

Wednesday, 25 February 2026

1

2 (10.00 am)

3 LADY SMITH: Good morning, and welcome back to Phase 10 of  
4 our case study hearings in which we are looking into the  
5 provision of residential care by local authorities and  
6 in places that they used to fulfil their  
7 responsibilities.

8 Now, as we indicated yesterday, we move this morning  
9 to a witness in person and here, I think; is that right,  
10 Mr Peoples?

11 MR PEOPLES: Yes, my Lady. The final witness for the  
12 Redheugh part of the hearings is here. His name is  
13 Dean Juster and he is representing the Salvation Army  
14 today.

15 LADY SMITH: Thank you.

16 Dean Juster (sworn)

17 LADY SMITH: Now, my first question is I hope an easy one  
18 for you to answer; how would you like me to address you?  
19 I'm happy to use your second name or your first name,  
20 whichever you're more comfortable with.

21 A. I'm happy with Dean, my Lady.

22 LADY SMITH: Dean, thank you very much for that, and thank  
23 you for joining us to provide your evidence this  
24 morning. It's really helpful to have you able to do  
25 that in person, to add to the written evidence that has

1 already been provided by your organisation and I can see  
2 a lot of work went into doing that. I do appreciate  
3 what efforts do have to go into answering our questions,  
4 but I hope you appreciate they're all carefully crafted  
5 so as to identify matters we really need to know about  
6 for the work of this Inquiry.

7 We're not going to go through it page by page today,  
8 you'll be glad to know, but there are some specific  
9 aspects we would like to discuss with you.

10 So far as practicalities are concerned, I think you  
11 know that the written responses that have been provided  
12 are in that red folder in front of you.

13 A. Yes.

14 LADY SMITH: So you'll have those available. We'll also  
15 bring parts of it up on screen as we're looking at some  
16 specific aspects of what's been provided there.

17 Timing, I normally sit from about now until a break  
18 at about 11.30 am, which I hope would work for you. But  
19 if you want a break at any other time, feel free to say  
20 so, as I do appreciate giving evidence is hard work and  
21 it can be stressful and tiring, so just speak up if you  
22 want a break.

23 If you've got any questions, don't hesitate to ask.  
24 Or if you don't understand what we're asking, that's our  
25 fault, not yours, because we're not explaining ourselves

1 properly, so don't be afraid to say.

2 I'll hand on to Mr Peoples now, if that's all right  
3 with you; is that okay?

4 A. Thank you.

5 LADY SMITH: Thank you.

6 Mr Peoples.

7 Questions from Mr Peoples

8 MR PEOPLES: Good morning, Dean.

9 A. Good morning.

10 Q. Can I begin just by getting a very brief résumé of what  
11 your role is with the Salvation Army. I think, is it  
12 correct to say, that since November of 2001 until the  
13 present day, you have held the post of Director of  
14 Safeguarding for Child and Adult Protection?

15 A. Yes, that's right. It's had various other titles, Child  
16 Protection Officer, for example, but now I'm the  
17 Director of Safeguarding, yes.

18 Q. But it's all in the area of safeguarding and child  
19 protection?

20 A. That's correct, yes.

21 Q. And I think that you provided a CV to the Inquiry, but  
22 I'll just take it short, that you do have degrees,  
23 a Bachelor of Science in Sociology, is that correct?

24 A. That's right.

25 Q. And a Master of Science in Social Policy and Social Work

1 Studies?

2 A. That's right.

3 Q. And I think that before you took up your present  
4 position, you had some experience in the field of child  
5 protection with Surrey County Council between 1995 and  
6 2001?

7 A. That's right.

8 Q. I think you were a senior child protection social  
9 work --

10 A. That's right.

11 Q. -- officer, is that right?

12 A. Yes.

13 Q. So with that short introduction, perhaps I can take you  
14 to the first document. As her Ladyship has said, the  
15 Salvation Army has provided the Inquiry with a document  
16 response to various questions that the Inquiry were  
17 interested in answers to, which we call an A to D  
18 response, by the way, so if I talk about it in that way,  
19 you'll know what I'm referring to.

20 And can I perhaps just put up on screen the first  
21 document which is part of that response. It's  
22 SAL-000000094, which is the first part of the A to D  
23 document that I've referred to.

24 Now, as her Ladyship has said, and no doubt to your  
25 relief, I'm not planning to take you through this in --

1 at any great length, but I would just like to pick up  
2 a few things that are said at least in some of the parts  
3 that you have provided answers to.

4 Do be reassured, this is all evidence, so just  
5 because I don't mention it, it doesn't mean we haven't  
6 noted it and we'll take it into account, because clearly  
7 there's a lot of interesting information about the  
8 history of the organisation, but I'm not intending to  
9 take you through that today.

10 But what you do tell us about Redheugh, which is of  
11 principal interest during this hearing, is on page 2, if  
12 I could turn to that. Under (vi), you say at  
13 paragraph 3 that Redheugh was officially opened on 11  
14 October 1952 as a home and hostel for boys aged between  
15 15 and 18. And it was intended to be, in part, a home  
16 for probationers, people who were on probation from the  
17 courts, but also to accommodate any, as it put, any lads  
18 in need of care and training who have not found  
19 themselves in the hands of the law; those who might need  
20 care and protection at that time.

21 So it was catering for a broad range of people who  
22 needed some form of residential accommodation in their  
23 teenage years?

24 A. Correct, yeah.

25 Q. And I think, at the time, it was perhaps unique in that

1           sense, that it was catering for quite a broad range of  
2           boys at that time?

3   A.   Yes.

4   Q.   And indeed, it might have been seen to some extent as  
5           an experiment, to see if all the boys of a different --  
6           coming from a different background or for a different  
7           reason could be accommodated together and given  
8           appropriate moral, spiritual and other practical  
9           training; is that right?

10  A.   Possibly.  However, there would have been other similar  
11           homes in other parts of the United Kingdom, so I don't  
12           know about an experiment, but --

13  Q.   Well, in Scotland, sorry, maybe I was putting that too  
14           broadly.

15  A.   Yes.

16  Q.   But I think in Scotland it was quite unusual?

17  A.   Yes.

18  Q.   Put it that way.

19  A.   That's right, it's the first of its kind, it says here.

20  Q.   And I think initially it may have catered for slightly  
21           less than 28 boys, but I think in the 1950s, it  
22           certainly was accommodating or capable of accommodating  
23           about 28 boys, is that right?

24  A.   Yes, that's correct.

25  LADY SMITH:  Dean, when you say there were other such homes

1 in other parts of the United Kingdom, are you referring  
2 to other Salvation Army such homes, or just other homes?

3 A. Yes, I am, my Lady. There were approved schools in  
4 England that we had. So it wasn't an experiment.

5 LADY SMITH: I see.

6 MR PEOPLES: And just -- I think I've perhaps alerted you to  
7 the fact that we managed to locate some inspection  
8 reports from Scottish Government for Redheugh for the  
9 1950s. I'll give the reference for the documents but  
10 I'm not planning at this juncture to go through them in  
11 any depth, but I'll maybe just pick out a few things  
12 that I've taken from them. But the reference for the  
13 reports in the 1950s from Scottish Home Department  
14 inspectors is SGV-001033925.

15 And I think it's fair to say reading the early  
16 reports, following its registration as a voluntary home,  
17 it didn't get off to a very auspicious start in Scotland  
18 because the inspectors in 1953, for example, are saying  
19 that they have concerns about staff having to deal with  
20 boys individually rather than collectively, and they  
21 have a concern about a practice at that time of dealing  
22 out or threatening collective punishments and seeking to  
23 have that abandoned.

24 Now, I'm not saying any of this was unique to this  
25 home in those days, but these were concerns that they

1           were voicing at the time. And I think also there was  
2           a concern about the many changes in staff at that time,  
3           not just staff in direct care roles, but staff who were  
4           leading at Redheugh, in terms of the officers in charge.

5           I think you may have --

6   A. Yes.

7   Q. -- been reminded that that was the gist, I think, of  
8           some of the concerns that were highlighted in the  
9           reports. And indeed, so far as staffing itself is  
10          concerned, there was a concern voiced in 1954, for  
11          example, that the staffing position was described as  
12          still 'hopelessly inadequate'. You probably remember  
13          that sort of phraseology?

14   A. Yes, very helpful independent inspection reports, which  
15          one would hope was a wake-up call to do something about.

16   Q. Yes. And I think the other thing that perhaps they were  
17          highlighting was the need for a local management  
18          committee, and I think that was eventually established  
19          in the 1950s, mid-1950s, as something that's called the  
20          Homes Advisory Board, is that right?

21   A. That's right, and very common adoption of such  
22          committees was taking place in different establishments  
23          as a way of monitoring and giving good experience and  
24          good advice from local people, yeah.

25   Q. Because I think the inspectors probably identified that

1 the Salvation Army was quite a hierarchical structure  
2 and in those days, to some extent, the officer in charge  
3 at Redheugh was very much taking his orders from his  
4 superior in the divisional headquarters?

5 A. To an extent, yes.

6 Q. I think that was said in the reports.

7 A. Yeah.

8 Q. It may be that it was overstated, but I think there was  
9 a feeling that decisions had to be cleared at a higher  
10 level before they could be put into effect or changes  
11 made or whatever?

12 A. I think day-to-day running, that isn't the case, but  
13 of course for financial and other such matters, it would  
14 have been certainly a practice that was expected, yes.

15 Q. Yes, and I think there was a colonel at that stage who  
16 was at the divisional headquarters who I think was very  
17 much in charge of vetting applications and maybe had  
18 quite exacting standards for the boys he would take,  
19 which might explain why, in the early days, Redheugh  
20 didn't have the numbers that it was hoping to achieve.  
21 That was, I think, the thrust of these reports?

22 A. Yes, I think you are very correct there.

23 Q. And indeed, so far as staff quality is concerned, the  
24 senior probation officer for Ayrshire on 25 March 1954,  
25 in the document I've given the reference to, was taking

1 a gloomy view of the future of this home. I mean, it  
2 didn't prove correct, but he was saying that numbers  
3 were going down at that stage, staff were still  
4 inadequate and apart from Mrs Aitken, who I think was  
5 the wife of Major or Captain Aitken -- I'm not sure of  
6 the rank -- they were of poor quality. So he was --  
7 that was his -- voicing his concerns at that time?

8 A. And as I say, that was a device that hopefully was  
9 adhered to and taken note of, because then improvements  
10 were made.

11 Q. And the other one that perhaps I can just pick out, and  
12 this maybe goes back to an earlier time, was that on  
13 28 January 1954, the inspectors were told the local  
14 committee was in the process of being formed. But it  
15 was recorded at that time that the gardener, handyman,  
16 who has quite a lot to do with the boys, is quite  
17 unsuitable, inasmuch as he has, and it's quoted, 'fights  
18 with the boys and cannot get on with or control them'.  
19 And I think he was removed quite soon afterwards, if  
20 I recall the reports. So clearly they were taking  
21 a keen interest on individual staff members?

22 A. Yes. And I think the committee is, like I say, a good  
23 model to monitor and effectively make sure that  
24 an establishment has good practice in place, because  
25 you've got good people on that committee who will be

1           able to advise and guide.

2   Q.   And just on the matter of the attention being given to  
3       boys as individuals, and this, I don't think, was unique  
4       to Redheugh at that time, that there was effectively,  
5       I think, group activity and treatment of children as  
6       a group rather than as individuals, but it was said  
7       that, at a -- following a visit on 23 January 1953, from  
8       the talks the inspector had with staff, it would appear  
9       there's little or no attention given to the boys as  
10      individuals.  And then, perhaps in a rather colourful  
11      way of putting it:

12                'Running away is considered a form of treason' which  
13      would be warranting some form of deportation.

14                In other words, removal from the home.  So quite  
15      a dim view was being taken in those days of absconding?

16   A.   Yes, it seems so.

17   Q.   Now that's very much a military-type approach?

18   A.   That's right, and again, based on approved schools,  
19        borstals, whatever we called them as a nation, that  
20        would have been the practice of 1953, yes.

21   Q.   And I think that all of these problems, and perhaps also  
22        establishing a good relationship with the probation  
23        service, had led, I think, in those days to quite  
24        restricted numbers.  I think at one stage in 1954, there  
25        were only 13 boys in the home and that was creating

1 financial loss and concern about the viability of the  
2 establishment?

3 A. Yes. You've alluded to the colonel's strict referral  
4 criteria and I think that was the statement of purpose  
5 of the home; otherwise we would be mixing the different  
6 needs of the particular boys.

7 Q. I'm not -- there is an inspection report for 1965 that  
8 I'm not going to take you to, but I think I'll try and  
9 give you the reference if I can find it. It's  
10 SGV-001033926, and it was an inspection report that was  
11 dated 24 November 1965. I'm not going to take you to  
12 it, but the reason I mention it is that there is  
13 a reference there to a PAV [REDACTED]. And I think  
14 there was some doubt whether he in fact was employed by  
15 the Salvation Army, but it turns out I think he was  
16 a Salvationist, I think, late in life. He did work  
17 there for a time. He was more elderly than -- indeed,  
18 I think the officer in charge was in his mid-20s, but  
19 PAV [REDACTED] was a bit older and longer in the  
20 tooth, but he was there, and I think he was involved in  
21 craft and teaching, is that correct?

22 A. Yeah, and the Inquiry's been most helpful to us, I have  
23 to say, my Lady, because our efforts to find a PAV [REDACTED]  
24 PAV [REDACTED] were very fruitless, but thank you to the  
25 Inquiry for managing to locate that person.

1 Q. Yes. And if I go back to the Part A of the response,  
2 Dean, at page 6, you flag up at an early stage something  
3 that we've touched on, that:

4 'The present whereabouts of any records from  
5 Redheugh is not known and there's a possibility they  
6 were destroyed when the adolescent unit closed in 1993  
7 and when the site was sold in 2000. As such, there are  
8 no detailed records of the daily life of Redheugh beyond  
9 what has been recorded in publications such as "The War  
10 Cry".'

11 And you have helpfully provided us with copies of  
12 certain articles in 'The War Cry' over the piece. But  
13 we don't have the detailed records to know how life was  
14 like on a day-to-day basis, as recorded at least?

15 A. That's correct. It's disappointing about our lack of  
16 records.

17 Q. Yes, because I think essentially, the limited  
18 documentary evidence has handicapped you, it's  
19 handicapped the Inquiry and it's handicapped the police  
20 investigations over time that they -- when they've tried  
21 to perhaps identify relevant witnesses, dates, times,  
22 places and so forth; is that correct?

23 A. That is correct.

24 LADY SMITH: Mr Peoples, I think we can add to that from our  
25 own knowledge of the impact it has, it may have

1           handicapped individuals who were children in care at  
2           Redheugh in getting details, even of precise dates that  
3           they were there, let alone anything else, and that can  
4           be quite damaging to individuals as they grow through  
5           their adult life.

6   A. My Lady, you're -- thank you for pointing that out.  
7           That is correct. It's very distressing for a person who  
8           was in such an establishment to then not be able to have  
9           that confirmed. We can only apologise to people who  
10          make such applications and the victims of abuse that you  
11          refer to that we're not able do that. As I say, it's  
12          regrettable and very disappointing that we don't have  
13          those records.

14   MR PEOPLES: Because for many, that may be the only way they  
15          can gather some information about their life and what  
16          was written about them, not always good things  
17          unfortunately in those days. And I'm not speaking about  
18          the Salvation Army; I think we've heard quite a lot of  
19          evidence that entries in previous decades tended to  
20          emphasise the negative and not always the positive.

21   A. My Lady brings to our attention the very necessary  
22          details that we all need in our own lives for our own  
23          identities, to know where we came from and what we did  
24          at a particular time. And to not have those records or  
25          affirmations and confirmation is not acceptable, and we

1           apologise for that.

2   Q. Now, can I move on, Dean, to page 8 just briefly to  
3       correct something which -- I don't think it's said  
4       there. It says it was opened as an approved home for  
5       boys. I think that's technically right. It was  
6       approved as a voluntary home, but there are references  
7       later in this document to it being -- Redheugh being  
8       an approved school. And I have to say, I think I can  
9       tell you now, it wasn't an approved school as such, in  
10      terms of the relevant regulations and statutes. In  
11      fact, it wasn't a school. I mean, education was  
12      provided, as we've heard, from outside locations, local  
13      schools. So it -- I'm just making the point it's there,  
14      but I think there are references later on to it being  
15      an approved school, which is not the case.

16   A. Yeah, it's, I think, interchangeable. If we look on  
17      page 8 here, 'Past', (i), that the quote from  
18      Home Office research starts by saying 'approved home'  
19      and then goes on to talk about approved schools, so  
20      I think it's probably interchangeable. But you're quite  
21      right, there was --

22   Q. Well, perhaps I can correct you there again. We know  
23      from our researches and from evidence given by  
24      Professor Norrie that approved schools and voluntary  
25      homes were subject to very different regimes and

1 frameworks and regulations. So there were approved  
2 school regulations; there were regulations for voluntary  
3 homes over time and, to some extent, the voluntary homes  
4 regulations were a lot looser and more relaxed than the  
5 more strict requirements that were incumbent on people  
6 who ran approved schools. You can take it we're very  
7 familiar with the difference, but there is a material  
8 difference.

9 LADY SMITH: Yes.

10 A. I'm not denying that, I'm just saying that the  
11 Home Office use interchangeable, school and home.

12 MR PEOPLES: I think that may be the Home Office, but there  
13 was Scottish legislation and Scottish regulations. So  
14 maybe that reflects obviously the different legal  
15 framework, but if the Home Office used it  
16 interchangeably, perhaps they should be taken to task.

17 A. Yes, I think we perhaps need to do that.

18 Q. So moving on, can I go to page 11. And I just draw  
19 attention that it says there that, so far as core  
20 principles of the Salvation Army were concerned, is that  
21 one of the core principles, from a very early stage of  
22 the 20th century, was a necessity for 'strict and kindly  
23 discipline, the habit of obeying good, profitable and  
24 righteous laws', and you make a reference to the  
25 relevant source and indeed you also quote from another

1 set of rules and regulations from 1962 that:

2 'Punishments must be as few as possible. A record  
3 must be made in the punishment book of all punishments.  
4 Corporal punishment is strictly forbidden.'

5 And that relates to children's and girls' homes. So  
6 perhaps you were ahead of your time, because I think in  
7 Scotland, corporal punishment was a feature for quite  
8 a long time after that in both mainstream schools and in  
9 childcare establishments. I think it was round the  
10 late -- early 1980s when perhaps it was finally  
11 challenged and removed.

12 A. Yes. Well, it's quite right, it says that here, we have  
13 the orders and regulations for our social work  
14 establishments and that's the quote from it.

15 Q. But if one bears in mind the evidence we've listened to  
16 and you've received and considered, it would appear that  
17 there wasn't in practice at Redheugh a compliance with  
18 those core principles?

19 A. That's right. You've -- a step ahead of me. I thought  
20 you might ask me about that.

21 Q. Yes.

22 A. But our regulations clearly say 'no', but we know from  
23 the evidence given that perhaps that wasn't adhered to.

24 Q. And then just in passing, on page 12, you tell us that  
25 the McLean unit -- we heard some evidence about that and

1        Stewart Burgess working there -- opened, I think,  
2        officially in 1989 and to some extent was a successor to  
3        what was called the minimum support unit, which had  
4        previously been in operation or in -- before McLean was  
5        established. And you also tell us on that page, towards  
6        the foot, that Redheugh was a single-sex establishment  
7        from 1952 and you refer to a yearbook which says that  
8        girls were admitted in the early 1980s. That's  
9        a reference to the 1981 yearbook, so we can get a date,  
10       a rough date, when girls started to be admitted as well?

11    A. Yes.

12    Q. If we go to page 13, I think it says:

13                'Boys at Redheugh were not put to work, there's no  
14                evidence that boys at Redheugh undertook this kind of  
15                labour.'

16                There may well be evidence that to some extent --

17    LADY SMITH: That's at point (viii) there, isn't it.

18    MR PEOPLES: Point (viii), yes, sorry, my Lady. I think

19                there was evidence that certainly boys who weren't at  
20                work or at school might, during the day at Redheugh, be  
21                employed in sort of work parties or sections such as  
22                sweeping up the driveways and things. So they were in  
23                a sense put to work, but perhaps not in quite the same  
24                way as some of the establishments we've heard about,  
25                where they were to do routinely heavy manual labour.

1 A. Yeah, I think it's an interesting answer we give here  
2 because, of course, we are being charged in other parts  
3 of the nation about industrial schools, and I do believe  
4 that we're talking about chores here, rather than paid  
5 work, yeah.

6 Q. Yeah. I don't think when work was being done at  
7 Redheugh it was paid work. Obviously boys who were over  
8 school age went out to work, received a wage.

9 A. Mm.

10 Q. A part of which went to maintain them or to the cost of  
11 maintaining them, and I think the practice was that all  
12 boys got pocket money.

13 A. Yes.

14 Q. And the amount depended on whether they were working  
15 boys or schoolboys; was that the broad scheme?

16 A. Yes. Yeah, again, I think you are identifying the sort  
17 of fluidity of the situation.

18 Q. And of course, if they were seen to misbehave, one of  
19 the sanctions, and we've heard some evidence that this  
20 would be done, was the loss of pocket money for a time  
21 or loss of part of the pocket money for a time?

22 A. Yeah, which is probably why it continued to be called  
23 'pocket money' rather than a wage. There's probably,  
24 like I say, a fluidity in what was actually happening.  
25 But you're correct that there seemed to be remuneration

1 for the chores, yeah.

2 Q. Yes, I mean, they weren't given their wages, even if  
3 they were working boys.

4 A. That's right.

5 Q. They may have been collected for them and banked in some  
6 way, but they got dished out a pocket money and if they  
7 misbehaved, they didn't get any pocket money. They  
8 might not get home leave.

9 A. That's the evidence we've heard, isn't it, yes.

10 Q. Again, it's not an uncommon piece of evidence. We've  
11 heard that from other places, that that was a loss of  
12 what was called privileges?

13 A. Yes.

14 Q. What was loss of home leave in those days, and indeed,  
15 for some time afterwards, the giving of home leave was  
16 treated as a privilege, rather than a right?

17 A. That's not a word we've used, but you're correct in  
18 other places, possibly.

19 Q. And if I just move on, Dean, to page 15 briefly, the --  
20 you give some information about numbers, which helps us  
21 to -- you say that -- or at least the document says  
22 that:

23 'Redheugh could originally accommodate 28, increasing  
24 to 40 by 1982 and falling to 35 by 1990. [Which was shortly  
25 before it closed fully. And] in 1986 the home was at

1 maximum occupancy but the average occupancy for the  
2 12 months to October 1990 had fallen to 19.'

3 I think that was the trend latterly, there was  
4 a decline in numbers, and I think you can take it we  
5 have some understanding of the background to these  
6 things, including the change of policy, at least in  
7 Scotland, of using larger homes for residential  
8 accommodation, and trying to either keep children in the  
9 community, put them with foster parents, or if they were  
10 to go into a residential setting, put them in small  
11 group homes in the community. That was certainly the  
12 situation in Scotland in those days.

