a situation where disciplinary action was taken against
24 a person, **REU**, I think he was known
25 as --

1 A. REU .

2 Q. -- REU , who was another long-serving employee?

3 A. That's correct, yes.

4 Q. And he was issued with a written warning because of

5 inappropriate contact of a sexual nature with two female

6 residents?

7 A. Yes.

8 Q. Essentially?

9 A. That was the information that was in the record and, if

10 you don't mind me saying, that when you read that, you

11 can't help but be horrified at a written warning for

12 that type of incident involving children, from a member

13 of staff.

14 Q. I think you'd say today he'd be dismissed for that,

15 probably?

16 A. I think that today we would have a more formal approach

17 through the discipline process. I would be shocked if

18 on the basis of that information, that that individual

19 wasn't dismissed today.

20 Q. And I think in his case, this was an example of parallel

21 proceedings, where disciplinary proceedings were taken

22 by the council?

23 A. Yeah.

24 Q. But there was also a separate criminal investigation [REDACTED]

25 [REDACTED]

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[REDACTED]

A. That's correct.

Q. And I think what happened in essence was that [REDACTED]

[REDACTED]

A. Yes, and I think we know that corroboration continues to be a challenge for sexual offences to date, with some improvements in recent years.

And I think that that does show you the particular difficulties when you are looking to get a criminal conviction, and often I say to staff, if we have a case where you have an individual where there are these dual processes going on, then our standard of proof in the employment world is different from the criminal proof.

So [REDACTED] against that man, [REDACTED], [REDACTED] [REDACTED], [REDACTED]

[REDACTED] there was sufficient evidence for dismissal in this case.

1 Q. And the standard of proof would be balance of
2 probabilities, not beyond reasonable doubt?

3 A. That's correct.

4 LADY SMITH: And you'll be tested in the end of the day as
5 to whether you acted as any reasonable employer would in
6 the circumstances.

7 A. Through a tribunal, possibly.

8 LADY SMITH: And in the authority's circumstances, as
9 a reasonable employer, they have to take account of the
10 powerful duties, important duties, they have towards
11 children and protecting them.

12 A. That's correct, my Lady.

13 MR PEOPLES: Because I think you recognise, and it's
14 something that others have brought up, including
15 Carol McCaig, as the thorny issue of both the making of
16 allegations which are eventually not determined --

17 A. Yeah.

18 Q. -- because, for one reason or another at the time, and
19 the person moves on, and what can be done about these
20 allegations or what weight can be attached, who could be
21 told about them; and there's also the separate issue of
22 if you give a written warning, six months, then the way
23 matters are handled is that that warning is expunged
24 after the expiry of the period. These are two problems,
25 and do they remain problems today?

1 A. So I think that probably -- one of them does remain. So
2 the issuing of disciplinary proceedings, so if a written
3 warning's given, it would still be expunged from
4 a record after six months, then a written warning after
5 12 months. You would expect those only to be used in
6 relatively minor elements of the disciplinary process.

7 I think what probably has changed, and I know it
8 sounds probably shocking to say this, in October 1990
9 I still don't think we believed children as much as we
10 do today. We hear children's complaints very
11 differently.

12 The powerful relationship that my Lady, Lady Smith,
13 mentioned in relation to the employer, the employee in
14 these circumstances had a much more powerful
15 relationship over children. I think it's much more open
16 today and the member of staff would not necessarily be
17 believed if they just denied the circumstances, as this
18 man did.

19 Q. And there's a lot of practical things, because I think
20 some of us are familiar from our own experience of
21 a situation where if an extreme -- a more severe
22 sanction is taken, like dismissal, inevitably in
23 a public sector, unionised environment, there's
24 an appeal to the council. And it's not unknown,
25 I think, in your experience and indeed mine, that the

1 councillors faced with that situation do, not
2 infrequently, decide to replace the extreme or the
3 severe sanction with a lesser sanction. Is that, in
4 your experience, common?

5 A. That's correct, and I have to say I've been a long-term
6 trade unionist all my life practically, my Lady --

7 Q. Am I asking the wrong person?

8 A. No, no. So I believe in the need to have a really
9 balanced approach. I do think there's an added
10 protection for public sector employees in local
11 government where we have an appeal, if you're dismissed,
12 you have a right of appeal to the local authority
13 elected members, the councillors who make up a review
14 panel. If you work in the private sector you wouldn't
15 have that, you would need to go to an industrial
16 tribunal, employment tribunal.

17 So we have experience of elected members overturning
18 decisions of dismissal and that can raise significant
19 challenges for the management side of the council, which
20 I'm now part of, because you could -- you -- managers
21 don't make decisions to dismiss employees lightly. We
22 take those decisions incredibly seriously. So if
23 I'm sitting in a tribunal, or a disciplinary hearing,
24 sorry, and I believe that the dismissal is required,
25 it's a significant breach of trust between the employee

1 and the employer. It really is gross misconduct. And
2 it's very difficult if the elected members reinstate
3 that member of staff.

4 LADY SMITH: John, I don't need to go into the detail, but
5 I didn't appreciate that there was this extra level of
6 appeal available within the public sector.

7 If an employee of the council appeals against the
8 council's decision to dismiss, and they take it to the
9 members of the council, is the basis for that appeal
10 purely on an issue of law, as it would be if it was
11 an appeal to the Employment Appeal Tribunal from the
12 tribunal, or can they open up the whole case again?

13 A. Basically they can open up the whole case, my Lady, so
14 it's not -- because the elected members are not legally
15 qualified, so it's the balance again that would be used.
16 So most local authorities follow the similar process.

17 And I'll just shorthand. The disciplinary hearing
18 occurs, the senior manager makes a decision to dismiss.
19 The employee has a number of days to submit an appeal.
20 They provide that information. The management side then
21 has to present their case to the elected members on why
22 you made the decision to dismiss. The employee, usually
23 their trade union, will present a case on why they think
24 that's wrong. They can basically re-enact the whole
25 disciplinary hearing and then, at the end of that

1 hearing, you have a summing up, no new evidence can be
2 introduced, and everyone leaves the room. The elected
3 members have a discussion, call people back in and give
4 you the decision of whether or not the appeal has been
5 upheld and reinstatement would occur, or whether or not
6 the appeal has failed and the dismissal remains in
7 place.

8 LADY SMITH: Right. So it is a re-hearing?

9 A. It's a re-hearing, yeah.

10 LADY SMITH: Thank you.

11 MR PEOPLES: Can I just test you on a couple of scenarios,
12 just because they're relevant to what we've heard and
13 some of the difficulties even today where allegations
14 are made.

15 If you've got a situation where an allegation is
16 made against a residential care worker involving alleged
17 abuse of a child, and for one reason or another there
18 isn't a determination, perhaps because the employee
19 jumps before a hearing can be convened and a decision
20 made, and just say that person in that situation goes to
21 a different employer, to work in a residential care
22 setting for children. If you were the -- if you were in
23 the old employment in that situation, what do you do
24 about that situation? Do you contact the new employer
25 or do you make any efforts, or do you wait for them to

1 come and ask you if there's anything you want to say, if
2 you're asked for a reference, or if you're not asked for
3 a reference, do you feel any obligation to do anything
4 like that, and do you do it?

5 A. So I think there's an additional layer of safeguard
6 today that probably wasn't around in the past, in that
7 if you work in one of the regulated care services,
8 you're required to be registered as a practitioner with
9 the Scottish Social Services Council, the SSSC.

10 So if we initiate disciplinary fact-finding action
11 against an employee, so it's the earliest stage, as
12 an employer we're required to advise the SSSC that that
13 process has commenced. And if the employee left our
14 employment before that process was completed, we have to
15 advise the SSSC that there's an outstanding disciplinary
16 matter on that person's record.

17 So when they would then -- the SSSC would have that
18 information, so when the employee moves to the new
19 employer, it would be flagged there.

20 We would also, if there was a request for
21 a reference, and that might be the only way we would
22 know where that individual has gone, most references in
23 local government now ask: are there any disciplinary
24 matters outstanding? And we would make reference at
25 that stage.

1 Q. So if you were asked for a reference, typically, if it's
2 at least a local authority is the new employer, or
3 potential new employer, there'll be a question of that
4 nature: if there's any outstanding or undetermined
5 disciplinary matters that -- before --

6 A. That's correct.

7 Q. -- the person left?

8 A. That's correct.

9 Q. And you could then respond appropriately?

10 A. Yeah.

11 Q. If it's not a public sector employer and they don't ask
12 that question and they ask for a reference, would you
13 volunteer that information?

14 A. We would explain that -- we would explain that in
15 a reference, that there was an outstanding disciplinary
16 matter, so --

17 Q. And would you expect any local authority in the scenario
18 I've given to do the same, as a matter of good practice?

19 A. I think today, in terms of good practice, almost every
20 local authority would do the same.

21 Q. And if there's a process commenced but not completed and
22 the person moves on, you've said that there's now
23 a requirement to notify the SSSC of the existence of the
24 process and indeed, if it isn't determined one way or
25 another, to let them know that fact too?

1 A. That's correct. And what we would also do is we would
2 provide the SSSC with the evidence that we had to date.
3 We would indicate whether we would have likely proceeded
4 to a disciplinary hearing, and also we can, in
5 circumstances like that, identify what the potential
6 outcome of the disciplinary hearing would be.

7 So if you look at the REU case, that case
8 would have been referred to the SSSC. If he had left,
9 it was likely that, today, that would say: 'Mr REU
10 has been alleged to have had sexual contact with
11 children in his care. We -- he left before we could
12 conclude. If this was established, it would have been
13 a dismissal'.

14 Q. And if he had left after the six months was over, would
15 you still tell the SSSC the same information and say:
16 'Actually, he got a warning. It was expunged from the
17 records, so technically it doesn't exist, but we're
18 telling you about it'?

19 A. Remember what I said was that we would tell the SSSC the
20 discipline has commenced, the fact-finding has
21 commenced, and we would advise them of the outcome. So
22 they would have received information --

23 Q. So they would know anyway?

24 A. -- that the written warning had been issued and that
25 would have probably closed it. So there remains a bit

1 of a vulnerability.

2 I think the other --

3 Q. Well, sorry, can I stop you there then?

4 A. Yeah, yeah.

5 Q. Just taking that situation, what I'm interested in as
6 well -- and you may not be able to answer this, this may
7 be a question for the SSSC: in either scenario about
8 notifying, either about an uncompleted process that
9 started, or a process that was completed with
10 an outcome, and you give that information to the SSSC
11 and the person moves on to another care job with
12 children, what exactly does the SSSC do with that
13 information? Do they keep it? Is it available? Do
14 they disclose it and in what circumstances? Do we know
15 that?

16 A. Yes. So if the SSSC has opened what they would call
17 a Fitness to Practise investigation, and the employee
18 has moved before that's completed in relation to that
19 employer, then they would notify a new employer.

20 So we've had experience where a worker has applied
21 to Renfrewshire. When we have been conducting those,
22 the SSSC would write to us to say: there was
23 an outstanding matter, has that been raised with you?

24 Q. But in any of these sort of scenarios, this type of
25 allegation, would they inevitably open a Fitness to

1 Practise once they were notified of a process begun?

2 A. When a referral goes in to the SSSC, they're required to
3 consider whether a Fitness to Practise is required. So
4 they will do a bit of an assessment about the nature of
5 the allegation, but they -- they do two things: if
6 an individual registrant on the SSSC register is
7 referred to them for Fitness to Practise, they will tell
8 that individual. They will also tell the employer and
9 they will ask the employer for some information. So
10 they may say: 'The individual's been referred for X, Y,
11 Z. Do you have a view as an employer in relation to
12 that?'

13 They then decide whether they're moving to a full
14 Fitness to Practise full investigation and potentially
15 to a hearing.

16 Q. By them?

17 A. By them, yes.

18 Q. But if they decide in their wisdom not to do that, is
19 anything going to happen to that person if he moves on,
20 if it's unresolved?

21 A. I think it becomes incredibly difficult, because you
22 then have the regulatory body who say that they don't
23 believe that has impinged on that individual's ability
24 to practise as a residential child carer or as a social
25 worker or as a manager in residential services. So they

1 have made a decision that they're not impinged. As the
2 employer, he's no longer in your employment so you have
3 no control, so that would then fall to the new employer
4 to decide whether or not that was relevant in relation
5 to their role, and --

6 Q. Sorry, maybe I'm missing this, but if they say, 'We're
7 not going to do a Fitness to Practise investigation',
8 and there's not a determination, but they know that
9 there's been allegations and a process started, but they
10 don't want to take their separate investigation, and
11 then the new employer -- will they still tell the new
12 employer what they've done?

13 A. The --

14 Q. Or can the new employer be ignorant of that whole thing?

15 A. If they've made a determination not to take it to
16 a Fitness to Practise, the new employer would likely be
17 unsighted on that.

18 Q. And let's just say then, six months later, a similar
19 allegation is made by someone, a child, in a setting
20 that's run by the new employer, that creates a problem,
21 doesn't it?

22 A. It does. However, at that point, when they refer to the
23 SSSC, the SSSC could say: there was a previous referral
24 here but we took no action.

25 Q. If they kept the information?

1 A. They would. They would retain it. They do retain that
2 information.

3 Q. That's reassuring at least.

4 A. Yeah. Yeah.

5 Q. Oh yes, sorry, there was one other question I wanted to
6 ask you about that -- these various possibilities.

7 There is something that's -- is it a list of
8 unsuitable persons for working with or having access to
9 children --

10 A. Yeah.

11 Q. -- that's maintained --

12 A. So that --

13 Q. -- under the current arrangements. How does that fit
14 into the scenarios I've given? What would happen with
15 that? Would a person go on that list in the situation
16 where there's an uncompleted process?

17 A. So the process for the, sometimes shorthand known as the
18 'barred list', is under the Disclosure Scotland. So
19 it's the Protection of Vulnerable Groups legislation.

20 They wouldn't in those circumstances, because the
21 Disclosure Scotland will take a referral for an employee
22 at the point the disciplinary action has completed. So
23 if you sent information saying that 'We started
24 an investigation but have been unable to complete it',
25 I'm unclear what their position would be.

1 Q. So that's maybe something that needs to be at least
2 looked at and considered.

3 The whole thing we've been discussing today seems to
4 me to be something that all of the people involved with
5 a relevant interest should be sitting down and looking
6 at the various scenarios and saying: 'Well, is there
7 a gap here?'. Or: 'Do we think we're covered for all
8 possibilities?' And not losing sight of valuable
9 information about allegations even if they're not being
10 determined. Is that not a relevant matter for
11 discussion?

12 A. I think it's certainly something that would be worth
13 consideration. I think that the PVG scheme, where
14 an individual who is a registrant is convicted of
15 an offence, they would tell the employer, but that goes
16 back to the conviction. There is a lower level where if
17 you have an investigation of a serious matter, that the
18 employer is required to report and they would then
19 consider that.

20 So I do think there is a gap around if someone moves
21 before that's complete, because I really am unclear on
22 how they would progress that.

23 Q. But at least we can say this: that apart from the
24 police, who keep intelligence, which can sometimes be
25 very useful when checks are made, it would appear that

1 the SSSC, if your understanding is correct, keep
2 an intelligence as well that could be available, if
3 used, and if people knew it was available to be
4 accessed?

5 A. Only if the person came back to their attention for
6 another matter. They do -- I'm not 100 per cent sure of
7 their full retention record, but as long as the person
8 is registered with them, they would retain that.

9 Q. Okay.

10 A. Actually, just very briefly, I just recalled, as
11 recently as this week actually, I received
12 correspondence from the SSSC in relation to an employee
13 who is retiring and has cancelled their registration,
14 and they notified me, as the lead countersignatory for
15 the local authority, that the individual was asking to
16 have their name removed from the register and asked me,
17 were there any outstanding matters that they required to
18 know before they agreed to that removal.

19 So certainly for the SSSC, I would argue that they
20 have a safeguard to protect and continue to ensure that
21 any processes that are not complete have a way to be
22 looked at by them.

23 Q. But that person being removed from the register would
24 not be able to practise with children in care?

25 A. That's correct, but that also would allow them to

1 consider if there was action that they would want to
2 take. Because although they have decided to remove
3 themselves voluntarily from the register, if they were
4 to re-apply, the SSSC would have that information and
5 would have relevant records to make an informed decision
6 about whether they would agree to a period of
7 registration or not.

8 LADY SMITH: I was wondering, John, whether the response of
9 SSSC could be: 'No, we're not going to allow you to
10 de-register because we have concerns that we're
11 duty-bound to take to a Fitness to Practise Panel'.

12 A. That was my reading of the letter, my Lady.

13 LADY SMITH: Yes. And if they did that, and the panel
14 decided this person was not fit to practise, then that
15 would be a bar to the person getting back on to the
16 register at a later date?

17 A. That's correct, my Lady.

18 LADY SMITH: That would be the best protection?

19 A. I think so, yeah.

20 MR PEOPLES: But does that provide protection for that
21 person getting access in a non-care role to children, if
22 they're de-registered?

23 A. It doesn't, but they would not be able to work in the
24 care sector and the regulated sectors. That includes,
25 for example, early learning and childcare, care at home,

1 but it only applies to children in that circumstance.
2 They could apply for registration as an adult, but if
3 you've been removed as a registered worker in children's
4 services, that would be relevant for your application in
5 the adult world.

6 Q. But if they wanted to abuse children, that doesn't bar
7 them to do it; it just -- it removes certain avenues of
8 opportunity to abuse. Is that the reality?

9 A. Yes, I think that if you consider where individuals
10 would have opportunities to abuse children, then you
11 can't provide entire safety, but you're removing them
12 from those areas where their work would give them
13 opportunities to undertake that.

14 LADY SMITH: Well -- sorry, Mr Peoples, if I can just
15 interject this while it occurs to me -- it was striking
16 that during some evidence yesterday, we heard repeated
17 reference to the cooks and the cleaners being kind
18 people who did see what was happening in Gryffe to the
19 young people.

20 If you applied for a job in a care home of some sort
21 where there were children to be a cleaner, for example,
22 would you be able to do that?

23 A. So, cleaners are not registered with the SSSC, nor are
24 cooks. However, they are part of the Protection of
25 Vulnerable Groups legislation, so all cleaners, cooks

1 would require to be vetted by Disclosure Scotland.

2 So again, there probably is a gap about the number
3 of different groups who can look at that, but you would
4 be looking from the employee application to see what
5 they're telling you about their history, and if they
6 indicated that they had worked in a children's house and
7 had left, then the question would be: why are you
8 applying to come in as a cook?

9 But again, that would depend on the employer having
10 some visibility and awareness of that type of issue.

11 LADY SMITH: And of course, going back to disclosure, that
12 will depend on what level of disclosure is required for
13 a cook or a cleaner, as compared to somebody working
14 directly with children, and I don't think you need
15 enhanced disclosure for the cooking and cleaning jobs
16 for my example?

17 A. So I think every local authority will have their own
18 standard on that.

19 LADY SMITH: Okay.

20 A. In Renfrewshire, we're very clear that whilst they're
21 not doing formal care of children, they could have
22 unsupervised access to children within our
23 establishments.

24 So we have all of our cooks, so they're an essential
25 part of the team, so they are disclosed to the same

1 level as I'm disclosed. The cleaning staff are the
2 same. In our schools and early learning childcare
3 centres, our cleaning staff and cooking staff are
4 disclosed to the same exposure because there is
5 a potential that they would have unsupervised contact
6 and access to children and that position of trust that
7 could therefore be abused.

8 LADY SMITH: Is it the same for building maintenance staff?

9 A. It's -- actually, that's a question I couldn't answer.
10 I can find out, my Lady. But certainly for, as I say,
11 I know very formally for our cleaning and cooking staff.

12 The building maintenance are not always
13 unsupervised, but it's a question I'll go back and I'll
14 find out.

15 LADY SMITH: Thank you.

16 Sorry, Mr Peoples.

17 MR PEOPLES: Do you happen to know whether Renfrewshire's
18 practice is followed by all other local authorities or
19 have they got a discretion?

20 A. I don't know that. I mean --

21 Q. Could you make some discreet enquiries?

22 A. I certainly can. I can, yeah, yeah, I can check that
23 out. I would think that most employees and local
24 government are now very sensitive to that, but
25 I couldn't give an answer that says 'yes', so I will

1 find out and pass information back.

2 Q. Just for the benefit of those listening to these
3 proceedings, what is the difference between a basic
4 disclosure and an enhanced disclosure, in terms of its
5 value?

6 A. So a basic disclosure will provide, in the main, only
7 information in relation to formal convictions. Whereas
8 an enhanced disclosure will provide information in
9 relation to convictions of all natures, including spent
10 convictions. So the disclosure would not necessarily
11 tell you about a spent conviction, so one that has
12 expired. A full disclosure contains all of that, any
13 conviction at all in your history, even if it's spent,
14 but it also does have space for information about
15 outstanding issues or intelligence that's held.

16 So the enhanced disclosure, as it's often referred
17 to, provides additional information that gives
18 an employer a much more in-depth scrutiny and risk
19 assessment ability, to assess whether or not that person
20 is safe.

21 I always say to staff though, we also need to know
22 that this is only information that's known by the
23 authorities at that particular time. So there could be
24 information that's out there about an individual or
25 their behaviour that we're unaware of, but it's one of

1 the additional safeguards.

2 Q. Well, I suppose David Murphy, when he applied for a job
3 at St Margaret's in 1960 as an ex-police officer,
4 previous experience in a care home and some
5 qualifications, even today would have probably got past
6 these hurdles?

7 A. That's correct, because he didn't have those convictions
8 or that intelligence, and unfortunately, until some
9 times when someone does create that actual physical harm
10 or there's an awareness of multiple complaints, you
11 don't have that.

12 Q. Yes. And just going to look at the change over time,
13 I suppose that if there are these hurdles in accessing
14 children and all these safeguards, I suppose what
15 unfortunately is a by-product of that is that some of
16 these individuals have changed their modus operandi and
17 they use online activity to access children in the
18 community by various means, and having done that, they
19 can perhaps do the sort of things they used to do when
20 they were employed in care homes or children's homes?

21 A. I was driving to the office yesterday, my Lady, and
22 I was listening to Radio Scotland and they were talking
23 about the UK Government's consultation on children's
24 access to social media channels. And I missed the
25 period, but they talked about 1,000 referrals in

1 relation to online abuse by adults against children as
2 being one of the biggest challenges facing -- I wasn't
3 sure if that was a week, but it wouldn't surprise me, in
4 terms of volumes across the UK. In fact it would
5 surprise me if it was only 1,000 a week, but it was
6 certainly a figure that was used, so it might be worth
7 us checking that out.

8 Q. And in terms of online activity, in the modern world,
9 children in care have access to social media and
10 therefore they can, to some extent, can they not, even
11 today, be approached through online activity by people
12 who are ill-disposed?

13 A. They can, and there's a real dilemma for us as the
14 people charged with those young people's care, because
15 what you're trying to do is create as homely and
16 nurturing environment as possible and for many children
17 then, you are looking at having access to WiFi.

