

Tuesday, 16 August 2022

1

2 (10.00 am)

3 LADY SMITH: Good morning and welcome back to our hearings  
4 in the foster care and boarding-out case study.

5 As we said on Friday, we return to more oral  
6 evidence this week. We have three oral witnesses today  
7 I think; is that right?

8 MS RATTRAY: Yes. Yes, we do, my Lady.

9 The first witness this morning is an applicant who  
10 wishes to remain anonymous and has chosen the pseudonym  
11 'Mary Anne'. 'Mary Anne' was in the care of the City of  
12 Aberdeen Corporation, later Grampian Regional Council.

13 She was placed with foster carers in Bucksburn,  
14 Aberdeen from [REDACTED] 1974 until she was adopted by  
15 the foster carers on [REDACTED] 1984. The current  
16 responsible authority is Aberdeen City Council.

17 'Anne-Marie' (affirmed)

18 LADY SMITH: Will that microphone move a little bit further  
19 forward? Has the wiring become caught up?

20 That looks better, thank you.

21 'Anne-Marie', the microphone will help you and it  
22 will help us because we need to be able to hear you  
23 through the sound system.

24 The red folder on the desk has your statement in it  
25 and you'll be taken to that in a minute or two.

1 A. Okay.

2 LADY SMITH: We'll also bring it up on the screen in front  
3 of you, which you might find helpful as well.

4 A. (Witness nods)

5 LADY SMITH: Can I just say before I hand you over to  
6 Ms Rattray how much I do understand that it's difficult  
7 to come into a public forum and talk about your own  
8 life, particularly your own life when you were a child,  
9 and talk about things that may be distressing and  
10 upsetting. Sometimes our emotions can take us quite by  
11 surprise. I get that, and if there's anything I can do  
12 to help, whether by giving you a break out of the room  
13 or just pausing where you are or anything else, please  
14 let me know. The key is we want to do what we can to  
15 help you give your evidence as well as you're able to  
16 do, so if there's anything that would help, asking  
17 questions or suchlike, just say will you?

18 A. Okay.

19 LADY SMITH: If you're ready, I'll hand over to Ms Rattray  
20 and she'll take it from there, all right?

21 Ms Rattray.

22 Questions from Ms Rattray

23 MS RATTRAY: Good morning.

24 A. Morning.

25 Q. To start with, 'Anne-Marie', you've given a statement to

1 the Inquiry and just for our reference the statement has  
2 been given the reference WIT-1-000000705 and as you're  
3 aware that will be on the screen in front of you.

4 However, to start with, I'd like you to look at the  
5 paper version which is in the red folder there.

6 A. Okay.

7 Q. If you could turn to the back of your statement,  
8 normally it would be the back page but I think the back  
9 page in your statement is blank so it will be the second  
10 back page, which should be page 26 of your statement.

11 Do you have that?

12 A. Yes.

13 Q. It's really just to confirm that you've signed your  
14 statement, albeit I appreciate that it was signed  
15 remotely.

16 A. Yes.

17 Q. Do you see that above that signature at paragraph 126  
18 you say:

19 "I have no objection to my witness statement being  
20 published as part of the evidence to the Inquiry.  
21 I believe the facts stated in this witness statement are  
22 true."

23 Is that correct?

24 A. That's right.

25 Q. That's fine. You can put that to one side just now.

1 A. Okay.

2 Q. 'Anne-Marie', in terms of giving your evidence this  
3 morning, what I'm going to do, we'll look briefly at the  
4 background, or what you understand of your background  
5 before you came into the care system. Then most of your  
6 evidence will be about your experiences when you were in  
7 foster care.

8 A. Okay.

9 Q. I will then ask you about impact, about the effect your  
10 experiences had on you as an adult.

11 A. (Witness nods)

12 Q. After that, we will then look at some of your children's  
13 records.

14 A. Okay.

15 Q. I know you have seen at least some of those.

16 A. (Witness nods)

17 Q. We'll look at those and I'll give you an opportunity to  
18 comment on those. We'll finish up with -- I'll ask you  
19 about whether you think there are any lessons that the  
20 Inquiry can learn from your experiences.

21 A. (Witness nods)

22 Q. Turning first to the question of background, you tell us  
23 in your statement that you were born in 1970 in  
24 Aberdeen. Is that right?

25 A. That's right.

1 Q. You say that you have a few vague memories of your home  
2 life and none of them were good. What kind of memories  
3 do you have?

4 A. Not being given any real love or attention. I think she  
5 was quite poor. I remember the bed having a hole in the  
6 mattress and there was no sheets on it. I remember my  
7 elder brother being a bit of a menace, and I remember  
8 a couple of men who I didn't know who they were, but  
9 that's about it.

10 Q. You know that you have an older brother and sister --

11 A. (Witness nods)

12 Q. -- and you have a vague memory of your brother there?

13 A. Yes, yes.

14 Q. Your sister, do you have any memories of her?

15 A. To be honest, no, not really. Just him. Whether it's  
16 because he was a menace, maybe.

17 Q. You say that you remember the day you were handed over,  
18 and I think you're referring to the day that you left  
19 your mother --

20 A. Yes.

21 Q. -- and you went into care?

22 A. Yeah.

23 Q. What do you remember about that?

24 A. I remember it was -- I think I was taken to the court  
25 house in Aberdeen and handed over there. I remember I'd

1           been bought a new jacket and new shoes, and crying, and  
2           really that's about as much as I remember. But I do  
3           know I was very upset.

4   Q.   About how old were you at that time?

5   A.   I was four and a bit, it was [REDACTED].

6   Q.   I think you were at least four and a half?

7   A.   Yeah.

8   Q.   Perhaps not far off from being five.

9           Moving on to foster care itself, you say that you  
10          have no actual memories of being moved to the foster  
11          parents.

12  A.   As in being handed over to them?

13  Q.   Yes.

14  A.   No, I don't remember that.

15  Q.   From what you do recall, who all lived with your foster  
16          parent?

17  A.   When I got there, I think it was just [REDACTED]. Then me,  
18          and then the boy.

19  Q.   You mention [REDACTED]. Who was [REDACTED], was she a birth  
20          child or was she --

21  A.   No, she was also a foster child.

22  Q.   Was [REDACTED] older or younger than you?

23  A.   She was a year younger than me.

24  Q.   And the boy you refer to --

25  A.   That's [REDACTED].

1 Q. Was he a foster child or --

2 A. Yes.

3 Q. -- a birth child?

4 He was a foster child?

5 A. Yes.

6 Q. Was he also younger than you?

7 A. Yes, he was.

8 Q. What was the house like that you were living in at that

9 time in Bucksburn?

10 A. I don't really remember, to be honest. I don't remember

11 if it was clean, tidy. It was three bedrooms,

12 I remember that. But ... apart from that ...

13 Q. I think you tell us elsewhere in your statement that the

14 family moved house when you were in about Primary 5, at

15 that stage?

16 A. Yes, that's correct.

17 Q. And you moved to a different house --

18 A. Yes.

19 Q. -- in Bridge of Don?

20 A. That's right.

21 Q. Do you have clearer memories of that house?

22 A. Yes, I do, because I was older, yes. Very messy, dishes

23 everywhere. The foster parents' bedroom was a disgrace,

24 really. Dirty underwear lying around. Bottles of juice

25 at the side of the bed. The bathroom was dirty.

1 I wouldn't take any friends back to the house, I was too  
2 embarrassed.

3 Q. Right, okay. When you first joined your foster parents  
4 and latterly, what did you call them?

5 A. Nothing, really. I -- for as long as I could remember,  
6 I couldn't actually say the words "mum" and "dad"  
7 because I disliked them that much. So I didn't call  
8 them anything. I would just try and catch their  
9 attention before I would ask.

10 Q. Right. Did your foster parents have jobs at all?

11 A. He was a driver. She had the odd job now and again  
12 where she would deliver clothes from a van to people's  
13 houses and we would have to go with her and we would  
14 have to sit in the car while she did this. This would  
15 be for hours on end. But that didn't -- that was only  
16 for a while. But most of the time she was at home or  
17 she was child-minding at home for other children.

18 Q. Do you remember what kind of age the foster parents  
19 were? I appreciate it's very difficult as a child to  
20 assess the age of an adult.

21 A. When I was taken into care?

22 Q. Yes.

23 A. I think -- I only know this because of her date of  
24 birth, I think she was 28 when I was taken into care and  
25 he's a year older than her.

1 Q. Did you learn whilst you were in foster care as to  
2 whether they might have had any particular reasons to  
3 foster children?

4 A. As I got older and heard conversations or arguments that  
5 none of the two of them were able to have children and  
6 that's why they took up fostering.

7 Q. Okay. Turning to page 4 of your statement, from  
8 paragraph 20 you tell us about your first real memory of  
9 foster care. What's that memory?

10 A. That was -- she was putting a nappy onto [REDACTED] and  
11 I said to her, "You may want to put one onto me because  
12 I still wet the bed". She then slapped me over the bum  
13 and said, "You won't be putting a nappy on tonight and  
14 if you do wet the bed, you'll get more of that", so that  
15 was my first memory of [REDACTED] EOJ [REDACTED].

16 Q. Do you know how old you were at that time, would that  
17 have been quite soon after moving there, do you think?

18 A. Yeah, yeah.

19 Q. You also say at the next paragraph under the subject of  
20 mornings and bedtime that sometimes that you shared  
21 a room with --

22 A. The other two, yes.

23 Q. You all shared a room in Bucksburn?

24 A. No, there was a point when I got put into the little box  
25 room. I think it was just before we moved to Bridge of

1 Don that that happened. But up until that point, yes,  
2 it was the three of us.

3 Q. You speak about when you were in bed, sometimes you  
4 would giggle and carry on.

5 A. Yeah.

6 Q. What would happen when you were giggling and carrying  
7 on?

8 A. Well, they had an intercom system, so they would hear us  
9 through the intercom and they could press the button and  
10 shout up to us to be quiet, which happened. And if we  
11 weren't quiet, then he would come up and we would either  
12 get the belt or the slipper. He only did that to me  
13 once because I learned quickly to be quiet. But [REDACTED]  
14 and [REDACTED], it was probably every night that that would  
15 happen. Because they didn't learn to just be quiet.

16 Q. Was this also quite soon after you arrived there, you  
17 reckon, in terms of getting the belt?

18 A. Five, six-year-old, I would say I was.

19 Q. [REDACTED] and [REDACTED] at that stage, you say [REDACTED] was about  
20 a year younger?

21 A. Yeah, she's a year younger.

22 Q. And [REDACTED] is how many years younger?

23 A. I'm not quite sure, two, three, maybe. But I'm not  
24 sure. I'm not positive.

25 Q. We're talking about two children under the age of

1 five --

2 A. Yeah.

3 Q. -- who are being hit with a slipper or indeed a belt?

4 A. Yes.

5 Q. Who was it who did the hitting with the slipper and the

6 belt?

7 A. That was **EOI**, **EOJ** was more of a hands person.

8 Q. How did that make you feel? You received it once and

9 learned very quickly, but with these two young

10 children --

11 A. Sad. I used to put the covers over ... sorry. Hide

12 under the covers so that I couldn't see what was

13 happening.

14 Q. Under the heading of washing and bathing, at

15 paragraph 24, you tell us that your foster mother used

16 to clean your ears with a cotton bud.

17 A. Yeah.

18 Q. How would she do that and how would that feel?

19 A. She would poke it right into our ears so that we were

20 coughing, and if we moved, we would get a slap and told

21 to be -- stay still.

22 Q. Was she ever gentle with you or --

23 A. No. No, no, she never was.

24 Q. In relation to meals and food, who was it in the house

25 who did the cooking?