13 A. Yes.

14 Q. And the big local authorities, generally speaking, their  
15 policy was not to use places like Redheugh.

16 A. Yeah. I think there's a whole host of reasons for  
17 falling occupancy, my Lady. Certainly the ones  
18 identified would be so, but also my reading of the  
19 purpose of Knox and the other units was to be a family  
20 unit or the preparation on leaving care unit, and  
21 of course the numbers then, you have to be very clear,  
22 like we were in 1952, about, you know, who is coming to  
23 stay here and if you don't meet that criteria then you  
24 can't come, so therefore numbers are then limited.

25 So in trying to become a better establishment, you

1           then run the risk of not having the service users.

2   Q.   But you also run the risk, and I think this happened in  
3       Redheugh's case, that if your traditional admissions  
4       group is declining, you look to diversify, and I think  
5       latterly Redheugh may have come into some arrangement  
6       where they opened up a family unit?

7   A.   That's right.

8   Q.   Which would take much younger children, sometimes  
9       siblings, which was not maybe a feature of this  
10      situation in earlier times.

11  A.   That's right, and I think the Salvation Army would  
12      always endeavour to respond to the needs of the day and  
13      by this time things had changed significantly, as you  
14      rightly identify. In terms of larger establishments,  
15      we're moving to more of a community model, smaller  
16      occupancy.

17  Q.   And you tell us at (iii) on page 15, that it's estimated  
18      that around 750 children would have been accommodated or  
19      cared for at Redheugh between 1952 and its closure in  
20      1993. And you tell us a little bit about the four-house  
21      system, and I'm not going to labour that because we had  
22      heard some evidence about various units that were in  
23      operation over time; I think McLean, Wallace, McGregor,  
24      Knox come to mind.

25  A.   Yes.

1 Q. But to a large extent, well, three units were I think,  
2 both historically and until closure, were located in the  
3 main building?

4 A. Yeah.

5 Q. And then there was another unit that was -- the  
6 independent units were located across from the main  
7 building in a separate block or building, is that right?

8 A. That appears to be the case, yes.

9 Q. I think that's - as I understand.

10 But to a large extent, throughout its existence,  
11 children and young people share dormitory accommodation  
12 of different sizes?

13 A. And then -- I'm not sure it's always dormitory, I think  
14 there's rooms as well.

15 Q. Sorry, when I say 'dormitory' -- sorry, I should have  
16 said, they're not given single rooms. They might have  
17 shared a bedroom with one other person, they might have  
18 shared with three others or four others, six others?

19 A. Yes, yeah.

20 Q. Sorry, I perhaps put that badly.

21 A. Yes, well, I think it seems from the 1960s, 1970s, 1980s  
22 through, it changed and responded to the research of the  
23 day, and space and condition of building and many facets  
24 come into play.

25 Q. You'll be aware that, from the applicant evidence at

1       least, that a number of people have come forward to  
2       speak of bullying by other residents, particularly older  
3       ones, which could take place in the shared rooms --

4   A.   Yes.

5   Q.   -- if I can put it that -- or dormitories, and that that  
6       was a problem.  And to some extent in the early days  
7       there weren't even night staff on duty to -- I think  
8       HDD introduced a system of a night -- a waking  
9       nightshift worker and then two nightshift workers.  So  
10      clearly the move to both an introduction of night  
11      workers on duty, awake, and single rooms, would tend to  
12      be a measure to perhaps reduce the risk of bullying,  
13      assaults, sexual or physical, by residents on other  
14      residents during the night-time period?

15  A.   That would be my understanding of how that can help to  
16      ameliorate such nefarious behaviour.

17  Q.   On page 17, Dean, you say in answer to this question:

18           'Were children moved between different  
19      establishments run by the organisation?'

20           And the Part A says:

21           'We are unable to find specific examples of children  
22      moving between centres post 1930.  Case papers of  
23      resident records do not survive from all Salvation Army  
24      homes which provide residential care for under 18s.'

25           The only reason I've referred to that is that -- and

1 I may come back to it, but we have 'Alexander's'  
2 evidence that was read in last week, I think, and he  
3 spoke about having to move from Redheugh to Mount Bruce  
4 following making an allegation of sexual abuse by  
5 a member of staff -- not Stewart Burgess, I hasten to  
6 add -- in the early 1970s, and that he was moved very  
7 quickly after being kept in a room overnight. He was  
8 moved the next day.

9 A. Yes.

10 Q. And you'll recall that evidence that he -- his evidence  
11 was to the effect that it was all very hush-hush, if  
12 I could put it that way, and indeed even the Mount Bruce  
13 staff didn't know the true reason for the move. It was  
14 said to be bullying, when in fact he says it was due to  
15 the complaint he had made against the staff member.

16 What do you say to that, by the way?

17 A. Well, I've only recently become aware of the evidence  
18 and you are quite correct, it's very helpful to us to  
19 see that there was seemingly interchangeability between  
20 centres within Scotland. So you're correct to bring us  
21 up on that and that answer can now be altered. And it  
22 seems that that evidence was clear, that the person  
23 giving the evidence was under the impression that it was  
24 because he needed to be moved away to prevent further  
25 discontent at Redheugh, which --

1 Q. It's also an indication, is it not, that, well, someone  
2 makes an allegation, the person that gets moved is the  
3 alleged victim, there doesn't appear to have been any  
4 follow-up investigation, he's moved, so that solves, in  
5 one sense, immediately the problem. The police aren't  
6 involved, there doesn't seem to be any evidence of  
7 anything beyond that action being taken. Certainly  
8 wearing your safeguarding hat now, you wouldn't see that  
9 as at all satisfactory, would you?

10 A. No, I was going to say that thank you for bringing it to  
11 my attention, my Lady. The Inquiry's done a good job  
12 there in terms of that evidence and you're correct, that  
13 is not good practice and it's not something that we  
14 would do today, and we're willing to look at that now,  
15 having been made aware of it.

16 Q. I mean, it might, albeit with good intentions on the  
17 part of someone like HDD, but it might be  
18 indicative of an overemphasis on preserving the good  
19 name and reputation of the organisation at the expense  
20 of doing the right thing and taking appropriate action;  
21 that's a possible way of looking at things, is it not?

22 A. I don't know what was going -- the thought process of  
23 the management at the time, whether it was to possibly  
24 ensure a feeling of safety for the victim, to actually  
25 be removed from that environment to somewhere which was

1            hopefully not going to perpetrate the same level of  
2            discontent and harm. Or it could have been, as you say,  
3            for other reasons.

4    Q. Of course, the problem as well isn't just you take the  
5            person away from the source of harm; you leave the  
6            person who is the alleged perpetrator with other  
7            children that could be targeted, unless you take action,  
8            investigate, consider whether the allegations have  
9            substance, and whether there's a risk to other children  
10           who remain at Redheugh; that's a real problem if you  
11           take -- approach it in the way that it appears to have  
12           been done in those days?

13   A. Yes, you are correct to make that point, that it should  
14           have been investigated and anyone perpetrating harm  
15           needs to be removed from that situation, and that should  
16           have happened.

17   Q. Am I right in thinking, certainly today, if a serious  
18           allegation of that kind is made, then the appropriate  
19           action would be, without making judgements, to suspend  
20           the individual pending investigation immediately, to  
21           preserve the situation, protect anyone if the  
22           allegations happen to be true, and then take appropriate  
23           investigatory steps and such action as seems appropriate  
24           in light of the investigation; is that all pretty  
25           standard stuff?

1 A. Yes, that's indeed our policy and standard procedure,  
2 yeah.

3 LADY SMITH: And what about, Dean, the risk that the young  
4 person, who is moved, with the alleged perpetrator being  
5 left behind, may well feel that they are being punished  
6 for having made a perfectly proper allegation?

7 A. Yes, and thank you, my Lady, that is indeed my thinking  
8 too, that it was unacceptable to do such an action and  
9 indeed the person would have felt re-victimised by being  
10 moved and having not had their situation investigated  
11 properly in a way that perhaps we would do now. So yes.

12 LADY SMITH: And a disruption in their placement which  
13 didn't need to happen.

14 A. That's right, in terms of the ongoing care and good  
15 practice of stability, yes.

16 LADY SMITH: Thank you.

17 Mr Peoples.

18 MR PEOPLES: My Lady.

19 Dean, just moving on to some -- there are some  
20 questions about staff and I just want to be clear what  
21 the position was. I think there's an indication that,  
22 at page 19 of, in Part A, at (iii), that it says:

23 'The "Dispositions of Forces" for the 1980s show  
24 that lay staff running Scottish homes providing  
25 residential care for under 18s all had certificate in

1 residential childcare, certificate of qualification and  
2 social care, or were members of the Scottish Commission  
3 for the Regulation of Care.'

4 And that's from a 1984/1985 'Dispositions of Forces'  
5 document, is that right?

6 A. Yes.

7 Q. It's not being suggested, I take it, that all care staff  
8 at all levels had appropriate childcare qualifications  
9 or experience; I think we've heard evidence to the  
10 contrary, is that correct?

11 A. Yes, that's correct.

12 Q. I mean, some of the people acquired qualifications,  
13 Stewart Burgess for example, when -- after employment.  
14 Some leaders would have qualifications at some point,  
15 but maybe not all?

16 A. Well --

17 Q. It says by the 1980s --

18 A. Yes, and again I would thank my Lady for this Inquiry,  
19 for bringing this to our attention. It's clearly not  
20 correct to make that statement from the 1984 yearbook.

21 Q. Because, I mean, don't think that we're just targeting  
22 Redheugh or the Salvation Army. It's a well-known fact  
23 that in a lot of care settings, many of the staff were  
24 young, inexperienced and unqualified. Many of the  
25 senior staff were unqualified and had different

1 backgrounds. And we now have a regulation of care,  
2 a Scottish social services regulator since 2001, and  
3 even today, I think they've told us fairly recently,  
4 that not everyone in the care sector has the  
5 qualifications. They're given opportunities to get them  
6 and to get the minimum qualifications, but it's still  
7 not a perfect world.

8 LADY SMITH: It's not 100 per cent even yet.

9 MR PEOPLES: No.

10 A. No, and the SSSC is a very good, helpful to me in my  
11 role, body, I have to say, because of the reasons we  
12 have just discussed, because they will insist on good  
13 practice at residential centres.

14 But, yes, thank you for bringing this to our  
15 attention, that it would have been an endeavourment to  
16 make sure that staff were qualified.

17 Q. And just in terms of the gender of the persons employed  
18 at Redheugh, if we go to page 22, I think you -- we're  
19 told that while Redheugh employed some female staff at  
20 least from 1960 onwards, it appears that staff were  
21 predominantly male, reflecting the gender of the  
22 majority of residents.

23 I think, oddly enough, unlike some places, which  
24 employed single women as houseparents in earlier  
25 decades, the policy of the Salvation Army, as

1 I understand it from the time that Redheugh opened, was  
2 to put in charge a married couple, so there was a matron  
3 who was female and also someone, a ranking officer in  
4 the army, as the people who ran the place?

5 A. Yes.

6 Q. And that, to some extent, it didn't necessarily change  
7 dramatically, but George Steven wasn't an officer when  
8 he became officer in charge in 1974. He was the  
9 first --

10 A. Yes.

11 Q. -- non-Salvation Army person who was in charge of  
12 Redheugh, is that correct?

13 A. I believe so.

14 Q. Now --

15 A. Sorry, just to say, George Steven was a member of the  
16 Salvation Army, but not a Salvation Army officer, which  
17 required going to the Salvation Army training college  
18 and becoming ordained as a minister.

19 Q. Yes. It's a bit like you could be a member of the  
20 Church of Scotland but you're not a minister?

21 A. That's right, exactly the same as that.

22 Q. Now, there's a section on culture, where some questions  
23 are asked at page 25, if I could just ask you just  
24 briefly to look at. It says:

25 'Did the running of establishments reflect the

1 organisation's culture, policies and procedures?'

2 And the response is:

3 'To the best of our knowledge, the Salvation Army's  
4 residential homes were run in accordance with the  
5 culture, policies and procedures.'

6 I suppose the point might be made that without much  
7 in the way of records, the Salvation Army knows very  
8 little of whether the culture, policies and practices  
9 that they would expect to be observed by staff were in  
10 fact observed at Redheugh.

11 Perhaps I could go further and say on the evidence,  
12 it appears that was not the case?

13 A. That's right. A lot of the witness statements have been  
14 very distressing and sad reading, and certainly not in  
15 keeping with Salvation Army policies and procedures,  
16 which we do -- did have, and certainly the culture and  
17 the Christian ethos, it was quite clearly not followed.

18 Q. Okay. Now, can I go forward to Part B of the same  
19 document that starts at page 31, which is -- to see the  
20 position, I think, before we got to this hearing and  
21 before you had sight of the statements that have been  
22 released from applicants and others.

23 In terms of acknowledgement of abuse, on page 31 it  
24 is acknowledged that and accepted that between 1930 and  
25 17 December 2014, some children at the establishment

1           were abused, and largely speaking, I think that  
2           acknowledgement is based inevitably on the conviction on  
3           two occasions of Stewart Burgess, who was employed  
4           between 1981 and 1992 or thereabouts -- I'd better not  
5           give a date at this stage -- then, because he was  
6           convicted and he was clearly there for a period of  
7           the best part of 11 years.

8   A.   Yes.

9   Q.   So there was an abuser in the midst for almost a quarter  
10       of the existence, or maybe around a quarter of the  
11       existence of this particular home?

12  A.   That's right.  So that question, should it be another  
13       establishment, might be more difficult to answer.  But  
14       as you point out, it was an easy question to answer.

15  Q.   Yes, and obviously as you know, and I think you  
16       anticipated in your Part B, that is not to say that  
17       there wasn't possibly other abuse committed by other  
18       staff, and indeed we have evidence, as you well know,  
19       of --

20  A.   Yes.

21  Q.   -- both physical and sexual abuse by other staff over  
22       several decades?

23  A.   Yes, and I've been made aware in recent days of those  
24       witness statements.

25  Q.   Now, maybe just while we're on the subject of

1           Stewart Burgess, we could just look at his particular  
2           situation. You will be well aware it's been quite  
3           topical and we are -- I think there are still a few  
4           unanswered questions which we have to at least raise  
5           with you.

6   A. Yes.

7   Q. I think you heard the evidence of Stewart Burgess  
8           yesterday?

9   A. Yes, my Lady, I think the Inquiry did very well  
10           yesterday in talking to Mr Burgess.

11   Q. Right.

12   A. It was very helpful.

13   Q. Yes. And I think the problem for all of us here,  
14           including yourself, is that it might be very difficult  
15           to pinpoint just exactly when Stewart Burgess left the  
16           Salvation Army and on what basis; is that fair comment?

17   A. I think it's a very fair comment to make.

18   Q. But it is concerning because of the fact that prior to  
19           his termination of employment, for whatever reason, he  
20           was the subject of very serious allegations of sexual  
21           abuse, not for the first time?

22   A. That's what has come out from this evidence, yes.

23   Q. And if it be the case that he left without these  
24           allegations being investigated properly and determined  
25           whether they had substance or not, that's very

1           troubling, isn't it?

2   A.  It's very troubling indeed and I think that was your  
3       line of questioning yesterday, which was unable to be  
4       satisfactorily arrived at.

5           I would say before -- I don't know where you'll be  
6       taking me with this -- that we do have evidence that we  
7       talked or referred the matter to the police in July  
8       1992.  What we don't have is what the police then said  
9       to us as the Salvation Army: 'We will investigate'; 'We  
10      have investigated'; 'We've concluded our investigation'.  
11      We don't know what happened to that.

12  Q.  I mean, I will still put to you, and I am going to put  
13      to you, that even if the police were brought in, one  
14      would question the timing of that decision, that there  
15      was an arguable delay from the first allegation on  
16      24 April 1992 to the police being brought in on, by my  
17      reckoning, 27 July 1992.  That's a long time?

18  A.  It appears that there was a lag there, which perhaps  
19      speaks to -- I'm sure you'll be talking to me about  
20      training.  I'm sure you'll be talking to me about how to  
21      handle disclosures of abuse.  It does seem that there  
22      was that lag there, yes.

23  Q.  Can I just maybe then -- the way I tried to do it was to  
24      look at each party that seemed to have an interest at  
25      that stage and how they -- what their involvement was,

1 and just see whether we've got questions that you can  
2 answer or questions other people should be answering,  
3 who are listening to this evidence today.

4 If we start with the Salvation Army, just in 1992.  
5 We have a former resident, ██████████ -- I think we have  
6 to use names so we understand where we're going -- who  
7 disclosed or alleged sexual abuse by Stewart Burgess, by  
8 telephone on 24 April 1992. He had conversations,  
9 probably not only with George Gillan then, but maybe two  
10 other members of staff, Grace McGregor and Edith Gillan.  
11 We don't need the detail, but that's where it starts,  
12 that's the allegation.

13 If we just follow through what the Salvation Army  
14 did in response, they decide I think to carry out their  
15 own investigations without reference to any other party,  
16 whether it be Strathclyde Region who had placed  
17 children, or the police, even although the allegation  
18 was of a serious criminal offence if true. So they  
19 start that way. So they decide to be their own  
20 detectives.

21 And HDD ██████████ and another officer meet with ██████████  
22 ██████████ twice before Stewart Burgess is suspended. They  
23 meet him on 12 May 1992 and they meet him again on  
24 11 June 1992.

25 And then when HDD ██████████, who's -- he's not at

1 Redheugh at this point, he's in a more senior position  
2 in Glasgow, but he knows George Gillan, and George  
3 Gillan goes to him. So when HDD is then told  
4 about a further allegation by a current resident, ██████  
5 ██████, on 22 June 1992, what he does then is he discusses  
6 the matter with Major Hugh Rae, who's in the divisional  
7 headquarters in Glasgow -- I think he's in a more senior  
8 position to HDD at that point, would that be  
9 right?

10 A. Yes, he was a Salvation Army officer and would --  
11 certainly would have been superior to HDD.

12 Q. And it's decided between them that HDD should  
13 then go to Redheugh in person and speak to  
14 Isobel McGookin, whose name has come up, I think you'll  
15 remember. And the reason he was going to speak to her  
16 is she's the person to whom ██████ disclosed the  
17 allegation about Stewart Burgess.

18 And the decision was, I think: speak to her, suspend  
19 Stewart Burgess, and that was what was done. And  
20 I think afterwards, apart from speaking to  
21 Isobel McGookin, he took the time to also arrange for  
22 ██████ to be spoken to in person and that happened  
23 the same day, later on, after suspension. I think  
24 that's the sequence of events --

25 A. Yes.

1 Q. -- if I'm not mistaken.

2 And the meeting with Mrs McGookin was immediately  
3 before the suspension meeting with Stewart Burgess,  
4 which I referred him to yesterday and you'll remember  
5 I put to him certain things he said at that stage. But  
6 during the discussion with Mrs McGookin prior to  
7 suspension, when she was asked by HDD if there  
8 were any other incidents that she wanted to tell the  
9 meeting about, she disclosed seeing Stewart Burgess  
10 giving what appeared to be an unwanted cuddle to another  
11 male resident?

12 A. Yeah.

13 Q. Now, you'll recall that and I think you've seen that in  
14 documentation, and this appears to have happened shortly  
15 after she started at Redheugh, which, if I'm right from  
16 the records, would be around 1986, some time before  
17 1992. But she says nothing until 1992. And she also  
18 says, in 1992, at this meeting, that she can recall  
19 another 'known occasion', as it's put in the record,  
20 when Stewart Burgess tried to cuddle another boy, who  
21 had forcefully rejected his attempt. And that after  
22 that, that boy was -- the relationship between that boy  
23 and Stewart Burgess were poor and I think the boy was  
24 probably trying to avoid him as well. So that was the  
25 gist of what she was telling; she'd seen two things.

1           And not only that, she went on I think to say that  
2 she was aware of an initiation practice involving new  
3 boys running naked through Stewart Burgess's unit while  
4 other boys hit them with wet towels. That was  
5 I think -- you've seen all of that, I'm sure?

6 A. Yes, yes.

7 Q. And not only that, but she also managed to recall and  
8 report at the meeting, a previous complaint, about four  
9 years before, by ██████████ against Stewart Burgess,  
10 similar to the allegations being made in 1992, at which  
11 point HDD ██████████, in 1992, intervened to explain that  
12 he and Elaine Jenks, SNR ██████████ -- well, she may have  
13 been SNR ██████████, but she was either SNR ██████████  
14 SNR ██████████ or SNR ██████████ and he was involved, but the two of  
15 them discussed the ██████████ matter and he said that  
16 they discussed the complaint and that ██████████, in  
17 circumstances not disclosed by the record or otherwise,  
18 as far as I can see, did not, as it was put, 'press the  
19 issue'.

20           Now, whether he means make a formal complaint or  
21 not, I don't know, and the suggestion the social worker  
22 for ██████████ might have been privy to this allegation, but  
23 the matter had simply been dropped. We don't get told  
24 whether he was maintaining the matter but didn't want to  
25 make a fuss, or whether he was withdrawing it and saying

1           it was untrue. But we know actually from subsequent  
2           events that the very same boy, [REDACTED], was  
3           interviewed by police in 2004, when another resident,  
4           [REDACTED], had come forward to police. He was  
5           traced and interviewed and he repeated what he had  
6           obviously said in 1988 or thereabouts, that he had been  
7           abused by Stewart Burgess.

8           So -- and indeed, when it went to trial in 2008,  
9           Stewart Burgess was convicted of indecently assaulting,  
10          sexually offending against [REDACTED]. That's all,  
11          I think -- I don't think you're disputing any of that?

12         A. No.

13         Q. So we have that as well. And yet we have a situation  
14          where she's remained silent, although she knew about all  
15          these things. And I think we had a body of evidence  
16          from some former staff that was to the effect that,  
17          well -- even from Stewart Burgess himself -- saying,  
18          well, if someone had a concern, and she clearly did, the  
19          practice, and indeed the policy, should have been to go  
20          straight to an appropriate senior, report it, so that it  
21          could be investigated and appropriate action taken.  
22          Now, none of that happened.

23          So we have a situation where, certainly from 1986 to  
24          1992, when this disclosure was made by Mrs McGookin,  
25          where we have someone who is now known to have been

1 an abuser, to be in the midst of children at Redheugh  
2 and posing a continual risk to them. What do you make  
3 of that?

4 A. Well, my Lady, I have to apologise again to the victims  
5 of the abuse that was subsequently perpetrated. It's  
6 a very distressing recital you just gave me.

7 I would believe that -- there's a sort of training  
8 exercise I did in 1995, training to be a child  
9 protection social worker: what's wrong with this? Why  
10 is this not good practice? What should be put in place?  
11 And I think you've identified very helpfully the  
12 different stages, certainly the culture of a centre,  
13 which meant that people weren't able to come forward and  
14 felt unable to make those allegations, didn't know how  
15 to do that.

16 So good training now would be: this is how we do  
17 things round here. This is how we observe. This is how  
18 we take allegations. This is how we treat disclosures.  
19 This is why we supervise.

20 So the good practice, the good training, the putting  
21 policy into place now is something that we would want to  
22 have to insist on and monitor.

23 So I think, as I say, I can only apologise. I can  
24 accept everything you say, which is that it's very  
25 distressing to read and to have that explained to me in

1 the way that you did, albeit helpfully.

2 Q. And this is -- I've started with the Salvation Army.  
3 I'm coming to others, but up to this point, 22 June,  
4 there's still no police involvement?