18 We cannot police the WiFi in the sense that we would
19 monitor every action that a young person takes, because
20 of the degree of trust, but like a good parent, the
21 council employees will talk to young people about the
22 safeguards. We will encourage them to use those parent
23 monitoring-type locks that you can put on accounts.

24 I have to say that my experience of children and
25 young people is they're much more adept at technology

1 than I am and that they can find ways round that. So
2 I think that's why the UK Government's consultation
3 about access is an incredibly interesting development
4 and one that we certainly will be considering within
5 Renfrewshire about our response to that consultation.

6 And in fact, we have our Renfrewshire Child
7 Protection Committee on, I think, 10 March and this
8 is -- the UK consultation about online abuse is one of
9 the items on the agenda that day, to get a partnership
10 view on our response.

11 Q. And can I just ask you this. I'm running ahead a little
12 bit and I'm not wanting to discuss it just yet, but we
13 heard the evidence yesterday about Gryffe and when
14 Carol McCaig went there and things that were happening
15 to girls in the community and potential, or probable,
16 child sexual exploitation. I think you're aware of that
17 evidence.

18 A. I am, yes.

19 Q. And seen her statement. There's some talk about
20 telephone numbers that were being used to access the
21 girls in Gryffe?

22 A. Yeah.

23 Q. Would that be their own mobile phones?

24 A. So --

25 Q. Or would it have been then?

1 A. No, it probably wouldn't have been mobile phones at that
2 particular time. It would have been almost what was
3 called a 'residents' line'. So there would be the staff
4 line which would be within many of the children's houses
5 in the staff office, and there would be a separate line
6 that would be used for children and young people
7 sharing. And that was, again, it was an attempt to make
8 the care home establishment a bit more homely, so you
9 don't want to pick up the phone and say: 'Hello, Gryffe
10 Children's Home'. So there was a second phone that
11 people would just use the number, so they would say:
12 0141 or whatever.

13 Q. So in that scenario, at least then, a person with the
14 number of the phone, the residents' phone, could
15 suddenly phone up and say: 'This is Bridge of Weir
16 Takeaway, I want to speak to so-and-so'?

17 A. They could, and usually -- I mean, in a sense, the phone
18 would still be in the staff establishment and for many
19 years, if you think back though through the 90s, most
20 phones were still relatively desk-based. But as they
21 became more mobile, even before the mobile devices we
22 all have today, the child could then take the phone
23 outside the room, it wouldn't necessarily be supervised
24 by the member of staff. So that would all be
25 a vulnerability. And today, unfortunately, children do

1 have -- or, not unfortunately, because mobile phones are
2 also a protective device for some children and help them
3 be connected. But there is a vulnerability around how
4 technology has advanced, and phones and the internet
5 have made our children more vulnerable.

6 Q. So if these girls, if someone had their mobile phone
7 number today, they would be carrying a phone in the
8 residential unit, they could be contacted directly by
9 an individual who has their number and staff wouldn't be
10 any the wiser?

11 A. That's correct, and that is part of the privacy and
12 rights that children have. And today, what you would
13 hope is that staff therefore are considering other
14 aspects about their knowledge of where children and
15 young people are going when they're out of the house,
16 how they stay in touch, being aware -- I mean, when
17 I read Carol's statement, it distressed me that staff
18 were seeing young people in clothes that hadn't been
19 bought by the children's house. No enquiry about where
20 the money was coming from that allowed them to buy those
21 equipment -- those clothes, when you see gifts coming
22 in.

23 So staff, I think, are much more aware, but there is
24 a vulnerability.

25 Q. Okay.

1 I've kind of digressed away from your section, your
2 Part B response --

3 LADY SMITH: I think I'm as responsible as you, Mr Peoples,
4 but it's all very valuable.

5 MR PEOPLES: No, I think it's important because I think
6 we're trying to drill down to what happens today, and
7 of course we're being asked to look at whether further
8 improvements can be made, and there are clearly areas
9 we've just discussed which require serious discussion,
10 even if there won't be universal agreement on the
11 solution?

12 A. I think so. And actually I think last time I was here,
13 I think Lady Smith asked me a question about mandatory
14 reporting and, you know, it's still not resolved
15 entirely.

16 So I think that we always need to be reflecting to
17 see how can we constantly improve and can we identify
18 vulnerabilities. And yes, there have been many
19 improvements, but that doesn't mean to say that we can
20 be complacent and step back. And if we do identify
21 an area where an improvement is required, then we should
22 certainly take action to address it.

23 Q. And I don't suppose, on the subject of mobile phones,
24 that you can do what some authorities, education
25 authorities are doing, I don't know whether Renfrewshire

1 does the same, is to remove the phone during school
2 time?

3 A. So Renfrewshire, certainly in some of our schools, the
4 phones are put into storage during class time. It's
5 much more difficult in, for example, a residential
6 children's house to do that. However, staff will work
7 with children and young people about access to their
8 phones. So some young people, there will be decisions
9 made as part of a safe care plan, if a vulnerability has
10 been identified, for that child to voluntarily provide
11 their phone to staff to restrict their access.

12 But they'll get access to it at some point. So they
13 might not be contacted when they're actually in the
14 house, but they get their mobile phone, they go to the
15 local shopping centre at Braehead, they're immediately
16 contactable.

17 So there are big vulnerabilities around that phone.

18 Q. They might get their mate to give them their phone?

19 A. That would be another possibility.

20 Q. So it's very easy to --

21 A. And I think --

22 Q. -- get round these restrictions.

23 A. Yeah, and I think these vulnerabilities exist for
24 children at home as well as children in residential
25 children's facilities.

1 And I think that is why the current consultation,
2 I think, will throw up some challenges, because you have
3 that expectation. You have children talking about
4 a right to maintain relationships with other people.
5 The mobile phone can be one way of ensuring that occurs.
6 So there's all of those different balances. But there
7 remains a vulnerability that probably wasn't there in
8 1990, when Gryffe was being contacted by adult men.
9 However, what you have is a changed perspective of
10 vulnerability.

11 Q. Because I think there was a time probably when calls
12 were monitored?

13 A. There was a call log maintained in many establishments,
14 so calls would be, and as I said, because it was a fixed
15 desk phone, there would be a member of staff in the
16 office at the same time the call was going on. There's
17 an issue there about privacy if you're phoning your
18 parent or your brother or sister and you're having that
19 call monitored, because we need to remember that
20 children who are in our care establishments are not
21 there generally because they have been convicted of
22 offence. A very small number in secure care perhaps
23 are. However, most children are there because of
24 a vulnerability in terms of a care need and a protection
25 need and therefore, the constant monitoring of their

1 communication would not be something that would be
2 undertaken.

3 Q. And in the modern era of human rights, we've got these
4 great issues of striking the balance and
5 proportionality, so these are challenges?

6 A. They are indeed challenges.

7 Q. Going back to the Part B, the only other matter that was
8 raised then was an incident involving a male resident
9 and a female resident, is that correct, where the male
10 resident, I think at the end of the day, was charged and
11 convicted of a serious sexual offence; is that right?

12 A. That's correct.

13 Q. Against another female resident?

14 A. Against a female resident. But also I think that the --
15 our information is it did not occur within the
16 establishment. It occurred when they were both out of
17 the establishment, but it was -- well, it was a rape and
18 a sexual assault against a young person, and the contact
19 was established when they were in Gryffe Children's
20 House.

21 Q. And I know I think in the Part B it says that the
22 sentence was imposed by a hearing. I don't think that's
23 technically right. I think there was a conviction,
24 a disposal, and the Children's Hearing in light of that
25 made a supervision order of a certain kind?

1 A. That's correct. I never noticed that. I would need to
2 change the phraseology on that.

3 Q. No, no --

4 A. Yes, the Children's Hearing would not impose; it would
5 be -- the Children's Hearing would have had the case
6 remitted to them for disposal.

7 There is also the possibility that for serious
8 offences, that the court would ask for advice and
9 guidance of a Children's Hearing and make
10 a recommendation. So the court could ultimately make
11 the final decision, but in many cases they would remit
12 it back to a Children's Hearing for disposal. And those
13 disposals would include the imposition of a compulsory
14 supervision order.

15 Q. But I think the boy in question got probation, according
16 to the --

17 A. According to that. I'd need to check that. So in that
18 case then, it was not a Children's Hearing disposal,
19 that --

20 Q. No, no --

21 A. Yeah.

22 Q. -- there was a Children's Hearing disposal I think
23 separately, but I think the sentence, if I could call it
24 that, was probation.

25 A. It was, which actually meant that he then was processed

1 through the courts for that particular offence.

2 Q. Now, you've told us about the others. So that was the
3 state of knowledge --

4 A. Yes.

5 Q. -- I suppose, that led you to submit Part B in that
6 form.

7 But you also, I think, if we move to Part D at
8 page 107, if I could turn to that for the moment. This
9 is the same document, if we just scroll down.

10 What we see there, on pages 107 through to 108, is
11 a record of -- or a list of complaints of abuse that
12 were identified by the council during the period of
13 establishment -- during the period that Gryffe was
14 operated by Renfrewshire Council. I think that was the
15 object of the exercise.

16 A. That's correct. So one of the things we found was
17 a complaints log, and the process that was in place in
18 the period where Renfrewshire ran Gryffe was that
19 children's complaints should be logged in a central
20 book. That meant that all staff had awareness of them.
21 Because again, in 1996, prior to us having electronic
22 records, you had a paper-based system. So there would
23 be a record of the complaint being made and hopefully
24 some action taken, not always.

25 What jumped out for me was that most of the

1 complaints were about peers and it therefore raised
2 a question about that -- what happened about complaints
3 about members of staff.

4 Q. Yes, because I was going to say, 14 complaints are
5 listed between 1996 and 1999, of which four are against
6 staff.

7 A. Yeah.

8 Q. Number 4, number 11, number 12 and number 14?

9 A. That's correct.

10 Q. And as you also say I think in that Part D, the
11 information was drawn from complaints logs, or logs, but
12 it's often incomplete because I don't think you're able,
13 in relation to some of these complaints, to give us
14 an outcome?

15 A. That's correct. And the other question I had, and we
16 can't -- because it is an incomplete log -- is whether
17 or not the complaint would be logged in the child's file
18 only and not cross-referenced to the establishment log.
19 So there were a few questions for me. Because
20 I certainly felt that the number, and I said it was
21 mainly children on -- peer-on-peer, that's because
22 I would have expected to have seen more complaints
23 against staff. And when you think about the Newfield,
24 there were more complaints against staff in their logs.

25 Q. Well it might tell you that --

1 A. There was a culture.

2 Q. Not that it's good news, but it's bad news that they
3 don't seem to be as confident in making complaints
4 against staff as they are against other residents?

5 A. Or there's a culture that said that: we don't record
6 fully the allegations against staff. Which is the place
7 that I went to, I'm afraid.

8 Q. Well I think the paperwork, by the time Carol McCaig got
9 there, was pretty poor generally. She instanced
10 particularly the absconders' record-keeping, but I think
11 she was making a more general point that the recording
12 habits at that stage were a 'shambles', I think she
13 said?

14 A. I think she -- that was the finding of her review and
15 I think when you see over the period of time that these
16 logs exist, it's a small number of complaints, that is
17 suggestive that not all complaints were logged
18 appropriately.

19 Q. This is not unusual, I should say --

20 A. No.

21 Q. -- because I think -- I may come to this -- but in 1967,
22 when it was investigated, allegations of excessive
23 punishment, Mr MKS produced the punishment book of
24 the time and said: 'Look, there's only so many
25 complaints. These allegations are clearly not borne out

1 by this record that is complete'.

2 But at the end of the day, the investigation decided
3 you can't rely on these records because that can't
4 conceivably be the number of incidents of corporal
5 punishment at that time?

6 A. Yes.

7 Q. And so they just rejected his account?

8 A. Yes. So I was nodding my head there because I think
9 I would agree that the first bit is you're relying on
10 the individual who hears the complaint to record it, so
11 the child themselves wouldn't record this. So you are
12 asking the individual who the child tells, to write that
13 down. So can we see that every single child who told
14 a member of staff had that recorded? I don't think so.
15 And when I looked at this, when you considered the
16 number of children within Gryffe at the time, the
17 numbers were low.

18 Q. Because, it's perhaps a lesson of history, because when
19 the Scottish Office was asking for punishment returns
20 from, I think it was probably approved schools --

21 A. Approved schools.

22 Q. -- what they were getting was a variation. Some had
23 quite a number of incidents recorded. Others were
24 saying there were no instances recorded, and that was
25 too good to be true. Even the Scottish Office realised

1 that. I mean, they were saying, I think: 'We can't
2 place too much credence on this stuff, because clearly
3 it doesn't reflect the actual situation'.

4 A. That's correct. And I think the other reflection I had
5 when we were preparing this and when I was reviewing to
6 come along today, was about how confident children would
7 be to tell. So children need to believe that they would
8 be heard, and I'm not sure in 1996/1997/1998/1999 within
9 Gryffe Children's Home that children would have been
10 confident to tell, because they were not confident there
11 would be a response.

12 I think today, our children are much more aware.
13 They are much more confident. I think one of the other
14 areas of, I think, improvement, is our expectation of
15 the external visiting to children's houses by the
16 allocated social worker.

17 So we are much clearer that we expect all of our
18 children who are in and out of family care to have
19 a care plan that states how often they should be seen by
20 their social worker; that that social worker should not
21 just visit the child in the establishment, but have
22 a place where the child can tell if there is anything
23 worrying them. That wasn't in place in 1996 to 1999.

24 Q. I think you are echoing -- that was -- Carol McCaig made
25 the point that at least in that period of time, maybe

1 unlike the historical position, social workers for
2 particular children were visiting on a reasonably
3 regular basis in most cases.

4 A. Yeah.

5 Q. But, they weren't raising any concerns.

6 A. They weren't.

7 Q. They maybe spent too much time with staff and not enough
8 with the children as well, but ultimately this important
9 safeguard, as Sheera Duncan, I think --

10 A. Yes.

11 Q. -- was saying at that time, was not operating as
12 an effective mechanism?

13 A. And that's why we were clear about the expectation, that
14 it's not just within the establishment, that you have
15 a separate place, and that the social work conversation
16 is about: does the child feel safe? Do they have
17 concerns? Do they have worries that they want to share?
18 And that is much more difficult if you're within the
19 establishment.

20 And I think in a number of occasions when you look
21 at and we read children's files, you would see that the
22 social worker did visit, but as you said, they spent
23 quite a lot of time with staff or it was a joint visit
24 with the staff member. So it was -- they would say:
25 'Today, I visited child A and worker X was there and me,

1 and we discussed the following'. Well, if you've got
2 a child who wants to tell, they need a space from worker
3 X. So that, I think, is a change.

4 Q. And I suppose if -- we had one case we've heard about,
5 I think it was read-in evidence, where there was
6 a constant social worker from almost early childhood
7 through to 21, which that person thought was a great
8 thing. I'm not sure he said as much as he should have
9 done to them, but it was stability and consistency of
10 social work engagement.

11 Whereas we've heard countless number of people tell
12 us the social worker, if they did visit, would be
13 changing quite a lot of the time and so it wasn't
14 necessarily the same person every time. And therefore
15 that in itself is a problem, if you want someone to talk
16 freely, openly, and seeing the person that they're
17 speaking to as being a trusted adult?

18 A. It's an incredible challenge. So we would expect that
19 we, when we allocate a social worker, that we only
20 change that social worker in exceptional circumstances.
21 However, we do have people who leave the organisation
22 for a variety of reasons. For a young person to have
23 a social worker for that length of time you described,
24 it probably is quite unique, because most young people
25 would face at least one or two changes of social work in

1 their lifetime, if they spent that lifetime in care.

2 But what we will try to do is make sure that there
3 is as much consistency as possible, and today -- and
4 actually it was probably the young people giving
5 evidence to The Promise inquiry, the care inquiry,
6 actually spoke about the churn in their social workers
7 being one of the things that created distrust in the
8 whole system. So we do strive to do that, but there are
9 challenges.

10 So one of the things that we try to do is make sure
11 that children have more than one trusted adult in the
12 system. So whilst you may have John Trainer allocated
13 as your social worker, you would have a second worker
14 identified either as a family support or someone within
15 John's subgroup within the team that you get to know, so
16 that you actually have more than one person available.
17 That could be the senior social worker.

18 LADY SMITH: John, it's that simple expression you've just
19 used: get to know an adult that the child can feel they
20 have got to know, so they have a relaxed relationship
21 with.

22 A. And again, my Lady, that, I think, has become -- whilst
23 we strive for that, there can be real struggles to
24 achieve that. The demands on the social work service
25 currently are probably the highest that I've seen in

1 terms of almost 40 -- I'm approaching 38 years in the
2 profession. So the demands are significant.

3 There are -- just one example. We -- if -- when
4 I worked as a frontline social worker, if I was writing
5 a Children's Panel report in relation to a family of
6 five children, I would write one report with five small
7 sections about each individual child, to try and show
8 the child as an individual.

9 Today, staff are being asked to write five different
10 reports. That's bureaucratic and we're currently
11 looking at how we can shift that. That means that staff
12 can be spending quite a lot of time on the
13 administration, and it's part of the child's history,
14 it's really important, but actually you don't get to
15 know the child as well.

16 So there is a real challenge about ensuring that
17 children have access to their worker that allows them to
18 build that meaningful relationship. And it has to be at
19 the child's pace.

20 And I do wonder if, when I compare ourselves to some
21 other professions, so for example teachers, where there
22 are allocations of what they call 'class contact time',
23 so how much time the teacher spends in the classroom
24 versus how much time they spend on administrative tasks,
25 classroom sizes in terms of what size a class should be

1 in terms of maximum number of pupils, and I think we
2 have never resolved: what does a maximum caseload look
3 like for a social worker, that allows that development
4 of that trusted relationship?

5 LADY SMITH: I can see there are many challenges. We've
6 talked also about the importance to not let your records
7 get in a shambles. So it's the balance, as you said,
8 between contact time with the children, but also
9 ensuring that you're rigorous about the record-keeping
10 as well, which is so important.

11 A. And that, I think, has become again much more relevant
12 as we've reflected back and seen where the inadequate
13 recording has left people vulnerable, that left
14 individual children vulnerable, but they've left
15 organisations with big gaps in their organisational
16 history and knowledge.

17 I think that in many local authorities, and
18 I'm going to say to my colleagues in Aberdeen city, they
19 developed a guidance a few years ago and they shared it
20 fairly widely and allowed almost every local authority
21 to mirror their guidance on staff expectations around
22 recording.

23 Councils then adapted it to make it user friendly
24 for their area. But I thought it was a good standard
25 practice, my Lady, and certainly I think there is much

1 more focus today on good-quality, accurate and
2 contemporaneous recording, so that people know what
3 happened as close to the incident as possible.

4 LADY SMITH: And it's not just for history.

5 A. No.

6 LADY SMITH: Isn't it for daily management of the child?

7 A. It's for all of that. It allows you to think how you
8 share that child's journey in care with that child,
9 because children do come back and tell us our records
10 are inadequate, they don't know why decisions are made.

11 So it's a complex task, and that's why I highlight
12 the Aberdeen model, because it was a good practice guide
13 about recording the reasons behind the decisions as well
14 as the decision itself.

15 So there is a challenge. But actually you can do
16 things well. So for example, at the end of this
17 conversation or during this conversation, we could agree
18 what we're going to write today, so that would be a way
19 that you're covering off your responsibility to record,
20 but you're also having the input from that young person
21 and their influencing, so you're killing two birds with
22 one stone in a sense.

23 LADY SMITH: Thank you.

24 Mr Peoples.

25 MR PEOPLES: We've been discussing obviously developments,

1 and clearly building good relationships between staff
2 and young people are pretty essential, and I think we
3 saw from Carol McCaig that wasn't the situation at
4 Gryffe in 1998, certainly.

5 The way you've said and spoken that there's a need
6 for the child to feel that there is someone they can
7 talk to and trust and open up to, and ideally you would
8 want, because of the social work situation, to have more
9 than one trusted adult that they could disclose to quite
10 freely their thoughts, feelings and any concerns.

11 I just wondered whether in Renfrewshire to what
12 extent -- I mean, I think the children's rights officer
13 was a bit of a failure in some ways because they were
14 seen simply as just another extension of the authority.
15 To some extent, some people in the past have thought
16 social workers were much the same, and so one
17 development was that there was independent advocacy like
18 Who Cares? and things like that.

19 A. Yep.

20 Q. Now, I don't know whether that's something that in
21 Renfrewshire is done or you rely on simply your in-house
22 workforce to perform that role?

23 A. So in Renfrewshire we have a contract with the
24 Who Cares? and with Barnardo's, so we have two
25 organisations who provide independent advocacy for

1 children who are in -- out of family care or involved in
2 the children's child protection processes. And also we
3 attempt to offer for all children involved in the
4 children's hearing system -- Children's Hearing Scotland
5 also through a national contract have advocacy services
6 available for children attending hearings.

7 And I think it's an interesting area around the
8 voice of the social worker as the child's advocate, and
9 I moved through my career on this. When I was a social
10 worker, I seen myself as advocating for the young people
11 that I worked with. And then I realised, having been
12 challenged by a few -- but also you kind of think
13 back -- I would go to Children's Hearing and I would
14 say: 'John should be accommodated in X establishment.
15 John tells me he doesn't want to go there, but ...', and
16 as soon as I said 'but', I'm no longer advocating for
17 that child. So we recognised that.

18 Now, I've got a clear professional reason for
19 recommending John be in establishment X, but he needs
20 an independent voice to say: 'Actually, this is what
21 I want. This is why I want it. This is what I want.
22 This is why I want it'. And to repeat that until it's
23 heard and acknowledged.

24 So independent advocacy is something that almost
25 every authority in Scotland has and there are a couple

1 of national contracts in place to ensure children have
2 choice.

3 LADY SMITH: So you're saying, John, if you have that
4 available, you're not putting the social worker in
5 an impossible position of professionally contributing to
6 the decision-making, say at the Children's Hearing, by
7 perhaps saying: 'I do realise it's not where he wants to
8 go, but if you're interested and you're asking me, in my
9 judgment, that's going to be the right place for him'.

10 A. Yes. That's a good summary, my Lady.

11 LADY SMITH: And you could still do that if he knows that
12 there's somebody else with responsibility for really
13 making clear to the Children's Hearing what it is that
14 John wants and why he wants it.

15 A. That's correct, my Lady. And the independent advocate
16 for the child will also attend those meetings that we
17 call 'looked-after reviews'. We tried to change the
18 terminology to 'children's planning meetings', but
19 they're formal meetings under the looked-after
20 regulations, so the independent advocate would attend
21 those meetings, they would attend child protection
22 planning meetings and again help to voice the child's
23 voice.

24 There was -- I did give some evidence recently to
25 the Scottish Parliament about the Care, Care-Experienced

1 Children Services Planning Bill and one of the questions
2 was asked: can independent advocacy be truly independent
3 if the local government funds it?