1 A. EOJ .

2 Q. The food? Was it nice food?

3 A. No. Afraid not, no. There was one time that she'd made

4 homemade chips, and this was when we were in Bucksburn

5 and I said, "Oh, great, I love your homemade chips", and

6 she burnt them black that night and made me eat them and

7 then said, "Do you like my homemade chips now?" So I'm

8 guessing we got a lot of chipper food and that's why I'd

9 said this to her.

10 Q. Okay. What would happen if one of the children didn't

11 like what they were eating?

12 A. They would basically get smacked. Put to their room and

13 then not given anything else to eat until the next day.

14 Q. You mention that -- you say you always sat at a table

15 and chairs and never had food in your laps.

16 A. No.

17 Q. Was that just the children or did the adults join you?

18 A. That was everyone. The whole family, yeah.

19 Q. What was the atmosphere like at mealtimes? Because

20 sometimes family mealtimes can be a good thing, a good

21 time to catch up, have a chat?

22 A. A lot of the times it was very, very tense. I -- sat

23 down and EOJ and EOI throwing plates of food at each

24 other, screaming at each other, while we were sitting at

25 the table, that happened quite a lot. Or she would slam

1 her hands on the table and ... so it was quite tense  
2 sometimes.

3 Q. So the foster parents were arguing --

4 A. Yes.

5 Q. -- so there were issues in their relationship with each  
6 other?

7 A. Yeah, absolutely.

8 Q. Was that kind of atmosphere, a tense atmosphere or  
9 arguments or throwing things, was that occasionally or  
10 was it a frequent thing or --

11 A. It was frequent, yeah. Very frequent.

12 LADY SMITH: Tell me about this business of them throwing  
13 plates of food at each other, what happened?

14 A. Well, he would sit at the top, this top, and she would  
15 sit at that end, and whatever they would be arguing  
16 about, it would usually be EOJ that would start it.  
17 She would pick up the plate and she would just hurl it  
18 at him.

19 LADY SMITH: Would it break?

20 A. Oh yeah, yeah. Food would go everywhere, yeah. It was  
21 quite scary.

22 LADY SMITH: What would he do?

23 A. Not much. He would shout back at her, scream back,  
24 swear at her. And then get up and walk away. But she  
25 was the one that was -- the one that would throw the

1           plate first.

2   LADY SMITH: What would you children do in the middle of all  
3           this?

4   A. Just sit. Be quiet. That way they can't -- they won't  
5           see you if you're quiet.

6   LADY SMITH: Thank you.

7   MS RATTRAY: On page 6 of your statement you tell us about  
8           the schools you went to. It seems from what you say in  
9           your statement that you liked school.

10   A. I did.

11   Q. What was it you enjoyed about school?

12   A. I was not in the house with them and I could be me.  
13           I could play with my friends, I could be happy.

14   Q. You didn't feel you were able to be yourself in the  
15           house?

16   A. No, no.

17   Q. Did the other children in school -- were they aware you  
18           were in care?

19   A. I would say possibly my friend that I had, [REDACTED],  
20           I would say yes she would probably have known. I don't  
21           know about the rest of the children. It's not something  
22           I would tell people.

23   Q. You weren't in a situation where children would perhaps  
24           ill treat you because you happened to be in care or  
25           anything like that?

1 A. No. I would be called names, but it wasn't because  
2 I was in care. They would call me a mink, because  
3 obviously I wasn't dressed to their standards, maybe.  
4 A lot of my friends got the modern shoes and stuff.  
5 I didn't get that.

6 LADY SMITH: Sorry, what was the name they would call you?

7 A. A mink.

8 LADY SMITH: A mink?

9 A. Yeah.

10 LADY SMITH: What's that derived from?

11 A. You're poor, you don't have nice clothes.

12 LADY SMITH: Thanks.

13 MS RATTRAY: I think you tell us at paragraph 32 of your  
14 statement about clothes and I think you make the point  
15 there that when you were younger, you were well-dressed,  
16 that you thought your foster mother liked to dress you  
17 up.

18 A. Yeah, in little dresses and if we had parties, she would  
19 always dress [REDACTED] and myself in the same dress, having  
20 the same hairstyle. But as we got older, we didn't get  
21 the fashionable clothes that everyone else was wearing.

22 Q. I was going to ask you about whether you were able to  
23 meet and play with your friends outwith school, was that  
24 something you were able to do?

25 A. In Bucksburn, because [REDACTED] stayed on the same

1 street I got to play with her, but we weren't allowed to  
2 wander to any other people's houses. It was always the  
3 front door. When we moved to Bridge of Don I was  
4 getting older and I would get out to go and play with my  
5 friends but I had to be back at obviously certain times  
6 or that would be it, I would be not allowed out again  
7 for a week or so.

8 Q. I think you've already told us that you were reluctant  
9 to bring your friends home to the house?

10 A. Yeah, I would never do that. I never had any friends  
11 stay over with us. I would go to their house instead.

12 Q. Okay. Did your foster parents encourage your education?

13 A. No, they didn't have much interest in what I was doing  
14 at school.

15 Q. What about homework? Did they help at all with  
16 homework?

17 A. No. No, no, no, no. That was just: get on with it  
18 yourself.

19 Q. What about events at school, like parents' nights or  
20 a play that the school might have been putting on, that  
21 kind of thing? Was that something they would go along  
22 to?

23 A. There was a play that I was in in Hillocks and it was  
24 an Easter show and I told her that I was in it. She  
25 didn't go. Parents' nights, I'm not sure if she went to

1           them, but I do know in the Academy in Bridge of Don she  
2           didn't go to any parents' nights there.

3   Q.   I think you tell us something about when you brought  
4           your school report home.

5   A.   (Witness nods)

6   Q.   What was the response to reading your school report?

7   A.   Probably no interest, to be honest.  And I was a bit of  
8           a caperer, so ... probably getting into trouble for  
9           capering at school, but ...

10  Q.   Were you ever praised for --

11  A.   No.  EOJ    didn't do that.

12  Q.   I think you tell us in your statement at paragraph 31  
13           that your foster mother never gave you praise:

14           "... it just wasn't in her nature to be like that.  
15           The only time she made a comment was when I got my  
16           school reports home and she would tell me that I had to  
17           stop speaking in class."

18  A.   Yeah.

19  Q.   She brought out perhaps some negative points in your  
20           school report?

21  A.   Yeah.  That was EOJ    .  She only saw negative in you,  
22           unless you were her favourite child.

23  Q.   I'm rather suspecting that most schoolteachers will find  
24           something positive to say about every child in the  
25           report, something.

1 A. I would like to think so, yes.

2 Q. But if they did, you didn't --

3 A. She never mentioned it, no.

4 LADY SMITH: Were you allowed to see your school reports for  
5 yourself?

6 A. No.

7 LADY SMITH: Why not?

8 A. I don't know. She would take it and not let me see it.  
9 Because my friends would open their school reports on  
10 the way home. I would never do that.

11 MS RATTRAY: Turning to page 8 and paragraph 39 of your  
12 statement, 'Anne-Marie'. This is where you tell us  
13 about chores. Did you have any chores to do in the  
14 house?

15 A. Yes.

16 Q. What kind of chores did you have to do?

17 A. Dishes every night and then every Saturday until the day  
18 I left the house at 19 I had to clean the whole house,  
19 top to bottom. By myself.

20 Q. So that's the bathrooms --

21 A. Bathrooms, kitchen, living room. The only room I didn't  
22 do was [EOJ] and [EOI]'s bedroom.

23 Q. Did anyone help you with that at all?

24 A. No. No. That was my job. And ironing on a Sunday, and  
25 that was even when I was seeing [redacted] and he would come

1 to my house on a Sunday and I would still have to stand  
2 there doing the ironing in my bedroom.

3 Q. When you say [REDACTED], this is the person you married?

4 A. It is, yes.

5 Q. What happened if the chores you did weren't done to your  
6 foster parents' satisfaction?

7 A. I made sure they were. It wasn't worth not doing it  
8 right.

9 Q. What --

10 A. The -- her nasty words, because she would have went --  
11 she would have called me everything under the sun if  
12 I hadn't done it right, so I made sure that I did do it  
13 right.

14 Q. You mention about earning and you tell us about that at  
15 paragraph 42, that you started working when you were 13?

16 A. Yes.

17 Q. What kind of jobs did you do?

18 A. I started delivering papers to start with and then  
19 I moved on, I think I was 14 when I moved down to  
20 waitressing at the beach. And I would take every  
21 available shift that was offered to me, just so I wasn't  
22 in the house, I was away from it.

23 Q. Your earnings, were you allowed to keep your earnings?

24 A. Yes, but I had to pay for my own deodorant, shampoo,  
25 when I started working. Even my own school uniform.

1 Q. Yes, you say that in your statement, that you saved  
2 enough money to buy your own school uniform and I was  
3 asking why were you spending your earnings on a school  
4 uniform?

5 A. Because if I paid for the school uniform, I would have  
6 been able to wear what the rest of my friends was  
7 wearing. If she had paid for it and given it to me, it  
8 would be old-fashioned.

9 Q. Is this coming back to the reference to being called  
10 a mink at school?

11 A. Yes, absolutely.

12 Q. You tell us that your foster parents were religious and  
13 they went to church and you went to Sunday school?

14 A. Yes.

15 Q. Was that something you enjoyed?

16 A. No.

17 Q. Why was it you didn't enjoy it?

18 A. I don't know, I just didn't like it. Every Sunday it  
19 was just a dread for me to be there. I didn't enjoy the  
20 hymns, the prayers and then afterwards we would be put  
21 through to the annex of the church where you could play  
22 and I didn't like that either.

23 Q. You say that you don't know if they were really  
24 religious or if it was more a day out --

25 A. Yeah.

1 Q. -- for her so that she could meet people and show off  
2 how many children she had now.

3 A. That's true.

4 Q. Tell us about that.

5 A. On a Sunday morning it would be -- she would be all  
6 dressed up in her best clothes and he would be too and  
7 then we would obviously get to church, it would be on  
8 the way out, she would have a little wee congregation  
9 around her telling her how wonderful she was having all  
10 these children. So it was -- in my eyes it was just for  
11 her to show off.

12 Q. Perhaps we'll look at that subject now, which is on  
13 page 17 of your statement, moving to paragraph 80 where  
14 you tell us about other foster children and in  
15 particular when you moved to a bigger house in Bridge of  
16 Don. I think you say that at that stage whilst there  
17 might have been a core group of children in the house,  
18 there were lots of other children who were coming into  
19 the house?

20 A. Yes. Yes. You could wake up one morning and there  
21 would be another two children had appeared through the  
22 night. I think maybe at some point there could have  
23 been at least nine of us in the house at one time.

24 Q. You also tell us at paragraph 88 that in addition to  
25 fostering of children, your foster mother was also

1 a childminder?

2 A. She was, yes. She -- two girls, one of them had  
3 cerebral palsy, and she looked after them from maybe  
4 8 o'clock until 4 o'clock in the afternoon. I don't  
5 know if she child-minded other children. To be quite  
6 honest with you, I got to a stage where I kind of  
7 blinkered it all out, you know, because there was so  
8 much children and I'd really ended up not taking any  
9 much interest in them.

10 Q. So with all these children in the house at various  
11 stages of the day or the night or whatever, who was it  
12 who was attending to their needs?

13 A. It would depend. If they came through the night,  
14 obviously [EOJ] would see them. But after school it  
15 would be left to the rest of us to make sure that they  
16 were -- nappies changed, bedded, tidied up after them.  
17 It wouldn't be [EOJ] that would do that.