5 A. That's right.

6 Q. Which again, I think if you were looking at this  
7 situation today, you'd find that -- you'd be asking  
8 questions of your staff, saying: why on earth have we  
9 not taken action and notified the police of this matter  
10 to let them investigate as appropriate and take  
11 appropriate action, would you not?

12 A. I would be taking very big steps immediately to make  
13 sure that that was addressed properly.

14 Q. And if I can move on then to the next party, the man,  
15 who was by then a man, an adult, who made the first  
16 disclosure on 24 April 1992, [REDACTED].

17 As I've said, Salvation Army officers, [REDACTED]  
18 and another, met him twice, 12 May and 11 June 1992, and  
19 then we learn that he informed a social worker from  
20 Strathclyde Regional Council on 29 June 1992, after  
21 Burgess was suspended, he informed that social worker in  
22 the context of a social inquiry report for a court  
23 matter that he had disclosed abuse by Stewart Burgess to  
24 [REDACTED] and had been interviewed by [REDACTED].

25 So -- and that social worker then passed that

1 information on and the upshot was around, I think on  
2 8 June, a more senior manager, Alexis Jay, was informed  
3 of the allegation on 8 July 1992 and I think on 16 July  
4 she passed the matter to, I don't know whether it's  
5 a more junior colleague, but someone called Liz Jack.  
6 That name won't mean anything to you, but it may mean  
7 something to her or to Strathclyde or people who were  
8 working there then. So that's how that unfolded.

9 So that's [REDACTED]; right? We don't know whether  
10 [REDACTED] was ever interviewed by the police at that  
11 time. We can't find -- there's no evidence you've seen,  
12 I suspect, and we haven't been given evidence that  
13 suggests that he was, and maybe the police can help us  
14 on that one if they're listening.

15 [REDACTED], the current resident. He disclosed  
16 unwanted and distressing physical contact, touching on  
17 his bottom on regular occasions, after his admission to  
18 Redheugh on [REDACTED] 1992, and he disclosed that to  
19 Mrs McGookin. He had wanted to see his own social  
20 worker but she wasn't available at that stage until  
21 25 June, I think, if I remember the record, so he took  
22 it, the opportunity to mention to Mrs McGookin, and  
23 I think you've seen records of the meeting. I think she  
24 tried initially: oh, well, maybe you've got that wrong?

25 A. Yes.

1 Q. And so forth, just to see. But he was adamant that  
2 there was a sexual element to it and it was unwanted and  
3 he wanted it to stop. He liked Redheugh, but he didn't  
4 like that. He probably wasn't putting it in the sense  
5 of a formal complaint, but it was obviously something  
6 that ultimately, as we know, she disgorged or disclosed  
7 at the meeting on 22 June 1992, which was not long  
8 afterwards. So that was the state of play with him.

9 Again, it's unclear whether that individual was  
10 spoken to other than by the Salvation Army. In  
11 particular, was he spoken to by the police. He may have  
12 thought he was and I think he may have suggested to  
13 police when he was traced in 2000-and-whenever, 4 or 5,  
14 that he might have been spoken, but we don't have any  
15 record of that and I don't think the police have either.

16 A. No.

17 Q. So that's his involvement. So we've got there.

18 And what's maybe slightly alarming here is that it  
19 took the allegation of a resident to cause  
20 Stewart Burgess to be suspended. The prior allegation  
21 by a former resident wasn't good enough to lead to that  
22 result. I mean, that's not acceptable, is it?

23 A. No, and I've said, it's hopefully not what we would do  
24 today. It's quite clear through training about  
25 allegations and disclosures what we would do, how we

1 would handle it. There's far more support now in that  
2 regard. But you're quite right to bring this to our  
3 attention, that that should have happened at the  
4 allegation of the earlier resident.

5 Q. Yes. If we look at Strathclyde Regional Council, on one  
6 view, they may not have covered themselves in glory  
7 either, because I understand from records that, quite  
8 apart from what ██████████ was telling the social worker  
9 on 29 June, there seems to be an indication from HDD ██████████  
10 HDD ██████████, when he wrote to headquarters in London, that he  
11 had informed Strathclyde Region of allegations on  
12 23 June 1992, the day after the suspension. That looks  
13 like the first formal notification of the matter and  
14 it's not clear exactly what he'd said, whether he  
15 mentioned the ██████████ allegation and the ██████████ allegation.  
16 But that seems to be the timing of his notification to  
17 the local authority.

18 And as I've said to you just a moment ago, we know  
19 that Alexis Jay was informed by a memo on 8 July 1992  
20 that ██████████ had made a disclosure on 29 June 1992 in  
21 the context, as I've said, of a supplementary social  
22 inquiry report. And what appears to have happened is  
23 that Alexis Jay, on 16 July 1992, passed the matter to  
24 this person, Liz Jack, to deal with.

25 And it appears that on or around 23 July 1992 or the

1 next day, the social work -- or the relevant parts of  
2 the social work department of Strathclyde advised HDD  
3 HDD that they weren't going to get directly involved  
4 in the matter of inquiries or process of investigation?  
5 LADY SMITH: And yet at that stage they knew that the man  
6 was still in place at Redheugh.  
7 MR PEOPLES: Well, no, he had been suspended.  
8 LADY SMITH: Well, suspended, but --  
9 MR PEOPLES: They knew exactly --  
10 LADY SMITH: -- he had not been dealt with by anyone.  
11 MR PEOPLES: That's what the records show, that they --  
12 I think initially there may have been a pause before  
13 then to say: are we going to do something or are we  
14 going to leave it to the Salvation Army to deal with?  
15 It looks as if they chose the latter, because there's no  
16 real evidence they took any very active part, perhaps  
17 other than asking for some information about the boys  
18 involved, because they were Strathclyde boys, perhaps,  
19 but -- so that's where we are with that.  
20 LADY SMITH: So, sorry, that's at the point that Alexis Jay  
21 had passed this concern to a junior, Liz Jack, and then  
22 it appears that the decision must have been that the  
23 Salvation Army could be left to get on with it?  
24 MR PEOPLES: Well, within a week of that person being asked  
25 to deal with it, the Salvation Army's informed, I think

1 by two particular areas, it was probably Inverclyde and  
2 another area which had some perhaps direct involvement  
3 with the boys concerned, districts of -- or social work  
4 departments within Strathclyde advised the Salvation  
5 Army or HDD [REDACTED] that they weren't getting directly  
6 involved.

7 All they did, however, and this is why I'm also  
8 giving you this chronology, is that they appeared to  
9 have advised the Salvation Army to notify the police.  
10 So that was the advice. They didn't want to get  
11 involved directly: 'but we think you should let the  
12 police know'.

13 And that's something that HDD [REDACTED] did on  
14 27 July 1992, when he went along to Kilbirnie Police  
15 Station with Nigel Murphy, the next -- the then officer  
16 in charge, spoke to a Chief Inspector Kennedy, had  
17 a discussion at that point, and left what is referred to  
18 in the records as a 'case file for information'. And so  
19 for the first time, on the advice of the local  
20 authority, the police are brought in.

21 It's not looking good, is it?

22 A. I think the whole episode, as I say, is something which  
23 wouldn't happen now in terms of social care, the police  
24 and the Salvation Army. It wouldn't happen like that  
25 now.

1 I mean, I'm sure the Inquiry will want to talk to  
2 Strathclyde. I'm sure those two social workers have  
3 since retired and are doing other things now.

4 Q. Well, I suppose we could try and find them. I mean,  
5 obviously we know the whereabouts of one of the people  
6 that I've just mentioned and we could ask her what her  
7 recollection of the matter was, if she has any, and  
8 whether the way that this was dealt with by the local  
9 authority was an appropriate way, just to leave the  
10 matter in the hands of the provider to whom children had  
11 been placed.

12 LADY SMITH: And where children still were in place.

13 MR PEOPLES: And where children still were. Strathclyde  
14 children were still there. He was suspended, so he  
15 wasn't on the premises, but nonetheless.

16 A. Yes.

17 LADY SMITH: But he was suspended as somebody who had been  
18 there for, as you rightly say I think, Mr Peoples, about  
19 11 years, in a place where children were still being  
20 cared for by the organisation, and there doesn't appear  
21 from the records to have been any social work  
22 intervention to find out how things were on the ground  
23 at Redheugh. Have I got that right?

24 MR PEOPLES: Well --

25 LADY SMITH: Or not?

1 MR PEOPLES: -- I don't want to go that far because I think  
2 there were some enquiries about details of boys that  
3 might have been at Redheugh. I don't know for what  
4 reason that information was sought, because I think in  
5 August, another individual, George Irving, contacted the  
6 Salvation Army in August to ask for some details of  
7 boys, dates of admission and so forth. So there was  
8 some activity, but whether there was any activity in  
9 relation to the allegations is perhaps less easy to --  
10 LADY SMITH: But it's also the way the place is being run,  
11 that it harboured this man and there were still children  
12 and young people there.  
13 MR PEOPLES: I mean, there's no evidence, is there, that in  
14 1992 Strathclyde Regional Council, on the instructions  
15 of a senior manager or higher still, took steps to carry  
16 out a broader review or investigation, a lessons-learned  
17 exercise, just to see if there was something that ought  
18 to be looked at or reviewed; there's nothing to suggest  
19 that, is there?  
20 A. It doesn't appear that that was the case, that that  
21 happened, no, but obviously good practice now, I think  
22 that would happen.  
23 Q. Yes. And if we look at the police now, lastly. They're  
24 first notified by the Salvation Army on the advice, it  
25 would appear, of Strathclyde Regional Council, and

1 they're first notified on 27 July 1992, remembering the  
2 first allegation was 24 April 1992.

3 It's not actually clear what Chief Inspector Kennedy  
4 did. We know that Nigel Murphy and HDD  
5 attended the station, had a discussion, they were given  
6 some assurance that the matter would be looked at or the  
7 material would be looked at, and that the police would  
8 get back to them. We don't have anything to show that  
9 that happened and if it did, what was said.

10 And I suppose it raises the simple question: what  
11 did the police do? Did they interview anyone? Did they  
12 interview ██████████, ██████████, Stewart Burgess,  
13 Mrs McGookin? Did they attempt to trace ██████████?  
14 Did they interview the two other boys mentioned by  
15 Isobel McGookin? There's really -- that would be  
16 helpful to know.

17 A. It certainly would.

18 Q. Because they certainly made a much more visible and  
19 I think recorded investigation in 2004 when  
20 ██████████ walked into a police station and said:  
21 'I was abused by Stewart Burgess'. What they did then  
22 was to trace some of these individuals and speak to them  
23 then, take statements, and that culminated, as we know,  
24 albeit in 2008, in a trial, where some of the names  
25 I've mentioned were on the indictment, and there was

1 convictions in respect of some of them. Not all of  
2 them, but some of them.

3 A. Yeah. So, my Lady, I think what we've done here is  
4 identified a different era of the nation where the  
5 Salvation Army wasn't well prepared or didn't know what  
6 to do when allegations were made on multiple occasions,  
7 how to handle that effectively in a trauma-informed way,  
8 and we are then moving on to social care working in  
9 a different way than they would do now, maybe due to  
10 experience or attitude towards voluntary agency or a  
11 residential establishment. And, of course, then lastly  
12 you have identified the police, who latterly, some years  
13 later, then took it on as a case and this whole idea of  
14 being victim-centric, I think the three agencies are  
15 found wanting in 1992.

16 Q. Yes, because I think, just running forward, and maybe  
17 this is the other aspect we have to return to, the  
18 record-keeping and the lack of records, and I think  
19 clearly the limited documentary evidence that would have  
20 assisted police investigations if, whenever they took  
21 place to identify relevant witnesses, was a real  
22 handicap.

23 They were asking, the Salvation Army, at various  
24 times whether they had anything, and I think what we  
25 know is that the records I've used as a basis for that

1 chronology I've given you, for some reason or another,  
2 survived to 2004, because a Major Thea Wood in December  
3 2004 was able to pass two files to the police. Whether  
4 they were original copies I don't know, but the  
5 Salvation Army kept copies or the originals at that  
6 time. And at least one of them contained material  
7 relating to the 1992 allegations against Stewart  
8 Burgess. I think that's the position, if I understand.  
9 But that what she also said to the police at that time  
10 was that in relation to other records, due to relocation  
11 of offices and floods within offices, many files  
12 relating to Redheugh Adolescent Unit had been lost or  
13 destroyed.

14 Now, that's not a great comfort to the residents who  
15 were there, who want to find out?

16 A. No, my Lady, I think we've addressed that earlier. It's  
17 regrettable.

18 Q. And I think on 24 July 2007, during this police  
19 investigation that started when [REDACTED] went to  
20 them in 2004, the Salvation Army wrote to  
21 Stewart Burgess's solicitors, stating that any  
22 employment records relating to Stewart Burgess had been  
23 destroyed, saying that personnel records only have to be  
24 kept for seven years from the date of termination of  
25 employment.

1 I suppose it does raise the question, why was  
2 a disciplinary file retained beyond the seven-year  
3 period, but fortunately for us and perhaps for those who  
4 made the complaints and saw him convicted, it was  
5 a blessing.

6 But we don't really know how it came to be that  
7 that -- these particular files, these two files,  
8 survived?

9 A. Mm-hmm. My Lady, I think I can speculate, if that's  
10 helpful, which is --

11 Q. Yes -- well, give us your best speculation.

12 LADY SMITH: Let's hear it.

13 A. Well, different archiving systems. So you've alluded to  
14 divisional headquarters. There was also a provincial  
15 headquarters or a provincial office. There was our  
16 Scotland office. There was our headquarters in London.  
17 Now, any such disciplinary which had a human resources  
18 element would have been sent up to different people like  
19 you've mentioned, Hugh Rae, and kept in a different box  
20 somewhere when that office was closed down. So the good  
21 records that we want, ie the records of the service  
22 users at Redheugh, seemingly have all been lost. And  
23 I don't know why, whether that was because at the close  
24 of centre it was -- everything was thrown away,  
25 including files, or whether indeed the flooding that's

1           been alluded to. There was at one stage a huge archive  
2           in Glasgow and -- but no one quite knows what happened  
3           to that, whether when Salvation Army boundaries and  
4           systems changed from being a Scotland command to the  
5           United Kingdom territory, whether lorries were sent down  
6           to London. We can't know and I've tried and tried for  
7           the last few years in preparation for the Inquiry to  
8           really get to the bottom of this.

9           So again I apologise, but that's my speculation, in  
10          that a human resource issue such as this would have been  
11          filed in a different office, so therefore survived for  
12          us.

13       MR PEOPLES: Well, yes, because I was going to take you  
14          forward to the 2018 investigation after HDT [REDACTED]  
15          walked into a police station and gave a statement to  
16          police that he had been abused by Stewart Burgess.

17          And as we know, that it took a long time, but no  
18          doubt it's for the Crown, if they can, to tell us some  
19          of the problems, and there were problems. I mean,  
20          I think I know them, but no doubt they're better telling  
21          us of why it took so long.

22          But he came in and there was a trial in 2023 and  
23          there were difficulties, because I think ultimately the  
24          people who gave evidence at that trial were  
25          HDT [REDACTED] and [REDACTED], who had been the

1 person whose abuse had been proven in the 2008 trial.

2 He was used as the corroboration for the evidence of

3 **HDT**

4 A. Yes.

5 Q. And so I think that's how it played out. You probably  
6 know about this, because by then you would be familiar  
7 with this case, I think, perhaps feeling, well, it seems  
8 to come back time and time again.

9 But what I wanted to ask you was that at an early  
10 stage in that investigation, the police naturally were  
11 interested in records of Redheugh that might be relevant  
12 to the investigation, and that it would appear that  
13 initially the Salvation Army, during the 2018  
14 investigation, told the police that all records had been  
15 destroyed. But then on 6 March 2023, which was shortly  
16 before the trial, as I understand the documentation that  
17 we've seen, the Salvation Army forwarded three files to  
18 the police.

19 Now, I don't know whether you can help me why it  
20 took so long to locate those files?

21 A. Well, as I say, there was extensive searches made,  
22 certainly of the headquarters' archiving systems. My  
23 recollection, my Lady, is that a Salvation Army officer  
24 in passing said: 'Oh, under my stairs I have some boxes,  
25 would you like to come and have a look at them?' And we

1 did and, indeed, in those boxes we found limited files  
2 to do with Redheugh.

3 So it's fortuitous, but of course makes us look as  
4 though we don't know how to archive.

5 Q. Has your archive system been overhauled and reviewed  
6 since then?

7 A. Well, it's very disappointing, because we have a very,  
8 very good, internationally renowned, archiving system in  
9 London, where things are kept and very helpfully  
10 archived for us. It just seems that as centres closed  
11 in the 1980s and 1990s that the message given to the  
12 people closing down such centres wasn't clear enough to  
13 say: you need to keep files of residents' paperwork.  
14 I think it was a victim of that, to be honest.

15 Q. And just going back now to 1992, if I may, back to that  
16 burning question of how did Stewart Burgess's employment  
17 come to an end. I've gone through the chronology as far  
18 as one can piece it together from various material that  
19 we have, that I think you are at least familiar with and  
20 have seen, and I think I mentioned yesterday there was  
21 one letter we found, 23 November, to Stewart Burgess  
22 from **HDD** calling him to a meeting at command  
23 in Glasgow or -- on 27 November --

24 A. I'm not sure I've seen that letter.

25 Q. Well you may not -- but trust me that there was

1 a letter. It didn't tell me anything other than, 'You  
2 have to come and see us', and I have inferred that he  
3 was still employed at that stage from that. I mean,  
4 maybe it's a questionable inference, but I think he was,  
5 and it's not clear from -- there's no documentation that  
6 takes the matter beyond that letter to show that -- what  
7 happened at the meeting, if he attended.

8 But I think Stewart Burgess, when he was reminded  
9 that there was such a letter, seems to have  
10 a recollection he did go to a meeting. He couldn't  
11 remember, if I remember his evidence yesterday, he  
12 couldn't remember what was discussed, because I think  
13 I was trying to find out: was the allegation discussed?  
14 Was redundancy discussed? Were both discussed? Was  
15 some sort of decision on termination reached between the  
16 parties? And so forth.

17 But what he did remember, I think you could probably  
18 confirm this, is that he was quite clear in his own mind  
19 that he was made redundant. You heard that evidence?

20 A. I did.

21 Q. He didn't seem to shrink from that even when I was  
22 trying to suggest: well, we've got these allegations  
23 floating around and you've been -- you've answered or  
24 you've responded initially. Was there a disciplinary  
25 hearing? He said he had no recollection of anything

1           like that happening. And there's no documentation to  
2           suggest that that happened.

3           So have you got some -- what is the final position  
4           of the Salvation Army on this matter? Did he leave on  
5           the ground of redundancy?

6   A. Well, my starting point to answer, my Lady, is  
7           I've heard the same evidence as you. I'm in the same  
8           position as you in terms of the paperwork and the  
9           evidence.

10          I would then say that, as you've helpfully  
11          identified, Strathclyde and the police haven't been  
12          helpful in terms of writing to us to say: 'This is now  
13          concluded'. Or: 'This is what we will now do'.

14          So I can only speculate. We don't seem to have  
15          Burgess charged or cautioned or going to court. So it  
16          seems that no police action was taken. Therefore, the  
17          Salvation Army would have said: 'What do we do with this  
18          man now?'.

19   Q. But that was relevant, because as we've heard in other  
20          cases, we actually had a case not dissimilar to this  
21          where the police didn't take formal action, but you can  
22          have parallel proceedings --

23   A. Yes.

24   Q. -- and indeed you can then make -- reach your own  
25          conclusion, carry out a process of investigation and

1 make a determination. And if the person's obviously  
2 still employed, you can dismiss them if the allegations  
3 are well-founded.

4 There's nothing of that suggested by what we do  
5 know, is there?

6 A. No. So I don't know whether he was eventually dismissed  
7 or whether he was made redundant, as he said he was.

8 Q. But if there was unfinished business in terms of the  
9 allegations, well, from my point of view and from your  
10 point of view, that's very troubling, isn't it? This  
11 person walks out of the organisation without these  
12 matters being resolved and, well, if you don't know  
13 whether they're true or not, he potentially could go to  
14 a new job and work with children and, well, they might  
15 be none the wiser.

16 He didn't accept that he ever worked again and  
17 certainly I put to him information that I thought he  
18 might have worked at Geilsland, but he's adamant he  
19 didn't work again. But say he had, where would we have  
20 been then? What would you have done in that situation  
21 if, just say he'd walked out, rather than -- leave aside  
22 the redundancy; he'd walked out, the allegations were  
23 there and he hadn't been effectively tried in the  
24 internal process. What would you have done if he'd done  
25 that, if someone had approached you for information

1 about Burgess?

2 A. I can't answer that. My hope is that he wouldn't have  
3 been given a reference. I can take you to the Cullen  
4 Inquiry which again as a nation was incredibly helpful  
5 and lead the way in terms of the  
6 Protection of Vulnerable Groups scheme. You cannot get  
7 a job working with children unless we know something  
8 about your past. And that doesn't necessarily mean  
9 a criminal offence; it can mean behaviour that would not  
10 be warranted for working with children.

11 So, as a nation, I'm grateful to Lord Cullen for  
12 that report and the subsequent legislation we have now.

13 As for 1992 or 1993, I can only say this seems to  
14 have not been handled well.

15 Q. But are you saying though, if, say, he had gone on to  
16 work for another employer in the care sector,  
17 residential care sector for children, if that happened  
18 now, that there is a way in which the new employer would  
19 have learned of the existence of undetermined  
20 allegations?

21 A. Now there is, yes.

22 Q. They would definitely know that?

23 A. Yes.

24 Q. Is that because of the social services regulator or is  
25 it because there is some requirement that he disclose

1 something and that the old employer has approached him?  
2 I'm just trying to get to the heart of what it is that  
3 will ensure that an allegation, if not resolved, is made  
4 known to the prospective new employer. What would --

5 A. Can I take you to the Dunblane situation --

6 Q. Okay.

7 A. -- where we had a person there, who was very, very  
8 troublesome in the way he worked in youth-facing  
9 organisations, moving from one to another to another,  
10 and they didn't talk to each other.

11 So the wisdom of Lord Cullen is to say: well, you  
12 need to have a PVG check which says, is there anything  
13 about this person that we need to know about?

14 So the onus is on the organisation to represent that  
15 to the PVG list and that information would then be  
16 passed forward to the agency.

17 So I'm pretty sure now that Burgess, due to the  
18 Strathclyde social care and police situation, whether he  
19 was charged or convicted or not, would come up on  
20 a record for any new agency who would be obliged, if  
21 he's working with children, to give him a background  
22 check of that nature.

23 LADY SMITH: But we're talking 1992 to 1993.

24 A. Yes.

25 LADY SMITH: Before Stewart Burgess was convicted.

1 A. Yes.

2 LADY SMITH: It looks as though his PVG check, had there  
3 been PVG checks then, would have been clear, unless the  
4 police had information that they had put on record for  
5 the purposes of anybody seeking enhanced disclosure.

6 A. Yes.

7 LADY SMITH: But they may not have done. They may not have  
8 done that --

9 A. No. My Lady, it was in its infancy in 1993, but the  
10 question was, would it be okay now, and I can say --

11 MR PEOPLES: I mean, maybe at some point after evidence  
12 today, that what you said in terms of the Scottish  
13 context, that you might like to perhaps spell that out  
14 to say the scenario I've given: that someone, say,  
15 leaves but the allegations remain unresolved and there's  
16 no determination, there's no charges, so they remain  
17 allegations.