4 I genuinely believe it can. We can fund lots of
5 services to challenge what we're doing because we have
6 no aspect or control over that management. Once we give
7 the contract, we're saying the management of that
8 contract rests with the provider. And the standards of
9 service, if it fell below a certain level, we could
10 challenge the nature of that service. But day-to-day
11 operation is totally and entirely independent of the
12 authority.

13 LADY SMITH: Thank you.

14 MR PEOPLES: I think, obviously -- I mean, you wouldn't
15 expect someone facing a criminal charge to have
16 an advocate who said: 'Well, my client says this but
17 I think something else'. So an advocate, in the true
18 sense, has to be the voice of the person, putting the
19 person's position across as persuasively as possible,
20 whatever the ultimate outcome of that is.

21 Whereas a social worker, to some extent, is wearing
22 two hats and they don't necessarily -- they can't
23 necessarily be worn at the same time, and that's the
24 tension that you've described. And I suppose the idea
25 of someone like Who Cares? and Barnardo's is that they

1 should be more like the defence advocate than the social
2 worker?

3 A. I think that's a really nice way to sum it up. And
4 I think that's how they operate. And as I say, I think
5 that almost every local authority in Scotland has
6 a contract that operates similarly.

7 Some, there will be local organisations who provide
8 the advocacy, and in some areas it's those national
9 organisations like Barnardo's, Action for Children and
10 Who Cares? Scotland.

11 Q. Now, just going back to the complaints, and I'll try and
12 just finish this chapter off before I think we can
13 probably have a short break.

14 The complaints, as you pointed out, they're mainly
15 peer-on-peer complaints, and complaints of that type are
16 essentially things like assaults or alleged assaults,
17 inappropriate touching in some cases, and bullying and
18 intimidation, things of that nature are being complained
19 about.

20 A. Yes.

21 Q. So these are what people are complaining about, so
22 clearly these things, unless one takes the historical
23 attitude that children are not to be believed, that
24 presumably, whatever the particular outcomes, that is
25 perhaps evidence that these things are happening even

1 today and -- well, in recent times. And therefore they
2 have to be kept in mind and addressed so far as it's
3 possible to do so. So is that at least the evidential
4 value of that?

5 A. Yes, and, you know, if you look at the -- where the
6 log's inadequate, it doesn't tell you what the outcome
7 was in most of these circumstances. You would expect
8 a case to identify there was an outcome.

9 So, for example, the one that's at the top of the
10 page just now identifies that a worker would discuss at
11 headquarters with their line manager. And then it says:
12 'On the [REDACTED] the person was discharged to
13 their father's care'. That doesn't tell you the outcome
14 of that complaint, you know. So did the worker discuss
15 it with their line manager at headquarters? Was there a
16 change in practice? Was there a finding that the
17 complaint had been upheld or not upheld? So we do
18 encourage now a much tighter way that we record, that
19 would still have this.

20 And I think when you bring -- within families, you
21 will have sibling rivalries, so things happen in
22 families. In a children's house or residential
23 establishment for children, you're bringing together
24 often high numbers of unrelated children, often very
25 similar ages. So you will have real tensions.

1 So you do need to have a safeguard that allows
2 complaints to be recorded, investigated and the outcome
3 fed back.

4 Q. So obviously, if you're talking about an allegation not
5 against a child but an adult, and it's a restraint, for
6 example, you want a proper record. You don't want just
7 someone saying they were restrained, without telling you
8 what actually happened, who did it, how many, all this
9 sort of thing --

10 A. Yes.

11 Q. -- that we don't see in the historical records, if we
12 see a record at all?

13 A. Yeah.

14 Q. But also, I mean, I think the person or the example you
15 gave, that person was to some extent criticised by
16 Carol McCaig as perhaps not being an effective external
17 manager at that time, so -- she may well have improved
18 over time and I think that was the gist of the evidence,
19 but maybe that's a telling connection between that entry
20 and what we've been told by an independent investigator?

21 A. Yeah. And I think, again, when you reflect back, and
22 I was reflecting on Carol's evidence, because one of the
23 roles was the inspection service that operated within
24 local authorities in the sort of late 1980s/early 1990s,
25 we called them 'arm's-length inspection', but they were

1 part of the local authority and they reported to the
2 Director of Social Work or Head of Service within that
3 local authority.

4 Today, that inspection regime is entirely separate.
5 It's under the Care Inspectorate and they have
6 an independence, I think, that's important. There will
7 still be an external line manager for the children's
8 house, but their role will be different and they will
9 take complaints and they'll feed back, but you have that
10 additional scrutiny element of the Care Inspectorate
11 seeing what's going on.

12 Q. It's interesting you say that. And I'm not going to
13 take you to them, but you did give us the benefit of
14 annual reports from the inspection unit for that period,
15 and they basically painted a fairly rosy picture of
16 Gryffe and no major concerns. And then you get
17 Carol McCaig coming in during that period and basically
18 saying that almost everything that could go wrong was
19 going wrong. So one of them has got it right and one of
20 them's got it badly wrong?

21 A. And I thought that was also really interesting, because
22 the manager of the Inspection Agency was the person who
23 asked Carol to go in and conduct that inquiry. So there
24 was that contradiction. And I think that what you do
25 see is that the quality of records across the service at

1 the time were not of the standard that we would want
2 them to be, and that meant there were challenges.

3 I think that today, again, because I'm trying to
4 look forward, as well as understand what happened in the
5 past because it's really important, but trying to look
6 forward to today, I think the role of the
7 Care Inspectorate in the regulated children's world,
8 where they look at the complaints logs, they're much
9 more pressing in terms of their inquiry than I think
10 this individual officer was at that time.

11 Q. Just lastly on this record, in terms of staff
12 complaints, complaints against staff, they're
13 essentially either about restraint, there's a couple
14 about that, and also a couple of complaints of assault
15 or alleged assault. And again that gives you a flavour
16 of the sort of things that are at least being complained
17 of.

18 Unfortunately, we don't know the outcomes, but one
19 thing that did catch my eye was that in relation to one
20 of the complaints, at number 14, there's a formal
21 complaint of punching against a member of staff and also
22 that she was pushing young people about.

23 Now, we don't know the outcome of it, but that
24 person was named by Carol McCaig as one of the people
25 that caused a real concern.

1 LADY SMITH: Yes.

2 MR PEOPLES: And that person was there for quite a while.

3 A. Yeah, that's correct. And I think it was interesting
4 because even in the complaints that are recorded, her
5 name appears more than once. So that indicates that
6 there were issues about that individual member of staff.

7 And I think again when you look, you see
8 a fact-finding investigation was to take place. I have
9 to say I said: well, did it take place, and what was the
10 outcome? And unfortunately, we don't have that
11 information within the record.

12 Today, that information would be available. We made
13 a formal decision locally that, whilst our human
14 resource colleagues normally adhere to a particular
15 retention schedule that they're required to in
16 employment law, we consider that there are additional
17 protections required in relation to care staff, and
18 therefore those records would not be destroyed and would
19 be available.

20 MR PEOPLES: That's a good point, I think, to take --

21 LADY SMITH: Yes. John, I think we'll take the morning
22 break just now if that would work for you.

23 A. Yes, my Lady.

24 LADY SMITH: And sit again in a quarter of an hour or so.
25 Thank you.

1 (11.34 am)

2 (A short break)

3 (11.50 am)

4 LADY SMITH: Welcome back, John. I hope the break was
5 helpful.

6 A. Thank you.

7 Q. Are you ready for us to carry on?

8 A. Ready, my Lady.

9 LADY SMITH: Thank you very much.

10 Mr Peoples.

11 MR PEOPLES: John, can I just move away from the response
12 that we've been looking at and just perhaps add a bit
13 more in now at this stage.

14 There is the body of evidence which I would just
15 generally call the applicant evidence, that's a term we
16 use for people who come to this Inquiry, and that
17 consists of a mixture of oral evidence and statements,
18 some of which were read in over the last few days, and
19 there are some police statements of former residents
20 also that have been put into the bundle that has been
21 released.

22 And I think in all, my headcount is 27 statements,
23 which gives you a picture, a more general picture, that
24 we don't gain from sort of records that still exist.
25 And I think that body of evidence does show evidence of

1 abuse of children, sexual abuse, physical abuse,
2 emotional abuse, abusive practices, such as humiliation
3 of bed-wetters, in the periods that were when Gryffe was
4 run both by Glasgow Corporation and by
5 Strathclyde Regional Council. So we're talking about
6 evidence of abuse over several decades from the 1950s,
7 1960s, 1970s, 1980s and into the 1990s. And so we have
8 quite a span of evidence about these periods.

9 And I don't propose to go through it, I think you'll
10 probably be familiar with the generality. And all
11 I would say is that obviously, over that whole period,
12 we have seen a number of names featuring time and again
13 from -- particularly from staff members, and as abusers,
14 some in positions of responsibility at the top of the
15 organisation. Mr MKS is featured prominently. And
16 we've also had evidence of abuse of a sexual nature in
17 the case of Mr Gilmour, Andrew Gilmour, and evidence of
18 physical and sexual abuse by Mr Geoffrey Bamber.

19 Now, Mr Geoffrey Bamber's familiar to you because he
20 moved from Gryffe to Newfield. I think --

21 A. That's correct, yeah.

22 Q. -- you'll recall that. And we know that both of these
23 individuals have convictions for offences against
24 children, but not convictions for sexually abusing
25 children in care.

1 A. That's correct.

2 Q. But they both worked at Gryffe, one in the 1960s,
3 Mr Gilmour, and Mr Bamber, I think, towards the late
4 1970s and into the 1980s before he moved to Gryffe. And
5 we've had evidence from people who have been read in,
6 'Tom', 'Derek', 'Henry', Chris Daly, 'Kevin', 'Harry'
7 and 'Sean', as well as the oral evidence from 'Bernard'
8 earlier this week and Eugene Docherty as well.

9 Now, would you accept that, while what you knew when
10 the Part B was submitted was limited, and there was no
11 evidence of systemic failure to protect children,
12 I think, would you accept, that that evidence provides
13 a rather different picture?

14 A. I think I would absolutely agree with that position.

15 If I might, my Lady, just make a comment about the
16 evidence. I've read all of the statements that have
17 been available and I've also had an individual meeting
18 with one person who asked for a personal meeting in
19 relation to the Redress Scheme. So as a Chief Social
20 Work Officer, we are the officers in the local authority
21 who respond to requests mainly for written apologies,
22 which means we get the statements, we are able to
23 experience that. And I think that my reflection, as
24 I've read a number of statements, both for the Gryffe
25 inquiry but also for Newfield and for a few other

1 establishments that have been considered, was about the
2 honesty of the individuals, the ability to be really
3 candid about their experiences.

4 But it also made me reflect on what we considered to
5 be systemic abuse. And I think that when we answered
6 the initial question, we never really thought, I think,
7 sufficiently in depth around how were children
8 experiencing the care on a daily basis within these
9 establishments.

10 So where we had those allegations of physical abuse,
11 we were absolutely clear that was abuse and we would
12 acknowledge that. But we didn't have that many, so we
13 didn't see it as systemic.

14 But what you do find over the decades -- and
15 I'm surprised that we stopped at the early 90s, because
16 I think there is some indications that the behaviours
17 didn't change when Renfrewshire Council was responsible
18 for Gryffe.

19 So the systemic abuse, I think, existed throughout
20 the whole time that Gryffe was operated as a children's
21 house.

22 Q. Forgive me, I wasn't going to suggest otherwise, I was
23 just trying to fill the gap -- I was going to come to
24 the Renfrewshire period and just say, would you care to
25 change it in light of the evidence we've heard. Because

1 you are perfectly correct, that the evidence of the
2 early 1990s echoes very much what Carol McCaig found in
3 1998, and that the people that she identified we know
4 were also employed before Renfrewshire took over.

5 We have mentioned one name this morning, just at the
6 end of the -- before the break --

7 A. Yeah.

8 Q. And we know that Mr Creighton was in charge for
9 certainly much of the 90s?

10 A. He was, and I think again when I reflect, the role of
11 the house manager is central to the protection of the
12 children. And in this case, I think what I seen was
13 somebody who had, at best, a description of
14 a laissez- faire attitude, but actually probably much
15 more than that. He was missing from his role to protect
16 the most vulnerable children in our houses, so I think
17 that was an indication of the failure.

18 And why does it become systemic? So we talked about
19 the children's rights officer who had an external view.
20 They didn't pick that up and I think we need to be
21 honest and own that.

22 So we've heard some of the read-ins, some of the
23 statements contain descriptions of events that children
24 in state care should never occur and should never
25 experience. And our inability to protect them is

1 something we shouldn't be defending.

2 LADY SMITH: John, did you note from the evidence, both in
3 statements that you read and what's been presented in
4 oral evidence, that there's no indication that these
5 people, from whom we've gathered evidence now or in
6 recent years, after leaving care, have had connection
7 with each other, and yet the picture across their
8 evidence is consistent?

9 A. I think that's certainly very clear in the evidence,
10 my Lady, that this is individuals who came forward
11 because they had experienced something and they wanted
12 to tell as part of their recovery journey. And I think
13 that indicates that this was lots of individuals, and
14 therefore if lots of individuals are coming together
15 with very consistent stories and experiences, naming the
16 same names, where we're able to see that, then that's
17 a clear indication that that abuse occurred, to me.

18 And as I said, I think the system's attempt to
19 protect children should be how we operate and some of
20 those safeguards did not operate sufficiently well in
21 Gryffe throughout the life of its operation as
22 a children's house, irrespective of which one of the
23 authorities was responsible.

24 LADY SMITH: Thank you.

25 MR PEOPLES: And just going to the post-1996 period, lest

1 you think I was going to leave that out, the Inquiry has
2 had, and I think you readily acknowledge, evidence of
3 serious systemic failures at Gryffe in 1998, which
4 probably existed for much a longer period than 1998 and
5 1999. And there is also evidence of probable child
6 sexual exploitation involving a number of vulnerable
7 female residents.

8 A. Yes.

9 Q. And it appears that both the unit manager -- and I would
10 probably use 'lazy' as well as 'laissez' --

11 LADY SMITH: Well, that was what Carol McCaig said more than
12 once.

13 MR PEOPLES: Yes.

14 LADY SMITH: Not just the unit manager but the staff were
15 lazy.

16 MR PEOPLES: It appears that they were all, in their
17 different ways, not doing what they should be doing --

18 A. Yeah.

19 Q. -- the job they were asked to do. And the external
20 manager too, she wasn't left out.

21 It appears that collectively, individually and
22 collectively, they failed to safeguard the residents.
23 Not just the three girls or so that were identified as
24 vulnerable to exploitation, but all of the children
25 there that were exposed to the risks that if that

1 situation was maintained, they could experience abuse of
2 one kind or another, either in the institution or
3 establishment, or outwith it?

4 A. I would absolutely agree with that and I think that --
5 I mentioned, my Lady, that I met an individual to
6 deliver a personal apology, and I think for me what was
7 incredibly telling, that young person was in Gryffe
8 during the period that Renfrewshire Council was
9 responsible. And some of the ritual humiliation, that
10 harshness, that lack of compassion, that lack of care,
11 the ability to treat children badly, was in his
12 statement. And when I read some of those very early
13 statements from the 1950s, it was the same issues. So
14 that to me said there was abuse over a very lengthy time
15 within Gryffe.

16 The staff team during the period that Renfrewshire
17 Council was responsible failed in their duties to
18 protect the children. The standards we would expect
19 from our staff to provide safe care, I think were
20 certainly -- I don't think, I know, were not delivered.

21 I do think that the investigation probably was one
22 of the catalysts around the redesign of our residential
23 establishments, our decision to move away from those
24 very large houses. So I was here previously to talk
25 about Newfield, which was a 48-bedded unit. We reduced

1 that dramatically to 16 and ultimately closed that as
2 part of our modernisation plan. And we removed Gryffe
3 from our establishment list, because again we
4 considered, one, that the building was unsuitable, but
5 the size of the house was wrong, and it helped
6 accelerate our decision to change practice.

7 LADY SMITH: John, when you said 'the investigation', you
8 mean Carol McCaig's?

9 A. Carol's, that's correct, my Lady.

10 MR PEOPLES: John, I probably can correct you a little bit,
11 because I think that, as Carol McCaig told us, while her
12 investigation did result in immediate changes and
13 further changes, there had already been at least
14 a process started, where there had been a paper about
15 reviewing residential care and adopting a different
16 approach, closing the big establishments like Gryffe,
17 opening two new establishments, including Rowanlea,
18 I think, we heard was one.

19 A. Yeah.

20 Q. And that this was -- she came in at a point when closure
21 was likely and the staff knew that, and that may have
22 been a contributor to how bad things were, but not
23 a complete explanation?

24 A. No, you are correct, Mr Peoples. The decision to review
25 the establishment was made at an earlier stage. Perhaps

1 I should have said this accelerated it. Yeah.

2 Q. No. It's just -- I just didn't want to maybe leave it
3 on that basis.

4 But the whole body of evidence, not just about
5 Renfrewshire's period, but the whole period of
6 operation, does indicate, does it not, abuse of children
7 was widespread and regular over much of the existence of
8 the home?

9 A. I would agree.

10 Q. And it's not evidence of one or even an occasional bad
11 apple?

12 A. No, I think that, as I said, when you reflect and when
13 you have the opportunity to read the statements, you get
14 very clearly this was behaviours that occurred by
15 a staff team over multiple decades. And therefore,
16 those individuals who have come forward to share their
17 stories and experiences with the Inquiry, I think
18 probably speak for more victims than we actually know.

19 Q. And if you view that evidence as a whole, it does
20 powerfully and persuasively indicate, does it not, that
21 Gryffe, like many establishments this Inquiry has looked
22 at, has attracted many -- too many -- individuals who,
23 rather than keeping vulnerable children safe while in
24 their care, exposed them to the risk of abuse and, in
25 many cases, to the awful reality of abuse?

1 A. Again, I think if you recall when I was here previously,
2 we talked about the recruitment process for staff.
3 There were times where it's very unclear how staff came
4 into the care service. I think today, safer recruitment
5 processes are much more robust. However, it was
6 entirely clear to me that we had people working in
7 children's houses who did not have sufficient
8 safeguarding checks carried out at the time they came
9 in.

10 Now, that might have been that some of the systems
11 didn't exist. They often came from backgrounds about
12 control, rather than care, in particular the armed
13 forces, the police. But also I think that some of those
14 voices became powerful individuals within the
15 establishments and set the culture, and that meant that
16 other staff were not always able to step up and
17 challenge that.

18 Today, as I say, I think the recruitment process for
19 care staff is much more robust. There is additional
20 training and registration that's required. But during
21 the period that the Inquiry has been considering,
22 I think that the staff certainly abused children
23 routinely and regularly.

24 Q. It's hard to believe that the people that were there,
25 who weren't necessarily named or necessarily taking part

1 when all this was happening, didn't know that things
2 were happening, because a lot of the evidence has been:
3 these things were done in plain sight in the presence of
4 other children, in the presence of staff. And yet no
5 one seems to have said anything or blew the whistle or
6 whatever you want to call it?

7 A. And I think that that goes back to the comment I just
8 made about culture, about whether or not the culture was
9 a safe place for staff to feel able to raise their
10 concerns, or staff being influenced that: this is how
11 it's done here. So therefore they gave probably
12 uninformed, complicit agreement to the abuse continuing.

13 LADY SMITH: That last comment you made is a powerful and
14 relevant one, I think, John. If you are working in what
15 is a difficult job with children that, if you're honest,
16 you don't actually like, but you know you've got
17 a responsibility for, and you get a feeling that it's
18 okay to have an attitude to these children, which
19 actually, as we know, is an abusive attitude and is
20 going to lead to them being harmed, you get sucked in,
21 it's very seductive.

22 A. I think, my Lady, when I've read some of the evidence
23 that's read in over many establishments that you have
24 considered, you see those -- that culture being
25 prevalent and that people don't quite know how to stand

1 up against it. And if you consider the nature of
2 residential children's services, you're in
3 an establishment with children 24 hours a day. Now, you
4 might only serve a shift that's eight hours or
5 twelve hours or slightly longer. That's very different
6 from most employment, and therefore the team that you
7 work with, I think, do influence you in a way that's
8 much more pervasive than in some other areas.

9 Again, I always look to see how have we improved.
10 So as part of our journey in Renfrewshire, we looked at
11 their model of care and we adopted a social pedagogy
12 approach, which is about team base, but it's about
13 empowering staff to challenge. It sets the nurturing
14 relationship. And I think you see that today in
15 a different way from here.

16 I'm not defending any of these staff, because the
17 abuse of children is never acceptable. But for some of
18 the staff, they would not have had training. They would
19 have come into the organisation and the person who
20 trained them was the person who was actually carrying
21 out the abuse.

22 LADY SMITH: So does that mean then they don't have the
23 tools to stand apart from the crowd that have an abusive
24 attitude towards the children and a harmful attitude
25 towards the children?

1 A. I think when you look at some of these individuals,
2 my Lady, they did not have the tools to provide the
3 care. They didn't understand the complexity of looking
4 after children out of their family.

5 I often say to staff today that our involvement with
6 children and their families is to establish that care is
7 good enough. So we can't establish that, more --
8 a higher standard than good enough. That has to be what
9 we aspire to. And if it's better than that for children
10 with their birth family, that's a real bonus.

11 But for children who are removed from their family
12 into state care, we have to aspire for better than good
13 enough. It has to be much better than what the child
14 was leaving behind. And I don't think we've seen that,
15 and I don't think we've seen it because the staff
16 training and development that was around in the 1970s --
17 the 1960s, the 1970s, the 1980s, even into the 1990s, is
18 not where we would expect it to be today, my Lady.

19 LADY SMITH: Thank you.

20 MR PEOPLES: And I'll put it in this way: if there were
21 safeguarding arrangements in place over Gryffe's period
22 of operation, to protect children there from abuse, they
23 failed to protect the children for much of the period,
24 both against the risk of abuse and, obviously, actual
25 abuse.

1 We had two convicted abusers in their midst. For
2 six years, Andrew Gilmour walked around Gryffe in the
3 1960s. So all children, whether he actually abused them
4 or not, were at risk. Then along comes Geoff Bamber in
5 the 1970s and works there for an appreciable period of
6 time. And as long as he walks the corridors, he's
7 creating the risk of abuse and indeed is taking
8 advantage of the situation and abusing children, as
9 Gilmour did?

10 A. I couldn't disagree with that at all, in fact, would
11 probably amplify it and, again, always attempting to
12 look back to see: can we improve?

13 It's clear that no one was looking back at the
14 experiences and no one was connecting the dots. No one
15 was having those questions and considerations. I think
16 today you would not see that occur over that length of
17 time.

18 Now, I cannot give guarantees that there are no
19 children who would experience abuse in a residential
20 establishment anywhere in Scotland, including in
21 Renfrewshire today, because individuals will make
22 decisions. But I think that the system today would flag
23 earlier and would remove those safeguarding risks.
24 There was not a safeguarding lens on this establishment
25 for much of its operation.

1 Q. And I suppose the sad thing is that, as in some other
2 cases, if I just remind you of what the read-in evidence
3 of 'Tom' said in his statement. He was there in the
4 early 60s and he told the Inquiry that he was sexually
5 abused in various locations by Mr Andrew Gilmour,
6 including when he was on a holiday in Campbeltown.