18 Q. Turning back again further back in your statement where  
19 we left off, on page 9 of your statement, from  
20 paragraph 44, you tell us about some of the holidays you  
21 had when you were in foster care and going to John  
22 O'Groats and such places. But in that context, you  
23 mention another child joining the household.

24 A. [REDACTED]. [REDACTED].

25 Q. And she was another foster child --

1 A. She was, yeah.

2 Q. What kind of age was she when she arrived?

3 A. I think she was 18 months when they got her. And

4 I always believed that that was the baby that they could

5 never have. They adored her. That was their favourite.

6 Q. They adored her and that was their favourite, in what

7 ways were you able to tell that she was a favourite?

8 A. Because you could tell that they loved her and -- sit on

9 **EOJ**'s knee, she would get cuddles, kisses. If **EOJ**

10 and **EOI** were going out, **EOI** would get to go with

11 them. We'd be left at home with an elder child

12 babysitting us. So **EOI** got everything and went

13 everywhere with them.

14 Q. Did you ever get cuddles or affection or --

15 A. No, no, no.

16 Q. So at any point in your time in this household did you

17 ever feel loved?

18 A. No. Not at all. Nope.

19 Q. Do you feel that that was just you or --

20 A. No, I don't think --

21 Q. Did you think the younger children, you have

22 mentioned --

23 A. I think she had a soft spot for **EOI**, I think maybe

24 because he was the only boy. I don't think she loved

25 **EOI** either. She was quite ... she was wicked to

1       ██████ as well. ██████ would -- ██████ had learning  
2       difficulties so it might have taken her longer to  
3       understand what was being asked of her. So ██████ would  
4       end up being smacked more and shouted at.

5   Q. You give some examples of different treatment. You've  
6       told us about -- and you talk in particular about being  
7       taken to a ski centre with ski lifts.

8   A. Yeah.

9   Q. I think you were all excited because you were going to  
10      get to go on the chairlift?

11  A. Yeah. Oh, ██████, ██████ and myself and ██████, we were  
12      all super excited we were getting up on this chairlift  
13      and she left us three in the car and took ██████. And  
14      the three of us just sat and cried. And swore. And  
15      said that we hated them. And they must have been away  
16      a good hour with ██████ and left us in the car.

17  Q. I think as a child in that situation you weren't just  
18      unhappy with the foster parents, you were unhappy with  
19      ██████ as well?

20  A. Yeah, yeah. And I know it wasn't her fault, but I just  
21      resented the fact that she was getting everything and we  
22      were getting nothing.

23  Q. At paragraph 49 you tell us what happened if your foster  
24      mother did take you out, for example to visit one of her  
25      friends.

1 A. Yeah.

2 Q. What would happen then?

3 A. We would be warned in the car, "Sit, be quiet, don't  
4 touch anything". And then when we got out the car she  
5 would take our hands and she would squeeze them and say,  
6 "Do not take a biscuit. Sit there and be quiet". And  
7 we did.

8 Q. When squeezing a hand, was that a squeeze of reassurance  
9 or --

10 A. No, no, no. That was -- this is just the -- what will  
11 happen, but it will be worse if you do not do what  
12 you're told. It was a threat.

13 Q. So the squeeze, was it sore?

14 A. Yes. Yeah.

15 Q. Okay. Then you said that if you were in the house and  
16 you were offered something by the host, what would  
17 happen then?

18 A. You'd look at EOJ first.

19 Q. What would EOJ's response be?

20 A. She would say, "Okay, you can have one now".

21 Q. You describe at the end of paragraph 49 that this  
22 happened in every house you visited.

23 A. Yeah.

24 Q. You say:  
25 "She [the foster mother] had two faces."

1 A. Yes.

2 Q. "She was like a split personality and knew how to fool  
3 everybody."

4 A. Yeah.

5 Q. You've obviously described one of her faces, about the  
6 way you felt you were treated by her. So what was the  
7 other face?

8 A. The face when she was with members of family, friends,  
9 she would be sweetness and light, you know, laughing,  
10 happy, not shouting at us. And then she could -- when  
11 the people left, she can turn like that, back into  
12 the -- the horrible **EOJ**.

13 Q. Did the side of her personality with the sweetness and  
14 light and laughing, was she ever that with you?

15 A. No. No. To be fair, I got to a stage -- when we moved  
16 to Bridge of Don, I got my own bedroom and that's --  
17 basically that was Primary 5. I spent all my time in my  
18 bedroom so that I didn't have to interact with any of  
19 them. And if she was screaming and shouting, I felt  
20 that I'm in my bedroom, I'm fine, I'm safe. But if  
21 I was downstairs or upstairs with them I wasn't safe, so  
22 I -- no.

23 Q. I think in relation to other family members you do talk  
24 about three aunties at paragraph 50, who were the foster  
25 mother's cousins.

1 A. Yes.

2 Q. They were quite different people?

3 A. Yeah, they were. Loving, classy ladies. I just --

4 I looked up to them, I thought they were wonderful.

5 Q. I think you say that they were gentle and kind?

6 A. Yes, they were. Yeah, very.

7 Q. Do you have some happy memories of times spent with

8 them?

9 A. Yes. I remember they took me out for my supper one

10 night to an Italian and they took me to the theatre to

11 see Annie, I remember that. And I remember some of the

12 gifts I got as presents. A purse for my 18th. A little

13 crystal pineapple for my 21st. So, yeah.

14 Q. What about Christmas and birthdays, how were they

15 celebrated?

16 A. Christmas was kind of a big thing in the house. All our

17 presents would be in a black bag and they would be set

18 up on different chairs. You never always got what you

19 asked for.

20 Birthdays ... yeah, I don't really remember much

21 about birthdays, to be fair.

22 Q. But certainly in terms of Christmas --

23 A. Yeah, that was --

24 Q. -- it was acknowledged --

25 A. That was, yes -- it was a big thing, yeah.

1 Q. Moving to the foot of page 11 of your statement,  
2 paragraph 54, it's here that you were asked about visits  
3 and inspections, and you speak about your social worker.  
4 What do you remember about your social worker?

5 A. I remember she was a nun. She was quite gentle,  
6 I remember that. But not having very many visits with  
7 her. Possibly going to where she lived, which was  
8 an annex of the church, going there a few times. And  
9 once to the social work department. But I don't really  
10 remember her actually having a visit with me at home.  
11 I don't remember that.

12 Q. I think you tell us in your statement that her name was  
13 Mary Macdonald?

14 A. It was, yes.

15 Q. Were there opportunities to speak to her by yourself?

16 A. No. None of us were allowed to speak to our social  
17 workers ourself. It would be a case of in the living  
18 room, EOJ and the social worker, and we would be told  
19 to go out and play. None of us got time with our social  
20 workers.

21 LADY SMITH: You mentioned that you think once you went to  
22 the social department.

23 A. Yeah.

24 LADY SMITH: The social work department. Did you get to  
25 speak to her alone there?

1 A. No, I was left outside in the car.

2 LADY SMITH: Ah.

3 A. EOJ had come back out at that point and said it --  
4 this was -- it was meant to be -- it was ██████████, she  
5 come back out to the car and she says, "We've been  
6 celebrating your birthday wrong for the last two years,  
7 it's not ██████████, it's today". And that's how I remember  
8 going to the social work department.

9 LADY SMITH: I see, thank you.

10 MS RATTRAY: So for part of the time you were in care you  
11 didn't know your actual birthday.

12 A. We were celebrating it on ██████████.

13 Q. Which is the wrong --

14 A. Yeah, a month and a day wrong.

15 Q. What age were you when you discovered your correct  
16 birthday?

17 A. Oh, I think maybe -- eight maybe?

18 Q. This social worker, you didn't get the chance to speak  
19 to her on your own, but had you done so, do you feel  
20 that you could have told her that you weren't happy  
21 where you were living?

22 A. That's a difficult question. I would -- we were always  
23 told by EOJ that if we didn't behave we would be put  
24 to a home, which would be worse than where we were, so  
25 I think possibly not, I wouldn't have said anything

1       because you didn't know where you were going to end up,  
2       so you would -- I just kept it to myself. There was  
3       never really opportunities, even if I could have had  
4       time to speak to a social worker because I didn't really  
5       see social workers. But I don't think I would have said  
6       anything.

7    Q. On page 12 of your statement, 'Anne-Marie', from  
8       paragraph 55, you speak about perhaps social work  
9       involvement around the time that you understand you were  
10       adopted by your foster parents. You say the only time  
11       you remember a social worker coming to speak to you was  
12       during the adoption.

13   A. Yeah.

14   Q. On that occasion, did you get a chance to speak to that  
15       social worker on your own?

16   A. No. No. She came to say that -- the first time was  
17       that the adoption hadn't been put through because [REDACTED]  
18       was in the house first and they felt that she should be  
19       adopted first, and then the next time I saw her it was  
20       to say that that was the adoption finalised and that my  
21       mother, my birth mother, had signed the adoption  
22       certificate, and that was it.

23   Q. The person you spoke to on those occasions, was that  
24       Mary Macdonald or was that someone else?

25   A. No, that was May McLennan.

1 Q. Right, so it was a different social worker?

2 A. Yes, it was, yes.

3 LADY SMITH: 'Anne-Marie', before the adoption stage when it  
4 was a matter of you being in foster care, what did you  
5 think the social worker was for?

6 A. EOJ .

7 LADY SMITH: Not for you?

8 A. No. Not for us.

9 LADY SMITH: Thank you.

10 MS RATTRAY: You say under the heading of adoption that you  
11 make some points because you've seen some of your  
12 records and you're raising some concerns about what  
13 you've read in your records. While we'll look at the  
14 detail of that later on, generally what was your concern  
15 about what you read in the records?

16 A. That I was led to believe that I was adopted in 1982,  
17 because I got christened, they took me to the church and  
18 christened me. And then when I got my records, I found  
19 out that it wasn't until later in the year in 1984 that  
20 it actually went through. And I didn't understand why  
21 at that point they continued to go with the adoption.  
22 You know, I wasn't far off of being 16. What was the  
23 point?

24 Q. You make reference in your records, and we will come to  
25 this later on, that you read that the record -- there

1           seemed to be a lot of controversy about your adoption.

2   A.   Yes.   With Mary Macdonald.   Yeah, that -- when I read  
3           that in my files, it ... it made me feel ... validated  
4           that, you know, I was right in what happened between  
5           EOI ██████████, what he did to me.

6           Because I was so young, I used to think: did I make  
7           this up? Is this in my head? But then when I read that  
8           in my file, I felt, well, somebody did obviously see  
9           something. Did I say something to her at some point?  
10          I don't know.

11   Q.   You say in your statement that the records say  
12          Mary Macdonald had a very uneasy feeling about your  
13          foster father --

14   A.   Yes.

15   Q.   -- and felt the social work should be in contact with  
16          your school to ask about you.

17          Your understanding of the records is that it was  
18          then taken out of her hands and passed on to senior  
19          social workers?

20   A.   That's right.

21   Q.   Who put the adoption through and thought there was  
22          nothing wrong with your foster father?

23   A.   Yeah.

24   Q.   Okay.

25          As I said at the outset, we will look at your

1 records later on --

2 A. Okay.

3 Q. -- and you'll be able to comment on those parts.

4 At paragraph 60 you also tell us about when social  
5 workers did come to the house, you were made to clean  
6 the house and make the living room spotless.

7 A. Yes. So the living room -- the stairs -- because the  
8 living room was on the first floor, so from the front  
9 door up the stairs to the living room, all that had to  
10 be hoovered and then the living room had to be polished  
11 and set up for the social worker coming.