18 A. Yes.

19 Q. Unproven.

20 A. Yes.

21 Q. How, if they were to --

22 A. Yes.

23 Q. -- minded to go to another care sector, childcare sector  
24 or other care sector, how that information would, as  
25 a matter of requirement, be obtained by the new



1 I'm interested in. And I'm not necessarily expecting  
2 you to come out with a considered answer, but it's  
3 something I want to maybe be reflected on and perhaps  
4 come back on it, on what I'd call the legal position, if  
5 necessary.

6 The scenario I have in mind I think is that let's  
7 say Redheugh was still an operational establishment for  
8 children, residential unit or house, and that serious  
9 allegations are made against a member of staff, but as  
10 in this case, if we assume there was no disciplinary  
11 hearing and no formal finding or determination in  
12 relation to the allegations, and that the member of  
13 staff, before any of that happens, leaves the employment  
14 of -- I'll call it the old employer and that, at some  
15 point thereafter, the person who leaves applies for  
16 another job working with children in a residential  
17 setting.

18 And what I suppose I'm trying to get clear in my own  
19 mind is what, on the one hand, are the obligations of  
20 the old employer in that situation to notify or make  
21 aware the existence of the situation that was -- that  
22 existed when the person left, and also on the other  
23 hand, the obligations or requirements of the prospective  
24 new employer in this situation.

25 And if we just look at the -- of the old employer in

1 the first place, the person's left in that situation,  
2 what I'm interested in is, is there any legal  
3 obligation, as opposed to moral obligation, legal  
4 obligation or statutory requirement to, on the part of  
5 the old employer, to notify the existence of this  
6 matter, the allegation and the stage it reached? And if  
7 so, who is -- who should be notified as a matter of  
8 legal obligation?

9 For example, and I'm just -- I'm not -- I'm just  
10 giving possibilities, one would be: would there be  
11 an obligation in that state of matters to notify the  
12 SSSC in Scotland? Would there be a statutory or legal  
13 requirement to notify those who are responsible for  
14 maintaining the list of unsuitable persons, which is  
15 a separate scheme or arrangement? Would there be  
16 a requirement to notify local authorities who had placed  
17 children at Redheugh who were potentially affected by  
18 the allegations? And these are again legal requirements  
19 I'm asking. Would there be a requirement to notify  
20 Disclosure Scotland as a body? Would there be  
21 a requirement to notify the police or would it just be  
22 a matter of: it's good intelligence so they ought to  
23 know?

24 These are possibilities I'm just trying to think of.  
25 Care Inspectorate is another possibility.

1           So I've given you a range of people that potentially  
2           you might think would be interested in this information,  
3           and what I want to know is that, as matters stand today,  
4           would they, as a matter of requirement, get to know of  
5           the situation?

6           And then if you turn to the new employer, what that  
7           person or prospective employer, what their obligations  
8           are to make checks on the person applying, and who  
9           should be contacted for information? For example, is  
10          there any legal requirement to contact the old employer,  
11          or employers, particularly those where the person may  
12          have worked with children in a similar type of role?

13          Is there an obligation on the new employer to  
14          contact the SSSC, Disclosure Scotland, the list of  
15          unsuitable persons as well, the police, whatever?  
16          Disclosure Scotland. I mean, I'm just wanting to know,  
17          and I don't want an answer now and it would be unfair to  
18          ask you to answer, but that's what I'm after. And  
19          I want to know if, for example, the current vetting  
20          system of Disclosure Scotland, if the person -- and  
21          I assume this is the case -- would have to undergo an  
22          enhanced disclosure. If that process had to be gone  
23          through, would the information about the allegation and  
24          how matters stood at the date of termination be  
25          information held by it or the SSSC or all the other

1 people I mentioned, and where would it come from, if  
2 they don't hold that information, and would it show up  
3 if they were notified?

4 I mean, we understand from evidence we got earlier  
5 in this particular hearing that there could be gaps, and  
6 I probably need to compare what you say with what was  
7 said by Mr Trainer when he gave evidence.

8 LADY SMITH: Indeed.

9 MR PEOPLES: But he thought there might be possibilities of  
10 people falling through a gap in this sort of situation,  
11 where we are dealing with allegations.

12 But I just want to know, and I mean I think he said  
13 Disclosure Scotland at least, if you ask for an enhanced  
14 disclosure, you don't just get information on  
15 convictions. And I don't know whether in Scotland you  
16 would get information of convictions just in Scotland or  
17 if the person was someone who might travel between  
18 Scotland and England in jobs, you'd get both.

19 Would you get information on allegations such as the  
20 one I've mentioned? Would you get information on  
21 disciplinary action or unresolved or unfinished action?  
22 Would you get information in the form of what's loosely  
23 called intelligence, usually police intelligence, about  
24 what we know? And the police may have intelligence, may  
25 not.

1           I mean, you see what I'm trying to get to, just to  
2           see whether there are holes or gaps and just how  
3           foolproof it is, so that if Mr Burgess, in the example,  
4           in the situation we're discussing, had in fact moved to  
5           another setting or applied for a job, whether there was  
6           any risk that that information might not become known to  
7           the new prospective employer and that he might go on to  
8           work there and potentially be a risk to the children he  
9           is asked to care for.

10           I mean, we know of a practical situation where  
11           a very notorious child abuser, who received a 15-year  
12           sentence, moved within the same local authority, from  
13           the social work side of the local authority to an  
14           establishment run by the educational side, and it would  
15           appear that he managed successfully to move, albeit that  
16           allegations against him were known. And it seemed that  
17           at that stage, and I'm going back in time to the 1970s,  
18           but it seems that the Education Authority were warned  
19           about him, but they decided to ignore or not heed the  
20           warning, employed him and he abused again. And  
21           therefore they did know in that situation. And then  
22           there was some suggestion that, well, in those days at  
23           least, human resources and perhaps even in-house lawyers  
24           would be getting very exercised by things like:  
25           allegations are not proof. Presumptions of innocence.

1           And you can't start spreading information about unproven  
2           allegations even within your own organisation, it might  
3           be dangerous to rely on them, and use that as a basis  
4           for rejecting a person who appears to be an otherwise  
5           suitable candidate for employment.

6           Do you see what I'm trying to get some kind of help  
7           with?

8    A. I do, and I'm enjoying your questioning because this is  
9           my job. I would say that certainly from your example of  
10          the 1970s, it's an understanding of sexual offending  
11          behaviour, and as, again, as a nation, we've moved on  
12          and on and on, post-Savile et cetera, to understand how  
13          people operate, how devious and deviant people can be,  
14          and that's part of training. So that the Education  
15          Authority would have said: we need to be listening to  
16          this advice and heeding this advice. In a way that in  
17          199 -- 1988 we didn't really understand as part of our  
18          training.

19          So to talk to your questioning about now, I alluded  
20          earlier to Dunblane, and Scotland led the way for us  
21          very helpfully. 2007 Protection of Vulnerable Group  
22          Act, disclosure scheme comes into play very nicely with  
23          the list that one has to be applying for if I'm working  
24          with vulnerable groups, and there's a whole definition  
25          of 'vulnerable groups'. Lo and behold, supervising

1 children meets that criteria. So that's helpful.  
2 Reviewed in 2020 and now even more helpfully in 2025.

3 So it's an ongoing scheme that I'm a member of.  
4 Burgess would have been -- had his case reported to the  
5 police, and that means that going -- he would have been  
6 suspended due to new policies and procedures and he  
7 wouldn't be able to then go to another establishment  
8 which required such a check, because the check would  
9 have flagged up for anyone looking, because there'd  
10 be -- to answer your question -- a legal obligation to  
11 make sure that he had a clear check. They would see  
12 that he's not got a clear check.

13 So, it's not foolproof. I would be foolhardy to sit  
14 here and say that, but it's pretty good, because any  
15 allegation to the police, as you say, becomes then soft  
16 intelligence. So the new employer says: 'Ah, we see  
17 that this person was suspended'. And the police are  
18 saying: 'Yes, for your information, this allegation was  
19 made in June or July, and so we are refusing to allow  
20 him to have a clear check and he cannot work in this  
21 environment'.

22 So it's very helpful, what the situation is now.  
23 Q. I mean, the other complication that I didn't mention is  
24 the -- we all know that the modern approach is not to  
25 deal in silos; that it's collaborative work --

1 A. Yes.

2 Q. -- to protect children, information-sharing to ensure  
3 that they're properly protected, and information-sharing  
4 about matters of concern. But we also know, in Scotland  
5 at least, that when there was an attempt, in the named  
6 persons legislation, to allow some information to be  
7 communicated to a named person, that raised all sorts of  
8 issues about data protection, privacy rights and so  
9 forth, and that certain parts of the 2014 Act were  
10 struck down for that reason.

11 And in some senses there's a tension between the  
12 human rights element and the data protection,  
13 protections for citizens in general, and the need  
14 sometimes to feel that you have to be sure that you can  
15 pass information that you feel is necessary to make sure  
16 that children are not at risk. Do you see the tension  
17 sometimes that can exist?

18 A. As far as I'm concerned, there's no tension.

19 Q. Okay.

20 A. I will tell people. Because the safeguarding and  
21 wellbeing of children trumps --

22 Q. Data protection?

23 A. -- that. Yes, it does.

24 Q. You think that's a sound legal position to adopt in all  
25 circumstances?

1 A. Yes, yes.

2 Q. Okay. And in the situation I've given, where all you  
3 have is an allegation that's not been proved, that still  
4 applies, what you've just said?

5 A. As far as I'm concerned, in my desk, I will always do  
6 that.

7 Q. So you wouldn't have any problem with doing that?

8 A. No.

9 Q. And if any HR people stepped in and said, 'But hang on,  
10 what about the fact that there's a presumption of  
11 innocence, there's an allegation that's not been proved,  
12 there's all sorts of other protections for people  
13 against perhaps giving information that hasn't been  
14 established', you would just say --

15 A. My Lady, my lawyers and my HR people will tell me that,  
16 and I will say: 'That's too bad, I'm telling you --  
17 I'm telling the agency about the allegations that have  
18 been made'.

19 Q. The only problem with that is that -- that's very  
20 commendable, but would everyone do that in the face of  
21 legal advice? I mean, we know that people tend to treat  
22 legal advice as quite important and significant,  
23 particularly if it could have repercussions in terms of  
24 actions or damages.

25 So I mean, I hear what you say, but I just want to

1           be sure that what you're saying is what would happen and  
2           it wouldn't have any repercussions that might cause  
3           someone else to pause?

4    A. Well, again, good training and good advice will clearly  
5           state that data protection legislation allows for  
6           safeguarding, and again we see from different inquiries.  
7           I have to take you to England and Lord Bichard and the  
8           situation there with the two girls who were murdered;  
9           you may recall that. And he says you need to be  
10          healthily sceptical and respectfully uncertain for  
11          anybody sitting in front of you. And if you remember,  
12          there were two local authorities in that situation, who  
13          refused to share information, which then allowed those  
14          murders to take place. And then the review subsequently  
15          said: why didn't that police constabulary talk to that?  
16          Because they were relying on data protection.

17                 So people like me, through training, say:  
18                 'I'm sorry, I will be telling you this information'.  
19                 I'm paid to do that by my organisation. I can't speak  
20                 for anyone else.

21    Q. No, I'm just anxious to make sure that information of  
22          this nature, which does appear to be relevant, the value  
23          ultimately might depend on what action is taken to  
24          investigate the whole situation. But one wants to be  
25          assured that something that appears to be relevant,

1 particularly in the context I've given, is not in some  
2 way not conveyed in the situation where I suspect the  
3 public would say: of course that information should be  
4 known?

5 A. Well, what you're doing is you're identifying training  
6 and advancements that have been made in understanding of  
7 sexual offending behaviour. In 1992, we didn't  
8 understand it in the same way that we do now.

9 LADY SMITH: Dean, one other thing that has been raised  
10 before me is whether there is ever a place for a phone  
11 call, having moved to a common practice now of  
12 references giving the barest of information about the  
13 period during which somebody was in the employment of  
14 the first employer and the roles they filled, full stop,  
15 and whether any practice can then evolve whereby the  
16 receiving, potentially receiving employer sees that,  
17 realises they're not being told very much about this  
18 person, or the circumstances of their departure from  
19 employment number one, and they pick up the phone.  
20 Which is all very well in terms of that perhaps being  
21 a good opportunity for full and frank information to be  
22 exchanged. But then, in fairness to the employee, there  
23 will be no record of that, and there may be other  
24 reasons why that person who speaks on the phone is  
25 critical of them.

1           These are other real problems in this area, allied  
2           to which, and you've already talked about HR departments  
3           and the like, who are likely to say: do this, don't do  
4           that, because there is a risk of you being sued?

5   A.   Yes.  My Lady, there's always a tension between HR,  
6           legal and safeguarding, to which a compromise needs to  
7           be worked through, with the wellbeing and welfare of the  
8           vulnerable person being the priority.

9           To speak to your telephone call, that needs to be  
10          formalised.  So to become a Salvation Army officer,  
11          there are ten telephone references with formalised  
12          questions to which the applicant has access to.

13   LADY SMITH:  Oh, right.  And the applicant will know that?

14   A.   Oh, yes.  It's made very clear.  Psychological  
15          assessment, reviews, interviews are taken very seriously  
16          now, because a Salvation Army officer, as we have  
17          discovered in this Inquiry, has access to vulnerable  
18          people.

19   LADY SMITH:  And I suppose there should be hope that if  
20          there is that practice, that will prompt the applicant  
21          for the new job to volunteer full and frank disclosure,  
22          and it can be taken from there as to what happens and  
23          what the potentially new employer makes of such  
24          explanations as the applicant is offering?

25   A.   That's right, my Lady.  And we find that people withdraw

1 applications.

2 LADY SMITH: Yes. Thank you.

3 A. And it's not all about child abuse. It might be that  
4 this person's time-keeping leaves a bit to be desired.

5 MR PEOPLES: Can I just go back then to 1992.

6 If I ask you the question now, in light of all the  
7 information you have, including what Stewart Burgess  
8 said in evidence to this Inquiry, if I was to say: 'Did  
9 the Salvation Army in 1992 reach any conclusion in  
10 relation to the allegations in relation to  
11 Stewart Burgess?', what would your answer be?

12 A. Sorry, can you repeat that?

13 Q. Did the Salvation Army, in 1992, reach, at any point,  
14 a conclusion, or determination, whatever word you  
15 choose, in relation to the allegations about  
16 Stewart Burgess before he left employment? Did they  
17 ever come to a conclusion? What would your answer be as  
18 far as based on all that we've discussed?

19 A. I can't comment. It looks to me as if, because Redheugh  
20 closed, Stewart Burgess was no longer an issue, which is  
21 not a right approach to take.

22 Q. I was going to put that to you, because a cynic might  
23 say that it was very fortuitous that at the time that  
24 the allegations were still unresolved, that the unit he  
25 worked in happened to be closing at the end of December

1 1992 and that that, on the basis of some  
2 documentation -- we came across an inspection report --  
3 indicated that certainly three staff, perhaps from the  
4 unit, might be made redundant. And therefore, what he's  
5 telling us isn't something that he can't perhaps see  
6 some other evidence for, that there was a redundancy  
7 situation, and he might have been one of the staff  
8 affected, albeit on suspension.

9 So the problem for me, and I'm putting it to you, is  
10 if you have staff facing redundancy, or possibility,  
11 that's a decision for the employer. And I don't know  
12 whether any other staff were made redundant at that time  
13 who worked in that unit, and I don't know if you know.  
14 I don't think you probably do, and maybe find it might  
15 be impossible to say.

16 But if you take the easy road and terminate on  
17 redundancy, that removes a problem. The problem moves  
18 on and you can go on with your life as an organisation.  
19 It's been dealt with in a low-key manner, hopefully it  
20 will never resurface, although in this case it did, and  
21 again it goes back to my point that perhaps at times,  
22 trying to keep the matter as low-key as possible was  
23 maybe too much a priority at the time and maybe that  
24 easier road was the easy option. Do you see what  
25 I'm saying?

1 A. I can understand why you would put that to me. I would  
2 then bring us back to the police and social care. We  
3 told those two agencies, so presumably there was  
4 a thought that we'd done what we needed to do in terms  
5 of going forward with Burgess.

6 Q. But even if the police don't have sufficient evidence,  
7 and it's a higher standard of proof and there's legal  
8 requirements for corroboration, if -- there is nothing  
9 to stop an employer separately saying: 'Well, the police  
10 can't do anything to take action, formal action, but we  
11 can'.

12 And all I'm putting to you is it would appear that  
13 before -- if Stewart Burgess was made redundant and that  
14 decision was made by the Salvation Army, they had an  
15 alternative?

16 A. Yeah.

17 Q. 'We're not making you redundant, we're going to call you  
18 to a disciplinary hearing'?

19 A. Yes.

20 Q. 'And we're going to try these allegations, and if you're  
21 found to have committed the abuse that is alleged, we  
22 will dismiss you then for gross misconduct, and with no  
23 dubiety'?

24 A. I agree. Looking --

25 Q. That doesn't appear to have happened?

1 A. Well, looking through a 2026 lens, that's exactly what  
2 we would do. It appears that in 1992, we didn't do  
3 that.

4 Q. Yeah.

5 A. You can see the letters sent between various HR  
6 representatives and headquarters: how do we handle this?  
7 So presumably the advice was given: this is how we do  
8 it. And as I say, I take a very dim view of that now.  
9 And speaking for the victims of this ongoing case,  
10 I'm -- I can only apologise.

11 Q. I mean, I'll just remind you of something that, just on  
12 the same vein, that **HDD** wrote to the social  
13 services headquarter in London on 23 June 1992 before he  
14 was advised to go to the police and well after the first  
15 allegation. He wrote:

16 'We will do our utmost to play the matter low-key.'  
17 I suppose my suggestion to you is, he succeeded, as  
18 it turned out then. It would appear so?

19 A. Well, I've read that letter and it's not a helpful  
20 sentence to have put in. Probably thinking about the  
21 local community and other boys and stuff in a way that,  
22 in 1992, people would have wanted to not talk about  
23 this.

24 LADY SMITH: Mr Peoples, can you just give me the date of  
25 that letter and who it was addressed to again?

1 MR PEOPLES: It was sent on 23 June 1992.

2 LADY SMITH: Thank you.

3 MR PEOPLES: To -- I think it was -- I'll see if I can  
4 actually give you the reference.

5 Yes, the reference is SAL-000000098 and I think the  
6 particular pages in that document are pages 5 and 6.

7 It's a letter to Major Alan Hart on 23 June 1992, from

8 **HDD**. I think Major Hart is at -- yes, it's  
9 the social services headquarters, and I think if we  
10 scroll down, I think towards -- he's giving a kind of  
11 report on matters the day after suspension. But I think  
12 in that document at some point, whether it's that page  
13 or the next page --

14 A. It's the next page.

15 Q. It's the next page.

16 A. Yes.

17 Q. If we could scroll down, we see that:

18 'Whatever the outcome of the next few days, let me  
19 assure you that we will do our utmost to play the whole  
20 matter low-key.'

21 Although he does warn that there is a risk that  
22 there could be stormy waters ahead. I'm just saying  
23 that's an indication perhaps of the mindset?

24 A. Yes, and it speaks to the nature of any residential  
25 setting. I can take you out here today to many homes,

1 elderly care homes or children's homes. We can tell  
2 that there's an atmosphere, there's an ethos to a home,  
3 there's a way of doing things in a home, and it's  
4 very -- it's a bit like loads of us remember at school,  
5 you know, how a headteacher was very, very good at  
6 setting the standards from the top, and when you played  
7 against another school, you were very proud to represent  
8 your school.

9 And that comes through in all residential homes:  
10 'This is our place and it's been damaged by somebody and  
11 we're very upset about that'.

12 So that phraseology, whilst unhelpful in black and  
13 white in front of us today, is to do with that. He's  
14 let the side down.

15 Q. Yes, but --

16 LADY SMITH: Well, if I can just intervene for one moment,  
17 Dean, I'm sure you've noticed this sentence:

18 'Whatever, we shall do our best to ensure ...'

19 And then there is a list of priorities of, first of  
20 all, the good name of the army; second, Redheugh;  
21 thirdly, staff; bottom of the list, young people.

22 A. Yes.

23 LADY SMITH: The purpose being to keep them from hassle and,  
24 in particular at the top, protect the good name of the  
25 army and the good name of Redheugh.

1 A. Yes.

2 LADY SMITH: I'm not suggesting that you would buy into that  
3 now --

4 A. No.

5 LADY SMITH: -- but it seems very telling as to the honest  
6 thinking on the part of HDD at the time?

7 A. Yes, I think it's a very, in some ways, helpful  
8 reflection for us today, to see how we need to invert  
9 that list --

10 LADY SMITH: Absolutely.

11 A. -- don't we. So thank you, my Lady, for bringing that  
12 to my attention. I wasn't being flippant when I was  
13 thinking about schools, but it's just the proudness one  
14 has. And you can see he's writing to a superior in  
15 London and he's saying: 'Look, you know, I'm going to do  
16 my best for you here'.  
17 It's all wrong. We know that now.

18 LADY SMITH: Yes.

19 MR PEOPLES: But don't -- be assured, I can maybe assure you  
20 that it's not the only expression of this kind that  
21 we've heard from other organisations, where it appears  
22 that there was a time -- and I think it still exists  
23 today -- that reputational harm is given maybe a greater  
24 priority than the matter in issue.

25 And indeed, as I often ask other people, one of the

1 reasons we seem to have whistleblowers who are former  
2 employees is that people who are in employment find it  
3 very difficult to blow the whistle, even if they've got  
4 grounds for doing so.

5 A. Yes.

6 Q. Because of the potential consequences.

7 A. Yes.

8 Q. That's a reality.

9 A. Yes.

10 Q. And the other thing that I was going to raise in the  
11 context of Mrs McGookin's approach to -- which was one  
12 of silence in the face of concerns, is that particularly  
13 in a place like Redheugh where everyone knew each other,  
14 some were related to each other, it can be very  
15 difficult, even in the face of obvious concerns, to  
16 speak up against a colleague. And that might be one  
17 explanation why she chose to remain silent when her duty  
18 really was to speak up and report when she saw the  
19 things that concerned her?

20 A. And I refer to the ethos and culture of any residential  
21 community: am I -- is it a healthy place? Is it a safe  
22 place? Am I empowered to have a voice? And again that  
23 comes through training, but again, leading from the top,  
24 the leadership and how we do that, yeah.

25 Q. But there were too many people there that knew each

1 other, either by relationship or perhaps friendship, who  
2 were recruited from the local community in many cases,  
3 they would probably know each other outside the walls of  
4 Redheugh. And that isn't necessarily a healthy recipe  
5 for people being able to act fearlessly in the face of  
6 something that troubles them?

7 A. That's right.

8 Q. Yeah. Now, lastly, can I turn, and I'm not going to  
9 spend a lot -- I think you're familiar with the  
10 applicant evidence. I think you accept there's evidence  
11 of abuse of various kinds, sexual, physical, by staff  
12 and other residents over the 1970s and the 1980s, and  
13 the 1960s, from people who have come to this Inquiry,  
14 and you'll be familiar with that.