7 And he said that after he had been to Campbeltown,
8 after he was abused by Andrew Gilmour, he got talking to
9 two other boys who said they'd experienced similar abuse
10 from Mr Gilmour. He said the boys went to one of the
11 female members of staff, interestingly, he says, he
12 doesn't know if it was a cook, matron or cleaner, so
13 perhaps that tells its own story, that maybe some of the
14 people that might listen were approached, but he says:

15 'I can't recall the response.'

16 But what he does recall is that the person he
17 disclosed this to took the boys to Mr MKS and told
18 him what happened. He tells us, alarmingly, that
19 Mr Gilmour, Mr MKS, Mrs LYQ and the female staff
20 member to whom he disclosed, were all there when that --
21 it's awful when you think about it now --

22 A. Mm-hmm.

23 Q. -- but he says:

24 'We were told that we were liars and we were making
25 up stories.'

1 Now, I think that's probably likely to have been
2 Mr MKS that made that response, rather than --
3 I mean, maybe Mr Gilmour chipped in, but I think we can
4 read between the lines there.

5 A. Yeah, again, if you think back to that bit about the
6 culture, the prevailing culture, that almost group-think
7 of the staff team, they would work together to protect
8 themselves. I think that there's evidence of that.
9 Whether it be the -- you know, the way they managed
10 bed-wetting, which was described in some graphic details
11 in a really humiliating way, through to those abuses
12 where it was sexual or physical, the team protected
13 themselves.

14 Today, no child would be taken to a meeting with
15 a member of staff in that way. And again, I think that
16 shows the lack of an understanding or safeguarding lens
17 for these children. And the bit about: we don't believe
18 children. And I think that that is -- that still
19 remains a risk, that some staff will not believe
20 children. And not just staff in residential children's
21 houses, but staff across a whole range of organisations.

22 So we need to constantly be reminding our staff of
23 their duty to listen, honestly and freely, to what
24 children and young people are telling them and then
25 follow the processes for disclosure, recording and

1 investigation.

2 Q. These were three boys --

3 A. Yeah.

4 Q. -- who went in, told their story about Mr Gilmour.

5 There's no investigation. They're dismissed as liars
6 and the police are not called in. I mean, I know it was
7 an earlier decade, but I can think that even at Aberlour
8 I have a recollection that in the 1960s there were very
9 serious allegations made against a housemaster and he
10 eventually -- the police were brought in, the boys were
11 spoken to and he got five years, which was a light
12 sentence in those days for very serious offences. But
13 it wasn't unknown for investigations of that type to
14 take place.

15 But yet here, they don't even think about
16 investigating. They have the alleged perpetrator in the
17 room and they don't think about calling the police.

18 A. And that raises, as I say, the question for me: was this
19 house ever safe? And, you know, you indicated that
20 whilst we have some named individuals by the victims,
21 actually every child who went through was exposed to
22 a risk, because it was not dealt with.

23 To me, it's unacceptable but inexplicable. I can't
24 explain why, when a child makes that type of disclosure
25 to a member, a senior member of staff and they went

1 somewhere safe -- and it was interesting that they did
2 choose, whether it be a cook or a matron or
3 a houseparent, who was a woman, but actually when the
4 male management team stepped in, they protected
5 themselves and their employees.

6 Q. So there's a state of knowledge though that these things
7 are being said to happen and it's not just one boy who
8 has been coming forward, three boys, according to this
9 particular statement?

10 A. Yeah.

11 Q. And it doesn't just rest there, because I suppose we
12 have heard some evidence, and this is something,
13 I think, that obviously you weren't aware of when you
14 did your Part B, that Glasgow was under quite a close
15 scrutiny in the 60s because there was concerns about the
16 way the children's services were being run. I don't
17 know if that's something you've got a general
18 understanding about. Professor Levitt has written about
19 it, about how they were the subject of a major
20 inspection of services in 1965. And so they were under
21 the microscope to some extent.

22 Then, of course, as publicity always does, it leads
23 to some form of action, because there was a publication
24 in the Sunday Mail on 10 September 1967 of excessive
25 corporal punishment and other irregular practices at

1 Gryffe, based largely on reports from recent/former
2 residents. But there was also some evidence from former
3 staff. Interestingly, former staff, not current staff.

4 A. Yeah.

5 Q. And that led to some investigation by the corporation
6 and clearly the Scottish Office were interested in the
7 whole matter. There were reports produced by the
8 Children's Officer and a subcommittee of the Children's
9 Committee in September and November 1967. There were
10 meetings between the corporation and the Scottish Office
11 officials who were then the SWSG largely, I think, the
12 Social Services Group -- Social Work Services Group and
13 there was also meetings between -- a meeting between the
14 corporation and the Parliamentary Under-Secretary of
15 State, Bruce Millan, at that stage as well. So clearly
16 it was treated as quite a serious matter, possibly
17 because of the publicity as much as anything and there
18 were calls for even a public inquiry at that stage?

19 A. So I wasn't aware of that until just recently in terms
20 of that level of scrutiny. And I suppose it raised the
21 question for me about what changed and it occurs in the
22 late 1960s, there's obviously a shift towards the local
23 government reorganisation in 1974/'75/'76 and was there
24 any action taken by Strathclyde's a question I don't
25 know. Did Strathclyde reflect and say we want to do

1 things differently? What becomes clear though, when you
2 read the statements is, it didn't change.

3 Q. No.

4 A. So, actually, even if there had been some consideration,
5 it didn't change practice in Gryffe Children's House.

6 Q. I think that's what one of the applicants said, that
7 although there was these reports, there were
8 recommendations about how things had to change, the
9 place had to reduce numbers, certain practices like cold
10 baths, whatever the justification, should be
11 discontinued, there should be more freedom for the
12 children because that was a grievance they had as well
13 and that there should be less corporal punishment.

14 All these things were said to be things that should
15 happen, but it appears, at least from the evidence we
16 have, that they didn't happen as intended and things
17 continued to some extent as normal. Mr MKS stayed
18 in post?

19 A. Yeah.

20 Q. Although there was talk that he could be moved?

21 A. Mm-hmm.

22 Q. Just perhaps to somewhere less challenging. That didn't
23 happen. So he continued SNR for some years, it
24 would appear?

25 A. Yeah.

1 Q. And so it had a certain moment in the sun, but then it
2 seems to have just gone back to the old ways?

3 A. And, again, I was reflecting on how we perhaps would
4 deal with improvement plans now that are much more --
5 there is much more scrutiny and much more visibility if
6 there is a concern.

7 So if I go back to the Care Inspectorate, if the
8 Care Inspectorate visit a children's establishment or
9 any regulated service where they identify concerns, if
10 there's an immediate risk they will immediately identify
11 that and have action taken. If they've got other
12 improvements, they will put in place an improvement --
13 they'll ask the provider of the care establishment,
14 whether it be a local authority or voluntary sector, to
15 develop and agree with them an improvement plan and then
16 they'll scrutinise that.

17 I think what was clear from the late 60s is that
18 even if there was an improvement plan, it was verbalised
19 and then not monitored and by the time Strathclyde
20 Region came in, there appeared not to be an improvement
21 plan for Gryffe and that allowed behaviours to continue.

22 Q. There is a little bit of a mystery about this whole
23 matter, because there was this investigation, very close
24 interest, by Scottish Office. They appeared to be
25 satisfied that there was not a case for a public

1 inquiry, things would change, but the minister,
2 according to Professor Levitt, was interested, having
3 done more general inquiries, about the issue of corporal
4 punishment.

5 And there seems to have been in the press, at least
6 reported subsequently, that there was a suggestion that
7 some form of further inquiry would be carried out, but
8 because of a change of government in 1970 from Labour to
9 Conservative, that didn't take place.

10 Now, I'm not sure that all of that can be completely
11 verified by what documentation exists, but it's
12 certainly been reported often enough that there was talk
13 of not just the Glasgow inquiry, but something wider
14 because of some concern. And that's against the
15 background where I think the minister and others -- it's
16 the late 60s, Roy Jenkins -- were very keen to get rid
17 of corporal punishment, but they knew that that wasn't
18 the time, because it wouldn't -- they wouldn't be able
19 to get it through, if you like. So they had to try and
20 find other ways, and I think they eventually persuaded
21 education authorities to take a different approach to
22 corporal punishment. But they didn't ultimately get rid
23 of corporal punishment at this time and, of course, that
24 laid open the possibility of what was then lawful
25 punishment turning into assault.

1 A. Again, I think that when -- it's really interesting when
2 you read the statements, because some of what's
3 described as corporal punishment is clearly assaults.
4 It wasn't even within the bounds of what you might have
5 seen as being legitimate corporal punishment.

6 I think that the change of government possibly was
7 one of the things that meant it dropped down. But
8 unfortunately, what we know is there are times where
9 sensitive issues, particularly around the protection of
10 children, get a flurry of attention and then it
11 disappears, and it loses its currency almost in terms of
12 people's interest. So I wonder whether there was a bit
13 of that.

14 There's also for me, I think, still when I reflect
15 back, even when I qualified in 1988, people assumed that
16 children in children's houses were bad children, they
17 were there because of their own behaviour. And society
18 as a general, I think, had a permissive approach to
19 children not being well looked after in those
20 establishments.

21 And then the other bit for me is, I don't know how
22 well we all are about learning from each other. So
23 I remember the Edinburgh Inquiry into children's homes
24 in Edinburgh. There was not a national improvement
25 plan. Each local authority was asked to look at

1 themselves and think about it. And I think that's one
2 of the areas that we could certainly learn from in terms
3 of when there are issues. It needs to be more formal
4 than you just look at it yourself. There has to be
5 something that says: actually, this is good practice and
6 should be adopted throughout Scotland.

7 Q. As far as the 1960s are concerned, can I just take you,
8 just briefly, I'm conscious that these are documents you
9 have not really had any chance to look at, but they are
10 interesting in terms of the wider knowledge.

11 There was a subcommittee of the Children's Committee
12 of Glasgow report in November 1967 and perhaps I could
13 put that up on the screen. SGV-001037577. Hopefully
14 that's the right reference.

15 It's quite faint at times. Now, this is the first
16 report by the Children's Officer. Initially he went
17 with a convener, I think a convener of one of the
18 committees, it could have been the Children's Committee,
19 but he went for an initial visit and they had a chat
20 with various people, including boys.

21 But then there was a more formal investigation
22 process involving a subcommittee of the Children's
23 Committee and if I could go to that report, which was in
24 November 1967, which starts at page 5 of this document.

25 So you see that's a -- it's a report for

1 a consideration of the whole committee on 27 November,
2 I think it is, of 1967. It starts off with the
3 allegations in the press. They summarise the main
4 allegations that were being published. And can I say at
5 this stage, the broad conclusion was that the
6 allegations, as reported, were exaggerated, but not
7 without substance. That was the conclusion reached
8 after this form of investigation.

9 And what they did was to visit Gryffe and interview
10 a number of boys, they said through some sort of random
11 selection process. They spoke to some members of staff.
12 They spoke to the then SNR [REDACTED], Mr MKS [REDACTED].
13 They spoke to the boys who had gone to the press and
14 they spoke to some ex-members of staff as well, who had,
15 I think, featured in the press article. So that was the
16 method employed.

17 If we just -- I don't want to go through this in
18 detail, but could we maybe turn to page 7 and just go to
19 the foot of that page, to the final paragraph. And this
20 is a person who had resigned. We've heard some evidence
21 about this and it is said he had been a photographer.
22 Now, that doesn't sound very significant, but it's
23 relevant to something we've heard from another source.

24 And he said -- or he told the committee, or the
25 subcommittee, he had:

1 '... only witnessed one severe beating with the belt
2 across the hands, legs and buttocks, but maintained he
3 left his job because of treatment given to the boys and
4 he complained about being humiliated by Mr MKS in
5 front of the children.'

6 And he seems to have admitted slapping the boys, and
7 we did hear some evidence that he was -- Mr MKS --
8 the background seems to be that Mr MKS, it was
9 reported that he had struck a child, not hard, according
10 to the evidence we heard. But, Mr MKS made a song
11 and dance about it and then in front of all the
12 children, he effectively took a strip off him and
13 dismissed him.

14 So that's the person, I think, that's giving this
15 evidence to the committee.

16 A. Yeah.

17 Q. So. And then if we just go over the page to the top.
18 There's another ex-member of staff, Mr Wotherspoon, who
19 seems to be mentioned in an article. Now, he was
20 claiming he was misquoted and also was saying that to
21 some extent, what was said was exaggeration, and that
22 seems to be something that the committee ultimately
23 accepted or concluded was the case. But he did say
24 there was some truth, in his opinion, in respect there
25 was some excessive punishment, but not to the extent the

1 newspaper reported. Then he said about the statement,
2 he was supposed to have witnessed a member of staff
3 forcibly holding a boy while another member of staff
4 belted the boy on the bare buttocks.

5 'He said the truth of the story was that he did not
6 witness it. He was outside the room and one member of
7 staff and Mr MKS went into this room and he heard
8 howls of pain. When the boy came out he saw his legs
9 were red below his trousers.'

10 So there's two people saying something, and this is
11 against the background where Mr MKS, when asked
12 about these matters, completely denied doing anything
13 that went outwith the regulations. And when I say
14 regulations, I think there were 1959 Children's
15 Regulations, and also, it would appear, although we
16 can't find them, regulations on discipline that were
17 issued by Glasgow itself.

18 But it appears that he was saying: 'Well, if you
19 look at my punishment book, there's not many punishments
20 and they're all done by the book in accordance with the
21 regulations'.

22 Now, that evidence was contradicting that and
23 ultimately, as I think I said earlier today, the
24 committee didn't buy the evidential value of the record,
25 and so they were not prepared to rely on that. And they

1 did accept that he overstepped the mark, although not to
2 the extent perhaps that was being reported.

3 I mean, in one sense they were downplaying it, and
4 I think that was the sense that the Scottish Office got
5 too --

6 A. Yeah.

7 Q. -- subsequently?

8 A. I think when I read those records, a couple of things.
9 It's interesting about the attitude that the committee
10 would actually have. So the Children's Committee you
11 would envisage as being a place where children would be
12 protected, but actually, when you read old historical
13 records across many of the committees, they're
14 incredibly judgmental. They're judgmental about the
15 families the children come from. I've read records
16 where you see families who are in destitution being
17 blamed for being destitute and their children being
18 removed because of destitution and placed in state care.
19 They make comments about the honesty or whether or not
20 people are valuable members of society, and I suppose
21 when I read that, they don't quite say that, but there's
22 an implication there that these boys, even if there's
23 some slight truth, it doesn't merit intervention. And
24 that, I think, is about the attitude of the state at
25 that particular time.

1 Q. Can I take you to another document on the same theme.
2 After this report was prepared and discussed, there was
3 a meeting between Glasgow Corporation representatives
4 and the Social Work Services Group on 15 December 1967,
5 at which some general issues were discussed about the
6 way the service was being operated, but there was also
7 a specific discussion about Gryffe in light of the
8 report.

9 So can I ask you to look at another document,
10 SGV-001037576. It's not the clearest thing, but you'll
11 see it's a note of the meeting between the corporation's
12 Children's Department on Friday 15 December 1967 and
13 you'll see that the Convener of the Education Committee
14 was there, the Town Clerk Depute and the Children's
15 Officer, and there was five representatives of the
16 Social Work Services Group.

17 Now, I'm not wanting to look at the detail other
18 than there is a section headed 'Gryffe Children's Home',
19 and it starts at paragraph 3. And this was after the
20 report had been submitted to the officials and minister
21 in Edinburgh. And I think it was being summarised that
22 the conclusions of the subcommittee and --

23 LADY SMITH: Mr Peoples, just to confirm, the reference to
24 'the press' in the fourth line -- fifth line of
25 paragraph 3 would be to the Daily Record article, was

1 it?

2 MR PEOPLES: The Sunday Mail.

3 LADY SMITH: Sorry, yes, the Sunday Mail article.

4 MR PEOPLES: Yes. Indeed, that's the one that's set out in
5 the start of the report that we looked at.

6 LADY SMITH: Yes.

7 MR PEOPLES: Now, if we go on, can we maybe take it over the
8 page, please. Just stop there.

9 Now, clearly they were pointing out that there
10 appeared to be evidence of apparent exaggeration about
11 the number of strokes, and the subcommittee didn't seem
12 to be prepared to accept that 25 strokes was an accurate
13 number. And indeed, there's a sort of general
14 assumption that -- it says:

15 'The subcommittee were not, however, inclined to
16 accept these statements and thought the boys were
17 exaggerating, as was the custom of boys when they had
18 received corporal punishment.'

19 Well, there's a bit of -- it's making assumptions.
20 It's a bit more explicit. It's maybe about the point
21 you've made?

22 A. Yeah, and I actually think -- it was just before you
23 moved on to this particular document, I just noticed at
24 the bottom of the previous document there was a line
25 that said that they had taken evidence from boys who

1 were still in Gryffe and they were much more
2 complimentary. So that immediately raises the question
3 about, well, actually they were still there and were
4 they fearful of action? And I think this tells you that
5 the prevailing assumption was that the boys were not
6 telling the truth, were exaggerating, and therefore the
7 establishment that was built around to protect them --
8 when I say establishment, I mean the state care --
9 failed in that basis because it had a preconceived
10 decision that these boys were exaggerating.

11 Q. And 'Bernard', who gave evidence this week, live
12 evidence, said he recalls men in suits or whatever
13 coming to Gryffe at this time from Glasgow, and he
14 recalls an occasion when they were all brought into
15 Mr MKS's room, or a grand room, served with tea and
16 biscuits, and treated as if this was the normality of
17 the situation. And they were asked were they happy and
18 so forth and, as he said, well, no one dissented from
19 that suggestion because they were too afraid to say
20 anything different.

21 So the point I think that you make is, just like
22 whistleblowers, they often tend to be ex-employees
23 rather than employees, because they're fearful of
24 speaking up, because they don't know what's going to
25 happen to them next?

1 A. And I think that particular comment is really relevant,
2 isn't it, in terms of you get wheeled in to a room full
3 of powerful people and you're asked to in, some senses,
4 speak the truth, but you know there's potential
5 consequences and if your experience has been that you
6 have been beaten or you've seen other young people being
7 beaten in the children's house, and that culture
8 prevails, then you're not going to say: this is
9 a horrible place. You're frightened.

10 Q. And then if you go on to say -- you see that it says at
11 paragraph 8, I think, that:

12 'Mr McLeish [that's the Children's Officer] said the
13 headmaster of a day school had stopped giving corporal
14 punishment to Gryffe boys because they exaggerated the
15 amount of punishment given.'

16 That was, no doubt, to try and reinforce the point
17 that Mrs Johnstone had made.

18 And I think it had been pointed out earlier though
19 by someone that -- I think an applicant said: 'Well, you
20 know, if I think back to my days at school, you got the
21 belt, but you didn't get it on the backside, and
22 certainly not on the bare backside'.

23 LADY SMITH: How would the headmaster of a day school know
24 what was happening, actually happening, inside Gryffe?

25 MR PEOPLES: No, he's not saying that. I think he's --

1 well, sorry, yes.

2 LADY SMITH: Well, he said: 'The headmaster of a day school
3 had stopped giving corporal punishment to Gryffe boys
4 because they would exaggerate'.

5 MR PEOPLES: Sorry, you're right. Yes: 'I'll belt every
6 other boy, but not a Gryffe boy'.

7 LADY SMITH: Yes. Yes.

8 A. Yes, so that assumes that the boys from Gryffe were
9 attending a school within the community, not receiving
10 their education in Gryffe, which was what happened, that
11 they attended a local primary or a local secondary. And
12 the head decided that -- that headteacher was saying:
13 'Actually we can't belt them because they will
14 exaggerate it and make it look worse'.

15 The question then is, well, where did that come
16 from? You would only have that if you were part of
17 a discussion at a wider basis that says: the boys from
18 Gryffe can't be believed. And I think that's the
19 prevailing culture here.

20 MR PEOPLES: Well, you may also -- I'm reminded, of course,
21 from the evidence we've heard from 'Bernard' I think,
22 and perhaps others, that one of Mr MKS's habits was
23 to give multiple punishments for the same offence. And
24 indeed, he also took it upon himself not just to punish
25 offences committed in Gryffe, but if he learned of

1 offences committed in school which had resulted in the
2 belt, they got --

3 A. Punished.

4 Q. -- more punishment when they came back to Gryffe and
5 that he had some kind of channel of communication with
6 the headmaster of the school.

7 So it's possible that one could explain this
8 reference when you know that much of context?

9 LADY SMITH: Yes, and it's very hard not to pose the
10 question: well, I wonder whether the headmaster of the
11 day school thought it was safer just not to use corporal
12 punishment on the Gryffe boys at all because then they
13 couldn't go talking to the press about what had happened
14 in school and we know that that's what they might do.

15 MR PEOPLES: Well, he might have been trying to save
16 Mr MKS by saying: 'Well, I know they're going to get
17 punished when they get home because I have to tell him,
18 and therefore, rather than getting Mr MKS into hot
19 water, God forbid, I'll just say, well, I just didn't
20 give it because of some other explanation'.

21 I mean, there's lots of possibilities, but --

22 LADY SMITH: Why immediately blame the boys?

23 A. Or he's protecting himself because he recognises that
24 the particular group of boys might tell that they are
25 being harmed and he doesnae want that, so he steps back.

1 But again what you see here is, you see the blaming of
2 the victim, and if you blame the victim, that allows you
3 to ignore what they're saying. And it was interesting,
4 that very first example of the three boys going and
5 being taken in and being told that they're lying. You
6 create that culture of then not believing any of these
7 children at all.

8 MR PEOPLES: But then again, if you have good evidence that
9 a member of staff is lying, you might take a different
10 approach because if we read on to paragraph 9, it says:

11 'Although Mrs Johnstone, Mr McLeish and Mr Dickson
12 were vague and inconclusive in what they said ...'

13 So you can see the Social Work Services Group are
14 not convinced by what they are hearing:

15 ' ... they nevertheless seemed to accept that boys
16 had indeed received corporal punishment over and above
17 what was allowed by regulation and that not all
18 punishments were recorded in the log book. They said
19 however that when questioned, Mr MKS had denied that
20 any excess punishment had been given and that any
21 corporal punishment had not been logged.'

22 So he denied that the records weren't accurate and
23 complete. He said:

24 'They did not accept a suggestion [and I think that
25 came from the Social Work Services Group] that these

1 denials discredited Mr MKS also as a witness.'

2 So he's basically told them an untruth. They know
3 it's an untruth, but they're still prepared to say:
4 'Well, we don't place any stock on that when we're
5 trying to evaluate who's right and who's wrong'.

6 A. So there's a degree of cognisant dissonance in there,
7 isn't there, about how you set out to justify your own
8 position as well? So on one hand, they are saying:
9 'Yes, not all punishments recorded, but that doesn't
10 mean to say Mr MKS is not telling us the truth'.
11 It's counterintuitive. How do you balance?