12 Q. You speak about there was always coffee and fancy cakes?

13 A. Coffee and fancy cakes, yeah.

14 Q. Did the social workers, if they ever came, they saw the  
15 hoovered stairs and the polished living room. Did they  
16 ever ask to see any other parts of the house?

17 A. No. No. And all the bedroom doors -- because there  
18 would be the living room and then there was our bedroom  
19 and bedroom, and that doors would be closed so that they  
20 couldn't see anything.

21 Q. Just generally, how would you describe your relationship  
22 with your foster parents?

23 A. We didn't have one, I would say. And I know this is  
24 a really strong word, but I hated them. I didn't want  
25 anything to do with them. I just wanted to be in my

1 bedroom by myself. And that way I was -- you know,  
2 I couldn't get into trouble for anything or see her  
3 hitting some of the children. You know, I was in my  
4 little safe cocoon. So I didn't really have  
5 a relationship with them.

6 Q. Under the subject of discipline on paragraph 63,  
7 'Anne-Marie', you say there weren't any rules as such.  
8 You think you all just learned from a very early age  
9 that you had to behave?

10 A. Yeah.

11 Q. And you learned very early on to do that?

12 A. Yes.

13 Q. But the other younger children didn't?

14 A. No, no. As I said, [REDACTED] had learning difficulties and  
15 [REDACTED] was just a little bit of a menace, hallirackit, so  
16 rebellious. So no matter how many times he ended up  
17 with the slipper or the belt, he would just do it again.

18 Q. You used an expression there, was it "hallirackit"?

19 A. Hallirackit, yeah.

20 Q. Right, okay.

21 At this stage, 'Anne-Marie', I'm going to turn to  
22 what you tell us about abuse within the household.

23 A. Okay.

24 Q. Obviously you have already made some reference to that.

25 From paragraph 64, you speak about physical abuse

1           and you got the belt once --

2   A.   Yeah.

3   Q.   -- and learned that you didn't want that to happen

4           again.

5   A.   (Witness nods)

6   Q.   You describe yourself as really quiet as a child.

7   A.   Yeah.  I was -- I think I was too scared to have a voice

8           in case I was ridiculed, shouted at.  So it was -- it

9           was -- the easiest option was just to be quiet.

10  Q.   But you speak about the other children --

11  A.   Yeah.

12  Q.   -- being hit.  How often would that happen?

13  A.   It could be a daily basis.  Different ones, different

14           days, you know, but there was always someone in the

15           house that would be physically hurt.

16  Q.   The hitting with the belt and the slipper and indeed

17           I think at paragraph 65 you mention the use of a fist --

18  A.   (Witness nods)

19  Q.   I mean how hard were the children being hit?  Was this

20           more of a sort of token, getting the belt --

21  A.   No, they would have marks on their bums from the belt or

22           the slipper, red marks so it was -- you know, forceful.

23  Q.   And some of the children were experiencing that almost

24           on a daily basis --

25  A.   Yeah.

1 Q. -- if not a daily basis? What kind of things would the  
2 children have to do to merit being hit with a belt or  
3 a slipper --

4 A. It could be from fighting with each other, bickering.  
5 Sometimes [REDACTED] would backchat. It could be that. It  
6 could be the tiniest of things. Maybe not tidying up  
7 your toys.

8 Q. You say about the children fighting each other -- but at  
9 paragraph 68 you say on a couple of occasions in Bridge  
10 of Don you witnessed the two younger children fighting.

11 A. Yeah.

12 Q. What was your foster mother's response to that on those  
13 occasions?

14 A. She would be egging them on. She would literally be  
15 shouting, "Hit him, [REDACTED], hit him. Hit her". It  
16 would be tufts of hair pulled out, punching each other,  
17 and [REDACTED] would sit and laugh.

18 Q. You say that one time [REDACTED] got a black eye --

19 A. Yeah.

20 Q. -- in one of these fights?

21 A. Yeah.

22 Q. How did that kind of behaviour and the encouragement of  
23 that kind of fighting, how did that affect you?

24 A. It -- I didn't like it. It actually scared me. And  
25 again retreat to my bedroom away from it all.

1 Q. This kind of behaviour, was that something which  
2 continued throughout the time you were living in the  
3 household?

4 A. With [REDACTED] and [REDACTED], definitely. They definitely had  
5 that kind of relationship where they would fight  
6 constantly and it would be physically a lot of the time.

7 Q. The physical punishment of the children by the foster  
8 carers, was that something which continued throughout  
9 the time you lived there?

10 A. Oh yes. I mean, as we got older obviously the belt and  
11 the slipper -- because they were teenagers, it kind of  
12 stopped, but it would be she would either slap you in  
13 the face or she would dig her knuckles into your arm  
14 or -- or kick you, you know.

15 Q. Were you at the receiving end of any of the slapping  
16 or --

17 A. Yes. Yeah. Even to the age of 18 when she slapped me  
18 across the face and threw her rings into my face and  
19 said that that's what I was getting in her will, but I'm  
20 nothing but a little slut and you're getting nothing  
21 now.

22 Q. Why was she saying these things to you?

23 A. Because it was the first time ever I'd actually back  
24 chatted her. I'd come home from my work, I was going to  
25 a friend's 18th birthday party and when I arrived in the

1 house she screamed at me that the house was a tip and it  
2 needed cleaning and I said, "Well, I've been working all  
3 day, you have other children that can help you, ask  
4 them", and I stormed upstairs, and that's when she  
5 followed me up and did that.

6 Q. At paragraph 65, moving on to the verbal abuse, you say  
7 that your foster mother's voice alone when she screamed  
8 was enough.

9 A. (Witness nods)

10 Q. Tell us more about the use of her voice and screaming  
11 and shouting and the kind of things she would say.

12 A. Well, that for -- you know, you're useless, and the  
13 older you got, you were a tart or a slut. It was just  
14 the aggressiveness that scared me, you know, because you  
15 didn't know what was coming next. You know, was it  
16 going to be a slap, was it going to be a punch? But  
17 even her words hurt you, you know, being called a tart  
18 or a slut. That really hurts as well, when you know  
19 that you're not.

20 Q. I think at paragraph 68 you refer to other words she  
21 used -- maybe it's not paragraph 68, but somewhere in  
22 your statement, certainly, you talk about her calling  
23 children "little bastards".

24 A. Yeah.

25 Q. Was that an expression she used a lot?

1 A. Yes. Or the C word, you know.

2 Q. You say it was her tongue for you -- what you say is:

3 "It was her tongue for me, that was enough to keep

4 me in toe."

5 A. Definitely. Because I was too scared of the

6 repercussions. Obviously I'd learnt very young to just

7 toe the line.

8 Q. At paragraph 71 you say that she had a very short

9 temper.

10 A. Yeah.

11 Q. She would just go from zero to a hundred.

12 A. Yeah. She could be laughing with one of the children

13 and she could literally change like that and then she

14 would be screaming at them or hitting them. It was

15 a very short temper.

16 Q. The impression you had -- obviously we're hearing about

17 a lot of children in the household, perhaps some

18 challenging behaviour by some of them.

19 A. Yes.

20 Q. Did you get the impression at all that perhaps this loss

21 of temper or zero to a hundred, was she presenting as

22 someone who just couldn't cope with care of the children

23 or was there something more to it than that?

24 A. Possibly a bit of both. I never understood why she had

25 to have so many children at once. And then leave the

1 responsibility to the elder children to have to look  
2 after these younger -- I always resented her for that,  
3 because I felt that wasn't my job. It's not my job to,  
4 you know, look after three other children and change  
5 their nappies, because that's her job. That's what she  
6 was there for. So I did resent her for that.

7 Q. I think at paragraph 72 you speak about constant fear.

8 A. Yeah. Just if you were walking home getting nearer to  
9 the house and you would hear her screaming, your stomach  
10 would just go into my mouth and think: oh God, what am  
11 I going into? You know, am I going to -- is it going to  
12 be my turn when I go in? Can I go in and just quickly  
13 go to my bedroom so she doesn't see me? That's how  
14 I felt.

15 Q. At paragraph 73 you describe a summer's day when you  
16 were out playing in the garden with the younger children  
17 and then you heard your foster mother screaming at the  
18 top of her voice for you to get back into the house.

19 A. Yeah.

20 Q. And you went upstairs and she was screaming and swearing  
21 that the bedroom was a mess.

22 A. Yeah.

23 Q. What happened then?

24 A. That was when I shared a bedroom with [REDACTED] and [REDACTED]  
25 and I was told to get the effing bedroom tidied and if

1 I didn't buck up, I was going back to where I'd come  
2 from with what I arrived with. And she took a T-shirt  
3 out the cupboard, it was a big -- it must have been  
4 a gent's T-shirt and it had a hole in the middle of it,  
5 and a fairytale book that didn't have a back or front  
6 cover to it and I was told, "You'll go back with what  
7 you came with", and I remember sobbing, cleaning up the  
8 bedroom and sobbing.

9 Q. You say that for years you believed that was the stuff  
10 you'd arrived at the foster home with?

11 A. Yeah. It may very well not have been mine, but, yeah,  
12 I believed that was mine.

13 Q. You say this happened when you shared a bedroom with the  
14 younger foster children, so this happened before you  
15 were adopted?

16 A. Yes, this was in Bucksburn.

17 Q. You also speak of an occasion at paragraphs 74 to 75  
18 where your foster mother had arranged to meet you  
19 somewhere --

20 A. Yes.

21 Q. -- and then she didn't turn up?

22 A. No.

23 Q. What was your thinking, how were you feeling at that  
24 time?

25 A. Terrified. Terrified that I couldn't go back to the

1           auntie's house to say that EOJ hadn't arrived because  
2           if I'd went back there and EOJ had arrived then  
3           I would have been in trouble for not being where she  
4           told me to meet, and terrified that I was standing  
5           outside in the dark for this length of time waiting for  
6           her to arrive to pick you up and then for her to arrive  
7           and tell me, "Ha ha ha, sorry I forgot I had to pick you  
8           up".

9    Q.   Was she apologetic?

10   A.   No, she thought it was funny, she thought it was  
11       hilarious that she went to do her cleaning job and left  
12       me standing.

13   Q.   Do you think she appreciated how unhappy or upset you'd  
14       been at that?

15   A.   No. The fact that she was laughing -- you know, I was  
16       crying. She didn't even say sorry or console me. She  
17       just laughed and said, "Ha ha ha, I forgot".

18   Q.   I won't go into the details of this, and you have spoken  
19       about her throwing plates at the foster father, at  
20       paragraph 79 you say you think the foster father was  
21       scared of her as well?

22   A.   Oh definitely, yeah, yeah. He would shout back at her.  
23       But he would -- you would see him flinching if she went  
24       near him.

25   Q.   I won't go into the details of this with you today,

1 'Anne-Marie', but I think you make it clear that you  
2 witnessed your foster mother's abusive behaviour towards  
3 other foster children --

4 A. Yes, yes.

5 Q. -- in the placement as well and you've already spoken  
6 about the treatment of young children who were affected  
7 by cerebral palsy?

8 A. Yeah.

9 Q. And they also received --

10 A. They did, yes.

11 Q. -- the receiving end of her verbal abuse and being hit?

12 A. Yes.

13 Q. At this stage, 'Anne-Marie', I'm going to move on to the  
14 sexual abuse --

15 A. Okay.

16 Q. -- that you tell us about in your statement and I do  
17 understand this is something that's difficult to speak  
18 about.