15 So what I would say to you is, I think would you  
16 accept that that evidence is certainly evidence of  
17 acceptance of widespread abuse over several decades by  
18 staff and other residents?

19 A. Yes.

20 Q. Yes.

21 The one I did want you to perhaps comment on just  
22 more directly is there was evidence read out from  
23 an applicant who is known as 'Fran' and of her  
24 experiences at Redheugh in the mid-1980s and how she  
25 was, I think, essentially saying staff didn't really

1 care properly for her or for her interests. She wasn't  
2 protected from the elements outside that were going to  
3 abuse and exploit her. She wasn't cared for properly  
4 within the institution because of the treatment of her  
5 bed-wetting, for example. She was also, according to  
6 her, told not to speak up freely and honestly when  
7 inspectors were in the building. And she described the  
8 situation where young men would come to the back gate  
9 and there was a warning not to say anything to  
10 inspectors or outside persons about this situation, and  
11 essentially to talk up Redheugh rather than talk it  
12 down.

13 And she says the staff at Redheugh would have  
14 known -- did know what was going on, and whenever she  
15 raised the matter she never really heard anything more  
16 about it.

17 So you recall that evidence, don't you? It was  
18 quite -- and ultimately she appears to have succumbed to  
19 the temptations of engaging with these local men, who  
20 were considerably older than she was, in their 20s, who  
21 hung around the back gate and so forth.

22 I mean, it does suggest if they were hanging about  
23 the back gate, it is something that you would have  
24 expected staff to start taking an interest in and doing  
25 something about; would you not?

1 A. I would. That evidence is very concerning to read from  
2 beginning to end. What I'm not clear on is her legal  
3 status. I believe, having it read in yesterday, it  
4 reminds us she was in a secure unit and then Redheugh  
5 and then back into a secure unit. All the more reason  
6 then if it was Section 16, to have been monitoring the  
7 wellbeing and welfare and whereabouts of that person.

8 Q. But it's not just her, though. If -- she was introduced  
9 to them, she says, by another resident. And she also  
10 said that one of her problems with her relationships  
11 with the residents was that she was a new person and she  
12 might have been cramping their style or taking the  
13 boys -- the boys might be taking an interest in her  
14 rather than them. That was the gist of what she was  
15 saying. And clearly that situation wasn't just  
16 a problem with -- it's a bit like dealing with the boy  
17 'Alexander', take him out of the problem, but the  
18 problem doesn't go away.

19 And I'm putting to you that that sounds like the  
20 same situation, that something should have been done by  
21 staff about that. And, indeed, we have heard evidence  
22 about another place where something similar was  
23 happening and was allowed to carry on unabated until  
24 a new person came in in charge for a temporary period  
25 and took appropriate action, tried to address the

1       problem, went to what she thought was the source of the  
2       problem, eventually called -- not 'eventually' -- she  
3       called into the police and got the problem stopped.

4                She doesn't know what the police did afterwards to  
5       address the wider issue of child exploitation by people  
6       in the community, but she took action and she said the  
7       problem appeared to be one of long standing and that the  
8       previous staff, particularly the senior person in  
9       charge, did nothing about it.

10              And there's a similarity between that scenario and  
11      what we've been told by 'Fran', is there not?

12    A.   Well, I've only just been made aware of this evidence  
13      and it's very unusual compared to all the other  
14      testimonies we've had and I'm very concerned to read it  
15      and I'm very concerned to read the word 'grooming' that  
16      she uses.

17              So if we've got a problem, I think we're going to  
18      have to look into this after this Inquiry.

19    LADY SMITH:   You won't be aware, Dean, that we've heard  
20      evidence in other case studies, other occasions of  
21      grooming of children and young people in residential  
22      care, and then being taken to places where they're being  
23      exploited and not just for sexual activity, but leading  
24      on to other things as well and it doesn't even need to  
25      be an organised group.

1 A. No, okay. Thank you, my Lady. I didn't know that.

2 So to answer the question, it's very concerning,  
3 like I say, if she was on a Section 16, then we should  
4 have been far better monitoring where she was.

5 MR PEOPLES: As her Ladyship said, it's a wider problem and  
6 it's a problem that's quite topical, as you well know,  
7 both south of the border and north of the border and  
8 clearly it appears to have been a problem in this  
9 particular establishment in the mid-1980s. In the other  
10 place I mentioned, it was a problem certainly in the  
11 1990s. And we've had other evidence of a problem of  
12 a similar nature in 1980 in a different setting.

13 So we've got -- we know that there have been police  
14 operations at various times in Scotland to look at this  
15 issue and have identified that children in care are  
16 often a targeted group and that people, at least in the  
17 past, have hovered around places and then exploited  
18 children, as her Ladyship says, both sexually and in  
19 other ways, by involving criminal activity as well.

20 So there's a range of things and it can be group  
21 organised, individuals, whatever and it's -- the  
22 problem's the same. It's just a different form of  
23 abuse. It's exploitation of children outwith the  
24 setting just as abuse of children in the setting is  
25 child sexual or physical or other types of exploitation?

1 A. Mm-hmm.

2 Q. So don't think it's just: oh, gosh, Redheugh is one  
3 that's uncovered a problem that seems not to have been  
4 a general problem. It seems, on the face of it, from  
5 the evidence we've had so far, that it was quite  
6 a widespread problem and goes back quite a long way, but  
7 whether the attitudes of the authorities, including  
8 people in homes, the police, the social work  
9 departments, treated it as a problem to be addressed or  
10 similarly: 'Oh, gosh, some people go out and act as  
11 child prostitutes', as it used to be suggested in some  
12 records, that's something that I think maybe now people  
13 are starting to reflect on and take further action and  
14 go back and say: did we do the right thing? Did we do  
15 enough? Did we just simply accept it and not see it for  
16 what it was? And I think that's what's happening now,  
17 is it not?

18 A. That's right and the Salvation Army would be happy to  
19 co-operate with any investigation or review. Like  
20 I say, this is the first evidence of this nature that  
21 I've been made aware of in terms of Redheugh.

22 MR PEOPLES: Okay. Well, I think that's probably  
23 an appropriate point to stop. I think I've asked you  
24 a lot of questions. I've probably made -- I've asked  
25 you questions that are quite difficult to answer, but

1 obviously I still -- it still would be useful to have  
2 your views on that other scenario that we discussed  
3 before the break and just afterwards, and if you have  
4 anything further you can add to help us. But,  
5 otherwise, I would thank you for coming today and  
6 I appreciate the evidence you've given and I thank you  
7 for your attendance.

8 LADY SMITH: Dean, I want to add my thanks. I'm really  
9 grateful to you for allowing us to question you in depth  
10 as we have done and press you on matters, which I'm sure  
11 haven't been easy to handle. You've done it all with  
12 a good grace, if I may say, that's been very helpful to  
13 the work that I'm doing here.

14 I wish you well in your continuing endeavours. It's  
15 not an easy job that you're doing, but it's so  
16 important. Thank you.

17 A. Thank you, my Lady.

18 (The witness withdrew)

19 LADY SMITH: I think the plan now will be to rise for the  
20 lunch break with the next witness at 2 o'clock, is that  
21 right?

22 MR PEOPLES: There may be some names that --

23 LADY SMITH: I'm just about to get to that.

24 MR PEOPLES: That is the plan -- that is the last witness  
25 for this establishment.

1 LADY SMITH: We have used names this morning identifying  
2 people whose identities are protected by my General  
3 Restriction Order: HDD [REDACTED], [REDACTED], [REDACTED] or  
4 [REDACTED], [REDACTED], [REDACTED],  
5 HDT [REDACTED] and I'm just going to double-check if  
6 I've missed anybody -- and PAV [REDACTED]. They're  
7 not to be identified outside this room as referred to in  
8 our evidence.

9 So thank you for that and we'll sit again at  
10 2 o'clock.

11 (12.37 pm)

12 (The luncheon adjournment)

13 (2.00 pm)

14 LADY SMITH: Good afternoon. And now, as we indicated this  
15 morning, we move on to evidence in relation to Bellshill  
16 and, Ms Forbes, I think you're going to introduce the  
17 first witness?

18 MS FORBES: Yes, good afternoon, my Lady.

19 The next witness is an applicant who has waived her  
20 right to anonymity and her name is Kate McKay.

21 LADY SMITH: Thank you.

22 Kate McKay (sworn)

23 LADY SMITH: Thank you for coming this afternoon.

24 A. No problem.

25 LADY SMITH: A question for you first of all that I hope's

1 not too difficult. I'd like to know how you would like  
2 me to address you, what name --

3 A. Kate.

4 LADY SMITH: Kate?

5 A. Yeah.

6 LADY SMITH: Is that all right?

7 A. That's fine.

8 LADY SMITH: Thank you very much, Kate.

9 Now, in that red folder on the desk there we've got  
10 your written statement.

11 A. Yeah.

12 LADY SMITH: It's been really helpful to me to be able to  
13 read that in advance because it's already evidence  
14 before the Inquiry and it means that we don't have to go  
15 through it line by line in every detail that you've  
16 covered there.

17 A. Yeah.

18 LADY SMITH: But there are some particular aspects of it  
19 that, if we may, we'd like to discuss with you today.

20 A. Yeah, mm-hmm.

21 LADY SMITH: I know, Kate, that what you're doing is  
22 difficult. You've come into a public place to talk  
23 about yourself and to talk about what happened in your  
24 life a long time ago and some of it, I can see from your  
25 statement, wasn't a happy time at all.

1           And it may be distressing, it may be upsetting for  
2           you. Please don't worry if it is. If you want a break,  
3           that's not a problem. If you just want to pause where  
4           you are, that's not a problem either. I look to you to  
5           guide me as what best helps you to give the best  
6           evidence you can, if I can put it that way.

7   A. Okay.

8   LADY SMITH: The plan normally in the afternoon is we'll  
9           start in a minute or so and we'll go through to  
10          3 o'clock. If we haven't finished your evidence by  
11          then, we'll have a short break and come back, but we may  
12          have done, we'll see how it goes. But as I say, if you  
13          want a break at any other time, we can do it. We don't  
14          have to wait until 3 o'clock if you feel you can't.

15   A. Okay.

16   LADY SMITH: All right?

17   A. Yeah.

18   LADY SMITH: I'll hand over to Ms Forbes now and she'll take  
19          it from there, if that's okay with you.

20   A. Okay, thank you.

21   LADY SMITH: Ms Forbes.

22                                    Questions from Ms Forbes

23   MS FORBES: Thank you, my Lady.

24                    Is it okay for me to call you Kate as well?

25   A. Yeah, it's fine.

1 Q. Thanks.

2 Kate, as her Ladyship said, in the red folder in  
3 front of you is your statement?

4 A. Mm-hmm.

5 Q. And if I can just ask you first of all to turn to the  
6 very last page of your statement, which is page 26?

7 A. Okay.

8 Q. And on page 26 at paragraph 134, there's a declaration  
9 and that says:

10 'I have no objection to my witness statement being  
11 published as part of the evidence to the Inquiry.  
12 I believe the facts stated in this witness statement are  
13 true.'

14 And you have then signed that and it's dated  
15 16 September 2021, is that right?

16 A. Yes.

17 Q. Is that still the position, Kate?

18 A. Yes.

19 Q. Okay. You can go to the front of your statement if you  
20 want now or put it to the side because it's on the  
21 screen, it's whatever helps you.

22 A. Mm-hmm.

23 Q. So we give your statement a reference number and  
24 I'm just going to read that out for the transcript, but  
25 it's nothing for you to worry about. It's

1 WIT-1-000000816.

2 Kate, you tell us first of all in your statement  
3 that you were born in 1967, is that right?

4 A. Yeah.

5 Q. And we don't normally read out the date but I think it  
6 might be important as we're going through to know. It  
7 was [REDACTED] 1967 so it's [REDACTED]?

8 A. Yes.

9 Q. You then talk about your life before you went into care  
10 that you can recall. And I'm just going to ask you  
11 about that now and go through some things, if that's  
12 okay?

13 A. Mm-hmm.

14 Q. And before I do that, I know, Kate, that at the time you  
15 gave your statement to the Inquiry, you didn't have your  
16 records, is that right? You hadn't seen them?

17 A. No. No.

18 Q. But I think since you've given your statement you have  
19 got some records --

20 A. Yeah.

21 Q. -- and you've been able to have a look. So as we go  
22 through, I might refer to dates that we can see from  
23 your records, but just so we understand, at the time you  
24 gave your statement you didn't have that, so you're just  
25 really relying on your memory?

1 A. Yeah, yeah.

2 Q. Kate, you tell us you were born in Glasgow and first of  
3 all, you were at home with your parents, and you tell us  
4 that, [REDACTED]

5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]

15 Q. You tell us at paragraph 4 of your statement, Kate, that  
16 [REDACTED] were abused by [REDACTED]?

17 A. Yeah.

18 Q. And I think that's something you found out later on, is  
19 that right?

20 A. Yes.

21 Q. And I think you tell us that in fact he was convicted of  
22 those offences and he was sentenced to a period of  
23 imprisonment, is that right?

24 A. Mm-hmm, mm-hmm.

25 Q. And at paragraph 5, Kate, you say that you think that

1           you were [REDACTED] really taken into care due to neglect?

2    A.   Mm-hmm.

3    Q.   And you think you were really just left alone and

4           neighbours contacted the authorities?

5    A.   Yes, so I heard, yeah, yeah.

6    Q.   Now, I think, Kate, from your records, and again this is

7           not something that you would have had a recollection of,

8           we know from your records that the first home that you

9           were in was Dunavon House in Strathaven?

10   A.   Right.

11   Q.   And you would have been around six months old then, and

12           you were placed there on 21 June 1968?

13   A.   Right.

14   Q.   And I think it was from there then you went to foster

15           care with a family called the [REDACTED]. And you would

16           have still been very young at that stage. The records

17           say it was 19 March 1969, so you would only have been

18           about a year-and-3-months old, but then you were

19           returned to your parents on 21 August 1969, so just five

20           months later --

21   A.   Mm-hmm.

22   Q.   -- so again very young at that stage.

23           And I think again from your records, we know that

24           you were at Ridge Park for a couple of weeks during the

25           time in foster care while they went on a holiday, but

1 again you were so young, that's not something you would  
2 -- you are likely to remember.

3 We then know, Kate, that you were admitted to  
4 Ridge Park Children's Home on 20 October 1970 when you  
5 were almost 3 years old. And you stayed there until  
6 12 July 1973, when you were returned to your parents on  
7 a trial basis, and that was -- would have meant that you  
8 would have been 5-and-a-half when you went back to them.

9 So we might be coming now into times that you can  
10 recall and I think you do tell us about Ridge Park  
11 Children's Home from paragraph 7 in your statement.

12 And I think you know today we're focusing on  
13 Bellshill. We're not going to go through all of the  
14 places that you were in.

15 A. Yeah.

16 Q. But you tell us about Ridge Park and it's there in your  
17 statement, Kate, and we have cognisance of that, but --  
18 it's between paragraphs 7 and 17. Secondary Institutions - to be published

19 Secondary Institutions - to be published later

20

21

22

23

24

25 Kate, you then go forward to leaving Ridge Park and

1 going back to your parents, and this is from  
2 paragraph 18, and you tell us about your time back at  
3 home. So it might be that this is the first time you  
4 recall your life back at home with your parents, is that  
5 right?

6 A. Mm-hmm.

7 Q. And I think you say that this was a house in a small row  
8 and it had a steel bath and an outside toilet. So that  
9 was the circumstances that you were living in, is that  
10 right?

11 A. Yeah, it was a little steel round thing, you sort of  
12 filled it up with water and, yeah.

13 LADY SMITH: So it didn't have taps?

14 A. Sorry?

15 LADY SMITH: It didn't have running taps.

16 A. No, no, we had to fill it up. I remember we had to fill  
17 it up with water.

18 LADY SMITH: Kate, can I ask you something that's slightly  
19 separate from this. As we're going through your  
20 evidence, when we've managed to identify dates from your  
21 records, obviously we're putting these to you, and  
22 I take it that you've seen them before today. Have you  
23 found it helpful to have those blanks filled in for you  
24 by being able to see the records of where you were and  
25 when?

1 A. Well, when I last -- when I read my records, I see what  
2 you've just said there about the dates, the age. I just  
3 cannae recall reading that, or taking it in, maybe.

4 LADY SMITH: Yes.

5 A. I read the full records, my full records that I read,  
6 it's like that thick (indicating) so I read through  
7 everything that -- and that, what you just said  
8 there, was quite: oh, I didnae know that.

9 LADY SMITH: Yes. I just wondered whether it's helpful now  
10 as an adult to be able to organise in your memory when  
11 different things may have happened and what age you were  
12 then?

13 A. Aye, well, certainly, erm, because of the counselling  
14 I've been getting -- well, I got counselling before  
15 I reported everything, and that counselling helped me  
16 sort of come to that decision to report everything in  
17 care and that a lot of things were wrong and I just  
18 thought that was normal, I thought it was okay. And  
19 then I discussed it with my counsellor. She sorta put  
20 me in the right direction that: no, that wasn't okay,  
21 that's not okay. And fae then she really inspired me to  
22 go and -- and then I just done it and I went to the  
23 Motherwell Police Station. So that's sort of how it  
24 happened.

25 LADY SMITH: Good. We'll no doubt get back to that. Thank

1           you.

2           Ms Forbes.

3 MS FORBES: Thank you, my Lady.

4           Kate, I think about this time back with your

5           parents, I think you tell us that you have a memory of

6           going to nuns with your mother and asking --

7 A. Yeah.

8 Q. -- them for bread and for money for food?

9 A. Yeah, that's right.

10 Q. So I take it times were difficult, money was tight in

11          the house?

12 A. I think so, aye. Aye. Aye. Aye, (inaudible) because

13          I remember getting bread and I think a couple of other

14          things. I don't think she got money or anything like

15          that, but they gave her food and I was with her, uh-huh.

16          Quite a lot happened at that era.

17 Q. Yes. I think you tell us, Kate, that your dad was

18          drinking and there was a lot of arguing in the house and

19          you remember your dad shouting at your mum, is that

20          right?

21 A. Aye, I think, aye, aye, he was always shouting, that's

22          sorta what I remember. I read in my records that

23          I was -- I actually asked one of the social workers, one

24          of two social workers who had come out visiting, and

25          they'd seen the drink over the floor and like cans over

1 the floor, stated that I looked as if I needed a good  
2 feed, erm, because I was very pale and skinny.

3 During writing my book, when I got to the part where  
4 I remember like Newmains, I had a flashback, of  
5 something happening. Erm, I don't know who it was, but  
6 I just remember the position I was in and it was  
7 a sexual thing that happened.

8 So, no, it wasn't a good place. I wasn't at school  
9 a lot. I was in the house a lot. I felt alone.

10 Yeah, it was -- it just wasn't good. I got bullied  
11 at school a lot as well. I nearly get took away by  
12 a lorry as well on the way to school so I must have  
13 walked to school myself through that area and it's quite  
14 a bit of distance, fae Waterloo into Newmains. So it  
15 was sorta towards Waterloo but it was just like a long  
16 road, then there was a garage there and then I was going  
17 into Newmains with the big statue thing that's there.

18 Q. Yes.

19 A. So a lorry stopped and tried to get me to get in the  
20 lorry and I think my answer was: 'Sorry, I can't'. He  
21 went, well he says: 'Do you want to come for a shag?'  
22 That was his words. And obviously no understanding what  
23 he's talking about. I'm like that: 'I can't, I'm going  
24 to school, I need to go to school'. And I just ran  
25 away. I think I tried to stop a policeman as well in

1 a car, but they never stopped. And I remember telling  
2 a teacher about it, but I just don't know what happened.  
3 If they looked into it or whatever, but, aye, that was a  
4 bit -- yeah.

5 Looking back, fae now to back then, yeah, certainly  
6 going through writing my book and seeing myself as: no,  
7 that wasnae normal, nane of that was normal. It was  
8 like I've came to so, so many realisations, erm, and  
9 looking back and writing my book really helped me  
10 remember other things that wasnae there, but that was  
11 hidden at the back of my mind, I suppose.

12 Q. I think you do talk about the man with the lorry at  
13 paragraph 21, so you give us what you recall about that  
14 in your statement. And you also mention two instances  
15 of what you think was some kind of sexual activity, this  
16 is at paragraph 22 and 23, and I think you say that you  
17 think that there was --

18 A. Oh, right, aye.

19 Q. -- something like that happened to you?

20 A. Aye, that as well, mm-hmm.

21 Q. And once was with a man in a house in Newmains, and you  
22 say that another time you think was in your own house,  
23 is that right?

24 A. Mm-hmm.

25 Q. I think you go on, Kate, to tell us that you remember

1           having to ring the police because of the arguments  
2           between your parents?

3    A.   That was in Newarthill. We moved fae Newmains to  
4           Newarthill and, yeah, I was phoning the police a number  
5           of times just with arguing and ...

6    Q.   And I think that all culminated then in you being  
7           removed from your parents again and that -- after that  
8           occasion you never went back to live with them?

9    A.   That's right, mm-hmm.

10   Q.   And this is where you were placed in Carluke Children's  
11          Home, is that right?

12   A.   Mm-hmm.

13   Q.   And again, Kate, we're not going to go through the  
14          detail of your time in Carluke, Secondary Institutions - to be published la

15   Secondary Institutions - to be published later

16   [REDACTED]

17   [REDACTED]

18   Q.   We know that you were aged 9 when you were admitted  
19          there, so it was 17 February 1977.

20   A.   Right.

21   Q.   So that time back with your parents was quite a few  
22          years before you were back in care again, but as you  
23          say, you were back in care then for good, is that right?

24   A.   Mm-hmm. I do want to mention about the two social  
25          workers that came. [REDACTED]

1 [REDACTED] I mentioned I don't  
2 like my father, I'm getting bullied at school, stuff  
3 like that. So there was a lot going on and that sort of  
4 thing. Maybe it was the fact that we ended up moving to  
5 Newarthill and they had already put in the statement  
6 what was happening, drink round about and neighbours  
7 coming, seeing there's men in and out the house all  
8 night. Like, they think -- they've seen the state of  
9 me, how thin I was, and they walked away and they still  
10 left us there. That's what angered me now. I'm looking  
11 back on that and like reading my records. That angered  
12 me. 'Cause they could have done something there and  
13 then. But then they waited. Moved to Newarthill then.  
14 It was only after things happened there. I think the  
15 school probably noticed things as well. So that made me  
16 a bit angry.

17 Q. So there was things going on during that period --

18 A. No, we actually -- I actually asked one of my -- one of  
19 the social workers, there was two different ones, and  
20 one of the social workers, I asked to go back into care,  
21 because of the situation that I was living in.

22 Q. But --

23 A. That's how bad it was. And they left me there.

24 Q. The point you're making, Kate, is that, you know, they  
25 knew about some of the things that were going on and

1           they could have taken you out of the situation before  
2           they did?

3   A.   Yeah, mm-hmm, mm-hmm, mm-hmm.

4   Q.   I think after Carluke Children's Home, you were placed  
5           with foster parents, with the EZI-EZJ ?

6   A.   Yeah, yeah, aye, I remember them, mm-hmm.

7   Q.   And that was on 30 April 1977, so just a couple of  
8           months -- you were in Carluke, so you would have still  
9           been 9?

10  A.   Yeah.

11  Q.   And you stayed with them until later that year,  
12           6 December 1977, and you would almost have been 10 by  
13           the time you left them?