12 I think what they're doing is they're saying -- to
13 some extent they're still saying the same thing: these
14 children don't deserve, in the same way, to be protected
15 but the staff members do. And it's only a small number
16 of children, a small number, 'and the children we saw
17 when we visited said good things about Gryffe'.

18 Q. If we just read on to the next paragraph, the three
19 individuals from Glasgow say that:

20 'One form of punishment had been to make culprits
21 stand in the corner. When Mr MKS passed by, he
22 would whack them. Mr McLeish also said that when a boy
23 had misbehaved at school and had perhaps received
24 corporal punishment, the headmaster would telephone this
25 to Mr MKS who would give the boy more corporal

1 punishment when he got back to Gryffe. Mrs Johnstone
2 [the Education Committee Convener] said she thought it
3 was common practice in Glasgow schools for a headmaster
4 to ring up parents to tell them about the children's
5 misdemeanours and that the Gryffe children had not been
6 singled out in this respect.'

7 With the greatest respect, I think we can see what
8 that is?

9 A. Yeah, I mean obviously I'm only seeing this for the
10 first time today, but it does raise, you know, how many
11 parents in Glasgow had telephones in their house in this
12 particular period that meant that schools could phone
13 them to say --

14 Q. I'm sure Mrs Johnstone had a telephone, but I doubt if
15 any of the pupils --

16 A. Again, it's the bit about normalising. So what happens
17 here is, I think, you see Mrs Johnstone saying: 'Aye,
18 but this is common, so we're not singling these children
19 out'. And she's justifying in her own mind the failure
20 to take action.

21 Q. If we read on, there was an allegation that they were
22 silenced for long periods, but how that was dealt with
23 is they said:

24 'So far as periods of silence were concerned, Mrs
25 Johnstone and Mr McLeish said this only meant being

1 quiet for periods of five to ten minutes to calm down if
2 the boys had become over-excited after coming home from
3 school effectively ...'

4 I think that was Mr MKS's explanation when
5 confronted with this and then it said:

6 'It was noted that the subcommittee's report said
7 that Dr Hay [he was the medical officer] wished to place
8 on record that he had seen no evidence of ill-treatment
9 of any of the boys at any time.'

10 He wrote a letter apparently to the committee:

11 'Mr McLeish said, however, that Dr Hay only saw the
12 boys either when they were ill or once a year at the
13 annual medical examination. Spot checks were not
14 carried out. Mr Corner [he's Scottish Social Work
15 Services Group] said that rumours of ill-treatment
16 should be taken as an indication that something was
17 wrong and justified asking the doctor to come and make
18 a spot check. Mrs Johnstone undertook to consider the
19 introduction of spot checks by medical officers.'

20 He was concerned enough to say it's not good enough
21 for the medical officer just to sit in his office
22 drinking coffee and having an occasional examination, he
23 should be there and he should be checking, not just at
24 routine examinations, but making perhaps unannounced
25 visits and seeing boys; is that what he's effectively

1 saying?

2 A. It is, and again, when you read that, the doctor was
3 probably correct. He did not see evidence himself, but
4 that raises the question: Did he ever ask, 'How did you
5 get that injury? What has happened? What is daily
6 routine like?'. So you don't see an inquisitive mind
7 there --

8 Q. -- there's no curiosity?

9 A. There's no curiosity.

10 Q. He's economical with the truth as well --

11 A. As well, yeah.

12 Q. If he's trying to use this as written evidence to
13 basically support Mr MKS that everything's well, it
14 does reek a bit of downplaying the boys' allegations,
15 trying to minimise them, but not necessarily being able
16 to go as far as saying: 'These boys are liars.
17 Everything they say should be treated ...'

18 A. Or no reflection and saying: 'Actually, with the benefit
19 of hindsight, perhaps I could revisit some of the
20 concerns or issues the boys have told me'. So none of
21 that happened. And I think that the fact that there's
22 then this request about doing the spot check, and it's
23 often -- it is an issue because when you plan to work
24 with individuals, they can create the control they want
25 and that example you gave of the committee meeting boys

1 in the room was a controlled environment. The annual
2 medicals are a controlled environment. Everyone knows
3 the doctor's coming on that particular day, so children
4 and young people could be schooled to say what they are
5 required to protect the establishment.

6 Q. I can read on because it is an interesting document
7 this, at paragraph 13:

8 'Mrs Johnstone [she's certainly trying her best]
9 said she thought it wasn't so much excessive punishment,
10 that had been given at Gryffe as excessive punishment,
11 she thought that Mr MKS had been foolish because he
12 had kept one or two difficult boys because he had not
13 wanted them to go on to an approved school [how
14 commendable, one might think] he himself had been hurt
15 that any of the boys should have made allegations
16 against him and he could not appreciate why the
17 punishments he had been administering were any cause for
18 complaint. Mr McLeish [who's the Children's Officer]
19 said that one of Mr MKS's difficulties was that he
20 felt he had nothing to learn. Mr MKS had not had
21 any training in childcare other than attendance at
22 a short refresher course. He was 56 and too old to be
23 sent on a long course of professional training, but it
24 was agreed that consideration must be given to arranging
25 some in-service training for him and other members of

1 staff. This training might provide an opportunity to
2 bring in professional social workers who would
3 themselves learn something of the problems of running
4 a children's home faced with the kind of difficulties
5 found at Gryffe.'

6 And Mr McLeish added that:

7 'The corporation had been considering opening a new
8 home of a different type and character in a new place,
9 less isolated and with smaller numbers than the present
10 home. The number of boys at Gryffe had already been
11 reduced to 45 and there would be further reductions as
12 soon as possible.'

13 I think when they initially visited, there were 60
14 boys so it was a big place at that time. Then it goes
15 on at 14:

16 'Consideration had been given to transferring Mr and
17 Mrs MKS-LYQ to another children's home but at present
18 there were no suitable arrangements which could be
19 made.'

20 And then if we can go over, I think there's some
21 scepticism about the reason for the cold baths, even on
22 the part of Mrs Johnstone which is -- well, if she's not
23 convinced then -- well, I think that again tells its own
24 story and then it goes on, I think, to reassure the
25 Social Work Services Group at 16:

1 'The Convener assured Ms Cox that it had been made
2 plain to Mr MKS that the amount of punishment must
3 be reduced and that the rules and regulations strictly
4 observed in the future; but it was not clear that the
5 committee had taken any real steps to prevent
6 a repetition of the abuses in future, although they did
7 say they were going to have a newly appointed Assistant
8 Children's Officer to make visits more regularly and
9 sign the punishment book and report to the committee,
10 but some doubt was expressed by Ms Cox [who is of the
11 Social Work Services Group] as to whether a limited
12 measure of this kind would really be adequate to detect
13 abuses. The Convener gave an assurance however that
14 priority would be given to Gryffe.'

15 So they're trying to keep the social work services
16 on board and so forth.

17 There's various other things talked about, but if we
18 go on to -- I think if we go over to page, the following
19 page, perhaps? No, I think I've missed something.
20 I think I was trying to -- maybe I've covered it.

21 Sorry, could you go back? Scroll up. I've got
22 a note of paragraph 16, but I think I've -- yes, I think
23 I've covered that, sorry.

24 So we get the sense, they go on to discuss wider
25 matters about how the service has to improve more

1 generally, and that's it.

2 To some extent, subsequent correspondence, which
3 I'm not going to take you to, did seem to placate the
4 Scottish Office sufficiently. They had reservations,
5 but they weren't going to hold an inquiry and they were
6 trying to hope that Glasgow would make the improvements
7 desired at that time, although I suspect they had their
8 concerns?

9 A. Yes. I think again, when you were reading some of those
10 examples, what became clear to me was the position of
11 Glasgow was to minimise all of the concerns. So
12 actually baths weren't cold, they were just sometimes
13 less than lukewarm. But actually, what is less than
14 lukewarm?

15 So language was really important, but again I think
16 it demonstrated that there wasn't a respectful culture,
17 even within the local authority, for children at that
18 time. And I think that the idea that having someone go
19 in and sign -- countersign the logs actually assumes
20 that the logs in themselves would be accurate. So how
21 do you check the veracity of the logs, other than you're
22 signing to say: 'I've seen the logs and I've signed
23 them'. How do you check?

24 Q. Exactly: are you seriously thinking that Mr MKS is
25 going to put down 25 strokes. He's going to put down

1 six if it's permitted or four or whatever. He's not
2 going to put down something that will reflect badly on
3 him.

4 A. Yeah. Yeah.

5 LADY SMITH: Or that those strokes were on the bare
6 backside.

7 A. Yeah, and I think --

8 MR PEOPLES: Or the force used.

9 A. Or the force used. And I think that the other bit about
10 the accumulation of punishment, so actually it wasn't
11 25 strokes, it was four strokes of six for four
12 different individuals, but actually at the time it's 24
13 or 25 strokes.

14 So I think it's a really interesting look back at
15 how people can misuse information to justify their own
16 position.

17 LADY SMITH: And it shows in that example that you gave,
18 John, which is a very good one, there's a total failure
19 to look at this through the eyes and the pain of the
20 child.

21 A. Absolutely, my Lady.

22 MR PEOPLES: So, I think we can move on from that.

23 Essentially, I've asked you all the questions
24 I planned to ask today. We've got your response.
25 I think you've made some modifications clear on the

1 basis of what you now know, and I take it that's clear
2 enough, I don't need to repeat --

3 A. I hope -- I mean, yeah, and I think -- actually, again
4 reflecting back, we probably should have written to say
5 that we have changed our position about whether we
6 viewed that systemic abuse had occurred or not, because
7 when I came previously, I was accepting that and
8 I absolutely accept it in this case.

9 Q. Well, I'm sure there's an opportunity to do that in
10 closing submissions.

11 LADY SMITH: Indeed.

12 MR PEOPLES: So that, I have seen that done --

13 A. Yeah, yeah.

14 Q. -- and certainly it would be helpful if that's made
15 clear, in case there's any dubiety.

16 A. Yeah.

17 Q. Rather than necessarily doing it --

18 A. Yes, so we will certainly do that, because our position
19 has changed. We're clear.

20 Q. Now, I've just got five minutes where -- I think
21 I'll give the floor to you, but I think there was
22 something you wanted to tell me about the modern
23 practices, because one of the things I raised with you,
24 I think informally, was an issue raised by 'Bernard',
25 about that he was from a large family, boys and girls,

1 and they were separated and sent to all different places
2 and he lost contact. There wasn't any great contact.
3 And ultimately that affected and ruined his relationship
4 with his family, not just in childhood but throughout
5 his adult life.

6 And I think you've told me, and maybe you can tell
7 me formally, there is something now that's done to try
8 and avoid that situation.

9 A. Yeah.

10 Q. What is it?

11 A. So there's two things I would like to put down on record
12 and will make available to the Inquiry.

13 The first is that we heard from young people when
14 the Independent Care inquiry was ongoing about
15 separation of brothers and sisters and it was an area
16 that was absolutely demonstrated in so many of the
17 statements from the survivors, and in -- the individual
18 that I met recently to do the personal apology talked
19 about going into Gryffe and being separated, whether it
20 be, you know: 'I was put in a bedroom with a stranger,
21 but my brother was also put in a bedroom with
22 a stranger, why could they not put us both in the same
23 bedroom?'.
24

25 So our Local Promise Champions Group, it's a group
of care-experienced young people, said that the

1 number-one issue for them was children being separated
2 from their brothers and sisters when they were going
3 into care. And we started a piece of work, and actually
4 it coincided unfortunately with COVID, but we decided
5 that we would continue that piece of work.

6 So during a period when none of us could meet
7 together, we set up calls where myself, the advocate
8 from Who Cares? and a group of young people looked at
9 our policy and we developed what we call 'Keeping
10 Brothers and Sisters Together'. And we took that policy
11 through the council's decision-making. So it's a formal
12 policy in place in Renfrewshire Council that says when
13 a child is accommodated out of their family home, we'll
14 attempt to place them -- or it says: we will place them
15 with their brothers and sisters.

16 And then we say there will be occasions where we
17 can't, because we recognise that there might be
18 circumstances that children can't be placed, for safety
19 themselves, or because we don't have sufficient room in
20 a foster care placement or a kinship carer who doesn't
21 have sufficient room.

22 So when a child comes in and we can't place them
23 together, then there's a formal note of that by myself.
24 I have to justify it and record the reason for that in
25 the child's file. I approve it and hold it under

1 review. But what we also look at is the family visiting
2 arrangements to ensure that children actually are
3 maintaining relationships with their brothers and
4 sisters as part of their formal plan, so that they don't
5 disappear and lose those really important relationships.

6 And then the next bit is that every year I take
7 a report to the Education and Children's Services
8 Committee, which is where children's social work is now
9 dealt with in the council, and explain how many children
10 came into care, how many had a brother or sister, how
11 many were placed together and how many were not placed
12 together and the reasons for that. So there's a very
13 open and transparent view on how we make those decisions
14 for children. But the commitment remains that we will
15 place children together.

16 So I think that's a real difference.

17 MR PEOPLES: Is there anything else you would like to add?

18 Obviously you are now aware that people have told of the
19 experiences they encountered at Gryffe. I appreciate
20 Renfrewshire weren't in charge for the whole of that
21 period, or for very little of it in fact, but is there
22 anything you would like to say today publicly to the
23 people that were abused or were at risk of abuse?

24 A. Yeah. I mean, I think that it's ultimately clear to me
25 that children and young people experienced systemic

1 abuse within Gryffe Children's Home. It was abuse that
2 occurred over many decades from the day the home opened,
3 I believe, right through to the day we closed the home,
4 and that the public authorities that had responsibility
5 for protecting those children failed in those duties,
6 that they allowed abuse to occur, that the statement --
7 and I think I used the word 'survivors' there because
8 I genuinely believe that many of the people who have
9 come forward are survivors of abuse in care.
10 I ultimately respect their positions. I respect their
11 ability to step forward. I think there are other
12 victims out there who have not yet been able to
13 reconcile their experiences, or may, for a variety of
14 reasons, choose not to bring it into the public domain,
15 and I would accept that those individuals also
16 experienced abuse in Gryffe Children's House.

17 I would accept that children were routinely exposed
18 to abuse because of the failure of the public
19 authorities, and I would formally apologise to them all
20 for that.

21 MR PEOPLES: Thank you.

22 LADY SMITH: John, thank you so much. I'm so grateful to
23 you for coming back this morning and sharing, not just
24 your knowledge and understanding, but the deep
25 reflection you have engaged in about what happened in

1 the past, where you are now and where you need to keep
2 going in the future. And I take from the way you've
3 explained where you are and where you're going is that
4 you absolutely get that nobody in your position, no
5 authority in your position, can be complacent.

6 A. I would agree, my Lady. Thank you.

7 LADY SMITH: Thank you so much for that. And now I'm able
8 to let you go and carry on doing the excellent work that
9 you do.

10 A. Thank you, my Lady.

11 (The witness withdrew)

12 LADY SMITH: Just before I rise, I don't have any new names
13 to mention, I don't think. I'll just remind people of
14 three names that have already been raised this week of
15 Mr MKS, Mr Gilmour and Mr Bamber, all people who are
16 not to be identified as referred to in our evidence
17 outside this room.

18 Was there anybody else?

19 MR PEOPLES: I did wonder about Mr Bamber because he has got
20 a conviction.

21 LADY SMITH: Oh, that's true.

22 MR PEOPLES: Not for children in care.

23 LADY SMITH: No, no.

24 MR PEOPLES: I think Mr MKS and Mrs LYQ are in the
25 category of people who have not been subject to any

1 conviction.

2 LADY SMITH: They were.

3 MR PEOPLES: But I think in Mr Bamber's case, like

4 Mr Gilmour, he is not someone that would have any GRO

5 protection.

6 LADY SMITH: True, they wouldn't, and there's a lot of

7 material in the public domain --

8 MR PEOPLES: And there's a lot in it, yes.

9 LADY SMITH: -- about both of them, so we're really just

10 back to Mr MKS, I think.

11 MR PEOPLES: Yes, and they're both deceased, I'd have to

12 say.

13 LADY SMITH: And they're deceased anyway.

14 MR PEOPLES: Yes.

15 LADY SMITH: Thank you very much. Until 2 o'clock.

16 (1.04 pm)

17 (The luncheon adjournment)

18 (2.00 pm)

19 LADY SMITH: Good afternoon.

20 Now, as we said, we're going to move to Redheugh

21 this afternoon, I think.

22 MR PEOPLES: Yes.

23 LADY SMITH: And start with reading in some evidence, is

24 that right?

25 MR PEOPLES: Yes, there will be some evidence read in and

1 there will be some oral evidence tomorrow.

2 LADY SMITH: Thank you.

3 MR PEOPLES: The first read-in is from an applicant who is
4 anonymous and has the pseudonym 'Alexander'. And his
5 reference is WIT-1-000000665.

6 LADY SMITH: Thank you.

7 'Alexander' (read in)

8 MR PEOPLES: And I can say that 'Alexander's' evidence has
9 been read in on two previous occasions, once during --
10 once in Phase 8 on 5 December 2023, Day 393, in relation
11 to his time in Scottish Prison Service establishments,
12 and it's also been read in in relation -- on 2 July
13 2024, which was Day 496, in relation to his time at
14 Bellfield Remand Home.

15 LADY SMITH: Thank you.

16 MR PEOPLES: So I'll obviously be selective in what I read
17 out today.

18 If I can just start by -- 'Alexander' was born in
19 1957 in Paisley. He tells us he had two older sisters,
20 a younger brother and a younger sister, and that his
21 father was a policeman and, as he says at paragraph 4,
22 very much a career policeman who put his job before
23 everything.

24 I'm not going to read all of the detail of his life
25 before care, but he does tell us that, at paragraph 6,

1 from an early age he was a very sensitive child and that
2 his father didn't like him because he didn't aspire to
3 his perceived macho image.

4 He then tells us at paragraph 7, when he was aged
5 about 5 or 6, which would be 1962 or 1963, I suppose, he
6 thought -- his father thought he had stolen money from
7 his pocket, and 'Alexander' was beaten by him. And he
8 adds that his father always beat him where it wouldn't
9 show, and said after he was beaten, he was left in
10 a room for two or three hours.

11 He then tells us that when he was about, I think,
12 11, at paragraph 9, that would be around 1968, he was
13 getting ready for school and his father told him that
14 his mother had gone and would not be coming back. He
15 was not given any explanation, but was told to go off to
16 school. And he then tells us that he would run away
17 from home a lot and he was also being regularly beaten
18 by his father.

19 And then at paragraph 11, he says when the police
20 picked him up, none of the officers ever asked why he
21 was running away. It's not an unfamiliar --

22 LADY SMITH: It's not unusual.

23 MR PEOPLES: -- response.

24 And he says at paragraph 13, about a year after his
25 mother left, his father remarried. And at paragraph 14,

1 he says that his father and his second wife went on
2 honeymoon and that when they came back and picked him
3 up, his stepmum's attitude towards him, which had
4 initially appeared to be nice, completely changed and he
5 said:

6 'We didn't like each other.'

7 He then says his father and stepmum moved to
8 a new -- a house, another house in a new area at
9 paragraph 15. He was by this time attending high school
10 and said that matters came to a head after he had been
11 in Scarborough.

12 He says it was a holiday, but it looks as if he
13 actually ran away, the way -- when we read the next
14 paragraph.

15 LADY SMITH: Yes.

16 MR PEOPLES: It may have been a holiday, of course, but he
17 said that he was picked up by the police and his father
18 had to travel to Scarborough to pick him up. And then
19 he tells us that when he was home, he was told to strip
20 down to his underpants, everything was removed from his
21 room to make it like a police cell. He was locked
22 there, given his food on a tray and he was there, he
23 recalls, for around three days and he didn't see his
24 stepmother at that time.

25 On that occasion, he says, it was the one occasion

1 when his father never beat him, although he didn't
2 appreciate he had an agenda in mind.

3 And then he says that, at paragraph 19, that his
4 father took him to a court building in Paisley, where he
5 appeared before, he says, a panel of three in
6 a courtroom. This would be before the
7 Children's Hearings, I think.

8 LADY SMITH: Yes, if this is still around 1968/1969 --

9 MR PEOPLES: It could be, well certainly --

10 LADY SMITH: The legislation was 1968 legislation --

11 MR PEOPLES: The legislation was 1968 but the hearing system
12 didn't come in until 1971.

13 LADY SMITH: 1971.

14 MR PEOPLES: So it's probably -- it doesn't probably matter,
15 but at the end of the day, what happened was that he
16 says his father was telling the court that 'Alexander'
17 was causing disruption in the family and that the only
18 way he could keep him at home was to remove his clothing
19 and lock him in his room, which he says explains his
20 reaction when he returned from Scarborough.

21 And then he said that following this appearance, he
22 was taken by police to Bellfield Remand Home, and
23 Bellfield Remand Home has been read in previously, as
24 I indicated, and so I don't propose to go through that.

25 He suffered -- he tells us he suffered some abuse,

1 but he doesn't, I think, make a great deal of that in
2 terms of his overall childhood experiences, because he
3 says at paragraph 53:

4 'Nothing really bad happened at Bellfield and
5 I never saw any sexual abuse there.'

6 And he has a section on abuse, but it's a fairly
7 short section at paragraphs 49 to 51. He seems to have
8 had difficulties with older boys and, to some extent,
9 there was slaps around the head from staff.

10 And then he moved from Bellfield to a children's
11 home in Ayrshire, which he tells us about from
12 paragraph 55 onwards

Secondary Institutions - to be published later

13 Secondary Institutions - to be published later

14 And then when he was -- he said when he just turned
15 15, he left the children's home and went to Redheugh
16 Adolescent Unit in Kilbirnie. That would be in 1972, if
17 his recollection is correct. And he says that, at
18 paragraph 67, he was aged 15:

19 'My first impressions of Redheugh were that it was
20 a horrible place.'

21 And then at paragraph 68, he says:

22 'This was going to become one of the worst periods
23 of my life.'

24 He tells us that the unit was run by the Salvation
25 Army and SNR was a HDD. It's

1 probably HDD ██████████ if -- correctly. He's got ██████████
2 ██████████, but I think from other records it's probably
3 'HDD ██████████'. I'll be corrected if I'm wrong, but I think
4 that's the --

5 And he tells us a little bit about HDD ██████████ at
6 paragraph 71, that he was a very large man and he thinks
7 that he had a -- he was a bad lad when he was younger,
8 but changed his life around, but describes him as very
9 short-tempered and someone who was like a large bear the
10 way he lolled around the place. He said that even the
11 staff appeared to be intimidated by him.

12 And he's got a section on routine starting at
13 paragraph 73. He thinks that he was in a dormitory with
14 between four and six boys.

15 He said at that stage, at paragraph 75, there were
16 two main local employers where most of the boys from
17 Redheugh were employed. Because I think the bulk of
18 them would by that stage have left school. I mean, it
19 was a hostel almost, or an adolescent unit, rather than
20 a place where the children would be at a home and attend
21 school.

22 He said there were two main employers, Kilbirnie
23 Steelworks and Beith Craft, which is where he worked,
24 which made, as he says, world-famous furniture.