19 A. Yes.

20 Q. What I'll do is I'll read the paragraphs --

21 A. Okay.

22 Q. -- where you tell us what happened.

23 At paragraph 94 you say:

24 "When we lived in Bucksburn there was one night the  
25 foster mother was out. The foster father took me out my

1 bed and into his bed with him. He was naked from the  
2 waist down. He touched me and rubbed his penis up and  
3 down my leg. The foster mother came home opening the  
4 front door and he told me to get back into my bed.  
5 That's the only time I can remember that happening. I'm  
6 hoping it only happened that time. I was anything from  
7 four to six."

8 A. Yes.

9 Q. "The way the foster mother was, there is no way I would  
10 ever have spoken to her.

11 "He would try to give me a kiss and put his tongue  
12 in my mouth. He would do that all the time. I don't  
13 say I hate anyone, but I hate him. He was so sleekit in  
14 what he tried to do. I used to think it was just me but  
15 I have spoken to [another girl] and she has said the  
16 same thing."

17 Is there anything you would like to add to that  
18 description?

19 A. No.

20 Q. Once again it's in your statement and we won't look at  
21 the details of that today, it's your understanding from  
22 what you've learned from others that there were other  
23 children who may have been sexually abused by your  
24 foster father as well?

25 A. Yes, that's right, yes.

1 Q. At the time, was there anyone at all that you could have  
2 spoken to --

3 A. No.

4 Q. -- about what was going on in that home?

5 A. No, no one, nope.

6 Q. I think you say at paragraph 101 that everyone thought  
7 your foster parents were wonderful --

8 A. Yeah.

9 Q. -- for taking kids in?

10 A. Yeah, they thought they were just saints, wonderful  
11 people for taking in these children.

12 Q. There was a point at which they were given a prize for  
13 being great parents?

14 A. Yeah. One of the -- [REDACTED] -- entered them into  
15 a competition on [REDACTED] and they won a ten-day  
16 trip to Mauritius or -- I can't -- or St Lucia, it was  
17 something like that.

18 Q. Was that before or after --

19 A. I was still living at home. No, I wasn't. No,  
20 I wasn't. I think I was -- I think I was married,  
21 actually, sorry.

22 Q. Okay, that's fine. You also tell us, and I won't go to  
23 the details of this today, but in 2020 you gave  
24 a statement to the police --

25 A. I did.

1 Q. -- about your experiences in foster care?

2 A. Yeah.

3 Q. You say that you left the foster home, albeit by then  
4 your adoptive home, to get married in 1989.

5 A. Yes.

6 Q. Turning now to the impact, at page 24 from paragraph 117  
7 you speak about impact. What are you telling us here?  
8 In what way for you have your childhood experiences in  
9 care affected you later in life?

10 A. No confidence. Definitely. Scared to speak to people  
11 in case I said something wrong. Shy, definitely.  
12 Nervous. Didn't really trust adults, especially male  
13 adults. Didn't trust them.

14 Q. I think you say elsewhere that in relation to  
15 counselling or treatment, you haven't sought that --

16 A. No.

17 Q. -- but you feel there's a circle of people --

18 A. Yes, I've got a good network of people around me.

19 Q. At this stage I'm going to ask you about the records.

20 A. Okay.

21 Q. We will have a look at some of the records, but firstly  
22 if we could look at page 25 of your statement,  
23 paragraph 121. You say that you started thinking that  
24 you should get your social work records. Why was it  
25 that you thought you would get your records?

1 A. I'd done an ancestry DNA test and I had a cousin match  
2 from my mother's side, which made me then think maybe  
3 it's time for me to start getting my records, find out  
4 who I am, where I'm from, you know, why was I put into  
5 care. That's what egged me on.

6 Q. Okay. Was any of your background family history ever  
7 explained to you either by your foster parents or  
8 a social worker whilst in care?

9 A. No. No. No, I was never told anything from the foster  
10 parents. I didn't even know my mother's name. I then  
11 went on to have a daughter and called her [REDACTED], then  
12 realising that that was actually my mother's name. But  
13 I wouldn't have asked EOJ [REDACTED] and EOI [REDACTED] anything about --  
14 because she would have been angry that I was asking  
15 these questions and she wouldn't have told me anyway.

16 Q. When you did go to try and retrieve your records, how  
17 easy was that?

18 A. I felt like they were very reluctant, if I was honest.  
19 The initial meeting was okay, I went with my birth  
20 certificate and then she said about the Scottish Abuse  
21 Inquiry and she would pass my name on to a woman, but  
22 then as the weeks went on and I was emailing asking, you  
23 know, how long will it take for my records to be, I've  
24 just felt that she was holding back.

25 Q. When you did recover some records, what were your

1 thoughts about the records?

2 A. I couldn't believe there was so little for the amount of  
3 time I was in care, there was so little information. No  
4 really notes from social workers or -- the odd one, but  
5 I always thought that every meeting that EOJ would  
6 have had with a social worker regarding me would have  
7 been documented, but ...

8 Q. I think you say as well that that made you feel very  
9 angry?

10 A. Yeah. It just proved that I was put into care and then  
11 left. They didn't care, the social workers. That's how  
12 I felt.

13 Q. We're going to turn to look at some of those records  
14 now, 'Anne-Marie', the records that you've mentioned in  
15 passing in your statement. These records are at  
16 ABN-000002325.

17 Firstly, we're going to turn to page 3 and you've  
18 spoken about the reason for the delay in your adoption  
19 and certain things in your records in relation to your  
20 adoption. What we see at page 3 is a review dated  
21 13 January 1982. Here we see at the foot of the page  
22 under the subject heading of "Future plans", if we could  
23 scroll up a little bit, there we go, and I think it  
24 says:

25 "Adoption to be further investigated when subsidised

1 adoption comes into force."

2 Certainly as at 1982 the suggestion is that  
3 adoption's been explored but it's not going to happen  
4 until some form of financial support is made available  
5 in relation to adoption.

6 A. Okay.

7 Q. If we then turn to page 7 of this document, I think what  
8 we see here is that this is a case summary of  
9 11 May 1983, and if we scroll further down the page and  
10 towards the end of the first paragraph, I think we see  
11 reference to the adoption not going ahead because of the  
12 younger children not yet being adopted, and it was felt  
13 that the emotional and psychological problems that might  
14 ensue would far outweigh any gains through adoption at  
15 that time and I think that's probably the sense that  
16 perhaps the younger ones if an older person who has been  
17 there for a shorter period is being adopted why aren't  
18 they being adopted. I suspect that's what that refers  
19 to.

20 It also says:

21 "Furthermore, there were considerable financial  
22 implications as it was seen that the foster father might  
23 be made redundant in the near future."

24 And this happened.

25 If we move down to paragraph 2 there, there's now

1 a reference that the foster father's found employment  
2 and now there is a possibility of a grant being given.  
3 Once again, there are financial issues in relation to  
4 the adoption.

5 A. (Witness nods)

6 Q. If we can now look at page 5 of this document, what we  
7 have at page 5 is a review dated 4 May 1983, and if we  
8 turn to the foot of the page, the last paragraph on that  
9 page, nearer the foot of the page, where it says "Future  
10 plans", what we read here is:

11 "In view of the social worker's intuitive concern  
12 about the foster father, she is to discuss the case with  
13 her senior and then make a joint visit in the near  
14 future in order to secure a second opinion. In order to  
15 provide a safety net for the child the social worker  
16 will establish and maintain contact with the school.  
17 Once the joint visit has been made, and depending on the  
18 outcome, Miss Macdonald will advise Mr Mackenzie as to  
19 the need for a further early review."

20 Are those some of the things that you were referring  
21 to in your statement that you read --

22 A. Yes.

23 Q. -- about Miss Macdonald apparently having --

24 A. Yes.

25 Q. -- some concerns about the foster father?

1 A. Yes.

2 Q. If we move now to page 9 on this extract records, I'm  
3 just following the thread of this as it appears in your  
4 records.

5 A. Okay.

6 Q. This is now a review of 28 February 1984. I think if we  
7 read this in full:

8 "Anne-Marie's' progress with the foster parents has  
9 continued to be satisfactory. Focus of the review,  
10 therefore, was again on the question of the plans for  
11 adoption. The social worker has not yet made the  
12 necessary preparation for this although she states she  
13 is about to. It does seem that her reservations about  
14 the foster father is the main factor in this continued  
15 delay. As a result of the last review Miss Macdonald's  
16 senior did a joint visit to the foster parents and  
17 Miss Macdonald thinks that he was satisfied with the  
18 situation. Discussion about the details of the social  
19 worker's reservation would suggest it is around the  
20 foster father's behaviour to her some years ago. It was  
21 noted that there is another social worker involved with  
22 the family with another placement but Miss Macdonald is  
23 not sure of her feelings regarding the foster father.

24 "The position regarding the adoption has not  
25 progressed since the last review and this is of concern

1 to the chairman. The way forward would seem to be to  
2 seek further opinions on the foster father from other  
3 workers in the family and the chairman has agreed to  
4 organise this. In the meantime, on the assumption that  
5 further opinions will suggest that there is no reason  
6 not to proceed with the adoption, Miss Macdonald should  
7 continue her preparations for this. If she feels unable  
8 to do this because of her concern about the foster  
9 father, then she should discuss with her senior  
10 transferring the case."

11 The suggestion is they'll look into it more. The  
12 assumption is there won't be a reason not to go ahead.

13 A. Yeah.

14 Q. And it would appear that if Miss Macdonald doesn't like  
15 it, then she should talk about handing over the case to  
16 someone else?

17 A. Yeah.

18 Q. Then it says:

19 "NB. I met with Mr McKenzie, senior social worker,  
20 Mrs McLennan, a social worker, and her senior Mrs Sloan  
21 on 22 March to seek further opinions on the foster  
22 father."

23 If we move over the page to page 10 we'll see  
24 a continuation of this:

25 "Neither Mr McKenzie nor Mrs McLennan had any

1 reservations about the foster father along the lines  
2 expressed by Miss Macdonald. It was felt that a further  
3 delay on the adoption of 'Anne-Marie' is not only  
4 harmful to 'Anne-Marie' herself but also confusing to  
5 the foster parents and the other placement in the family  
6 at present. It was therefore felt strongly that  
7 Miss Macdonald had to pursue the adoption as soon as  
8 possible or transfer the case."

9 Moving now to page 11 and what we have here is  
10 a memo of 8 June 1984, which are memos between  
11 Moira Christie, a social work manager, and  
12 a Mrs Susan Sloan, a senior social worker, and it's  
13 generally discussing this whole issue, but I would go to  
14 the third paragraph where it says:

15 "'Anne-Marie's' adoption has been spoken about for  
16 years and Mary Macdonald has continually stalled in  
17 proceeding."

18 That's once again concerns being raised about the  
19 social worker who has concerns stalling.

20 If we move to the next page, page 12, which is  
21 a memo of 3 July 1984 between a Mr MacPherson and  
22 a Mr McKenzie and Miss Macdonald being copied in this,  
23 once again they want to know:

24 "As a matter of urgency can you let me know why  
25 Miss Macdonald has not proceeded with the mechanics of

1 this, if there is no satisfactory reason then this case  
2 will be transferred to someone else who will do the  
3 necessary."

4 Then we turn to page 13, which is a memo of  
5 20 July 1984, this time from Mary Macdonald,  
6 Miss Macdonald, rather terse and unhappy in its terms on  
7 20 July 1984:

8 "I am in receipt of the copy of your memo to  
9 Mr McKenzie. Herewith the reasons why the matter has  
10 not been completed before now: choice of priorities,  
11 overloading of our secretarial staff, time,  
12 inefficiency. I shall hand over the case and have  
13 spoken to the foster mother to this effect. My  
14 relinquishing the case is that I know others will have  
15 time to do it more efficiently and that it will not in  
16 any way be detrimental to 'Anne-Marie'.