14  A.   Mm-hmm.

15  Q.   So it was about six -- sorry, about eight months or so  
16           that you were with the EZI-EZJ ?

17  A.   Mm-hmm.

18  Q.   And you tell us about that time, Kate, from paragraph 26  
19           of your statement to 28.

20  A.   Mm-hmm.

21  Q.   And again, we're not going to go through that, but you  
22           do say that you remember some physical violence from the  
23           foster mother and you say you were so unhappy there that  
24           you tried to strangle yourself ██████████ ?

25  A.   Mm-hmm.

1 Q. And you say you reported to a teacher at school that you  
2 weren't being treated well and that resulted in you --

3 A. Aye, I think I was talking about it. In my records  
4 I read that I was in, when the social worker was coming  
5 to take me away. She was like that: 'Well, Katie, I was  
6 going to give you a leaving present but since you've  
7 been speaking about me at the school' -- and then at  
8 that point the social worker just got up and left.

9 So, aye, they were -- it wasn't a good situation.  
10 And it was two older sisters as well. It was very --  
11 and then I think one time I didnae get to go on  
12 a holiday -- on a trip, sorry, with the school, and  
13 I think at that point the headmaster's seen a red flag  
14 and obviously knew -- he obviously knew I was fostered  
15 out and, erm, she didn't allow me to go on the thingmy.  
16 So, and the other daughter got to go. And I think  
17 I'd been saying things at the school to people, maybe  
18 a teacher, I can't quite remember.

19 Q. So you think it was the school then that seemed to --

20 A. I reckon it was the school, but, mm-hmm.

21 Q. It seems then that you went to Arran View in Airdrie and  
22 again you would still have been 9 [REDACTED]  
23 10, and that was on 6 December 1977.

24 A. Mm-hmm.

25 Q. Now, I don't know if you were aware of it at the time,

1 but your records tell us that that was only ever to be  
2 a temporary placement until they found you somewhere  
3 else?

4 A. Yeah.

5 Q. And we know that from Arran View, you were then admitted  
6 to Bellshill?

7 A. Mm-hmm.

8 Q. And that was on 3 April 1978, so you were at Arran View  
9 for about a period of about five months or so.

10 And you then tell us that I think, again we're not  
11 going through your time at Arran View, Kate, today, but

12 Secondary Institutions - to be published later

13 Secondary Institutions - to be published later we have what you tell us

14 about that in your statement.

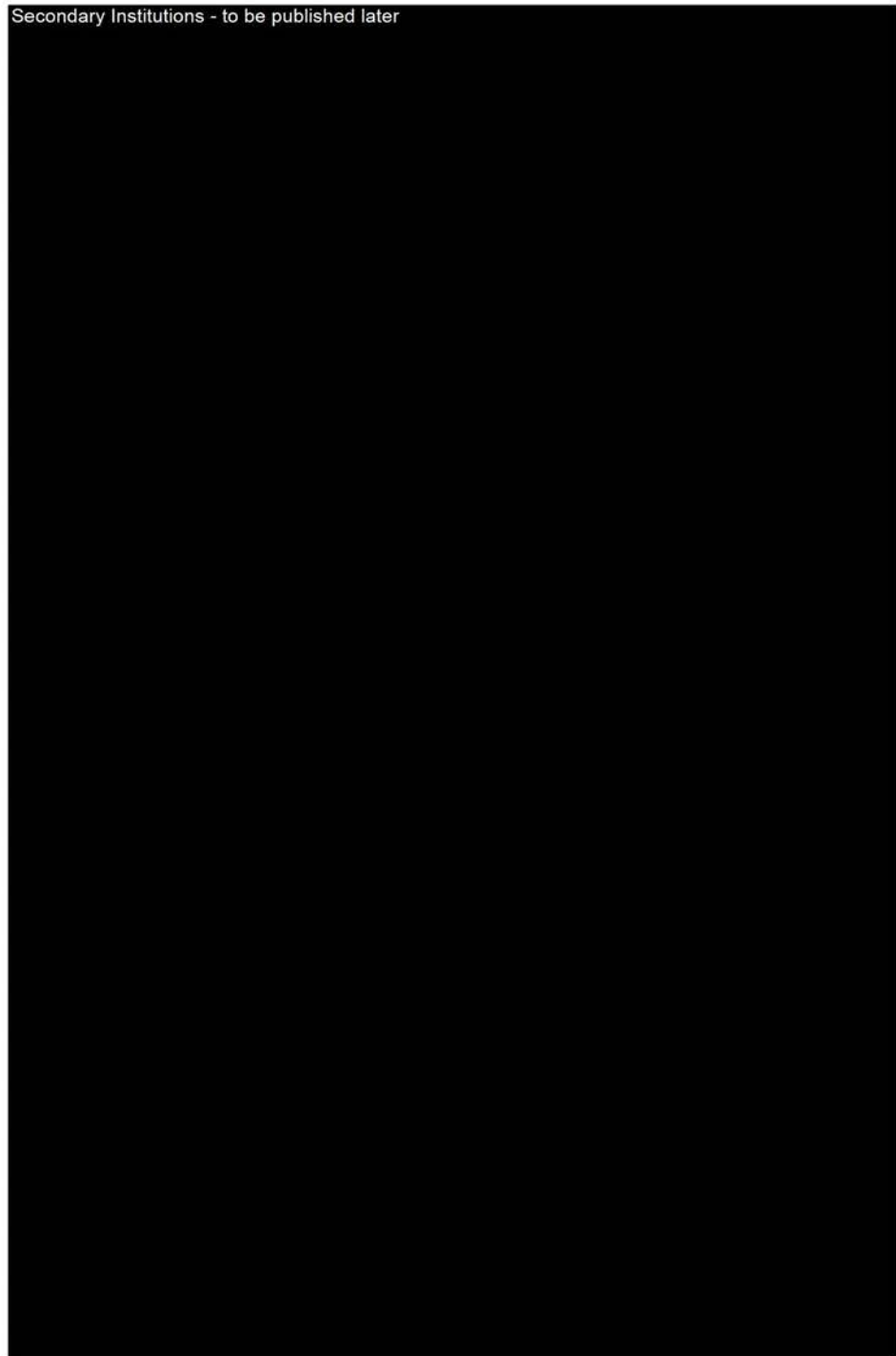
15 A. Mm-hmm.

16 Q. But you say the next home you remember being in was  
17 Bellshill, and your records do show us that.

18 So I don't want to get too bogged down in the dates  
19 and records, Kate, but it's always useful if we do have  
20 them because we can show that they go along with what  
21 they tell us.

22 A. I do want to say one thing, that I met somebody just  
23 a couple of year -- well, my son's girlfriend's mum, and  
24 I was speaking to her and that, and she knew some people  
25 in Arran View, she's two friends in Arran View, and she

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Secondary Institutions - to be published later

1 Q. Your time there. And I think you thought it was maybe  
2 longer than it was or maybe it felt like that at the  
3 time?

4 A. Aye.

5 Q. But when you get to Bellshill then, you tell us about  
6 that from paragraph 31 of your statement. And again,  
7 I'm not going to go into all the different dates, but  
8 I think we know from your records that whilst you were  
9 at Bellshill, there was a time when you went to a foster  
10 placement for a period of time from Bellshill, and  
11 that's with the family called the [REDACTED]?

12 A. Mm-hmm.

13 Q. And that was for a period of just a couple of months  
14 before you went back to Bellshill and that was in 1981?

15 A. Yeah. I remember it.

16 Q. And then there was a time -- oh, sorry, Kate, sorry?

17 A. No, I'm just saying I remember it.

18 Q. I think you tell us a little bit about that later in  
19 your statement?

20 A. Yeah.

21 Q. And then there's also a time during Bellshill where you  
22 are transferred to Calder House and that's in 1983 for  
23 a period of about four months. And then later on when  
24 you became older, you left Bellshill and we know that  
25 you were aged 17-and-a-half when you left on 28 June

1 1985, and that was to go to live with your parents,  
2 I think, and then [REDACTED] you lived with after  
3 that, because I think you were only at your parents for  
4 a weekend?

5 A. Mm-hmm.

6 Q. And then with [REDACTED] and then in a hotel?

7 A. Mm-hmm.

8 Q. Before you went back to Bellshill again and you stayed  
9 there until July 1985?

10 A. Mm-hmm.

11 Q. So with that in mind, I think you tell us about some of  
12 those things later in your statement, but we know that  
13 whilst you're in Bellshill you're in and out, you're  
14 back and forwards sometimes, but certainly between 1978,  
15 April 1978 and July 1985, you're mostly in Bellshill?

16 A. Mm-hmm.

17 Q. Kate, you tell us at paragraph 31 that Bellshill was  
18 a building that was like Carluke, and you describe it as  
19 having a lot of wood and being a modern building, is  
20 that right?

21 A. Mm-hmm.

22 Q. And there was a big garden at the back, but there wasn't  
23 really anything outside in the garden for children to  
24 play on, is that right?

25 A. No, mm-hmm.

1 Q. You say there was a living room, there was a pool table,  
2 but you don't remember any toys, apart from some  
3 personal things that you got at Christmas, is that  
4 right?

5 A. Mm-hmm.

6 Q. You tell us, Kate, about the person SNR [REDACTED] of the  
7 home at paragraph 32, you say that was a GCH [REDACTED] ?

8 A. Mm-hmm.

9 Q. And she was in her 40s at the time, is that right?

10 A. Mm-hmm.

11 Q. And you say that she lived in a house [REDACTED]  
12 [REDACTED] --

13 A. Mm-hmm.

14 Q. -- with her family and she had three children.  
15 You go on, Kate, to tell us about the groups that  
16 the children were split up into, and you say there were  
17 three groups?

18 A. Mm-hmm.

19 Q. One, two and three?

20 A. Mm-hmm.

21 Q. And you tell us about where they were in the house.  
22 Group one was downstairs and groups two and three were  
23 upstairs?

24 A. Mm-hmm.

25 Q. And they were split by bedrooms. So does that mean then

1           if you were in group one, you would sleep together in  
2           the same bedroom area?

3   A.   Erm, no, it was all different bedrooms.

4   Q.   Okay.

5   A.   So it was just like a long hall and bedrooms, living  
6           room, a wee bit of a kitchen, not a kitchen, just to  
7           make coffee and stuff like that, a couple of cupboards,  
8           that's it.

9   Q.   You tell us, Kate, that during your time in there, your  
10          time in Bellshill, which was quite a long period of  
11          time, you were in all three groups at one point or  
12          another?

13  A.   Yeah.

14  Q.   And each group had their own living room where you'd eat  
15          meals and then the staff would bring food up from the  
16          kitchen which was downstairs?

17  A.   Mm-hmm.

18  Q.   So they'd be brought up to that living area then to eat  
19          your meals?

20  A.   Mm-hmm, mm-hmm, mm-hmm.

21  Q.   And would you eat your meals in your group then?

22  A.   Mm-hmm.

23  Q.   You tell us, Kate, that the groups would have allocated  
24          staff members who worked shifts. There was a nightshift  
25          and a dayshift and there was one member of staff for

1 each group, and you tell us in paragraph 34 quite a lot  
2 of names of staff that you remember working there?

3 A. Mm-hmm.

4 Q. I think in particular Claire McCloskey, who you say was  
5 one of your key workers?

6 A. Mm-hmm.

7 Q. And a Kathleen Adam who you think -- you can't remember  
8 but you think maybe she was one also?

9 A. Aye.

10 Q. There's also a **MVN** and a Joe James that you  
11 mention, as well as other people?

12 A. Mm-hmm.

13 Q. But you tell us about a John Cushley who was night  
14 staff?

15 A. Mm-hmm.

16 Q. And you say you've got a recollection of sitting on his  
17 knee, is that right?

18 A. Mm-hmm, mm-hmm.

19 Q. But you say that you -- he was somebody that you liked?

20 A. Mm-hmm.

21 Q. And you didn't know if that was appropriate back then,  
22 but certainly you don't -- you didn't feel anything bad  
23 about that at the time?

24 A. No.

25 Q. And you don't remember anything bad happening with him?

1 A. No.

2 Q. You explain to us, Kate, that Bellshill was mixed sex,  
3 so there were boys and girls?

4 A. Mm-hmm.

5 Q. And there was about 30 children that -- or so, and you  
6 say they ranged from about 2 up to 18, is that right?

7 A. Mm-hmm.

8 Q. So quite a big age range, then?

9 A. Mm-hmm.

10 Q. And in particular, you remember a 2-year-old boy who you  
11 tell us about?

12 A. Yeah.

13 Q. Who you, I think from what you say in your statement,  
14 you became quite fond of him and you were close to him,  
15 is that right?

16 A. Aye, aye.

17 Q. And you tell us you looked after him quite a lot?

18 A. I did.

19 Q. And so you were able to do that. Were you allowed to do  
20 that when you were in the home, look after him?

21 A. Mm-hmm, mm-hmm.

22 Q. But he wasn't related to you or anything, but that was  
23 something that was okay?

24 A. Mm-hmm.

25 Q. And I think you make the point that you felt close to

1           him and that was great. You'd help to feed him, but you  
2           weren't involved in bathing him or anything like that?

3   A. No, I don't think so, no.

4   Q. Kate, you tell us you had a job when you were in  
5           Bellshill, so this must have been later on when you were  
6           a bit older, is that right? You say that there was  
7           a time you worked in the butchers, a camera shop, and  
8           the YMCA as a community care assistant?

9   A. Mm-hmm, yeah.

10   Q. And I think there's also mention in your records of you  
11           doing some work with some handicapped people; is that  
12           something you recall?

13   A. Mm-hmm, I was at Motherwell College, just helping people  
14           just with early learning, yeah.

15   Q. So this would have been when you got a bit older and had  
16           finished school, is that right?

17   A. Mm-hmm. Mm-hmm.

18   Q. You tell us about an incident where you got an electric  
19           shock from the record player and had an injury to your  
20           nail, and I think you say you had to go to hospital and  
21           you were treated for that, is that right?

22   A. Mm-hmm, aye, they just fixed -- well, my finger, got the  
23           wires wrapped round my finger, and it didnae take my  
24           nail off at the time but it eventually fell off. And it  
25           burned my chest as well, the wires caught into my chest.

1 So I've got a scar there as well. So they put tape  
2 round the wire, basically, and I thought -- so you get  
3 a record and you've got all the little singles at the  
4 time, you've got the wee arm thing and that held it till  
5 the next record was finished, and that was broke. And  
6 I thought it was something to do with the wiring, and it  
7 was still plugged in, so.

8 Q. But certainly when that injury happened, you got some --  
9 you were given some treatment for it and taken to  
10 hospital?

11 A. I was taken to hospital, erm, I think, aye, aye, just to  
12 see -- make sure I was okay, because I'd burnt my finger  
13 as well. I didnae get any treatment or anything. They  
14 just made sure I was okay.

15 Q. Kate, you go on to tell us about your first  
16 recollections of Bellshill and you say that you remember  
17 going into -- through the swing door into the office and  
18 being introduced to other children and maybe GCH  
19 --

20 A. Mm-hmm.

21 Q. -- so is that your first sort of recollection of your  
22 life at Bellshill, meeting the other children and  
23 GCH in the office?

24 A. Aye, aye, it was probably mair meeting [REDACTED] and  
25 [REDACTED], [REDACTED] and [REDACTED], 'cause they were in

1 Bellshill as well.

2 Q. And did you know that they were in Bellshill before you  
3 went there?

4 A. I'm no sure, I cannae remember.

5 Q. But certainly, once you were there, you became aware  
6 that [REDACTED] and [REDACTED] were there too?

7 A. Aye, aye, I was told.

8 Q. Did you know them as [REDACTED] and [REDACTED]?

9 A. Eh?

10 Q. Did you know them as [REDACTED] and [REDACTED] at that  
11 time?

12 A. Er, I don't know. At that point. I cannae really  
13 remember. 'Cause I think, apart fae Bellshill and  
14 I think Ridge Park, [REDACTED] were in it.  
15 I just don't know at what point, if I was there or not.  
16 But I know [REDACTED], she was in it, but --

17 Q. But certainly when you were there, after a period of  
18 time, you became aware that --

19 A. Aye.

20 Q. -- [REDACTED] and [REDACTED] were also there with you?

21 A. Yeah.

22 Q. You tell us a little bit about the routine, Kate, and  
23 you say that sometimes -- so day shift would get you up  
24 in the morning. You sometimes shared a room with  
25 another girl or you would be in a single room. So it

1           wasn't -- you weren't in a dormitory or anything like  
2           that?

3    A.   No.

4    Q.   It's either you on your own or with one other girl?

5    A.   Yeah, yeah.

6    Q.   You say that you were moved around the rooms a fair bit  
7           whilst you were there over the years?

8    A.   Mm-hmm.

9    Q.   But you were able to personalise them and you talk about  
10          putting a picture on your wall?

11   A.   Mm-hmm.

12   Q.   You tell us there was some wardrobes and drawers and you  
13          had your own personal belongings --

14   A.   Mm-hmm.

15   Q.   -- with you, and you felt happier in Bellshill. Is that  
16          right?

17   A.   Mm-hmm, aye, at first, mm-hmm.

18   Q.   You say there was a specific bedtime and the older  
19          children could stay up later?

20   A.   Mm-hmm.

21   Q.   And if you couldn't sleep, you could go and sit with the  
22          night staff?

23   A.   Mm-hmm.

24   Q.   So bedtime in that regard wasn't enforced, you could get  
25          up and sit with them?

1 A. Mm-hmm, aye, if you wanted, mm-hmm.

2 Q. We talked already, Kate, about where you would eat food  
3 and it would have to come upstairs, but you tell us that  
4 there would also be a toaster in the cupboard --

5 A. Yeah.

6 Q. -- that could be used for each group. And you tell us  
7 about the food and say if you didn't like the dinner,  
8 they would give you something else if they were able to?

9 A. Mm-hmm.

10 Q. So they did try to accommodate you to a certain degree,  
11 is that what you remember?

12 A. Mm-hmm.

13 Q. But you mention that you were forced to eat dough balls?

14 A. I was, mm-hmm.

15 Q. Was that on one occasion that this happened that you  
16 remember, or was this a regular --

17 A. I just remember no liking them and nearly being sick  
18 trying to eat them. I just -- aye. I don't know how  
19 many times it happened, I don't know.

20 LADY SMITH: Were those a sort of dumpling that they might  
21 have put in stew or a soup?

22 A. Mm-hmm.

23 LADY SMITH: Yes. Pretty sticky and heavy?

24 A. Aye, oh, God, no. I hate them. I like a lot of things  
25 now right enough and I've -- like vegetable-wise I mean.

1 LADY SMITH: I noticed from your statement you said you  
2 enjoyed the goulash?

3 A. Oh yeah.

4 LADY SMITH: And I wondered if the problem was when they put  
5 these dough balls into the goulash.

6 A. Aye, exactly.

7 LADY SMITH: Thank you.  
8 Ms Forbes.

9 A. The food wisnae too bad, to be fair.

10 LADY SMITH: Good.

11 MR PEOPLES: I think you do say that, Kate, that you don't  
12 remember being hungry?

13 A. No.

14 Q. You had enough to eat and the food in general was good.

15 A. Mm-hmm, mm-hmm.

16 Q. And you mention that sometimes there would be pudding,  
17 or if not there was a piece of fruit?

18 A. Yeah.

19 Q. And there would be biscuits that could be given out, but  
20 they would generally be locked up in a cupboard?

21 A. Mm-hmm.

22 Q. And also there would be supper before bed, which was  
23 usually toast?

24 A. Yeah.

25 Q. And when you were at school, you got school dinners, but

1           sometimes you would get dinner money. Would that be  
2           given to you by the home?

3    A. I think so, aye, aye.

4    Q. And you say that sometimes you spent that on cigarettes?

5    A. Yes, I did.

6    Q. And you mention you could get a single for 10 pence back  
7           then?

8    A. Yes.

9    Q. And in relation to smoking then, were you allowed to  
10           smoke in the home, Kate, when you were there?

11   A. Erm, I think you had to be a certain age.

12   Q. Okay. So you remember there being an age sort of limit  
13           that you were allowed to smoke?

14   A. Mm-hmm. Maybe 15 or something like that. Or if you had  
15           permission fae the parents I think as well, that was  
16           another.

17   Q. How old were you, do you remember, when you started  
18           smoking?

19   A. Well, when I lived with my parents in Newmains, I had my  
20           first cigarette and [REDACTED] gave me it, so I was 7  
21           then, 8, I think.

22   Q. So very young?

23   A. Then, aye.

24   Q. So by the time you --

25   A. But I reckon when I went into Bellshill, so that's

1           probably when I started smoking, when I got to a certain  
2           age, maybe 11, 12.

3   Q.   So you think that's when you started smoking probably?

4   A.   Probably, I think so, aye, aye.

5   Q.   You tell us that you could have a bath at night, but  
6           maybe not every night, but that staff did encourage you  
7           to go for a bath and you would have privacy when you  
8           were bathing?

9   A.   Mm-hmm.

10  Q.   So you didn't have to share the bath with anyone?

11  A.   No, no.

12  Q.   Kate, you tell us about chores.  You say that there were  
13           chores, things like cleaning the living room, but in  
14           relation to punishments, this would be things like  
15           getting your pocket money taken off you or being  
16           grounded?

17  A.   Mm-hmm.

18  Q.   Is that right?

19  A.   Mm-hmm.

20  Q.   When you say 'grounded', did that mean that you couldn't  
21           go out of Bellshill?

22  A.   Mm-hmm.

23  Q.   But if you weren't grounded, were you able to go out of  
24           the home --

25  A.   Mm-hmm.

1 Q. -- into the local community to see friends?

2 A. Yeah.

3 Q. Okay. So that was something that you were allowed to

4 do?

5 A. Mm-hmm.

6 Q. You tell us, Kate, that you had your own clothes that

7 had your name on them, on the label, and they would be

8 washed and given back to you?

9 A. Yeah.

10 Q. So you didn't have to share clothes with anyone,

11 anything like that, and you could be -- you'd be taken

12 to the shop to get new clothes by staff?

13 A. Mm-hmm.

14 Q. But I think you tell us they had a say in what you were

15 able to buy?

16 A. Sometimes, aye, aye.

17 Q. Okay. So does that mean sometimes you could buy

18 something you wanted and they didn't really like?

19 A. I just remember one shop and I just remember a blue

20 dress. That's my only sort of recollection and I really

21 liked it and, aye.

22 Q. Did you get to buy it?

23 A. I got to buy it, aye.

24 Q. You tell us about going to school, Kate, and so there

25 would have been a primary school, Noble Primary School

1 first of all?

2 A. Mm-hmm.

3 Q. And there was Cardinal Newman Annex?

4 A. Aye, in Viewpark.

5 Q. And then Cardinal Newman High School, is that right?

6 A. Yeah, that's in Bellshill.

7 Q. And I think later on, did you maybe go to Calder House  
8 during the day?

9 A. No.

10 Q. No, okay.

11 A. I went to Calder House for a 12-week assessment after  
12 coming out of prison at the age of 15. I get remanded,  
13 I get took to Airdrie Court for -- I was self-harming,  
14 we'd ran away, me and my friend, and they fixed us up,  
15 [REDACTED], took us to court the next day and I got a  
16 two-week remand in Cornton Vale prison.