25 He says at paragraph 77, there were incidents of

1 bullying amongst the boys all of the time he was at
2 Redheugh. There would be raids on the dormitories
3 through the night and he can recall getting a black eye
4 when he was hit in the face with a shoe during one of
5 these raids.

6 He says staff were disinterested in what happened to
7 him and there was never any kind of inquiry.

8 As far as the culture is concerned, he says at
9 paragraph 82 that there was a gang culture at Redheugh
10 among the boys. That's maybe not something unusual from
11 what we've heard about this sort of arrangement.

12 And then he's got a section on punishment, a short
13 section, at paragraph 84. He says:

14 'There were no punishment rules and I do recall
15 seeing the odd boy being slapped. I recall HDD
16 HDD giving me a slap for being late home. If you got
17 summoned to his office, you knew that you were going to
18 get slapped. There was very little need for punishment
19 as the boys knew the rules.'

20 And then he has a specific section headed 'Abuse at
21 Redheugh'. And he said:

22 'HDD was very efficient at slapping you
23 for anything you had done wrong. He was a very large
24 man and he slapped you very hard. He had a fast right
25 hand and would slap you when you least expected it.'

1 And then he speaks about a nightshift worker who was
2 called HDF . He can't recall his surname. He says he
3 was a very effeminate person who was very small and aged
4 about 25, and he says that HDF sexually assaulted him.
5 'Alexander' says he had no sexual experience and HDF
6 abused him over a period of weeks. He says:

7 'He made me do sexual things to him and he did them
8 to me. It culminated in him raping me. All I recall
9 was that it was very painful and I didn't know how to
10 stop it happening.'

11 He does go on to say that:

12 'As a result of this incident ...'

13 I think this would be the rape incident:

14 '... I didn't go to work the next morning. I went
15 into town and phoned my sister who worked in a hair
16 salon in Glasgow. I told her what had happened. She
17 told me to stay where I was.'

18 He goes on:

19 'I learned in later life that she had spoken to her
20 boss in the salon and they had suggested calling the
21 police. My sister phoned the police and was told by
22 them that it was the responsibility of Redheugh to deal
23 with. My sister then phoned Redheugh and insisted on
24 speaking to HDD . She was a young girl at the
25 time but managed to make a forceful complaint, "reading

1 the riot act" [as he puts it] and threatening to contact
2 the press. I called her back --'

3 LADY SMITH: I think it said 'She told me'; not 'She and'.

4 MR PEOPLES: Yes:

5 'She told me to return to the unit and speak to
6 **HDD** to tell him what had happened.'

7 So they were really following what appears to have
8 been the police advice on the matter.

9 And 'Alexander' goes on:

10 'I went back to the unit and was ushered in **HDD**
11 **HDD**'s office. I wasn't sure of going back to the
12 unit but my sister convinced me that they would listen
13 to me. There was a female member of staff in the office
14 which made me feel very awkward. Mr **HDD** asked me to
15 tell what had happened with regard to **HDF**. I told him
16 everything that had happened over the past weeks
17 involving **HDF**.

18 'I told Mr **HDD** exactly what had happened despite
19 my embarrassment. He didn't ask me any questions.
20 I had never experienced anything like the sexual abuse.
21 He left me sitting for a long time in his office. He
22 then came back and told me that he was going to separate
23 me and took me to an attic room where he locked me in.
24 There was a boy who came and brought me some food.
25 I wasn't offered any medical help, even though I was

1 bleeding slightly from my anus and the staff were aware
2 of this. I was not aware of any incidents with other
3 boys which involved HDF .

4 'In the morning, without any explanation, I was
5 taken to another Salvation Army-run adolescent unit in
6 Glasgow called Mount Bruce. I don't recall HDD
7 HDD taking any notes when I told him about the
8 incident. I don't know if the other lady in the room
9 was taking notes. He didn't really empathise with me
10 and didn't ask me any questions. I don't think anything
11 would have happened if my sister had not intervened.'

12 And then on the matter of reporting abuse at
13 Redheugh, 'Alexander' says:

14 'Reporting the sexual abuse to HDD was the
15 first time while I had been in the care system [I think
16 the first reporting of any abuse]. I had never told
17 someone SNR about what was happening to me.'

18 There's a few mistakes, I think, spelling, but
19 I think that's what the sense is.

20 LADY SMITH: Yes.

21 MR PEOPLES: 'It was a thing with children in care that no
22 one was expected to complain about their treatment. It
23 was considered to be grassing. To my knowledge, the
24 police were never contacted about this incident.

25 'I don't know what happened to HDF the care worker,

1 apart from the fact that I heard later on that he was no
2 longer employed at Redheugh. It was never explained to
3 me why I was locked in the attic that night, but
4 I suspect it was so that I couldn't tell anyone else
5 about what had happened.'

6 He then says about leaving Redheugh, that after
7 spending the night locked in this room, the next morning
8 a member of staff appeared with breakfast, told him to
9 get ready, as he was leaving, although he didn't say
10 where he was going. He tells us he was taken to Mount
11 Bruce unit in Glasgow, which was also run by the
12 Salvation Army and was a sister home to Redheugh.

13 He describes it as a much smaller place and he says
14 he knew about Mount Bruce because every year there was
15 a large gathering of the Salvation Army in the
16 Kelvin Hall, Glasgow, and he would meet other boys from
17 Mount Bruce.

18 He goes on:

19 'I was delighted to be leaving Redheugh as I did not
20 enjoy my time there. It was probably one of the worst
21 spells of my life. I hated all the bullying because
22 I was a quiet boy and I didn't want involved in the
23 violence. There is no doubt that **HDF** had groomed me,
24 as I was far too naive to understand what was happening
25 to me.'

1 At 97, he continues in the theme of his reaction to
2 leaving:

3 'I was delighted to be leaving Redheugh. It was one
4 of the happiest days in the care system.'

5 And then I'll not read the rest of it, other than
6 paragraph 100 which I think is relevant:

7 'I learned from a member of staff who was a sort of
8 housefather at Mount Bruce that the reason he had been
9 told why I had left Redheugh and come to Mount Bruce was
10 because I was being bullied at Redheugh. The staff
11 there felt it would be better [that's the staff at
12 Redheugh I think] for me to move to another unit. There
13 was no mention of the incident involving HDF, the care
14 worker.'

15 And he tries to describe the person he spoke to at
16 Mount Bruce and he said:

17 'I told him part of the story involving HDF, the
18 nightshift carer, which he listened to and seemed to
19 dismiss. It was never mentioned again after that.'

20 And then he goes on to deal with his time at Mount
21 Bruce, which seems to have been fairly uneventful,
22 I think, and says at paragraph 107:

23 'When you reached the age of 16, you were asked to
24 leave Mount Bruce ...'

25 So that would be around 1973, I think, from these

1 dates.

2 LADY SMITH: Okay.

3 MR PEOPLES: And he said he moved from there into a bedsit
4 not far from Mount Bruce, which had been organised
5 either by the local authority or the Salvation Army.

6 And then he talks about his life thereafter. He
7 seems to have started working initially in a butcher's
8 and then as a trainee chef, but when he was no longer
9 under the care of the authorities, he said he started to
10 run wild around the streets of Glasgow and was living on
11 the streets for a time.

12 He says he was:

13 'Abandoned by the system that had allegedly cared
14 for me for the past three years'. This is at
15 paragraph 111. He had no or limited life experience.
16 He was on his own. He started getting into a life of
17 petty crime with no thought about the potential
18 consequences.

19 He thinks that everything that he ever did, he was
20 caught doing and paid the price in the prison system.
21 We do have a section which has already been read in.

22 LADY SMITH: Yes.

23 MR PEOPLES: He says he was:

24 'Associating with other youths who were just like
25 me' and would be stealing cars, living on the streets.

1 He said:

2 'There was never any violence. I always knew I was
3 going to get caught and usually did.'

4 And he says:

5 'I was uncontrollable and on occasions when I needed
6 a bed for the night, I would go with men, who were
7 always in the area looking for young boys to pick up.
8 I don't really want to elaborate on that. I hated doing
9 that as I thought I was gay, but I only felt attracted
10 towards women. It was all very seedy and disgusted me.
11 I had no one to speak to as my sister had moved to
12 London.'

13 And he talks about the prison system and I'm not
14 going to go into that, as I say, because it's been
15 previously read in.

16 And so far as impact is concerned, he has a section
17 starting at paragraph 123 and says:

18 'When the incident happened with **HDF** the care
19 worker at Redheugh, I remember thinking that I just
20 wanted to be a kid again. I was very young and innocent
21 as far as sexual matters were concerned and I just
22 couldn't understand what had happened.'

23 He goes on to say that one of the impacts was he's
24 not good at relationships, which is again quite
25 a familiar theme that we hear from ...

1 And then he says, as for reporting of abuse, he
2 says:

3 'Apart from telling my sister, **HDD**, and
4 the lady that sat in at the meeting at Redheugh, along
5 with the care worker at Mount Bruce, I've not told
6 another soul about what **HDF** did to me.'

7 And then under 'Lessons to be learned', he says at
8 129 in line 4:

9 'In my day, children didn't complain or report to
10 adults.'

11 And I think that's probably all that I need to read
12 in for the moment.

13 LADY SMITH: Thank you very much. We've read in other
14 detail previously.

15 MR PEOPLES: Yes, we have, yes.

16 So if I could move to another statement now, which
17 is from an applicant who is anonymous and has the
18 pseudonym 'Graham'.

19 'Graham' (read in)

20 MR PEOPLES: And he is another applicant whose evidence has
21 been read in previously, or some evidence, and also he
22 gave live evidence during the Phase 8 case study on 4
23 December 2024 in relation to Bellfield and Kibble, which
24 were two of the places he was placed in. And there was
25 a read-in of evidence on 23 October 2024, on Day 486, in

1 relation to Thornly Park --

2 LADY SMITH: Oh yes.

3 MR PEOPLES: -- which was another of the establishments he
4 spent time in as a child.

5 And again, I think, because of that, I can --
6 I think a lot of this has been covered, his life before
7 care and obviously his time in various places.

8 So far as Bellfield is concerned, it starts at
9 paragraph 21 and I think he has a section on abuse at
10 paragraphs 25 to 27, which I think was essentially
11 physical abuse there.

12 And as far as Thornly Park is concerned, which has
13 also been read in, he did experience abuse there,
14 I think mainly in -- it's mainly sexual abuse from older
15 boys and a particular member of staff, which he tells us
16 about from paragraph 35 through to 43.

17 And then, after Thornly Park, he seems to have moved
18 on to Kibble School, before getting to Redheugh, and
19 I think again that evidence has been read in. And
20 I think there's a mixture of abuse, involving physical
21 abuse of beatings and bullying, physical abuse from
22 staff, and he talks about a small amount of sexual
23 abuse. But he says he does remember a sexual assault by
24 a particular member of staff, at paragraph 50, and he
25 says this person was the only staff member who sexually

1 abused him when he was there. But he obviously speaks
2 about other abuse that he experienced.

3 And then we get to his section on Redheugh, which
4 starts at paragraph 56. And we have in his case some
5 records and I think that the dates of admission and --
6 well, I'm not sure it's discharge, but I can give a date
7 when I think he was last there.

8 He went to -- he was admitted on [REDACTED] 1979,
9 which would make him aged 14. Just at this stage,
10 I might as well give this other date, that on 10 May in
11 1980 when he would then be aged 15, he absconded to
12 London and about two weeks later on 24 May 1980, he was
13 returned to Redheugh, and it appears that on [REDACTED]
14 1980, when he was still aged 15, he was admitted to
15 Calder House Assessment Centre for a short time before
16 being admitted to Kibble on [REDACTED] 1980, and was
17 released from care aged 16 in [REDACTED] 1980.

18 So Redheugh was from [REDACTED] 1979 until around
19 probably [REDACTED] 1980.

20 LADY SMITH: Thank you.

21 MR PEOPLES: And so far as his time there is concerned, if
22 I could just pick up some of the things he says in this
23 section on Redheugh.

24 At paragraph 58, he says he was subjected to
25 humiliation and intimidation from the outset at

1 Redheugh:

2 'The staff forced me to strip naked and shower in
3 front of them. I was taken to the big wash area at the
4 back of the house with sinks and baths and showers.
5 I had to shower in front of the matron, a member of
6 staff and the social worker that took me there.'

7 This must be his initial period, I think, when he
8 arrives.

9 LADY SMITH: Yes.

10 MR PEOPLES: He said:

11 'I was made to strip and they were all pointing and
12 laughing at me. I was scared, humiliated and bullied.'

13 Then he says he was given clothes to wear.

14 And he said he spent the first part of his stay in
15 a dormitory upstairs where there was about 14 or 15 boys
16 of varying ages from around 11 to 17. So it wasn't
17 entirely people who had left school. According -- here,
18 he has a recollection of younger boys too.

19 He says:

20 'When I was at Redheugh, we would all go to the
21 local school from the hostel but I never went to school.
22 I would go off sniffing glue and solvents with some of
23 the other younger boys. For me, it was all about trying
24 to numb what was going on at the time. That was the
25 only reason I was doing all that.

1 'I do remember we got into trouble for that. It was
2 plain to see what we'd been doing, you could smell the
3 solvents for one, but it would also be all around our
4 fingers as well, so the staff would know.'

5 And then he says under a section on abuse at
6 paragraph 62:

7 'Some of the older boys in my dorm took it upon
8 themselves to beat me regularly and forcing me into
9 committing sexual acts. The sexual acts included
10 touching, masturbation and oral sex. This happened to
11 me every night for the four to eight months I was at
12 Redheugh, unless the boys were bothering somebody else.
13 It was the same boys that abused me all the time. Some
14 were about my age, but most of them were older than me,
15 about 16 or 17. There was a group of about five or six
16 of them.'

17 He said:

18 'The same boys would also sometimes force me to
19 fight other boys, but then, and I don't know what it
20 was, something happened within me and after a period of
21 time I was able to just completely disassociate and not
22 be there. I would be able to take a beating without
23 knowing about it or being hurt. I'd just take it and it
24 wouldn't mean anything to me.'

25 He says at paragraph 65:

1 'I wasn't the only one being beaten and sexually
2 assaulted by those boys. I saw other things going on.
3 There was regular fighting and beating in the snooker
4 room downstairs. If I wasn't being sexually abused,
5 I would be getting beaten or someone would be getting
6 beaten, and it would always be the same group of boys
7 from my dorm that were responsible.'

8 So that's more of physical abuse by other boys.

9 But he also goes on to say:

10 'There was also one member of staff who took
11 a particular interest in me. He would often give me
12 treats like chocolates, sweets and crisps. That member
13 of staff told me he would be able to keep me safe from
14 the bullies and the beatings. I did feel a bit safer
15 after that, but I was still bullied. The bullying
16 didn't stop.

17 'I was eventually moved from the dormitory I was in
18 up into one of the smaller rooms up in the attic, and
19 things did become a bit easier then. My room only had
20 two beds and I was alone in that room.

21 'That member of staff I've told you about would come
22 into my room when he was on duty and sexually assault
23 me. That abuse took various forms.'

24 And he describes the forms. He talks about oral
25 sex. Being 'buggered on many occasions'. He would be

1 constantly threatened with violence or being threatened
2 that he would be returned to the dormitories if he
3 didn't do what he was being asked to do. And he says:

4 'After abusing me, the member of staff would always
5 give [him] sweets, chocolate and crisps.'

6 He said:

7 'There was absolutely nothing I could do about the
8 abuse. He threatened me not to tell anybody about the
9 abuse and I didn't. I lived in constant fear of
10 repercussions. I was abused by him at least two or
11 three times a week throughout my whole time at
12 Redheugh.'

13 And at paragraph 69, he can't give a name but he
14 gives a description of the person, who he thought was
15 blonde-haired, average stature and height, probably in
16 his mid to late 30s.

17 And then he tells us that, at paragraph 72:

18 'The fear I felt at Redheugh was indescribable.
19 I never knew what was going to happen to me from one day
20 to the next. That man and those boys totally violated
21 me when I was at my most vulnerable state. I was not
22 cared for in any sense of the word and the very people
23 who had been charged with my care were the ones who
24 deemed it correct to sexually, mentally and physically
25 abuse me.'

1 He says:

2 'There was no one I could talk to at the time I was
3 being abused because of the fear that had been instilled
4 in me, with threats of violence from the older boys who
5 were abusing me.

6 'Sitting here thinking about it logically now,
7 somebody else must have known something was going on.
8 I feel it's impossible that no one else wouldn't have
9 known. The way I must have been presenting, I was
10 presenting as a beaten child. I didn't speak, I didn't
11 stand up for myself. I was the one sat in the corner
12 cowering away, so it was absolutely obvious. That was
13 never addressed at all, no one ever came and spoke to
14 me, not once.'

15 And then he says:

16 'As a result of the abuse and the bullying
17 I suffered at Redheugh, I eventually had to run away. I
18 ran away to London and I remember saying I would never
19 go back to Scotland and I never did.'

20 I'm not going to go through the bit after that.
21 I think some of this will have been covered before and
22 we can read it ourselves, and at paragraph 131 he's made
23 the usual declaration and signed his statement --

24 LADY SMITH: Thank you.

25 MR PEOPLES: -- in 2022.

1 So if I could turn to a third read-in.

2 LADY SMITH: Yes.

3 MR PEOPLES: The third read-in is another applicant who is
4 also anonymous and has the pseudonym 'Gavin'.

5 'Gavin' (read in)

6 MR PEOPLES: I can say that he has already given live
7 evidence during the Foster Care study on 12 August 2022,
8 Day 314, but he's obviously been in a variety of places
9 during his childhood.

10 LADY SMITH: Thank you.

11 MR PEOPLES: But I think one of the main parts of his
12 statement relates to his time with a particular set of
13 foster parents, which is no doubt why he gave evidence
14 on that matter.

15 So again, I'll be to some extent selective in the
16 parts that I refer to today.

17 'Gavin' was born in Glasgow. He says he didn't know
18 much detail regarding his family or life before he went
19 into care. He did start going into care at quite
20 an early age, I think he was under 5. 3, I think,
21 perhaps was the youngest age he was --

22 LADY SMITH: The first place Dunclutha, I think, wasn't it?
23 Yes.

24 MR PEOPLES: Yes. The first residential placement, he was
25 I think 3 years of age, that's right.

1 LADY SMITH: Yes, barely 3.

2 MR PEOPLES: Yes, so he was quite young, and he seemed
3 before then to have been partly with his mother and
4 partly with his father, so it was all a rather
5 dysfunctional start to life.

6 LADY SMITH: Yes.

7 MR PEOPLES: But he says he later found out he had three
8 older brothers and he said he was separated from the
9 brothers, his brothers, when he was placed into care and
10 has hardly had any contact with them since then. Sort
11 of echoes of 'Bernard' --

12 LADY SMITH: Indeed.

13 MR PEOPLES: -- that we heard from in an earlier
14 establishment.

15 He believes his mum died and she may have died
16 before he went into care, and he says he knows that his
17 father was a raging alcoholic. He said he learnt that
18 when he met him later in life.

19 So eventually -- I mean -- well, sorry, not
20 eventually, very quickly he became the responsibility of
21 the social work department.

22 And as he says at paragraph 5:

23 'Growing up in care was all I knew. The children's
24 homes themselves haven't caused me any great shakes.'

25 This is where he says:

1 'The reason I am speaking to the Inquiry really
2 concerns one of my placements with foster parents.'

3 And I think that's the one which he was asked about.

4 I think this is an example of where it's all
5 relative, and therefore you look at the worst
6 experiences, and to some extent other experiences are
7 not seen as quite as significant, but it's not to say
8 that they were good experiences, and I think this is
9 maybe one example of that situation.

10 LADY SMITH: Yes, I think that's right. And interestingly,
11 the earlier statement you read, where the applicant
12 spoke of being raped by HDF, specifically HDF, he was
13 actually only in Redheugh for probably a matter of a few
14 months, shorter than other placements. And he did talk
15 about Bellfield, I think, being absolutely wild. But
16 it's Redheugh that sticks out in his mind that was by
17 far the worst place to be in.

18 MR PEOPLES: Yes. I mean, they do -- I think it's quite
19 natural to make comparisons.

20 LADY SMITH: Of course.

21 MR PEOPLES: In some cases they can make comparisons between
22 life outwith care and life in care. In his case, it's
23 mainly comparisons of all the places he was in care. So
24 it's a bit of a mixture we've had, obviously.

25 LADY SMITH: Mm-hmm.

1 MR PEOPLES: So he was in a lot of places, as his statement
2 discloses, and basically, if he went first into care, as
3 I think records indicate, in about 1975, in that period,
4 and I'm not going to go through that in detail,
5 I'm really just leading up to Redheugh in 1988, but in
6 that period, he seems to have been in various locations.

7 He was in a children's home in 1975 at an early age,
8 as he tells us. I think it's -- he's in -- he's back
9 with his father for a short time in 1975. He's admitted
10 to Dunclutha in 1975 where he seems to spend a couple of
11 years. He's then in another children's home,
12 Blairvadach, between I think 1977 and 1980, between the
13 ages of about 5 and 8.

14 And then he has a substantial period between 1980
15 and 1984 with foster parents, and that, I think, is the
16 one that he talks particularly about the physical abuse
17 he experienced, and I think that's from paragraph 47
18 onwards, if I'm not mistaken, because he had, I think,
19 a much better experience with his next set of foster
20 parents.

21 LADY SMITH: His Pollokshields foster care parents, yes.

22 MR PEOPLES: Yes. He messed it up, as he says. It wasn't
23 that they in any way treated him badly, if anything, it
24 was quite the opposite, as he, I think, now realises and
25 I think he maintained contact with them.

1 So that's the sort of run-up, I think, to the point
2 where he's getting close to -- he has the bad experience
3 and then he has a short time of admission in 1984, after
4 he leaves the first set of foster parents, in
5 a children's home.

6 He then goes to his next set of foster parents in
7 1984, for the best part of, I think, four years, and
8 that breaks down, I think largely through his own
9 behaviours, because I think if we look at paragraph 70,
10 if I could just move on to that, as he said:

11 'My behaviour, as I got older, ruined it. It went
12 all wrong at my own doing. I was hanging around with
13 the wrong people. I became a casual and a soccer
14 hooligan. I would stay out late. My foster parents
15 found it difficult because I was chapping the door late
16 at night and things like that. I would steal money from
17 them. As an adult now, I look back and think that they
18 didn't deserve it.'

19 So this was the cause of it, because I think
20 eventually they weren't able to cope with his behaviour
21 and that led to an admission in 1988, when he was aged
22 16, for a few months in a children's home in Glasgow,
23 Ailsa Children's Home in Glasgow.

24 Then he was admitted to Redheugh in -- on, according
25 to records, on [REDACTED] 1988, when he was aged 16. And

1 according to the records, he was there until

2 [REDACTED] 1989 when he was aged 17.

3 So it was a wee bit longer than the year that he
4 thought he was there, and he's slightly out with his
5 years, but -- 1988/1989 is the period we're looking at.