17 "May I comment on the autocratic tone of your memo.  
18 I have been in a position of senior management in the  
19 education field and experience taught me that much more  
20 can be achieved by consultation and positive leading  
21 than by pushing. A happy staff will produce the goods  
22 regardless the task, an unhappy staff will not."

23 So she is looking to transfer the case and her  
24 official line, at least anyway, is that it's her fault.  
25 She's blaming herself --

1 A. Yeah.

2 Q. -- for lack of progress.

3 If we move over the page to page 14, it's just  
4 ensuring that we have a consistent thread through here.  
5 It's a memo of 10 August 1984 between a Mr Atkinson,  
6 senior social worker, and Miss Macdonald, and once again  
7 a reference to:

8 " ... I understand that you may be in the process of  
9 transferring the case ..."

10 So the case has been handed over.

11 Page 15, if we turn over, and this is a memo of  
12 14 August 1984 from Mary Macdonald. What this says:

13 "I received your memo regarding the above  
14 yesterday ..."

15 I think that's the preceding memo we've just looked  
16 at.

17 "... and immediately phoned you but you were not  
18 available. I regret that I shall not be available on  
19 23 August, as I have a prior commitment from 21 to  
20 25 August.

21 "I was surprised and not a little unhappy to see  
22 there had been a meeting on 22 March and that I was  
23 neither invited nor informed. With regard to the report  
24 for the review, there seemed to be so many people  
25 involved who obviously know as much or more than I do

1           that I do not see myself competent to write a report,  
2           nor has much notice been given to do the same."

3           Clearly this is an unhappy social worker --

4   A.   Yes.

5   Q.   -- who is just not going to get involved in this.  In  
6       particular she says she was not informed or invited to  
7       the meeting of 22 March.  I think that's the meeting  
8       we've referred to earlier at which the other senior  
9       people gathered together and decided that there were no  
10      problems with the foster father.  So I think what we can  
11      take from that -- perhaps the person who has been most  
12      involved with the family, albeit from your recollection  
13      not a high degree of involvement perhaps, and the one  
14      who has concerns, is neither invited to nor informed of  
15      this rather important meeting.

16  A.   Yeah.

17  LADY SMITH:  We also have a clear picture of not just  
18           an unhappy state of affairs in the workplace but  
19           animosity flying thick and fast.

20  MS RATTRAY:  Yes.

21  LADY SMITH:  Thank you.

22  MS RATTRAY:  Now if we turn to page 16 I think we see here  
23           it's a summary by Miss Macdonald of August 1984 and she  
24           says:

25           "Over the years I had considerable contact with

1 [I think it's the foster parents], particularly as  
2 'Anne-Marie' and the other girl were fostered with them.  
3 The younger girl required very considerable input and at  
4 each visit I met with all the children. The younger  
5 girl's case was transferred in October 1978 and in that  
6 year my diary lists 18 visits I made to the household,  
7 excluding the many visits made to the office, et cetera.  
8 'Anne-Marie' was happily placed, mother had no wish for  
9 reunion or even contact. Several social workers were  
10 involved in the household, my contact not necessary but  
11 promise of help if needed always there."

12 The talk about a promise of help. Would that be to  
13 you or --

14 A. I don't know. As I say, I don't know if I'd said  
15 anything to her.

16 Q. It could be a promise to you or perhaps to the foster  
17 mother?

18 A. Maybe, yes.

19 Q. And:

20 "Consent form signed by 'Anne-Marie's' mother.  
21 'Anne-Marie' wishes to be adopted and knows that this  
22 will be the outcome."

23 Did you want to be adopted?

24 A. I didn't think there was a choice.

25 Q. Then it finishes:

1            "A culmination of interference, hassle and  
2            inefficiency on my part indicate the case would be  
3            handled better if transferred."

4            Just for the record, over the page on page 17. If  
5            we move to the foot of the page, this is simply part of  
6            the adoption paperwork and we see at the foot of the  
7            page, dated 19 November 1984, the senior social worker  
8            signing it is May McLennan, so she was the one who put  
9            through the adoption rather than Mary Macdonald.

10    A. Yeah.

11    Q. We don't need to look at the next page, but that simply  
12            confirms from the court that the adoption was granted on  
13            [REDACTED] 1984.

14            The last record I'm going to put to you,  
15            'Anne-Marie', is going way back to the beginning and  
16            it's at page 1 of this document.

17            What this is, it's a bit faded, but in the notes  
18            that we recovered there was an absence of visiting  
19            records, which is something you noted yourself.

20    A. (Witness nods)

21    Q. But what we did have was this visiting record. This is  
22            the only visiting record we had, which covers the period  
23            apparently from [REDACTED] 1974 to [REDACTED] 1975. So this  
24            is when you were placed, first placed, with your foster  
25            parents.

1 I'm going to read from the second paragraph, which  
2 starts halfway down the page and I'll read it out  
3 because the copy we have, particularly in the blue  
4 background, is quite faint. What this says is about the  
5 social worker who was visiting you immediately after  
6 your placement and for three days after the placement in  
7 foster care and what she observed -- or he observed:

8 "Foster parents Bucksburn who already have one child  
9 in care were very willing to receive 'Anne-Marie' at  
10 short notice. When eventually 'Anne-Marie' left her  
11 mother she was a very distressed little girl. Over the  
12 next few days, daily visits were made in an attempt to  
13 help 'Anne-Marie' settle down. She spoke a little and  
14 when she did very softly and usually just in  
15 monosyllables. On the third evening, however,  
16 an interesting incident occurred. 'Anne-Marie' was  
17 playing on the floor with her dolls and using cot  
18 blankets. She put the doll to bed and went to bed  
19 beside her. After a little while, while she got up the  
20 blankets were all ruffled. She got a broom and she came  
21 into the room completely transformed. She made for the  
22 room and she said louder than I've ever heard her speak,  
23 'What a bloody mess you fucking bastard'. She was  
24 completely oblivious of any spectators and was obviously  
25 repeating things that she had heard her mother say.

1 I advised the foster mother to take no notice and that  
2 with time she would probably outgrow such behaviour. It  
3 took some weeks for 'Anne-Marie' to settle down and when  
4 I would go to her house she would seem to shy away from  
5 me as if frightened, feeling perhaps I was going to take  
6 her somewhere else. She rarely spoke about her mother,  
7 once or twice one of the brothers."

8 Do you have any reflections on that?

9 A. Quite stunned, because I -- that wasn't in my file which  
10 I received. And also my opinion is that didn't come --  
11 I didn't learn that from my birth mother. I probably  
12 learned that from [EOJ]. And the social workers  
13 telling her just to ignore it, in my opinion gave [EOJ]  
14 free rein to carry on the way she carried on for the  
15 rest of the time I was in care, because the social  
16 worker made on that it was somebody else that taught me  
17 to speak like that, when in fact I think it was probably  
18 [EOJ].

19 Q. I think when you say reference to -- you've spoken in  
20 your evidence about the verbal abuse --

21 A. Yeah.

22 Q. -- and that was fairly constant --

23 A. Yeah.

24 Q. -- as I understand it and use of the word -- swearing  
25 and the word of bastard, calling children bastard?

1 A. Yeah.

2 Q. And we see that here. What we see is a child  
3 transformed from a quiet child. Now, I appreciate that  
4 this is not in your memory, you were very young at the  
5 time, this is not something you remember, but have you  
6 learnt anything about whether such behaviour -- did  
7 anyone that you've spoken to since being a child notice  
8 any such sort of swearing and outgoing behaviour when  
9 you lived with your mum?

10 A. No. I have met with a couple of cousins who remember  
11 me -- one of them is ten years older than me -- and she  
12 said I was a very quiet, shy little girl. Because  
13 I asked her the question, "Why did my mother put me into  
14 care? Was I a horrible child?" And she said, "Far from  
15 it, you were a very shy, quiet child".

16 Q. I think the other point you took on your reflections is  
17 perhaps there's a rather automatic assumption on the  
18 part of the social worker observing this that it's  
19 assumed that this is behaviour that you have seen from  
20 your birth mother --

21 A. Yeah.

22 Q. -- when perhaps a more open approach should have been  
23 taken to question where has this behaviour --

24 A. All of a sudden come from.

25 Q. Yeah.

1           We are going to finish your evidence today,  
2           'Anne-Marie', by going back to your statement, and the  
3           final part of your statement, starting on page 25 and  
4           over to page 26, is about lessons to be learned.

5           From your experiences, what lessons do you think the  
6           Inquiry can learn about keeping children safe in care?

7   A. I think the social workers need to make a point of  
8           spending time with the children that are put in care  
9           without the foster parents being there. And follow  
10          whatever they have said to the social worker up.  
11          Because I'm -- for the children not to be able to speak  
12          to a social worker directly and have to keep it in is  
13          not right, because they are put into care because they  
14          come from a difficult situation most of the time, so  
15          they already feel vulnerable. So there should be more  
16          time spent with the children and not foster parents  
17          included as well.

18   MS RATTRAY: Thank you, 'Anne-Marie'. I don't have any more  
19          questions for you and I'm not aware of there being any  
20          application for questions, my Lady.

21   LADY SMITH: Are there any outstanding applications for  
22          questions of 'Anne-Marie'?

23          'Anne-Marie', that does complete all the questions  
24          we have for you this morning. I just want to thank you  
25          for engaging with the Inquiry as you have done, both in

1 providing the written detailed statement we have from  
2 you and being able to come and talk so clearly and  
3 cogently about your experiences today. You've helped me  
4 understand not just what it was like for you to be in  
5 foster care but also other children, and it's plain from  
6 what I see and hear from you that it's not just  
7 a question of describing what happened but what the  
8 impact on you as a child was of witnessing what you saw.

9 So thank you so much --

10 A. Thank you.

11 LADY SMITH: -- for everything you've done to further the  
12 work we're doing here, and please remember you go with  
13 my thanks for the contribution you've made, which is so  
14 valuable.

15 A. Thank you.

16 LADY SMITH: Thank you.

17 (The witness withdrew)

18 LADY SMITH: Before I rise for the break I can just mention  
19 the first names of children in the foster household such  
20 as [REDACTED] and [REDACTED] were mentioned, and the first names  
21 of the foster carers, EOJ [REDACTED] and EOI [REDACTED], were mentioned.  
22 They're all protected by my general restriction order  
23 and none of these can be repeated outside this room.

24 I think time for the morning break?

25 MS RATTRAY: Yes, my Lady, and after the break we will have

1 a further oral witness.

2 LADY SMITH: Thank you very much.

3 (11.35 am)

4 (A short break)

5 (11.59 am)

6 LADY SMITH: Ms Innes.

7 MS INNES: Thank you, my Lady.

8 The next witness has chosen the pseudonym 'Rosie'.

9 'Rosie' was in the care of Lothian Regional Council and  
10 then East Lothian Council.

11 She was placed in foster care with JAL-JAN  
12 JAL-JAN in Longniddry on 1985 and removed  
13 from there on 1997. East Lothian Council is the  
14 responsible authority.

15 LADY SMITH: Her pseudonym you say is 'Rosie', is it?

16 MS INNES: That's what I have noted, yes.

17 LADY SMITH: Thank you.

18 'Rosie' (affirmed)

19 LADY SMITH: 'Rosie', that microphone should help you and it  
20 also helps us to hear you, the stenographers in  
21 particular need to hear you through the sound system, so  
22 if you can stay in that good position that you're in  
23 now, that would be really helpful.

24 The red folder has your statement in it. You'll be  
25 taken to that in a moment. But we're also going to put

1       your statement up on the screen in front of you there.  
2       You might find it helpful to look at it. We'll move to  
3       the different parts of it that we're going to try and  
4       discuss with you this morning.