17 So that experience, which isn't in my records, by  
18 the way, that's not in my records, I didnae read that,  
19 so they've not got that back, I can assure you I went.  
20 I had a social worker, Mary, Mary Hamilton at the time  
21 I think, she came out to see me there. A lawyer came  
22 out to see me when I was getting out, and mentioned that  
23 I should never have been in there. I got a bit bullied.  
24 But I get protected with someone that took over and  
25 protected me. I get pushed by the prison officer and it

1           just wasn't a great experience. I've had a lot of  
2           nightmares since, you know, growing up, about the  
3           experience.

4    Q. I think you --

5    A. Then I got took to -- I got a review I think and then  
6           I got sent to Calder House. It was meant to be  
7           a 12-week assessment and I'm sure I was there about  
8           eight month. I know you say it's a different thing, but  
9           I thought it was eight month.

10   Q. Well, I think we do have the dates for that, Kate, but  
11           again we're not going to get too bogged down.

12   A. Yeah.

13   Q. I think it's about five months or so, but it might have  
14           obviously felt longer.

15   A. Maybe.

16   Q. But it's not much difference between five and eight.  
17           You were there for longer than 12 weeks anyway.

18   A. Yeah. Aye, aye.

19   Q. And certainly, Kate, you tell us, whilst the spell at  
20           Cornton Vale isn't in your records, you tell us that was  
21           for self-harming, and that's certainly something that is  
22           referred to in your records, that there was an issue  
23           that you had, and that's something that's recorded, that  
24           you did self-harm and it was noted?

25   A. Yeah.

1 Q. And also running away as well. So that was also  
2 an issue?

3 A. Yeah. Yeah.

4 Q. Kate, just going back to Bellshill, I think you tell us  
5 that there was the bullying at high school. Was this at  
6 Cardinal Newman High School --

7 A. Mm-hmm.

8 Q. -- that you experienced bullying? And you mention  
9 an instance where one of the other children said that at  
10 least she had a mother?

11 A. Mm-hmm.

12 Q. So that was them singling you out?

13 A. That was at Cardinal Newman Annex, yeah.

14 Q. Okay, that was at the annex?

15 A. Yeah, aye.

16 Q. And you mention getting the belt once or twice --

17 A. That was at the high school --

18 Q. -- at the high school?

19 A. -- at Bellshill, aye.

20 Q. But you say you didn't enjoy secondary school and --

21 A. No, I hated it.

22 Q. -- it's at this time --

23 A. They hurt you, they were meant to hit your hand but it  
24 ends up going halfway up your arms, like -- it was very  
25 painful.

1 Q. You say that by that time, by the time you were in high  
2 school, you were self-harming?

3 A. Yeah.

4 Q. You were drinking, you were running away?

5 A. I took an overdose as well [REDACTED], but I don't  
6 remember going to hospital, but I do remember telling  
7 a member of staff, and I says: 'I've took it about  
8 an hour ago. I went to sleep and I woke back up'.  
9 I says: 'I feel a bit sick. I've took [REDACTED]', that  
10 I took, and I don't remember going to hospital. Because  
11 they seen that I was walking about and I was okay,  
12 but -- looking back now, I thought that was a bit --  
13 they should have took me to hospital, taking [REDACTED],  
14 you know.

15 Q. Kate, that is referred to in your records, that you told  
16 somebody that you had done that, and I think there is  
17 an entry --

18 A. Yeah.

19 Q. -- to say that you went to hospital but it was just  
20 overnight to be -- for observation. But that's not  
21 something -- you don't remember going to hospital?

22 A. I don't remember going to hospital, no.

23 Q. Kate, you tell us that whilst you were at Bellshill,  
24 there would be some trips and things like that, and you  
25 talk about going swimming --

1 A. Mm-hmm.

2 Q. -- and that was at the sports complex, and then the chip  
3 shop afterwards?

4 A. Yeah.

5 Q. There was an outing that you remembered, going to see  
6 Grease, the film, is that right?

7 A. Yeah.

8 Q. And I think you say that you were given pocket money  
9 sometimes?

10 A. Mm-hmm.

11 Q. But as you've already mentioned, that could be taken  
12 away as a punishment if you didn't behave.

13 There was also a cottage in Glencoe that you say  
14 GCH had and you stayed there at one point and  
15 went hillwalking?

16 A. Mm-hmm.

17 Q. You mention a skiing trip to Austria and that was with  
18 the high school, is that right?

19 A. Mm-hmm.

20 Q. Was there also a trip to Germany at one point as well?

21 A. Aye, aye.

22 Q. So there was a couple of trips through the school, and  
23 then you mention camping trips. And at paragraph 55,  
24 Kate, you tell us about something that happened on  
25 a camping trip.

1           You say that on this trip, there were three or four  
2           staff members and about ten children, and you tell us  
3           that you were sharing a tent with two males, who you  
4           name, Colin Goodwin and EZK ██████████, is that how you  
5           say his name?

6   A.   ██████, mm-hmm.

7   Q.   ██████, sorry. And you say that they were both staff  
8           members?

9   A.   Mm-hmm.

10  Q.   Both staff members at Bellshill, is that right?

11           And you say that in the tent then with them -- there  
12           was Colin in the single sleeping bag at the bottom of  
13           the tent?

14  A.   Mm-hmm.

15  Q.   And you were at the top of the tent sharing a double  
16           sleeping bag with EZK ██████████?

17  A.   Mm-hmm.

18  Q.   And you say you were about 10 or 11 when that happened.  
19           You think it might have been Glencoe but it was camping  
20           in Scotland?

21  A.   Mm-hmm.

22  Q.   And during that night camping, you say you woke up in  
23           the morning and you felt pain below?

24  A.   Yeah.

25  Q.   And what happened, Kate? What can you tell us about

1 that?

2 A. Just the bit I said, that's it. It was as quick as  
3 that. I just felt pain down below. I wasnae sure if it  
4 was his penis or his hands. I just felt pain and  
5 I jumped right out of the sleeping bag and ran out the  
6 tent. And that's it, that's all I remember.

7 Q. And I think --

8 A. I tried to report it to [REDACTED] and she came back and  
9 said he said -- because she's basically -- they were  
10 going with each other, the staff member and [REDACTED].  
11 I think [REDACTED] -- I don't know what age he would have  
12 been, EZK [REDACTED], at the time, but he was a staff  
13 member. And [REDACTED] was a child in care. And I think  
14 she might have been about maybe 14/15? And they ended  
15 up marrying him -- she ended up marrying him.

16 Q. So this is --

17 A. GCH [REDACTED], RBQ [REDACTED], they all went to the wedding  
18 with [REDACTED]. But I told her about it anyway and she  
19 came back and says that 'EZK [REDACTED] said he thought he was in  
20 beside me'. That was -- and at that time, being [REDACTED]  
21 [REDACTED] she was everything to me,  
22 I accepted what she says to me and I never thought about  
23 it again. I didnae think of it as abuse or anything  
24 like that. I just told [REDACTED], told one other  
25 person, [REDACTED], but the police couldn't find her

1           and by the time they got round to still not finding her,  
2           I found out she had died, passed away, so.

3   LADY SMITH: But whatever the relationship between him and  
4           ██████████, she was a child in care.

5   A. Yeah.

6   LADY SMITH: And he was in a position of trust.

7   A. Yeah.

8   LADY SMITH: Which was breached.

9   A. Exactly.

10   LADY SMITH: And then there was the incident with you, even  
11          if he thought it was her.

12   A. Mm-hmm, I know, I know it's a lame excuse now that  
13          I'm an adult and, you know, I'm thinking about it, so  
14          no. He was very good at what he done, he manipulated  
15          her. He was quite -- I mean, she was a smoker. When  
16          she went outside and walked with him, she wasn't allowed  
17          to smoke. Things like that. He was very controlling,  
18          very -- and it didn't even get to court because ██████████  
19          ██████████ denied it, 'cause she was scared. And I get  
20          that, and understand that. And she did say she would  
21          tell the truth again if the police -- but I've never  
22          ever get back to it because I lost my daughter  
23          a year-and-a-half ago with brain cancer. So I was  
24          looking after her and --

25   LADY SMITH: No. Don't worry about that.

1           Let me also say this: it doesn't surprise me at all  
2           that, as you point out in your statement, you look back  
3           and ask: what was going on that a member of staff had --  
4   A.   Two males.  
5   LADY SMITH:  -- a girl, namely you -- and you in the same  
6           sleeping bag.  
7   A.   I know, I know, I know.  I've mentioned that in my book  
8           that I'm writing.  I've --  
9   LADY SMITH:  Yes.  Yes.  
10  A.   Mm-hmm.  Aye, there's a lot of questions.  And this is  
11           a thing that -- I knew a wee guy just a few years ago in  
12           St Philip's in Clarkston, Airdrie Plains.  He reported  
13           a night staff.  Everything goes on behind closed doors  
14           and it's still happening.  That was just a few years  
15           ago.  And that really, really worries me.  That it's  
16           still going on now.  
17  LADY SMITH:  Yes.  
18  A.   It's still going on.  
19  LADY SMITH:  Yes.  
20  A.   And I worked in a nursing home and the same thing,  
21           I seen abuse.  A woman came oot in the morning when  
22           I started a dayshift.  Her face was oot to here.  I'm  
23           like: what happened?  She's like, the night staff, they  
24           pushed me -- they made me drop out ma bed.  And I tried  
25           to report it and it just get brushed under the carpet.

1 I made an investigation, gave them a report and nothing  
2 ever happened.

3 So again, even with that sort of setting, with old  
4 people, they're getting mistreated behind closed doors.  
5 You'll never know what goes on behind closed doors.  
6 They're doing it in nighttime when naebody can see, and  
7 I think it's still happening now.

8 'Cause that wee guy, he went to school during the  
9 day, 'cause my son was at the school during the day, and  
10 my son had met him in the Moira Anderson in Airdrie  
11 where I go for counselling.

12 LADY SMITH: Yes.

13 A. And that's what he told him, he'd been abused and he's  
14 actually reported it and took him to court. And this  
15 wee guy, he was physically disabled, but he could -- you  
16 know, he was okay, his brain and everything was okay,  
17 and aye, good on him. And he reported him.

18 So it's still going on today and that really breaks  
19 ma heart, to be honest.

20 LADY SMITH: Yes, that's only natural.

21 Ms Forbes.

22 MS FORBES: Thank you, my Lady.

23 Kate, you have told us quite a lot about  
24 EZK [REDACTED] there, but I think you say as well, just  
25 to add to that, that you heard -- and this wasn't at the

1 time, but I think you say you'd heard recently, at the  
2 time of giving this statement -- that he was sacked from  
3 Bellshill after that happened. So is that what you  
4 think happened?

5 A. It was word of mouth. I heard fae somebody that they  
6 thought he'd been sacked.

7 Q. Right.

8 A. But I don't know.

9 Q. So that was after the incident with you in the tent, and  
10 you do tell us though that your -- obviously that this  
11 relationship with him and [REDACTED] continued and  
12 indeed she married him later on?

13 A. Mm-hmm.

14 Q. But you tell us at paragraph 56 that whilst she was  
15 still a child and in Bellshill, she had an abortion?

16 A. Yeah.

17 Q. And that -- you say she was 15 at that time?

18 A. Yeah.

19 Q. And that was --

20 A. And the reason I know -- well, I remembered it at the  
21 time because stupidly she told me about it. And I told  
22 somebody else in the home about it. That's what  
23 I remember. I'd said to somebody, and she wisnae very  
24 happy. So I know it definitely happened and [REDACTED]  
25 knew about it as well, [REDACTED]. She was there

1 with EZK's mother, erm, and, aye, they obviously  
2 didnae want that known, so ██████████ had to get  
3 an abortion.

4 And later on, the staff at the home, GCH ██████████,  
5 who's died now, she died in a ski accident a number of  
6 years ago, in France, and she was with RBQ ██████████, that  
7 was her husband -- I think he worked in Calder House,  
8 RBQ ██████████ -- and thae two went -- I remember thae two were at  
9 the wedding. And I had to be the bridesmaid. I was 18.  
10 It was -- just that full time with her, it never fitted  
11 well with me. I never thought about it, but I just  
12 hated him.

13 Q. You tell us, Kate, that when ██████████ left Bellshill,  
14 she went to live in a flat?

15 A. Mm-hmm.

16 Q. Where there were other people there, supposed to be to  
17 supervise her, and that was arranged by the home?

18 A. Yeah. Yeah.

19 Q. And you visited her?

20 A. Mm-hmm.

21 Q. And she was still with EZK ██████████ there. Obviously she went  
22 on to marry him?

23 A. Aye, aye.

24 Q. But they would have known about that and you say that he  
25 stayed with her overnight and he was there even though

1 he wasn't supposed to be there?

2 A. He wisnae meant to be, aye, aye. I think there was  
3 different girls in the full house. It was in Bellshill  
4 somewhere I think. Mm-hmm.

5 Q. Kate, we are going to go on to talk about some other  
6 things that you tell us about, but we're kind of  
7 side-stepping a little bit because you tell us about  
8 hobbies. So I just want to talk about a couple of  
9 things, because I think you tell us about singing, at  
10 paragraph 58, and I think this is something that's still  
11 quite important to you, is that right? But it was  
12 something that was recognised that you liked when you  
13 were at Bellshill?

14 A. Yeah.

15 Q. And you were put in touch with somebody to get singing  
16 lessons, is that right?

17 A. Yeah, aye, Eleanor Bryson.

18 Q. And that love of singing was encouraged by Bellshill; is  
19 that what you remember? That your interest in that was  
20 encouraged?

21 A. Aye, I enjoyed it and I get lessons for a year or so,  
22 but I started going off the rails a wee bit.

23 Q. You say about a club that you went to called the  
24 Thorniewood Club in Viewpark?

25 A. Aye, it was a charity do that I done.

1 Q. And was this singing?

2 A. Yeah.

3 Q. Yeah.

4 A. No, it was a -- was it? Aye, aye, it was a charity do  
5 and I was asked to do a song at it.

6 Q. And you tell us that --

7 A. And I sung 'Will You Still Love Me Tomorrow', so that  
8 was the song I picked.

9 Q. You still remember that?

10 A. Aye.

11 Q. You say John took you there, is that a member of staff  
12 that you mentioned earlier?

13 A. No, Joe James.

14 Q. Joe James. Okay, so it's not John, it's Joe James?

15 A. Joe James -- no, he didn't -- well, a friend picked me  
16 up, his friend picked me up.

17 Q. Okay.

18 A. And I remember him making a comment about my legs on the  
19 way down there. I didnae think much of it at the time.  
20 I was scared obviously, I didnae know how to react.  
21 I was: 'Oh, God, what you doing?' So, aye.

22 Q. So this John was a friend of Joe James, but he's not  
23 somebody that worked at the home, John, is that right?  
24 John isn't somebody who worked --

25 A. Sorry, where are we here, to have a look?

1 Q. Sorry, that's my fault.

2 LADY SMITH: We started at 58 where you mentioned Joe James  
3 at the beginning and him getting you the singing  
4 lessons?

5 A. Yeah.

6 LADY SMITH: And then at 59, and this was going to the club.

7 A. Aye, going to the club, aye.

8 LADY SMITH: I think that was when you said you remember  
9 singing 'Will I Still Love You Tomorrow'.

10 A. Yeah.

11 LADY SMITH: Or 'Will You Still Love Me Tomorrow'? I can't  
12 remember which way around it was. Anyway. And then  
13 I think we're going on from about there.

14 A. Yeah.

15 LADY SMITH: Yes?

16 A. Right.

17 MS FORBES: I think you mention the comment about your legs  
18 being made?

19 A. Aye, he made a comment, mm-hmm.

20 Q. In your statement, Kate, you say:  
21 'John used to take me there.'

22 A. No --

23 Q. 'I don't know if he was part of the club.'

24 A. Mm-hmm.

25 Q. 'He picked me up from the home to go and do a charity

1 night. He didn't work in the home.'

2 A. No.

3 Q. 'And I remember him looking down at my legs and telling

4 me I had nice legs.'

5 A. Aye, aye.

6 Q. So you say you were about 14 at the time?

7 A. Aye, something like that, aye, I was young.

8 LADY SMITH: When you use the name 'John', who was that?

9 A. That was a friend of Joe James.

10 LADY SMITH: Ah, right. Thank you.

11 A. He knew him and I think he was involved with the

12 Thorniewood.

13 LADY SMITH: That makes sense, thank you very much.

14 A. No bother.

15 MS FORBES: But whilst we know that you got back into music

16 later on, I think at this time, paragraph 60, you tell

17 us, Kate, that you gave up music when you started

18 self-harming about age 14?

19 A. I did, mm-hmm.

20 Q. By that time [REDACTED] and [REDACTED] had left Bellshill?

21 A. Mm-hmm.

22 Q. And you say that you felt alone?

23 A. Mm-hmm.

24 Q. You were thinking about what happened with EZK [REDACTED]

25 and you say you never told anybody what was happening

1           and you didn't get any help for the self-harming, but  
2           staff members were aware of it and they pointed out that  
3           you were scarring yourself?

4    A.   Yeah.

5    Q.   And you were self-harming for about a year, is that  
6           right?

7    A.   Self-harming, glue-sniffing.

8    Q.   And drinking?

9    A.   Drinking.

10   LADY SMITH:  And this is when you're mid-teens, 14 going on  
11           15?

12   A.   This is when I was about 14/15.

13   LADY SMITH:  Yes.

14   MS FORBES:  You tell us then, Kate, a little bit about  
15           Christmas and you say that that was amazing, and the  
16           lollipop man came in dressed up as Santa?

17   A.   Yeah.  Christmas was my first memory in Bellshill.  
18           I didnae know about Christmas before that, I had nae  
19           recollection of it, to be honest.  But when I was there,  
20           aye, I was excited for Santa Claus coming in and it was  
21           a new thing to me, it was like -- aye.  So that was  
22           nice.

23   Q.   So that was your first experience of Christmas?

24   A.   It was, aye, aye.

25   Q.   And you say that you got a --

1 A. We had a big bag of toys and, mm-hmm.

2 Q. -- tape recorder? You got a tape recorder because --

3 A. I did.

4 Q. -- the staff knew you liked music?

5 A. Aye.

6 Q. And you'd use that to get to sleep?

7 A. And I got an album, 'Off the Wall', Michael Jackson.

8 Yeah.

9 Q. Kate, you go on to tell us about some social work visits

10 and you say you would get visits when you were getting

11 into trouble or if you were being fostered out, and you

12 had occasional reviews at Bellshill?

13 A. Mm-hmm.

14 Q. But you don't remember seeing any inspectors in any of

15 the homes that you were in or you can't remember having

16 visitors in any of the homes you were in apart from

17 Bellshill, is that right?

18 A. Mm-hmm.

19 Q. You make --

20 A. It was the odd time in Bellshill, I didnae get a lot of

21 visits, fae anybody really.

22 Q. It's really -- it's not from your family members, it's

23 from the social workers, is that what you're telling us?

24 At Bellshill? The visits you did get were from social

25 workers?

1 A. Aye, aye.

2 Q. Kate, you go on to say that you were quite late when you  
3 started your periods, about 15 or 16?

4 A. Mm-hmm.

5 Q. And you told the staff, but you say that you think you  
6 really learnt about periods from the other children?

7 A. Probably.

8 Q. So you don't remember being taken aside by a member of  
9 staff and spoken to about it?

10 A. No, I think we all used to talk about it, the girls, at  
11 that point, aye. It's something, just, you get into  
12 a wee group and we speak about certain things. So  
13 that's where it sort of came about, where I learned.

14 Q. Kate, we have mentioned already the running away, and  
15 from paragraph 69, you tell us a little bit more about  
16 the things that happened to you when you ran away. And  
17 I think -- we won't go through it all, but I think it's  
18 clear from what you tell us that you were hitching lifts  
19 with men, strangers?

20 A. Yep.

21 Q. You and another girl, and really putting yourself in  
22 quite dangerous situations?

23 A. Mm-hmm.

24 Q. And they would take advantage of these situations and  
25 I think you say that you were -- on one occasion, you

1           had to show a lorry driver your breasts?

2    A.   Mm-hmm.

3    Q.   While he masturbated?

4    A.   Mm-hmm.   Aye, he locked the door.   He wouldn't let us

5           out.

6    Q.   So this resulted in you getting picked up by the police

7           because you were asking lorry drivers at service

8           stations for lifts?

9    A.   That's right, aye.

10   Q.   And you tell us that you got all the way to Norwich on

11          one occasion?

12   A.   Yeah.

13   Q.   And you had to be flown back by social work, is that

14          right?

15   A.   Mm-hmm.

16   Q.   And I think you tell us at paragraph 52 that the police

17          were shouting at you --

18   LADY SMITH:   72.

19   MS FORBES:   Sorry, 72.   Sorry, my Lady.

20                That the police were shouting at you, trying to

21                explain how dangerous it was to hitchhike.

22   A.   Mm-hmm.

23   Q.   And you were then taken back to Bellshill?

24   A.   Mm-hmm.

25   Q.   And you tell us that the staff did ask why you'd run

1 away and that they were concerned about that?

2 A. Mm-hmm.

3 Q. Is that what you remember?

4 And then you say another time you ran away with  
5 a friend when you were 15, and this is when you were in  
6 Coatbridge and you were taken to Airdrie Court and put  
7 into the cells, and I think you have already said that  
8 this is the occasion that led to you going to Cornton  
9 Vale; is that right?

10 A. Mm-hmm.

11 Q. And you think that that's because you were self-harming?

12 A. Well, that's what the judge said. That was the reason,  
13 for my own safety.

14 MS FORBES: Well, Kate, we're going to come on to another  
15 part of your statement in a minute, but it's 3 o'clock  
16 now, so it might be that this is a good time to take  
17 a break?

18 LADY SMITH: You maybe remember, Kate, I said when we  
19 started, I'd usually take a short break at this time.  
20 Would that work for you if we did that now?

21 A. Yeah, that's fine, mm-hmm.

22 LADY SMITH: We'll do that and then we'll finish off your  
23 evidence afterwards.

24 A. No bother. Okay, thank you.

25 (3.00 pm)

1 (A short break)

2 (3.10 pm)

3 LADY SMITH: Welcome back, Kate.

4 A. Thank you.

5 LADY SMITH: Are you ready for us to carry on?

6 A. Yep.

7 LADY SMITH: Thank you very much.

8 Ms Forbes.

9 MS FORBES: My Lady.

10 Kate, we've already mentioned your time at  
11 Calder House whilst you were at Bellshill and then also  
12 the foster care period that you had.

13 A. Mm-hmm.

14 Q. And then just so we have for the record, your evidence  
15 about Calder House was read in during this Inquiry  
16 previously on 19 July 2024, and I'm just going to give  
17 the reference for the transcript so that we can tie it  
18 up with your evidence today. It's TRN-12-000000096.  
19 And that was Day 463.

20 So we have read in all the parts of your statement  
21 that relate to Calder House already and we have it there  
22 as well, so.