6 And he tells us at paragraph 85 that there were
7 about 20 to 30 boys and girls there when he went. He
8 said:

9 'You weren't allowed out except for Saturdays. It
10 wasn't cells or anything, you just weren't allowed off
11 the grounds.'

12 Well, sounds a bit similar to Gryffe, but --

13 LADY SMITH: Yes.

14 MR PEOPLES: And of course, this is one of the difficulties
15 of taking the boy out of Glasgow, as he says at 86:

16 'As a 16 or 17-year-old from Glasgow, being sent out
17 in the countryside in the middle of nowhere drove me
18 wild. My girlfriend was in Glasgow. It wasn't a
19 pleasant experience. It was an abusive place.'

20 So there's a bit of a mixture of why he didn't like
21 it, but part of it is he was taken from the environment
22 he wanted to be in.

23 And then he says about staff, that staff were -- at
24 88, the staff were made up of males and females, day
25 staff and night staff, far less staff on at nighttime.

1 LADY SMITH: So this is paragraph 88.

2 MR PEOPLES: Sorry, yes. I did -- yes, sorry.

3 And he thought that all the staff were members of
4 the Salvation Army. Some of the male staff, he says,
5 were rough:

6 'The staff were hard but I didn't really have
7 a problem with them.'

8 And then he goes on to talk about some particular
9 members of staff.

10 Can I just correct the spelling. It's Mamie,
11 M-A-M-I-E, Darroch.

12 LADY SMITH: Oh, right.

13 MR PEOPLES: You'll see it coming time and time again.

14 LADY SMITH: Yes.

15 MR PEOPLES: But I think from other records I can
16 confidently say it's M-A-M-I-E.

17 LADY SMITH: That would make sense.

18 MR PEOPLES: It's a fairly --

19 LADY SMITH: It's quite a common west coast first name for
20 a woman.

21 MR PEOPLES: Yes. So he remembers her and said he didn't
22 get on well with her at all, that she was, as he
23 describes it, 'a hard, hard woman'.

24 He also remembers a staff member called
25 Steven Burgess, and of course we'll hear more about him

1 in due course.

2 And he talks about the general behaviour of the
3 children, at 90, saying they liked nighttime and he
4 himself would sneak up and go and speak to the girls who
5 would be in a different section, chancing his arm. And
6 he said:

7 'We did used to cause drama. We went up on the roof
8 and things like that. The police would be called. We
9 were absolute idiots. I think that we behaved like that
10 because we were denied our freedom.'

11 Well, there might be shades of Gryffe there again;
12 if you give them too many restrictions, they have to
13 behave in a certain way within the environment.

14 LADY SMITH: Yes.

15 MR PEOPLES: So he tells us that his first day seems to have
16 been, like many, quite eventful, that he was put into
17 a room where he shared with two other boys. He seems to
18 have been getting stared at by another boy during the
19 dinnertime. He knew who he was, he said, because he had
20 seen him in a previous children's home, and that the
21 other boy was a pal of a, as he calls it, a 'wee boy'
22 that had been battered by 'Gavin' at the other home. It
23 appears they had a fight. 'Gavin' came out on top and
24 then he says:

25 'Well, we actually ended up being good mates

1 thereafter.'

2 So it's not necessarily the introduction that some
3 of them had, but it's certainly eventful.

4 He goes on to deal with the daily routine and what
5 happened, breakfast early around 7.00 am, out for school
6 or to activities, and he tells us about that and
7 watching television and so forth. But he says he was
8 watching television after 4.00 pm. There was nothing
9 else to do. So there's a suggestion there wasn't a huge
10 amount of activity going on.

11 He says at 93 he was only allowed out on a Saturday:
12 'You were only allowed out from when the first train
13 left around 10.00 am to when the last train came back
14 which was about 10.00 pm.'

15 And that he would go to Glasgow, which is perhaps
16 not surprising from what he said. He said:

17 'That was the only time I could get to see my
18 friends.'

19 He talks about the sleeping arrangements, that there
20 were dorms of perhaps eight to ten people. He recalls
21 his was called Jura and there was another called Tiree.

22 And then he said the food was adequate and all
23 right. Washing facilities were communal and there was
24 a large room full of showers. I'm assuming from that it
25 was fairly open and not too much privacy, but I think

1 that's what he's saying.

2 He can't remember if he was there for Christmas or
3 birthdays so he's not able to say or can't recall what
4 happened.

5 He talks about visits, or more official visits, at
6 99, and says visits were only made by a 'social worker',
7 I think it is, rather than 'social work' -- by a social
8 worker, if they'd been requested by Mamie Darroch to
9 come.

10 And it says if a social worker visited, there would
11 be an official meeting with the social worker,
12 Mamie Darroch and the head of Redheugh. And at these
13 meetings, they would discuss his behaviour and talk
14 about things such as if he'd been fighting. He has no
15 recollection or memory of inspections or inspectors.

16 As for healthcare, and this is maybe more a point
17 about whether he was -- whether the duty of care wasn't
18 exercised on this occasion. He says he remembers, at
19 paragraph 100, that:

20 'During the period I was being cared for at
21 Redheugh, I got slashed on a visit into Glasgow. The
22 guy attacked me with an open razor near Central Station.
23 I put my hand up. He got me on both my hands. He also
24 stabbed me in my leg. I phoned Redheugh to tell them
25 what had happened. They basically said, "We will see

1 you when we see you", and that I had to make my own way
2 back. I took myself to hospital.'

3 He says he had to get an operation, perhaps
4 stitches, I think he might mean by that. And he said:

5 'I then had to make my own way back to Redheugh.
6 I was in agony.'

7 So, shades of what we heard earlier this morning --

8 LADY SMITH: Oh yes.

9 MR PEOPLES: -- about a response to someone calling from
10 outwith the premises. But anyway, that's his
11 recollection that that happened.

12 And then he's got a section headed 'Abuse', and he
13 said:

14 'Punishment was being put into a room and being made
15 to stay there. There would be a male staff member
16 standing guard outside the door. If you were really
17 kicking off, you'd be restrained. That could happen for
18 only answering back. It could be done for saying things
19 like "Fuck off" or "You're not my mum or dad".

20 'Sometimes the staff would pile in mob-handed and
21 get you to the floor. Sometimes they yanked the chair
22 from under you to get you to the floor. That happened
23 on many occasions to me. I had grown men holding me
24 down. I would nearly pass out from the pressure that
25 was being applied to my back. The restraint wasn't just

1 holding your arms, it was more than that. It was agony.
2 Your neck was getting squeezed. I saw other kids being
3 restrained and passing out. I remember thinking to
4 myself "Oh, fuck".'

5 And then he deals with Steven Burgess, he's got
6 a couple of paragraphs about him and says that:

7 'Steven Burgess was very touchy feely. He didn't do
8 it to me, but he did do that with weaker, younger boys.
9 They were maybe boys who were what you'd call more
10 "emotionally immature". He'd give them a wee pat on
11 their arses. He'd grab their nuts. He'd walk in on
12 kids when they were showering. He walked in on me once.
13 I just said, "What the fuck are you doing?"'

14 He said:

15 'None of the other boys told me that Burgess was
16 doing anything to them. However, there was chat around
17 it. No one said something about a particular incident.
18 I think people were too embarrassed, we were hardy wee
19 boys. Talking about something like that would have been
20 a big sign of weakness. Back then, my thought process
21 wasn't there. I took it all as a bit of banter. I have
22 heard that Steven Burgess has now been convicted for
23 child abuse and sexual assault. I think he got ten
24 years.'

25 Well, perhaps I can just say he's been convicted

1 twice, in 2008 and in 2023, of sexually abusing three
2 boys at Redheugh when he was in employment there.

3 On the first occasion, in 2008, the trial judge gave
4 him a sentence of ten years but it was reduced on appeal
5 to 7.5 years. On the second occasion, in 2023, he was
6 convicted of abusing a third resident and received
7 a custodial sentence of 42 months.

8 LADY SMITH: Thank you.

9 MR PEOPLES: And he was employed -- again, maybe I could
10 just give that at this stage. He was employed from
11 around -- I could probably give you precise dates later
12 on, but it was 1981 through to 1992 when he was
13 suspended from duty, and thereafter he didn't work at
14 Redheugh again, although I think his employment didn't
15 end formally until towards the end of the year, and
16 we'll maybe hear a bit more about that at some point.

17 I think it's understood, although I don't know if it
18 was an immediate move, that he then went on from
19 Redheugh to Geilsland.

20 LADY SMITH: Oh right, yes.

21 MR PEOPLES: And then he's got a piece about a particular
22 situation and how it was dealt with or not dealt with by
23 those caring for him. He says at paragraph 105:

24 'The local kids used to hate us because we weren't
25 from that area. There would be maybe four or five of us

1 who would be getting the last train back to Kilbirnie on
2 a Saturday.'

3 I mean, these were Glasgow boys, so --

4 LADY SMITH: Yes.

5 MR PEOPLES: And he said:

6 'When the train came in there, would be maybe 20 or
7 30 local kids waiting for us. They would be waiting for
8 us because we didn't come from that area. That happened
9 every Saturday in Kilbirnie. It was like the opening
10 scene in Gladiator with all the arrows, we'd get bottles
11 thrown at us. We had running battles with these kids.
12 They had cars so we had to dive into fields. It was
13 constant. There was too many of them for us to defend
14 ourselves. We were assaulted loads of times.

15 'We told the staff at Redheugh what was happening.
16 The staff refused to get us. We would have to run from
17 Lochwinnoch to the home. The home was about five miles
18 from the station.'

19 And he says that he ended up going to the instigator
20 of all these kids, and he names this person. He walked
21 up to him and said:

22 'Let's have a square go and we'll call it a day.'

23 He took the guy on, he said. He said:

24 'As I was battering him, his girlfriend came up and
25 hit ['Gavin'] round the back of the head with a brick.'

1 He said he turned round thinking it was a bloke and
2 punched her. He said he was mortified. He said that
3 the boy and the girl made a complaint to the police and
4 he was lifted, got done for assaults and breach of the
5 peace, obtained a criminal record and received a fine.
6 And he said:

7 'At that point, for all my days in care, I had never
8 been in trouble with the police. The staff didn't care.
9 They should have stood up for me and told the police
10 that we were all having to go through these running
11 battles.'

12 He said:

13 'The kids coming to the station and battling us
14 happened throughout the time I was in Redheugh. It
15 continued to happen after I was convicted. They used to
16 come up to the home to do it. They came into the fields
17 to get us. These kids were coming into the grounds to
18 battle us. The staff saw what was happening and they
19 didn't do anything.'

20 And then he says:

21 'Ultimately, it ended up with five or six of us
22 having to go into Glasgow to buy baseball bats to defend
23 ourselves. We wanted to finish it. That's how scared
24 we were. We ended up using our pocket money to buy the
25 bats.'

1 And then he describes buying bats which were bright
2 luminous pink and green. He said:

3 'We had those when we came in. We were lucky no one
4 was killed because people were getting seriously
5 injured. It had gotten to the point that boys were
6 getting thrown onto the railway tracks.'

7 Then he has a section headed 'Reporting of abuse at
8 Redheugh', and he says:

9 'The staff didn't care about the local kids
10 assaulting us. We used to tell them what was happening.
11 We asked them to come and get us in the minibus. They
12 would just say, "No, we haven't got a driver". We told
13 them that we were being assaulted. We told them that it
14 was happening every weekend.'

15 And then he goes on:

16 'I would report the assaults by the local kids and
17 the running battles in meetings where [the person named,
18 Janet Rooney, I think is a social worker] and staff from
19 Redheugh were present. It would have been Mamie Darroch
20 who was present at these meetings.'

21 I mean, that might partly explain why he didn't like
22 her, but -- and he said:

23 'George might have been there as well. The meetings
24 were really one-sided.'

25 He said:

1 'I raised my concerns but I wasn't listened to. It
2 was all "this is what is happening" and "this is what
3 you will do". I would say something but they weren't
4 listening. In the end, they didn't do anything about
5 the assaults.'

6 He goes on that:

7 'The police would turn up at the home all the time.
8 However, it was never the locals they were
9 investigating. It was always us. We were the ones who
10 were always getting into trouble. We were the bad ones
11 because we were in the home. We weren't the baddies.
12 The local kids were the ones who were causing all the
13 problems. It was the 20 or 30 kids who were going out
14 to get us who were in the wrong.'

15 And then he talks about how he left Redheugh. He
16 said:

17 'When I was 17-and-a-half I was called into a room.'

18 His social worker and Mamie Darroch and George were
19 there. He said:

20 'I hadn't expected my social worker to be visiting.
21 I was told by Mamie Darroch, "A decision had been made
22 that this place isn't suitable for you now, you need to
23 leave". The decision was made for me. I didn't get any
24 input into that. I asked when I would be leaving. They
25 then told me that I had to pack my stuff there and then.

1 I didn't have much stuff anyway so it didn't take long.
2 I was then taken to what was called "supported
3 lodgings".'

4 He goes on:

5 'I don't think there was any preparation for me
6 going into the world at Redheugh. I thought, when I was
7 told that I would be going to Redheugh, that I would be
8 taught the skills for not being in care. I thought that
9 because I knew it was an adolescent unit. That's the
10 way it was sold to me. My social worker had sold it to
11 me as a place that would guide me and give me the skills
12 for leaving care and looking after myself. I got none
13 of that.'

14 And then he talks about his period in supported
15 lodgings in Glasgow and I'm not going to go through
16 that.

17 And then he's got a section headed 'Life after care'
18 which starts at 125. And he says that he ended up
19 joining the army. At 126, he tells us that. He says:

20 'As a young boy with no educational prospects or
21 qualifications, I had no choice.'

22 But fortunately in his case, he said joining the
23 army, his life was amazing, he had a great career and
24 loved every day of it.

25 He said:

1 'I think there's absolutely a connection between me
2 going into the army and being in care. It allowed me to
3 go from one institution to another. It allowed me to
4 remain around a big body of people.'

5 He said he then was in the army for just short of
6 14 years. He left because of an injury in conflict and
7 then he obtained a job in the security training
8 industry, but at the time of the statement he wasn't
9 working.

10 And then he says after leaving care he kept
11 everything to himself. He says:

12 'I haven't really spoke about it all in depth with
13 anyone. I spoke about it with my ex-wife but all I said
14 was that I was beaten. The first time I've spoken about
15 things properly is when I spoke to the Inquiry.
16 I've never gone into a police station and talked to the
17 police about what happened.'

18 He talks about impact and said he had a breakdown in
19 2014 and he was going to kill himself, and he said he
20 ended up in a psychiatric hospital for a number of days
21 and there was a diagnosis of complex PTSD and
22 an organisation called Combat Stress diagnosed that, and
23 they said his PTSD could be potentially from childhood
24 trauma as well as things he'd experienced in the
25 military.

1 So there is a -- two possible, or maybe both would
2 be contributing to that condition.

3 He says he's also been recently diagnosed with
4 an emotionally intensive disorder, which he says came as
5 a shock. He's been told that's potentially from his
6 childhood trauma and the lack of development he had.
7 Basically he said it could be -- it could potentially be
8 from having no love or interaction as a child.

9 And he says the monster sometimes comes out because
10 of his PTSD. He says violent things but he says he's
11 not physically violent and so forth. And it's caused
12 him to lose one consistent person in his life, who's his
13 ex-wife, and it seems that his -- another relationship
14 broke down because of that condition.

15 He says he's not the best when it comes to
16 relationships, which is again something we've heard from
17 a number of people in this situation.

18 And he says at 138 he's had no counselling in
19 connection with his time in care. It does appear that
20 his treatment or counselling -- or treatment has been to
21 do with the combat situation more than what happened in
22 childhood.

23 And he has a section on lessons to be learned and
24 it's mainly, I think, about seeing Mr JDM later in
25 life, and he has an interesting section at 143 where he

1 comes across him in a supermarket and says -- well, he's
2 army, and he's fit, and he sees him and he's feeling as
3 if he wants to perhaps take retribution, but he says he
4 thought to himself:

5 'I'd be no better than him if I went over and hit an
6 old man. I could have wiped the floor with him. I did
7 go up to him. I asked him whether he remembered me. He
8 said "no."'

9 And he said he told him his name:

10 'Then he asked me how I was, as if nothing had
11 happened. I said to him, "You and your wife kicked the
12 fuck out of me for nearly two years. I'm a grown man
13 now. I'm a soldier. I could do the same to you now if
14 I wanted".'

15 He says:

16 'The colour drained out of his face. I then said,
17 "But I'm not going to, I'm not going to do that because
18 I'm not you", and I then walked away.'

19 He says while he did that, he's not sure it did help
20 him that much, but he felt he had the moral high ground
21 on that occasion. And he was obviously concerned about
22 repercussions had he done what he might have done.

23 Final thoughts. His thoughts are he should have had
24 greater support available when he left care, he should
25 have had better support when he was in care. He feels

1 that the social work were his guardians from a very
2 early age and they have to be held accountable for what
3 happened.

4 At the end of the day, he feels they ruled his life,
5 they were his parent. They made decisions without
6 seeing him. They didn't give him reasons for decisions,
7 and he blames the social work for the abuse he suffered
8 and he blames them because they didn't listen to him.

9 And he says in his final -- penultimate paragraph:

10 'Children need to be treated with dignity and
11 respect. It doesn't matter how old they are, children
12 deserve an explanation for the decisions that are being
13 taken. Being moved about is traumatic. Children
14 deserve to know what is happening and why it's
15 happening.'

16 And that's a theme we get about no explanation --

17 LADY SMITH: Oh yes. Yes.

18 MR PEOPLES: -- when things like that were happening, and
19 that that's something that's still well-remembered.

20 So that's that statement. He has a declaration and
21 he's signed his statement.

22 LADY SMITH: Thank you.

23 MR PEOPLES: So that's my final read-in for this afternoon
24 and maybe it's a good time to have a short break.

25 LADY SMITH: We'll have a break at this point.

1 Names, I'm just doing a name check here. We've had
2 HDF and also HDD or HDD as he's been
3 referred to. Both, I think, are protected by my General
4 Restriction Order.

5 MR PEOPLES: Yes.

6 LADY SMITH: And they're not to be identified as referred to
7 in our evidence outside this room.

8 And otherwise my only query was Mr JDM? Is he
9 protected?

10 MR PEOPLES: Did I mention him?

11 LADY SMITH: Yes.

12 MR PEOPLES: Well, if I did, I think he probably is.

13 LADY SMITH: I think he is.

14 MR PEOPLES: I don't think there was any conviction for --

15 LADY SMITH: I think he is, but I think his identity would
16 be protected.

17 MR PEOPLES: If he has been mentioned, and I'm not aware
18 that there was a --

19 LADY SMITH: In case.

20 MR PEOPLES: Yes.

21 LADY SMITH: So, usual rule, not to be identified as
22 referred to in our evidence and that's three names that
23 are new names for now.

24 Thank you very much. We'll just take the afternoon
25 break now. Thank you.

1 (3.08 pm)

2 (A short break)

3 (3.18 pm)

4 LADY SMITH: Now, Ms Forbes.

5 MS FORBES: Good afternoon, my Lady.

6 The next read-in is from an applicant who's
7 anonymous and is known as 'William'.

8 LADY SMITH: Thank you.

9 'William' (read in)

10 MS FORBES: The reference for his statement is

11 WIT-1-000000701.

12 LADY SMITH: Thank you.

13 MS FORBES: My Lady, 'William's' evidence was read in during

14 Phase 8 partially on 11 July 2024, that was Day 461.

15 The reference for the transcript is TRN-12-0000000094.

16 That was for Cardross Park.

17 LADY SMITH: Thank you.

18 MS FORBES: Seven zeros, sorry. TRN-12-0000000094.

19 'William', my Lady, tells us he was born in 1969 and
20 talks about his life before going into care from
21 paragraph 2 of his statement.

22 He grew up in [REDACTED] with his dad, his mum,
23 his older brother and two older sisters. He says his
24 parents both worked. His dad worked in a quarry and his
25 mum had a couple of cleaning jobs. But he says he

1 didn't have much to do with his family growing up.
2 There wasn't much emotion shown and he wasn't shown
3 love, but he wasn't unloved.

4 He says nobody had much money in those days. They
5 had a couple of family holidays in a caravan, and in the
6 school holidays, they'd have breakfast and go out and
7 play all day and wouldn't come home again until he was
8 hungry.

9 When he went to high school, he couldn't cope, and
10 it was the move from the small village primary school to
11 the large Kilsyth Academy high school that he couldn't
12 cope with. He started what he calls 'dogging' school
13 and he and his sister, one of his sisters, used to
14 truant together.

15 Sometimes he would hang about in the woods with
16 older boys. They'd be smoking and drinking, but he says
17 he wasn't interested in those things because he was
18 an athlete at that age. And even though he dogged
19 school he was in the football team and helped run the
20 football team, but always felt like a lone wolf.

21 And he says that he frustrated the teachers because
22 although he wasn't daft, his head was elsewhere, not
23 focused on education.

24 He goes on to tell us he ended up in front of the
25 truant officer. It wasn't the Children's Panel that

1 dealt with him, it was the local authority, he says, and
2 he was told by a social worker that if he didn't go to
3 school, he would go into care.

4 He then, with a friend, started stealing things from
5 a building that held items for the Morses catalogues,
6 and he had the stolen stuff in his house and his dad
7 found out and called the police. He then had to see
8 a psychological counsellor at the school and it all
9 culminated in him then going after that to the
10 Children's Panel and being sent to Cardross
11 Assessment Centre for a three-week assessment.

12 He tells us then about Cardross from paragraph 11 to
13 paragraph 38. He was there for a period of three weeks.
14 And in relation -- we don't have any records for him,
15 for 'William', but he tells us the dates would have been
16 ██████████ 1984, when he was about 14.

17 While he was in Cardross, 'William' tells us that he
18 was raped by a male member of staff. After Cardross and
19 the three-week assessment period, he went home and he
20 went back to school, but he says nothing had changed and
21 the school didn't really -- he didn't want to go to
22 school and the school didn't want the potential
23 disruption of having him there, and after about two
24 months, there was another Children's Panel and it was
25 decided he was going to Redheugh.

1 He then tells us about his time at Redheugh from
2 paragraph 42 and again he says that was between 1984 and
3 1985 when he was still 14. He says he was there for
4 about 11 months, just under a year.

5 And he says at paragraph 42:

6 'My social worker took me down there and took me to
7 an office. There was a big heavy-set woman who was the
8 manager of the place. I can't remember her name. I was
9 told to wait outside the office. I think there was some
10 formal paperwork done. My social worker came out and
11 said she would be back to see me and said that I was to
12 obey the staff. I got shown my room and introduced to
13 the staff and the other boys. There were about 20 kids
14 in total from 12 to 16 years of age.

15 'Redheugh was a big, old, Victorian-type house. It
16 was run by the Salvation Army on behalf of the local
17 authority. There was a gatehouse where a man called Wee
18 Joe stayed. He was one of my care workers. You went up
19 a driveway with rhododendrons on either side. On the
20 right, Willie, a care worker in another unit, kept his
21 gardening stuff. Up the back was a big long shed.
22 I used to go in there to do screen-printing of T-shirts.