5             Also, 'Rosie', importantly, I do understand how  
6       difficult it is to do what you have agreed to do, to  
7       come and speak in public about your life, your  
8       childhood, and about things that may be upsetting and  
9       distressing as we ask you to talk about them. Emotions  
10      can be difficult to handle at times, I get that, and if  
11      there is anything I or we can do to help you give your  
12      evidence as well as you can, whether it's having a break  
13      or just a pause where you're sitting or anything else,  
14      or if you have any questions, it's perfectly okay here  
15      to ask questions.

16   A.   (Witness nods)

17   LADY SMITH: Let us do what we can to help you relax and  
18      just engage as well as you can with the evidence; is  
19      that okay?

20   A.   (Witness nods)

21   LADY SMITH: If you're ready, I'll hand over to Ms Innes and  
22      she'll take it from there.

23   A.   (Witness nods)

24   LADY SMITH: Thank you.

25   MS INNES: Thank you, my Lady.

1 Questions from Ms Innes

2 MS INNES: 'Rosie', we understand you were born in 1981, is  
3 that right?

4 A. Yeah.

5 Q. Your statement, we give it the reference  
6 WIT.001.001.6947. I wonder if we can just look at the  
7 last page of your statement, please. We see there it  
8 says:

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

13 I think you signed the statement on  
14 23 February 2018 --

15 A. Yeah.

16 Q. -- is that right?

17 A. Yeah.

18 Q. I think you've recently gone over your statement again  
19 just to refresh --

20 A. Yeah.

21 Q. -- your memory about what's in it?

22 A. Uh-huh.

23 Q. If we can go back to the beginning of your statement,  
24 please, you tell us a little bit about your life before  
25 going into care. At paragraph 2 there you mention some

1 difficulties that your mum had.

2 A. Mm-hmm.

3 Q. You say that you have a wee brother called [REDACTED]?

4 A. Yeah.

5 Q. How much younger is he?

6 A. I think eight, eight years younger. Oh, that's

7 terrible, I can't even remember my own brother's

8 birthday.

9 Q. That's okay.

10 You say that you also have two other brothers and

11 two sisters to different parents?

12 A. Yeah. That's -- no, that's a bit wrong. So I've got

13 two brothers and a sister to my dad, another sister to

14 my dad, that's to another woman as well, so, yeah.

15 Q. Okay, I understand. You say it was only you and your

16 mum who stayed together?

17 A. I'm not too sure how it came out like that. What

18 I meant was like my mum and dad weren't together and me

19 and my mum were together.

20 Q. Then if your younger brother was eight years younger, he

21 came later on?

22 A. Yes, he came later on but that's where that's wrong,

23 because it was actually my mum and [REDACTED] who stayed

24 together, I was the one who went in and out of foster

25 care all the time, so I think that's just been a wee bit

1 of a mix up.

2 Q. After you were born and you were living with your mum,  
3 were you living with her all the time or were you going  
4 in and out of care at that point?

5 A. I don't remember it, but the first time I went into care  
6 I think I was just about four or five.

7 Q. Okay.

8 A. And then from then on it was just sort of like regularly  
9 in and out, in and out, but I don't really remember it  
10 because it was such a long time ago. That's just what  
11 I know, being told over the years and things I have read  
12 and things that my mum's said and stuff, so.

13 Q. Okay. Then you mention at paragraph 4 remembering --  
14 remember being in foster care in England?

15 A. Yeah.

16 Q. Did you move about a bit with your mum?

17 A. Yeah. My mum moved about a lot from place to place,  
18 and, you know, I was I think in foster care in England,  
19 in foster care in Scotland, yeah.

20 Q. Was that in different places in Scotland?

21 A. Yeah.

22 Q. If we go over the page, please, to paragraph 6, you tell  
23 us there that you were moved around quite a bit, as  
24 you've said, and you can't recall all the places that  
25 you were in. You say the first place you really

1           remember was when you were 13 and you were with a family  
2           in Prestonpans?  
3    A.   Yeah.  
4    Q.   Had you gone to them from your mum's care; do you know?  
5    A.   No, I had actually gone to them from my dad's care.  
6    Q.   Okay.  
7    A.   So I had been in a placement when I was about nine in  
8           Musselburgh and my dad -- that's when I got in touch  
9           with my dad, like I didn't know my dad until then but my  
10          mum had put me up for adoption, which I think she was  
11          kind of swayed into by social workers and stuff, like  
12          she didn't really want to do it but she was led to  
13          believe that it was the best thing for me, and I think  
14          that's how my dad was contacted, because they needed my  
15          dad's permission, so my dad refused to give permission  
16          for me to get adopted and that's how I ended up going to  
17          live with my dad, but I didn't know my dad very well and  
18          my dad had married at that point and me and the step-mum  
19          didn't get on very well, so that kind of broke down and  
20          that's how I ended up back in care and that's how  
21          I ended up with them in Prestonpans that were quite  
22          nice.  
23    Q.   Okay.  
24    A.   I think it was from my dad's to them, but I am not --  
25          I can't exactly remember.

1 Q. Okay. You're saying that you didn't have any contact  
2 with your dad at all to begin with?

3 A. No.

4 Q. There came a time when he came back into your life?

5 A. Yeah.

6 Q. And in fact you were living with him for a wee while?

7 A. Mm-hmm.

8 Q. But that didn't work out?

9 A. No.

10 Q. And you were put back into care?

11 A. Mm-hmm.

12 Q. First of all you went to a couple in Prestonpans?

13 A. Yeah.

14 Q. You say that they were really nice?

15 A. Yeah, yeah.

16 Q. Can you just tell us a little bit about them?

17 A. They were just -- they were really nice. They were --  
18 but it was kind of a shame for them, I think, because  
19 they had just become foster parents so they were very  
20 new to it and I was quite a difficult child. Again, as  
21 I've mentioned, I'm waiting for an ADHD assessment so  
22 I think they struggled with my behaviours. I was  
23 very ... I would scream a lot, I think, you know, when  
24 my social worker came to see me to talk to me about  
25 stuff I would like just go completely blank, wouldn't

1 speak, wouldn't give any -- I was very -- I didn't show  
2 a lot of affection or stuff. But they were still really  
3 nice to me and they were good to me and they kind of  
4 treated me like one of the family. They were the first  
5 people that ever sort of introduced me to like saving up  
6 and trying to save for things and to get myself nice  
7 things.

8 I remember breaking into my piggy bank once to get  
9 sweeties and again they didn't go mental at me, they  
10 just sat down and explained, "Well, you know, it is your  
11 money, but you know you can't do that ..."

12 LADY SMITH: 'Rosie', 'Rosie', forgive me for interrupting.  
13 You have so much information to give to us and it all  
14 matters and you obviously naturally speak very quickly.

15 Can I ask you -- I'm older than you by far and I'm  
16 slower than you. Can I ask you to slow down a bit so  
17 that I'm not missing any of it as you're explaining it  
18 to me, that would be really helpful.

19 A. I do speak quite fast when I'm nervous, sorry.

20 LADY SMITH: Ms Innes will keep guiding you with the  
21 questions as to which bits of your evidence we want to  
22 go to next, if you can try and do that. It's how you  
23 are, no need to apologise, I'm asking you to do  
24 something that doesn't come naturally to you, but it  
25 would be really helpful if you could.

1           Thank you.

2   A.   Yeah.

3   LADY SMITH:   Ms Innes.

4   MS INNES:   Thank you.

5           You were talking about the [REDACTED] and -- sorry, and

6           they were the first foster family, I think, that you can

7           remember and they had some positive influences on you,

8           you say?

9   A.   Yeah.

10  Q.   You mentioned in what you said there that you're waiting

11       for an ADHD diagnosis.

12  A.   Mm.

13  Q.   Were you diagnosed with ADHD as a child, do you know, or

14       you're --

15  A.   Nope, and I don't know how, but no, I wasn't.  And yeah,

16       they just couldn't cope with me.  I was just too

17       difficult for them to manage and I think they were too

18       inexperienced.  So as much as they were nice and they

19       were really good, they just found it hard to cope with

20       my behaviours and things like that.

21  Q.   Okay.  So you are waiting for a diagnosis now as

22       an adult --

23  A.   Yeah.

24  Q.   -- because I think -- and you've been reflecting back

25       I think maybe on some of the things that happened during

1       your childhood --

2   A.  Yeah.

3   Q.  -- and you think that that might suggest you have ADHD

4       or that should have been looked into --

5   A.  Yeah.

6   Q.  -- when you were a child.  Is that right?

7   A.  Yeah.

8   Q.  Okay.  How old were the [REDACTED], roughly, do you know?

9   A.  They were older.  They had their own daughter and she

10       was older -- like much older than me.  I can't remember.

11       I think they were maybe like 50s or something like that,

12       but ...

13  Q.  Okay.

14  A.  Not that that's old, but at the time I thought it was.

15  Q.  Yeah.  Okay.  And then you moved to -- you say that

16       a decision was taken to move you to someone more

17       experienced?

18  A.  Yeah.

19  Q.  Was that your understanding of the reason why you were

20       moved to JAL-JAN [REDACTED]?

21  A.  Yeah.  I was basically told that, you know, [REDACTED] and

22       [REDACTED] couldn't cope with me any more, the social work

23       felt that I needed somebody with more experience and

24       that once I had been to those carers, if it didn't work

25       out then, then I would be moved to a residential school

1 and if I continued down the path that I was going on,  
2 I would be moved to a residential school and I wouldn't  
3 really get to see family or that. I was told it would  
4 be in Fife somewhere.

5 Q. We'll have a look at a little bit more about that in  
6 a moment.

7 At paragraph 7 you tell us that JAL-JAN lived in  
8 Longniddry and you say they were quite old.

9 A. Yeah.

10 Q. From the records we know that they were 61 and 62 --

11 A. Yeah.

12 Q. -- at the time of the placement and you were 13 going on  
13 14 at the time.

14 A. Yeah.

15 Q. You describe them as having older children as well as  
16 grandchildren?

17 A. Yeah.

18 Q. Did they live nearby?

19 A. Yeah, they did. They had their son and daughter-in-law  
20 stayed in the same village that we stayed in. Their  
21 other daughter stayed in Tranent and then they had the  
22 son who lived up the town with his wife and children.  
23 We used to go up and see him I think it was like every  
24 second Sunday or something like that. I can't remember  
25 exactly, but we used to go up there and see him

1 regularly.

2 Q. You tell us in this paragraph that there was some  
3 changes with social workers.

4 A. Mm.

5 Q. I think at the beginning of your placement with the  
6 JAL-JAN you had a or you were supposed to have a social  
7 worker called Max Smart?

8 A. Yeah, that's right.

9 Q. Do you remember him?

10 A. Yeah, I do remember Max.

11 Q. Do you know what happened to him?

12 A. I don't know what happened to Max. I didn't realise  
13 that he was off sick. I thought he just went away to  
14 work somewhere else. I just know that I didn't have him  
15 any more and then I got allocated Gill McMillan.

16 Q. Then you had Gill McMillan and I think this is the  
17 social worker that you mention at paragraph 7 and you  
18 say that she went away to work on a new Children's Act?

19 A. Yeah, that's right, mm-hmm. I'm not sure what Act it  
20 was, but it was like the Children's Act 1990 something,  
21 whatever year it was, but yeah, she went away to work on  
22 that, so I was kind of left without a social worker for  
23 six months.