23 A. Mm-hmm.

24 Q. And we know that you went back to Bellshill after that  
25 and after your foster placement as well.

1           So we then come to a part of your statement, Kate,  
2           at paragraph 93, where you start to tell us about some  
3           particular incidents that you remember from Bellshill?  
4    A.   Mm-hmm.  
5    Q.   And the first one relates to -- we spoke about earlier  
6           about smoking, and you say that you were caught by  
7           GCH , who was SNR of Bellshill?  
8    A.   Mm-hmm.  
9    Q.   And she made you smoke ten cigarettes?  
10   A.   Mm-hmm.  
11   Q.   One after the other. Is that right?  
12   A.   Yep.  
13   Q.   Now, that's something that maybe people heard about, you  
14           know, back in the day, but that's something that she  
15           made you do?  
16   A.   Mm-hmm.  
17   Q.   Smoke one after the other?  
18   A.   Yep.  
19   Q.   And that was in her office --  
20   A.   Yep.  
21   Q.   -- in the other office, sorry?  
22   A.   Aye, in the main office.  
23   Q.   Yes. You say that you had to go to bed after because  
24           you felt so sick?  
25   A.   Aye, aye, I was ill. Finished all my smokes. Stopped

1 smoking right enough! For a few hours certainly, aye.

2 Q. But you say there was a staff member called Nora Bronsky

3 who had hoped to foster you?

4 A. Mm.

5 Q. And you say that you visited her home a few times, but

6 after you were caught smoking, she didn't seem to want

7 to go through with that?

8 A. Aye, well, that's what I sort of thought at the time,

9 but I don't know. I mean, maybe she became -- maybe

10 there was other reasons that I didnae know about or

11 wasn't told about. I don't know, but I thought it was

12 me because I was caught, aye, I was smoking.

13 Q. So you kind of blamed yourself for that a little bit?

14 A. I don't -- I don't know. I don't know if there were

15 circumstances that I couldn't do it that eventually --

16 I don't know, if it was because I stopped smoking,

17 I'm not too sure. I just remember.

18 Q. And then, Kate, you tell us about Eddie Stanton. So

19 he's a member of staff who [REDACTED] at Bellshill --

20 A. Aye.

21 Q. -- [REDACTED] GCH [REDACTED] when you were about 14 or 15. Is

22 that what you remember?

23 A. Mm-hmm, mm-hmm.

24 Q. And you say that he was someone who was always hanging

25 over you. When you say 'hanging over you', does that

1 mean he was always quite close to you?

2 A. Aye, when he was talking to you and dead creepy and --

3 aye, aye.

4 Q. But you also say that he used to get children drunk. So

5 would he give them alcohol?

6 A. So -- well, I don't know. Let me think. Where is that,

7 sorry?

8 Q. Sorry, Kate, it's my fault. At paragraph 94?

9 A. Right.

10 Q. It says:

11 'He used to get --'

12 And you are talking about Eddie Stanton here:

13 'He used to get the children drunk and there were

14 times when I woke up and couldn't remember what had

15 happened.'

16 A. Aye, with drink, mm-hmm.

17 Q. Okay.

18 A. But he done quite a lot of things. He ended up moving

19 into the house where GCH [REDACTED], so he --

20 when he [REDACTED], that's where he lived. And we used

21 to have to get our pads normally through the main office

22 and he changed the rule, he changed it to get it into

23 a wee out-bit that was attached to his house, but before

24 you went into his house there was a room there, before

25 you entered his actual house. And he'd a camera set up.

1           And he changed the rules to, if anyone wanted their  
2           pads, they had to -- if the girls wanted their pads,  
3           they had to come to there instead of the front office.  
4           So, yeah.

5   Q.   And I think you mention something about cameras at  
6           paragraph 95, Kate. You say that you've learnt  
7           recently --

8   A.   Yeah.

9   Q.   -- so at the time of giving this statement, that he'd  
10          hid cameras all over the home to watch you?

11  A.   I don't know whereabouts, I just got told, because he --  
12          obviously he get convicted. And a few of my friends get  
13          questioned about their time in Bellshill at that point  
14          because I remember leaving and I remember that there was  
15          an investigation. A friend told me when I was about  
16          19/20.

17  Q.   So did you know about any cameras when you were there or  
18          is this something that you found out later?

19  A.   No, this is just something I found out, aye, fae  
20          somebody that remembers a bit more than I do. Certain  
21          things.

22  Q.   But in relation to this part of your statement, where  
23          you say about him getting the children drunk, did he  
24          supply the alcohol, can you remember? If you can't,  
25          don't worry, but I just wondered if it was something you

1 remember?

2 A. I don't.

3 Q. Okay. That's fine.

4 Kate, you do tell us though about bullies. Is this  
5 other children in Bellshill, so other residents at the  
6 home?

7 A. Yep.

8 Q. And you say that you were scared almost every day  
9 because of the bullies?

10 A. Aye. Aye, I was quite -- in the home, I was quite --  
11 although I wisnae quiet, I was very -- like, I wouldn't  
12 confront anybody. I wouldn't argue with anybody. I was  
13 quite scared that way. I was quite nervous, so I just  
14 sort of joined in just to join in, so that I didn't  
15 get -- you know, so, aye, that was a problem. I got  
16 bullied quite a lot.

17 Q. And from what you're telling us, Kate, other children  
18 got bullied as well --

19 A. And hit --

20 Q. -- is that right?

21 A. Sorry?

22 Q. From what you're telling us, you say you joined in, so  
23 does that mean that other children got bullied --

24 A. No, I didn't hit people. I mean, if they were getting  
25 up to something and they asked me to get involved I was

1 very easy: 'Oh, aye, I'll do it, I'll do it', sort of  
2 thing. I was quite easy.

3 Q. But were these bullies physical with you?

4 A. Aye. I've been battered, aye, a few times.

5 Q. And you say that the staff would turn a blind eye. You  
6 don't think they were coping and that they used to get  
7 older children to help enforce the discipline. So  
8 that's the staff using older children to enforce  
9 discipline in the home?

10 A. Basically because they couldnae deal with them, they  
11 couldnae deal with all the different problems that each  
12 child had and how each child reacted to that and how  
13 they behaved or whatever. So the bigger ones or the  
14 bullies would -- aye, would either get battered or get  
15 a good talking to sort of thing, so that happened quite  
16 a lot.

17 Q. And you mentioned an incident with a girl threatening  
18 staff with a knife and you ended up having to go to  
19 court as a witness for that?

20 A. Aye.

21 Q. That was in Bellshill?

22 A. Aye. It was my friend, [REDACTED]. She's passed away.  
23 She had cancer a few year ago, so -- but, aye, she was  
24 with me at the time.

25 LADY SMITH: You say in your statement you were threatened

1 with contempt of court?

2 A. I was, aye, apparently.

3 LADY SMITH: Why?

4 A. 'Cause we lied, 'cause we were scared, 'cause we were  
5 going back into the home and this lassie was still  
6 there, [REDACTED]. I'll never forget her. She  
7 had short hair, really short hair, like -- aye, she was  
8 a sort of punk rocker-type thing and, aye, I was quite  
9 scared of her. A lot of us were.

10 LADY SMITH: And you were more scared of her than you were  
11 of the court?

12 A. Aye, than I was at the court, definitely. Because I had  
13 to live with her every day so, aye, it was very  
14 difficult.

15 LADY SMITH: Yes.

16 A. So I nearly got done with contempt and everything like  
17 that, whoops.

18 LADY SMITH: Were you actually done for contempt, as you  
19 say?

20 A. I don't think so. We nearly did because the both of us  
21 lied because we were terrified. We did witness her with  
22 the knife and that with staff, but we were just too  
23 scared.

24 LADY SMITH: And you were trying not to speak up.

25 A. Yeah.

1 LADY SMITH: Okay. Thank you.

2 MS FORBES: Kate, you also mention an incident where you  
3 were in a room with two boys and the friend that you've  
4 mentioned, [REDACTED], came into the room, that you  
5 remember kissing one of the boys and then he tried to go  
6 too far, but you don't know if he did and then your  
7 friend found you in the room with two of them and you  
8 were in the corner screaming.

9 A. Aye. The friend that died, [REDACTED]. She -- I went to  
10 visit her during her cancer and we were just got to  
11 talking about the old times and she -- sorry, what was I  
12 talking about there, I'm hitting a bit of a blank?

13 Q. It's okay, Kate. You were telling us about the incident  
14 with the two boys in the room that [REDACTED] walked in  
15 on.

16 A. Aye, aye, sorry. And I did -- after she says to me  
17 about it I remembered it, what she was talking about.  
18 I just remember the room. I remember feeling scared and  
19 there was two of them. It was again, a punk rocker guy,  
20 pure spiky hair and another guy.

21 Q. Were these boys from the home?

22 A. Aye, they lived there, aye.

23 Q. You also tell us, Kate, about the fact that [REDACTED]  
24 would come and take you out from Bellshill. Was this at  
25 the weekend? Because I think we've got references in

1           your records to you going away with [REDACTED] at the  
2           weekend.

3   A.   Erm, I went for a weekend once I think. I don't know if  
4           it was [REDACTED] or [REDACTED].

5   Q.   But you say that there was a family friend?

6   A.   Right, okay, right, I'm with you now.

7   Q.   And she took you to his house?

8   A.   No, it wasn't a family friend that took me to the house,  
9           it was a [REDACTED] --

10  Q.   Okay.

11  A.   -- who was also getting abused by him.

12  Q.   And you say that he was somebody who abused [REDACTED]  
13           and then other times, she took you to his work, which  
14           was a hut on a building site?

15  A.   Yep.

16  Q.   And there you tell us, at paragraph 98, that there was  
17           sexual assault by him on you?

18  A.   Mm-hmm.

19  Q.   He had [REDACTED]?

20  A.   Mm-hmm.

21  Q.   And you tell us that he made you lie on a table there?

22  A.   Yep.

23  Q.   And he took out his penis?

24  A.   I had to get stripped first. I had to take my trousers  
25           and that off.

1 Q. He held his penis up against you and then ejaculated all  
2 over you and you say he tried to kiss you and put his  
3 tongue in your mouth?

4 A. Mm-hmm.

5 Q. And you were about 14 when this started?

6 A. Mm-hmm.

7 Q. And he took -- sorry, she took you there out on repeated  
8 occasions, so were you in that hut more than once with  
9 that man?

10 A. Possibly, aye. But I remember going to his house as  
11 well --

12 Q. Okay.

13 A. -- with [REDACTED]. Again, the one he was  
14 grooming.

15 LADY SMITH: Did he give you anything for this? Did he give  
16 you anything? Did he give you cigarettes, money?

17 A. Crisps. I remember crisps called 'Bones'. They were  
18 wee squiggly things, but years ago, he bought me.  
19 I remember that. Probably cigarettes as well because  
20 I was smoking at that point. Told me not to say  
21 nothing.

22 LADY SMITH: Of course.

23 A. And I didn't. But I felt -- I start -- I think that was  
24 when I started self-harming, 'cause it happened a few  
25 times and we were looking back and getting counselling

1 and I'm like: why did I do that? Why would I go back  
2 for that to happen? So that sort of threw me a wee bit  
3 and my realisations of why did I do that, but obviously  
4 he was grooming me and I was very vulnerable just to  
5 where I was living at the time, in my full life, so,  
6 yeah.

7 MS FORBES: But [REDACTED] I think who took you out, she had  
8 been at Bellshill with you, but had left because she was  
9 older --

10 A. No, [REDACTED] wasnae in Bellshill at all. No, she came to  
11 visit me a couple of times and took me away.

12 Q. Right. So she wasn't in Bellshill with you?

13 A. No.

14 Q. She wasn't [REDACTED] there, okay.

15 But certainly she was a lot older because she was  
16 coming to get you and she was allowed to take you out of  
17 Bellshill?

18 A. Yeah.

19 Q. So she was trusted to do that?

20 A. Mm-hmm.

21 Q. But she was being abused, you say, as well by this man?

22 A. Aye, definitely, aye, and [REDACTED] had learning difficulties  
23 at school and that. She went to a special school  
24 growing up and all, I remember in Motherwell -- I can't  
25 remember the name of it, but, yeah, so she was really,

1           really vulnerable as well and being [REDACTED] older [REDACTED], he's  
2           obviously used her to get [REDACTED] younger one, aye.

3   Q.   Kate, despite what we've talked about there, I think you  
4           tell us at paragraph 99 that Bellshill was your most  
5           positive experience of all the homes you'd been in?

6   A.   Mm-hmm.

7   Q.   Up to that point?

8   A.   Up to the point, aye.

9   Q.   But you say that you didn't understand why they moved  
10          you around so much rather than just foster you out.  And  
11          you tell us that there was a lot of rejection and  
12          unhappiness that you felt when the placements didn't  
13          work out and you wondered what was wrong with you?

14  A.   Yeah, mm-hmm.

15  Q.   And in relation to telling anyone, I think you tell us  
16          there was a key worker at Bellshill, but nine times out  
17          of ten you wouldn't really speak to them because you  
18          didn't trust anybody.  Is that how you felt, that there  
19          was nobody you could trust to tell these things to?

20  A.   Mm-hmm.  Mm-hmm.

21  Q.   You go on, Kate, to tell us that you left Bellshill and  
22          I think, before we started talking about Bellshill, we  
23          mentioned the dates.  I think there was a period when  
24          you're out --

25  A.   Aye.

1 Q. -- and you stayed with some family and then you were  
2 in --

3 A. No, I'd got a review. And I was told at 17: right,  
4 that's you now. You can go out into the big world.  
5 Live your life, after just being in care your full life,  
6 got on with it. So I had to find myself somewhere to  
7 live, which I did and it was the Dorchester Hotel in  
8 Glasgow, where I had to be out from nine in the morning  
9 to the evening, walking about Glasgow all day basically  
10 by myself. I ended up glue sniffing and the place I was  
11 living in, I was in a room and there were all different  
12 rooms and there was a caretaker and so I started having  
13 stomach pains and I told the caretaker and he phoned the  
14 hospital and I think I got an ambulance, I don't know,  
15 and take me up the hospital. And then I think I phoned  
16 -- I think when I left there, made myself to Motherwell.  
17 I phoned Betty McGregor. She was a staff member and  
18 I went back -- and I went back -- they took me back into  
19 the home basically.

20 Q. So they gave you a place back at Bellshill?

21 A. They gave me a place back at Bellshill until --

22 Q. I think you were 18 by the time you left there?

23 A. Aye, aye, aye. I was about 17 when they says I'm old  
24 enough now to look after myself and got on with it.

25 Q. Like you say, there wasn't really any support that first

1           time when you left --

2    A.   Definitely not.

3    Q.   -- fending for yourself?

4    A.   Telling me to fend for myself.  I've never been in a --

5           I was -- the word I don't like using, but it's obviously

6           a word, it's in my record, 'institutionalised' my full

7           life, so going out into a world like that was scary.

8           Being a mother was scary, everything.

9    LADY SMITH:  And you were very young when you became

10           a mother, yes?

11   A.   21.

12   LADY SMITH:  Yes.

13   A.   21.  But it was -- when I left care I was in bed and

14           breakfasts.  Oh, it was terrible.  I was with [REDACTED].

15           I was with friends.  I just didn't settle and then when

16           I became pregnant, I ended up getting my first house and

17           I was living in a place in Bothwell, it was run by nuns,

18           [REDACTED], I think it was.  I always remember it.  And

19           a Sister Rosaria.  So we had our chores to do in there,

20           I was seven month pregnant.  They helped me get a house

21           through the housing, and I got a house then in New

22           Stevenston and [REDACTED] had already been living there,

23           'cause she ended up marrying him, obviously and that's

24           where they ended up living, so I ended up with a house

25           near them.

1 MS FORBES: Kate, I think you tell us that's when your son,  
2 your first son, was born and you say that as soon as you  
3 became a mum you stopped drinking, and you go on to tell  
4 us that you met your husband and had four more children  
5 with him, is that right?

6 A. Yeah, mm-hmm.

7 Q. And I think though you tell us that that relationship  
8 had its problems and he drank and you connected that to  
9 your father and his drinking?

10 A. Mm-hmm.

11 Q. And you also explain there wasn't a relationship with  
12 your parents or your extended family and you say --

13 A. I just -- the problem with the relationship, my  
14 marriage, was love. I couldn't love him. I couldn't  
15 have the natural feelings of loving somebody and even  
16 although I had my kids, but -- I had [REDACTED], I just  
17 still -- that was my first love in my life, and I wrote  
18 a song about it actually and it was called 'Lack of  
19 Love', and that, it just speaks about what love was in  
20 my life and unfortunately -- I loved my husband for  
21 being a good father and a good person, but I put the  
22 relationship down to totally me, 'cause I couldnae love  
23 him. I couldn't give him what he needed, and I could  
24 never -- I've still not had a relationship. I've had  
25 failures all my life because the love, I cannae show

1           love -- I don't --I don't know how to receive it and  
2           I don't know how to give it.

3   LADY SMITH: It wasn't shown to you when you were a child.

4   A. No, never. I had nae relationship even with [REDACTED],  
5           right up to about 10 and that's what I say when I get  
6           into Bellshill that's the maist place where I remember  
7           a lot, although bad things happened, but I learnt a lot  
8           of good things as well. And I suppose it made me  
9           stronger in my life to try and cope, but I never could  
10          cope up until a few years ago when I get my counselling,  
11          finally got counselling, and that helped a lot and it  
12          helped me come to a lot of realisations and that's been  
13          quite hard to take in.

14   MS FORBES: And Kate, you do tell us, in relation to the  
15          impact, in the paragraphs you talk about the impact on  
16          your life that being in care has had, and this is from  
17          paragraph 111, and you talk about the impact on your  
18          relationship with your children.

19   A. Yeah.

20   Q. And your relationships with others and the fact --

21   A. I found it difficult giving love and telling my kids  
22          I loved them. I did when they were younger, but when  
23          they grew up a wee bit, that became difficult and the  
24          maist thing that really got to me was my daughter, when  
25          she was dying of cancer, I couldn't -- although I told

1 her I loved her and cuddled her, I couldn't give her my  
2 full thing that I should have gave her if I was a normal  
3 mother that didn't have all the problems that I had as  
4 a child. I could have gave her a lot more and, you know  
5 what I mean, so that was the biggest thing that really  
6 hurt me, with my life, how it affected me, 'cause it did  
7 affect my kids. It affected my mental health, my moods.  
8 'Cause I had never get counselling so I was still that  
9 same person that needed fixed, with everything that  
10 happened and that didn't happen just till recently. So  
11 my poor daughter won't see the new me when I eventually  
12 get better and my counselling's finished -- and it's no  
13 finished yet, but when it is finished, you know,  
14 hopefully I can try and have a normal life for my  
15 children and maybe a relationship in the future.

16 Q. Counselling, Kate, from what you're telling us,  
17 counselling is something that you feel has really helped  
18 you and it's continued to help?

19 A. Oh, God, aye, aye. I could never have came to the  
20 realisations that I've came to and the understanding  
21 that I've came to with that life that I led. I never  
22 looked at myself as a wee wean that was getting abused  
23 and all that. That was just normal, but see when I look  
24 back and I started writing ma book, it really wasnae --  
25 obviously it wasnae normal and that was really hard to

1 take in. Like, looking back, I felt sorry for myself  
2 for the first time, sort of thing, 'cause, as I said,  
3 I thought that life was normal and it was okay and it  
4 really wisnae and it really did affect me in every way,  
5 but it has made me strong and I'm a survivor and always  
6 will be.

7 And my book is mainly handed oot to people who are  
8 still in care, people who feel what I felt in care,  
9 lost, confused. Erm, and my book's for them and my  
10 songs that I write are for them -- thae people, to  
11 help people that have been in care to know that --

12 LADY SMITH: Have you finished writing your book yet?

13 A. I'm just about. I've only got a few chapters left.

14 LADY SMITH: Well done.

15 A. So I'm hoping to get that published this year, either  
16 with the Book Whisperers or an agency, but the agency  
17 would need to read the book and know that it's going to  
18 be a success before they'll take me on, but I'm sure it  
19 will be. My mentor gave me a lot of good feedback and  
20 thinks it's really good, that I'm going to help a lot of  
21 people.

22 LADY SMITH: That's really good to hear, Kate. Ms Forbes.

23 MS FORBES: Kate, it sounds like the process of writing this  
24 book and the prospect of it helping other people is  
25 something that's helping you --

1 A. Yeah.

2 Q. -- is that right?

3 A. Yeah. Mm-hmm. Oh, definitely.

4 Q. So it's quite a positive thing that you've got, just  
5 now, going on?

6 A. It is.

7 Q. And your counselling as well that's continuing?

8 A. Yeah. Yeah.

9 Q. And, as you say, you're singing and writing songs and  
10 putting some of your feelings into that as well so  
11 that's a positive thing as well?

12 A. Yeah, yeah.

13 Q. Well, Kate, you tell us a lot of things in your  
14 statement about lessons to be learned and we know all  
15 about the process that you went through to report what  
16 happened with **EZK**, so we have that there.  
17 I'm not going to go through it again with you, but that  
18 doesn't mean it's not important, because we do have  
19 it --

20 A. Yeah.

21 Q. -- but you have talked about it today in your evidence  
22 as well, but I think from what you tell us, things have  
23 a much more positive outlook now for you; is that fair,  
24 going forward?

25 A. Yes, going forward now, aye.

1 Q. And all that remains then, Kate -- I think that's all  
2 the questions I have for you today. So I just want to  
3 thank you very much for coming to give evidence.  
4 Is there anything that you want to say that  
5 I haven't covered with you today that you really want to  
6 tell us about?

7 A. No, I think that's just about everything, aye.  
8 I'm quite happy about everything, yeah.

9 LADY SMITH: Kate, let me add my thanks. I'm really  
10 grateful to you for coming along this afternoon and  
11 adding to your written evidence in the way you have  
12 done. It's enriched my understanding of the background  
13 of your life, your time in Bellshill, and I hope that  
14 I'm right in feeling all is progress at moment and that  
15 that continues.

16 A. Yeah, it will, don't worry. You will read my book one  
17 day, I promise you.

18 LADY SMITH: I'm sure it's a strain keeping up the hard work  
19 with your counselling, with your writing --

20 A. Yeah.

21 LADY SMITH: -- and dealing with your past, but at the same  
22 time trying to look to the future.

23 A. Yeah, definitely.

24 LADY SMITH: May you have a good future ahead of you.

25 A. Yeah, hopefully.

1 LADY SMITH: Now feel free to go and have a restful  
2 afternoon, what's left of it.

3 A. I will. Thanks very much. Nice meeting you,  
4 Lady Smith.

5 LADY SMITH: Thank you.

6 (The witness withdrew)

7 LADY SMITH: Well, that, as I understand it, completes the  
8 afternoon's evidence.

9 There are a few names we've used this afternoon,  
10 names of people whose identities are protected by my  
11 General Restriction Order: MVN [REDACTED], GCH [REDACTED],  
12 EZK [REDACTED], [REDACTED], somebody called [REDACTED]  
13 and [REDACTED], [REDACTED], and [REDACTED],  
14 [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED] -- I'm not sure, but  
15 [REDACTED] -- [REDACTED], EZI-EZJ [REDACTED], and [REDACTED].

16 Thank you very much.

17 So, tomorrow morning, I sit at 10 o'clock and the  
18 plan, Ms Forbes?

19 MS FORBES: My Lady, tomorrow morning we hope to have a live  
20 witness at 10.00 am.

21 LADY SMITH: Thank you very much.

22 Well, I'll rise now until 10 o'clock tomorrow  
23 morning. Thank you all.

24 (3.36 pm)

25 (The Inquiry adjourned until 10.00 am)

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on Thursday, 26 February 2026)

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