23 'Through the main door of the main building was
24 a snooker room, the office, the dining room, the laundry
25 room and the smoking room. Upstairs it split into

1 corridors with bedrooms. There were two boys' sections
2 and a girls' section. We also had our own lounge,
3 toilets, baths and showers.

4 'My care worker was KOO [REDACTED], he made
5 terrible [REDACTED], and Wee Joe, who stayed at the
6 gatehouse. Joe Harvey, who was an ex-boxer, was based
7 in the other boys' section along with Stewart Burgess.
8 There were a couple of female staff members but they
9 didn't have much to do with us. Old Willie worked the
10 nightshift, he would tuck us in.

11 'My room was the first room on my corridor. There
12 were about four beds in each room.'

13 And he says that in his room there were two boys who
14 he gives the full names of, and then he says 'and a wee
15 12-year-old boy', he also gives his first name:

16 'We made sure nobody bullied him. I'm sure there
17 were no more than eight boys on my corridor.

18 'In the girls' corridor there was [and he names two
19 girls, and then one in particular, he says] she was
20 a nice girl from a nice family. She had a posh accent.
21 She was a fish out of water in Redheugh, like me.

22 'When I arrived at Redheugh, it was the [REDACTED]
23 holidays. You just got yourself up and went through and
24 got cereal. If you wanted a cooked breakfast, you had
25 to be in the dining room by a certain time.

1 'You got washed in the morning when you got up.
2 I'm pretty sure they made sure you had a bath a couple
3 times a week, but you could just suit yourself when you
4 had a bath. You weren't supervised or given a time
5 limit for how long you could be in the bath. Nothing
6 adverse happened to me in the bath, because
7 Stewart Burgess was in a different block.

8 'I had my own clothes from home. There was also
9 an amount they would spend on clothes every month. They
10 would take you down to the local Co-op and you could
11 pick what you wanted, unless you needed specific things
12 like shirts for school.

13 'Some went to the high school in Kilbirnie, some
14 went to Glengarroch and some went to Kilwinning or
15 Auchenharvie. I went to Ardrossan Academy. I was the
16 last stop on the bus route.

17 'I finished my education in [REDACTED] before the end of
18 the school term, because I didn't do the exams. I think
19 I got some kind of qualification in English and maths,
20 but I don't think it was O-Grades. I don't remember.
21 I don't have any paperwork. After that, I was just in
22 Redheugh doing basic chores.

23 'Not long after that, there was another
24 Children's Panel because the whole point of me being in
25 Redheugh was to do with my education.

1 'I would spend my time in the snooker room or
2 outside kicking a football. Later, I started spending
3 time up in the workshop in the long shed. Wee Joe was
4 very trusting when he was on duty at night. He would
5 ask us what we were up to and look in on the snooker
6 room to make sure no one was smoking in there. You had
7 to go to the smoking room to smoke, but I didn't hang
8 about there. I didn't like the smell. Because I was at
9 school during the day and home at weekends, I didn't get
10 a lot of time for activities, so Joe would give me the
11 keys for the shed and that's when I started
12 screen-printing T-shirts.

13 'Some of the staff at Redheugh were brilliant
14 towards me. **KOO** had shotguns and he
15 took me and another boy out shooting. We went up to the
16 woods and he showed us what to do. The other boy was
17 quite small, so **KOO** stood behind him because of the
18 kick from the shotgun.

19 'He asked me if I wanted a shot and I said yes. But
20 I would stand against a tree to deal with the kick.
21 I didn't want him standing behind me given what had
22 happened when Stewart Burgess did that. He was fine
23 with that, but I don't know if he suspected anything,
24 given the way I didn't want him standing behind me.

25 'They had a service every Sunday in the big room on

1 the ground floor. It was all about "Jesus loves you".
2 They would all be dressed up in their Salvation Army
3 uniforms. I got introduced to Stewart Burgess' wife at
4 one of those meetings. I've often wondered if she knew
5 what he was like. I was abused by a man who stood every
6 Sunday in a Salvation Army uniform, a man of God, that's
7 why religion is dead to me.

8 'After a few weeks, it was decided that could I get
9 home leave at weekends. We would get dropped off to get
10 the train and then we got the train back on Sunday
11 nights where they would pick us up again in the minibus.
12 You had to watch out for some of the local kids. They
13 would hang about looking to fight you. I didn't mind
14 fighting at that age, but one time there was about six
15 of them waiting one night after I missed the minibus and
16 I was almost falling to bits when I got to Redheugh.
17 I learned after that, if I missed the minibus, I should
18 avoid the locals by walking through the industrial
19 estate to get back to Redheugh.

20 'KOO [REDACTED] and Wee Joe took us out on
21 various trips. On my last weekend at Redheugh, we went
22 on a camping trip and climbed Ben Lomond. There were
23 a lot of good times. I think it is important that
24 people realise it wasn't all bad.

25 'I was in Redheugh for my 15th birthday, but I can't

1 really tell you much about any of my birthdays growing
2 up.

3 'There were a couple of visits from my social worker
4 at Redheugh. There were general check-up visits and
5 towards the end, a sort of assessment for preparing for
6 the Children's Panel. There were other people who came
7 round to visit Redheugh. We called them Suits. I don't
8 know where they were from. They sounded very posh, like
9 they had marbles in their mouths. One of them asked me
10 about what I was doing when I was in the screen printing
11 shed. I don't remember any big-wigs from the Salvation
12 Army visiting Redheugh.

13 'The punishment for absconding was that you didn't
14 get home leave the next weekend. I remember my parents
15 came to see me at Redheugh on the Sunday when I wasn't
16 allowed home. My dad was angry because he had lost out
17 on a double-pay shift in order to come and see me.

18 'I don't remember any specifics about healthcare at
19 Redheugh. I didn't get taken to the dentist. I maybe
20 had some sniffles when I was there but nothing that
21 sticks out. If anyone did need the doctor, they
22 probably got taken in the minibus to see the local
23 doctor.

24 'There was one time I didn't go back to Redheugh
25 from home leave. I didn't make it to the train in time.

1 They classed that as absconding. There were two times
2 when I didn't make the train that I slept at a mate's
3 house and once I slept rough in the woods. I took from
4 my house a little shelter that my dad had made for
5 fishing and I stayed in that.

6 'There were other times I didn't go back to Redheugh
7 at the time of a home visit. One time my aunt saw me
8 and she phoned the police who took me back. Another
9 time, my parents saw me back after I had gone for the
10 train and they contacted the social worker who took me
11 back. They just asked the basic question of why
12 I didn't want to go back and I would just say I didn't
13 want to go back. The only punishment was that I didn't
14 get home leave the next weekend. Nowadays staff would
15 be trained to look at this behaviour and ask more
16 questions about why I was running away. I had become
17 very isolated, even when other people were in the room.

18 'I didn't suffer from bed-wetting, but the guy
19 across from me did. Someone teased him about it and
20 a boy [who he names] one of the other kids in my room
21 cracked him in the mouth.

22 'Some of the stuff [sorry I think that should be
23 some of the staff] would make a fuss if someone wet the
24 bed. They would make the kids strip the bed and carry
25 the sheets down to the laundry, but it wasn't a walk of

1 shame that I have heard happened in other places.

2 'They would stop you getting home leave if you
3 misbehaved. There were a couple of weekends I didn't
4 get home leave. Once was when we had a day trip to
5 Glasgow. A couple of the boys got caught shoplifting.'

6 'William' then talks about abuse at Redheugh from
7 paragraph 69:

8 'My abuser, Stewart Burgess, wasn't involved
9 directly in looking after the boys in my section of
10 Redheugh. He was based in the other boys' section. He
11 would be involved with me in driving me in the minibus
12 and things like that. It was about [REDACTED] that
13 Stewart Burgess started sniffing about me. He would
14 seek me out when we were out in the grounds. It started
15 off at football. If I scored a goal, he would give me
16 a wee cuddle.

17 'A couple of boys told me to never go up and help
18 Stewart Burgess clean the attic. They said that about
19 another couple of members of staff. That's all they
20 said to me. As a young, naive boy I didn't know what
21 that meant. I thought they meant it was hard work and
22 you would get dirty. I understood that abuse did happen
23 up there with Burgess but it didn't happen to me in the
24 attic.

25 'I was playing snooker at Redheugh. Stewart Burgess

1 came into the room and some of the boys moved to the
2 other end of the room. There were a couple of the kids
3 at Redheugh who, when they were in the snooker room,
4 would gravitate away from Stewart Burgess when he came
5 into the room. At the time I was being abused, I was
6 too immersed in myself to notice whether Burgess was
7 abusing other boys.

8 'He came over to me as I was playing snooker and
9 said, "Try this shot". He was pressing into my back.
10 He did it more than once and one time I realised that he
11 had an erection. I pulled away from him. I didn't know
12 how to react to him but I knew there was something not
13 right. That happened another couple of times. I loved
14 snooker but Stewart Burgess ruined it for me.

15 'On another occasion I was in the laundry room. He
16 came in and sat and talked to me. He was very good at
17 getting your confidence. He bought me sweets and acted
18 like he was interested in talking to me. He took my
19 hand over to him and I pulled away. I said something
20 like, "No, I like girls". There was another time he
21 touched me and I got an erection. I have been told by
22 counsellors since that that is a perfectly normal thing
23 but that haunted me for a long time. It left me feeling
24 very conflicted.

25 'I couldn't say the abuse happened every single

1 week, because which days he was able to get to me,
2 depended on his shifts. It might happen two days in
3 a row, then nothing for a week. He initially targeted
4 me in the snooker room, then the laundry, then in the
5 shed, and then he would ask me to meet him in the shed.
6 He was abusing me regularly from [REDACTED] 1984 until [REDACTED]
7 1985 when the nights got longer. From [REDACTED], we were
8 outdoors more of the time in a group so there was less
9 chance for him to get me on my own.

10 'It progressed to him exposing himself to me, then
11 getting me to masturbate him. He would then finish
12 himself to the point of ejaculation. Next he was
13 abusing me in the workshop. He got me on my knees and
14 made me perform oral sex on him. To begin with he would
15 finish himself off, but then one time he kept his penis
16 in my mouth and ejaculated. I was adamant after that
17 that he wouldn't do that again.

18 'A couple of days later, he was asking if I was
19 going back up to the workshop again. He would say that
20 he liked me, that I was special to him, that I must like
21 it because I got an erection. He also said that no one
22 would believe me if I reported the abuse and that
23 I would go to a place called Kerelaw or Geilsland.
24 I had heard of them and I knew they were scary places.
25 Psychologically it was very confusing.

1 'One time he was making me perform oral sex on him
2 at the workshop and I pulled away. He slapped me and I
3 nearly fell over. I went behind the bench and picked up
4 a scalpel which was for cutting the screen print
5 designs. I said something to the effect that if he came
6 near me, I would cut his throat. He went away.

7 'I went to go and brush my teeth. The first thing
8 I always did after I had to perform oral sex on him was
9 to go and brush my teeth, to get a strong taste of
10 toothpaste. Wee Joe passed as I was coming out of the
11 toilet going back to the house from the shed. He saw
12 the mark on my face where Stewart Burgess slapped me and
13 said. "Have you been fighting again?" I blurted out,
14 "Mr Burgess slapped me". Joe grabbed my hand, took me
15 to the office and sent one of the other boys to get
16 Stewart Burgess.

17 'Stewart Burgess came into the office and Wee Joe
18 had a moment. He said, "Did you fucking slap him?
19 Don't you ever put your fucking hands on any of my
20 boys". Burgess looked me in the eye and must have
21 realised I hadn't told Wee Joe about the abuse. He came
22 up with a cock and bull story that he had caught me in
23 the laundry with one of his boy's clothing in the
24 basket. I think he said I had taken someone else's
25 socks. He said that he challenged me, that I had

1 squared up to him and that he pushed me away because he
2 thought I was going to hit him. Wee Joe challenged him
3 on that, saying that Burgess was six feet tall and I was
4 just a skinny lad. I remember Joe was gritting his
5 teeth and said again to Burgess not to put his hands on
6 any of Joe's boys. I don't know if Joe just meant for
7 Burgess not to hit us or if Joe knew something about
8 what Stewart Burgess was like.

9 'For a period after that incident, I tried to
10 insulate myself from Stewart Burgess. I would make sure
11 there was always someone else with me in the snooker
12 room. But Burgess was still on the periphery. I had
13 finished school so I was just doing chores at Redheugh.
14 One day I was outside sweeping up leaves.
15 Stewart Burgess came along in his car, he slowed down
16 and tried to make small talk. I ignored him. That
17 was the last time he spoke to me at Redheugh. He didn't
18 bother me again. I think he had moved on to someone
19 new, given what I now know of Burgess.

20 'There was a boy [and he names him] he had ginger
21 hair and he was not right. He went to school in
22 a secure unit. He tried to push me about once but I
23 cracked him and he left me alone. I had learned to box
24 when I was younger so I made sure everyone knew they
25 weren't going to bully me. I was starting to fill out

1 and I had a lot of energy to burn. I was never sitting
2 still.

3 'I told Wee Joe about Stewart Burgess slapping me in
4 the incident at the laundry, but I didn't report the
5 sexual abuse. I'm pretty sure Wee Joe would have told
6 KOO [REDACTED] about that, because KOO [REDACTED] was the
7 senior member of staff for my unit. However, nobody
8 came and spoke to me about that incident. Burgess came
9 up with his story about why he had slapped me and that
10 seems to have been believed. I didn't want to talk
11 about the details of the abuse.

12 'It got to the point when I was school-leaving age
13 and as the reason for me being in Redheugh was not going
14 to school, it was decided that I should go home. I was
15 supposed to get dropped off at home by the staff from
16 Redheugh but the minibus broke down on the way so they
17 gave me money for bus fare and I got the bus home.

18 'Redheugh has now been turned into flats. I have
19 driven past it but I have not been into the building.'

20 'William' then tells us about his life after being
21 in care from paragraph 85 and says:

22 'I was back home but I had difficulty in settling
23 in. I had a major issue with authority after Redheugh.
24 I felt the guys I went to school with had turned their
25 backs on me. Maybe their parents had told them to stay

1 away from me because I had been in care. I don't know.
2 I got bitter and resentful. I got involved with some
3 older guys who were a bit rough and ready. In 1986,
4 I got remanded a couple of times in young offenders'
5 institutions and then I got a six-month sentence.

6 'I had a little motorbike that I got with money from
7 selling my snooker table. I got stopped on my motorbike
8 by the police. It turned out the bike was stolen and
9 I had to pay the insurance company that had paid out in
10 order to legally own it. One day I was working on my
11 motorbike and Stewart Burgess walked up with a guy [and
12 he names the guy and he says that the guy] had been in
13 Redheugh the same time as me. He stayed in
14 Kirkintilloch not far from me and he had come to my
15 house before when we were both out on home leave from
16 Redheugh. I don't know why Burgess was with [him] that
17 day. He might have been taking him to
18 a Children's Panel or home leave.

19 'Burgess asked how I was doing and what my plans
20 were. I said I was waiting to see about a training
21 course or an apprenticeship as a mechanic. He said that
22 was good, that I should put my past behind me, get on
23 and think about my future. I don't know if it was
24 a friendly visit in some sort of sick way. I took it as
25 psychological warfare. It totally threw me and I went

1 into a meltdown. Burgess knew where I stayed and
2 I thought the abuse was going to happen to me again.
3 Two days after that, I tried to take my own life.

4 'When I was out of care, I went on a few training
5 courses and I got myself into a couple of scrapes. In
6 [REDACTED] 1985, I had a week remand in Barlinnie Prison.
7 That was a wake-up call. When I came out, I still ran
8 about with the same crowd. I wasn't into drink and
9 drugs, I was just wild. In [REDACTED] 1986, I got
10 a three-week remand in Longriggend Prison. In [REDACTED] 1986,
11 I got sentenced to six months' imprisonment in a young
12 offenders' institution. I came out in [REDACTED] 1986
13 and from there I screwed the nut. I had a couple of
14 landscaping jobs and then I worked in a factory. I got
15 a flat with my girlfriend in 1992 and we got married in
16 1995.'

17 He then says that he moved back to his home town and
18 he bought his dad's council house that his dad had
19 bought. He started getting into security work and at
20 time of this statement, he worked as a security trainer.
21 He has a wife and two daughters and says he's been
22 trying to get on with his life and leave his demons
23 behind.

24 At paragraph 89, 'William' says:

25 'I have good days and bad days, but you have got to

1 get on with life.'

2 He then talks about impact from paragraph 90:

3 'In 2008, I came home from work one night and it was
4 on the news that a care worker had been jailed for ten
5 years for child abuse. It was Stewart Burgess. That
6 hit me like a hammer. I didn't know that he was being
7 prosecuted. No one had come to speak to me, to
8 investigate matters. Apparently there were complaints
9 and internal investigations. He was suspended, then
10 retired. Then the police got involved.

11 'In 2018, I realised he would be out of jail.
12 I know you don't do the whole of your sentence, but
13 I was helping my daughter to complete a form and had to
14 write the date. I realised he would be out walking
15 about thinking he had done his time, but he hasn't done
16 time for what he did to me.

17 'I have a photograph of myself which I call the
18 photograph of innocence. It is a last picture of me
19 taken before I went into care. I am sitting up a tree
20 at Lake of Monteith wearing a yellow Scotland
21 goalkeeper's top and playing with a rubber snake. It is
22 the last picture of [me], the innocent boy.

23 'My time in care didn't really affect my
24 relationship with my sibling because there wasn't much
25 of a relationship to begin with. My brother wasn't

1 interested in football so we didn't have much in common.
2 When I came home for weekend leave and when I came home
3 for good, my oldest sister would be out with her pals or
4 some boyfriend. My younger sister said to me recently
5 that she always thought something had happened to me at
6 Redheugh.

7 'I was managing to deal with the abuse I suffered by
8 burying it, but maybe things happen for a reason.
9 I know there will always be trigger points that make me
10 think about the abuse. I think if I had got a reply
11 from the Salvation Army at the start when I contacted
12 them, I might not have gone to the police.

13 'I have been diagnosed as suffering from
14 post-traumatic stress disorder. I have often felt
15 jealous of my wife and the close relationship she has
16 with our daughters. I have never been able to get that
17 close to my children or anyone. The last time I hugged
18 my daughters was in 2014 when my dad died.

19 'The abuse I suffered has messed up my mind in all
20 aspects of life. I have been offered a counsellor to
21 speak to. I have spoken to people on the phone, but
22 I don't want to sit down and spill my guts, because
23 I would be worried about losing control. I don't have
24 a problem dealing with physical pain, but to talk about
25 my emotional problems would be difficult. I realise it

1 might help me in the long run. I might do it. My wife
2 and my kids are my support.

3 'I have reported the abuse I suffered at Redheugh to
4 the police. I made a second report about the abuse at
5 Cardross. I had intended to keep that buried but it was
6 eating away at me like a cancer.

7 'The police interviewed Stewart Burgess about my
8 allegations but he just said "No comment". I was angry
9 about that.

10 'The police told me that they didn't have enough
11 evidence to charge Stewart Burgess. They had no
12 corroboration. They told me that they'd spoken to
13 another boy, but he didn't make any allegations, even
14 though the police suspected he had been abused. I
15 phoned up the Procurator Fiscal's office to complain
16 about them not taking action and they said they didn't
17 know what I was talking about, that no decision had been
18 reached.

19 'I phoned the police back to say that I had been
20 told this and the police officer paused and said he
21 would phone me back. I realised that I had been lied to
22 by the police. The officer did phone me back and said
23 there must have been crossed wires. He said a report
24 had been put to his senior officer who decided there
25 wasn't enough evidence to put a report through to the

1 Procurator Fiscal.

2 'I got back in touch with the Procurator Fiscal's
3 office and explained what had happened with the police.
4 I told them the whole story of what happened to me in
5 care. I argued that the matters Stewart Burgess had
6 been convicted of were from the same time and location
7 as the similar abuse I suffered. I have tried to argue
8 that the earlier convictions should be used as
9 corroboration for my allegations.

10 'In terms of a letter from Crown Office dated 18
11 December 2019, a report was submitted to senior counsel
12 to decide if they were going to take action. I have now
13 been told that Burgess has been served with court papers
14 as another witness has come forward to corroborate my
15 complaint. I should know soon if they will be going
16 ahead with the case against Stewart Burgess. I first
17 reported this to the police in 2018 and it is still
18 dragging on.'

19 And my Lady, we know from information that we have
20 that 'William' gave a statement to the police on 2 May
21 2018 and that led then to a High Court case against
22 Stewart Burgess. And he was convicted of sexual abuse
23 towards 'William' on 24 March 2023 at Paisley High
24 Court.

25 LADY SMITH: Thank you.

1 MS FORBES: And my Lady, that charge related to various
2 occasions at Redheugh between [REDACTED] 1984, when he would
3 have been aged 14, and [REDACTED] 1985, when he would have
4 been 15 and involved forced masturbation and forced oral
5 sex and he was sentenced to, amongst other sexual
6 assaults, 42 months' imprisonment.

7 LADY SMITH: Thank you.

8 MS FORBES: My Lady, he talks then about records and trying
9 to get details of his admission to Redheugh which he
10 wasn't able to do and then at 'Lessons to be learned'
11 from paragraph 109, he says:

12 'When I was in care, people just had to apply to
13 join the Salvation Army. I think care places attracted
14 a lot of paedophiles because it would put them in
15 authority over children. There need to be checks about
16 people who want to work with children to find out why
17 they really want to do that work.

18 'We know that if you want to work with vulnerable
19 people, you have to be vetted but I hope there is
20 specific advice or training given out to care homes for
21 staff to spot signs of problems and to spot signs of
22 grooming. Stewart Burgess groomed me in order to abuse
23 me. He would sometimes give me money, in addition to
24 the pocket money I got. No one ever asked where I had
25 got this extra money from or what I had done to get it.

1 'One of the things that makes me angry is how did he
2 get away with it for nearly a year without anyone
3 noticing? What checks did the local authority carry out?
4 There were major failings. I think history will tell us
5 that the training wasn't there.'

6 And 'William' has then made the usual declaration
7 and he's signed his statement and that statement was
8 25 May 2021, which was before the prosecution and
9 conviction.

10 LADY SMITH: Of course.

11 Thank you very much. I think we'll stop there for
12 today.

13 One more name referred to as both I think KOO ,
14 KOO . The same rule at before,
15 protected by my General Restriction Order and not to be
16 referred to as identified in our evidence outside this
17 room.

18 That takes us to tomorrow morning. Perhaps you can
19 outline the plan for tomorrow morning.

20 MS FORBES: So, my Lady, the plan is that we have two live
21 witnesses tomorrow, one at 10.00 am and one due at 11.45
22 am and then in the afternoon there's hopefully some time
23 for the remaining read-ins.

24 LADY SMITH: Thank you very much.

25 I'll rise now until 10 o'clock tomorrow morning.

1 (3.50 pm)

2 (The Inquiry adjourned until 10.00 am

3 on Friday, 20 February 2026)

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