24 Q. Who was your next social worker?

25 A. Julie Alston.

1 Q. Okay. At paragraph 8 you say that the foster parents  
2 were very strict and said that if it didn't work out,  
3 then you would be sent to a secure unit?  
4 A. Yeah.  
5 Q. So this is the residential school in Fife potentially?  
6 A. Yeah.  
7 Q. Was it just the foster parents that said that or was it  
8 the social work department as well?  
9 A. No, social work department told me that as well. I was  
10 told that in reviews. I was told that by social  
11 workers. It was like it was wrote down in minutes.  
12 You are bound to have something there for that as well.  
13 I came across a record on my own where it said that the  
14 placement with JAL-JAN was going well but they're  
15 not sure if that was down to the threat of a residential  
16 unit or not.  
17 Q. Okay.  
18 A. And I read that myself, so I know that's on one of my  
19 files somewhere.  
20 Q. Okay. How did that -- well, first of all, how did you  
21 feel about the threat of being sent away to Fife?  
22 A. I was terrified. I didn't -- I hardly seen my mum as it  
23 was at that point and I'd only had my dad back in my  
24 life for a few years and I had a new baby sister and  
25 brother on the scene and I was terrified. I didn't want

1 to be sent away and having no contact with my family.  
2 I'd already been through -- you know, being put up for  
3 adoption at nine year old and having to go to adoption  
4 classes and stuff, so that was really -- I was  
5 terrified. Like terrified. I didn't want to go.

6 Q. Okay. How did that affect you when you were living at  
7 JAL-JAN?

8 A. It kind of made me I think compliant and I think --  
9 because I had that stuck in my head, I was kind of  
10 reluctant to say about like a lot that was going on.  
11 Like I even remember an incident and like I lied through  
12 my teeth to them, "Oh no, I really want to be here,  
13 I really want to stay", I was drunk, I was a drunk  
14 teenager and I had been on the wine that night and  
15 I think I'd fell over and they were giving me the riot  
16 act or something and I was like, "I really want to stay  
17 here, I like it here", I didn't, I hated it, but I just  
18 lying through my teeth to them because I was worried  
19 that if I said that I didn't want to be there, that that  
20 was my next move, was to a residential unit, and  
21 I didn't want to go there and at that point I was  
22 actually starting to kind of like school and that and  
23 I was starting to build up some friendships. I hadn't  
24 had a chance to build up friendships as a child because  
25 I was moved about a lot. So when I went to Preston

1 Lodge, like I did start getting friends and ken they  
2 friends are still friends to this day.

3 Q. Had you gone to Preston Lodge when you were living with  
4 your dad?

5 A. Yeah, I started Preston Lodge when I was living with my  
6 dad because we moved back up from England, so I was in  
7 second year by the time I'd came back up.

8 Q. Okay, so -- and then you stayed at Preston Lodge when  
9 you were at the next carers that you've mentioned?

10 A. Yeah.

11 Q. Then you still went to Preston Lodge --

12 A. Yeah.

13 Q. -- when you were with JAL-JAN ?

14 A. Yeah.

15 Q. I just want to have a look at a record, I'm not sure if  
16 it's exactly the same one that you've just mentioned,  
17 but if we can have a look at it together, it's at  
18 ELC-000000077.

19 This is a Child in Care Review report for you dated  
20 [REDACTED] 1995, so not long after you had gone to the  
21 placement. If we scroll down a little, I think we see  
22 that the last review, the date there is [REDACTED] -- it's  
23 probably blanked out to some extent. The last review is  
24 [REDACTED] 1995.

25 A. Mm-hmm.

1 Q. And then this is a report written by Gill McMillan, so  
2 that's the social worker that you mentioned.

3 On page 3 it says:

4 "Unfortunately, 'Rosie's' social worker, Max Smart,  
5 has been on sick leave since the last review. This has  
6 caused problems for 'Rosie' and for JAL-JAN who have  
7 felt that the placement has drifted.

8 "At the last review the plan was to pursue  
9 a residential place for 'Rosie', to be revised given  
10 a positive response to the new placement and school."

11 I think we can see there, so back from the beginning  
12 of [REDACTED] 1995, before you moved to JAL-JAN', the  
13 plan was this residential plan that you've mentioned --

14 A. Yeah.

15 Q. -- if things didn't work out with the foster parents.

16 A. Mm-hmm.

17 Q. It says:

18 "Since then 'Rosie' has become quite determined that  
19 she does not wish to attend residential school but wants  
20 to remain in the area. Her behaviour has deteriorated  
21 a little recently, but overall JAL-JAN feel she has  
22 responded positively to the placement. She seems to  
23 have responded positively to JAL-JAN' very  
24 structured approach ..."

25 Do you understand what's meant by "a very structured

1 approach"?

2 A. Yeah, I think so. I think they mean that, you know,  
3 very regimental, and sort of thing, but that's rubbish  
4 because that -- there was no -- they kicked me out all  
5 day every day so like again I was never in. Like I was  
6 dragged out my bed at about 6 in the morning when he  
7 would get in from his night shift or whatever, he'd done  
8 back shifts and night shifts. So if it was a back shift  
9 I'd maybe get an extra hour in my bed then I was allowed  
10 to get out at night, but at the time of 9 in the morning  
11 I was kicked out, I was allowed to go back for lunch,  
12 I was kicked out again until tea time, I was allowed to  
13 go back for tea, then I was kicked out until she got  
14 back from the bingo, which she went to nearly every  
15 night and I had to meet her off the bus at quarter to.

16 So what's structured about that?

17 Q. Okay. We'll come back to that, the sort of daily  
18 routine in a moment in your statement, 'Rosie'. That's  
19 your understanding of what -- well, you're saying you  
20 think this would mean regimented, but really, how could  
21 it be when you were outside --

22 A. Yeah, and they didn't know what I was doing or who I was  
23 with or what I was getting up to, because they didn't  
24 care.

25 Q. Okay. Then it says:

1            "... although there are concerns that she has few  
2            deep emotional attachments or adult friends.  
3            I understand that her behaviour at school has been less  
4            good since Easter."

5            Do you know why they would be referring to adult  
6            friends?

7            A. No, actually, I don't. I'm a bit ... (Pause):

8            "Few deep emotional attachments or adult friends  
9            ..."

10           So is that not saying that I didn't have very many  
11           emotional attachments or friends as adults?

12           Q. Yes, so --

13           A. Well, why would I?

14           Q. That's what I was wondering.

15           A. Yeah, like why would I?

16           Q. Okay. If we go to the bottom of this page, please, and  
17           the final paragraph:

18           "'Rosie' says that she would wish to remain with the  
19           **JAL-JAN**. She does not feel she would cope well or be  
20           happy in residential school, away from the fixed points  
21           in her life."

22           So the fixed points might be school and your dad, is  
23           that what --

24           A. Yeah.

25           Q. At that point.

1            "It is unclear to what extent her desire to remain  
2            in this placement is affected by an understandable fear  
3            of further moves ..."

4            I think that's similar to what you said in your  
5            evidence a moment ago --

6    A. Yeah.

7    Q. -- that they didn't know whether you were saying, "I'm  
8            keen to stay" because --

9    A. That's exactly why I was saying I was keen to stay,  
10           I just did not want to go to a residential school.

11   Q. Okay. Then it says:

12           " ... but she seems to be comfortable with Mr and  
13           Mrs JAL-JAN and is happy that they wish to keep her. She  
14           is also aware that this may present her best chance of  
15           remaining in the area, close to family and friends."

16   A. Yeah.

17   Q. I think that's what you've already said in your  
18           evidence.

19   A. Yeah.

20   Q. If we can go back to your statement now please, and if  
21           we can go on to the bottom of page 2 and paragraph 9,  
22           you mention there that the routine was that you would  
23           have to get up in time for Mr JAL getting in from his  
24           night shift?

25   A. Yeah, that's right.

1 Q. You say that was about 6 in the morning?

2 A. Yeah, 6 in the morning, because the way that the house  
3 was set out, so it was like a three-bedroomed house but  
4 two bedrooms were up the stairs and one was down the  
5 stairs and my bedroom was above their bedroom so then  
6 she wouldn't let me stay in my bed and sleep, because he  
7 was going in to go to his bed and I was not going to get  
8 up and make a noise walking about the floor and doing  
9 whatever and disturb her husband.

10 Q. So that was the reason?

11 A. Yeah.

12 Q. The reason was that if you got up and started moving  
13 about your room that might disturb him?

14 A. Yeah.

15 Q. So you had to get up early and you say that you would  
16 have breakfast --

17 A. Yeah.

18 Q. -- and then you would be kicked out of the house?

19 A. Yeah.

20 Q. What sort of time would you be put out of the house?

21 A. About 9 o'clock in the morning and I would usually tend  
22 to just go out -- I used to like to read a lot when  
23 I was younger and I used to go round to the local  
24 library and I'd just get a couple of books out and I'd  
25 go and sit down the beach or I'd go and sit up the park

1           until like it was a reasonable enough time to go in for  
2           any of my pals and I would just sit and read.

3           Sometimes all my pals, like they didn't even get  
4           up -- especially on like holidays and things like that,  
5           they weren't getting up until like 12 in the day, so  
6           I was spending most of the time on my own in the  
7           mornings just reading basically, that's what I done,  
8           I read.

9   Q.   Okay.

10  A.   Yeah.

11  Q.   If it was school time, you would go to school, you would  
12       leave the house and go --

13  A.   Yeah, I would leave the house and go to school, yeah.

14  Q.   But if it was holiday time, then you say that you would  
15       just have to hang about?

16  A.   Yeah.

17  Q.   Waiting for one of your pals to be awake?

18  A.   Yeah.

19  Q.   To call on them?

20  A.   Mm-hmm, yeah.

21  Q.   Okay. If we go on over the page, so you're talking  
22       there at paragraph 10 about school time, you would have  
23       a sandwich, a biscuit and a packet of crisps from the

24       JAL-JAN

25  A.   Yeah.

1 Q. You wouldn't have school lunches?

2 A. No, they didn't let me get school lunches. I wanted to  
3 go to school lunches because all my pals were school  
4 lunches, but they wouldn't let me. And like I wanted  
5 like money for a play-piece, because my pals used to all  
6 go up the street but I wouldn't get it. That was it,  
7 like the sandwich, a packet of crisps and a biscuit that  
8 was it for the whole day, play-piece and lunch. That  
9 was my play-piece and my lunch.

10 Q. Would you go home straight away after school?

11 A. Yeah, we'd get the school bus from Prestonpans back to  
12 Longniddry.

13 Q. Then would you get your tea when you got back home?

14 A. Yeah. Yeah, we'd get dinner.

15 Q. What was that like? What sort of things did you get to  
16 eat?

17 A. To be fair, she cooked all right. I wasn't -- I feel  
18 sometimes that like they purposely gave me things that  
19 I didn't like. Like she would cook Scottish pies quite  
20 a lot, I can't stand them, still can't stand this, to  
21 this day I've never liked them, and she would like put  
22 two on my plate and things like that. And you know  
23 I wasn't allowed to like really leave the table until  
24 everything had been finished, like I was forced to eat  
25 it all on the plate even though I didn't want to eat it

1 all, but, yeah, like the dinners were all right, ken.

2 Sometimes I didn't want to eat her stuff because

3 when she used to talk she used to spit and sometimes I'd

4 see her standing at the cooker cooking something and

5 she'd be talking and all this spit would be coming out

6 of mouth and going into the food and I'd be like I don't

7 want to eat that, but that's obviously just a personal

8 dislike, I don't want to eat spitty food, thank you, but

9 yeah.

10 Q. What would happen after teatime?

11 A. So after dinner I would be the one that had to go around

12 and put away the dishes every day and I had to do all

13 that before I was allowed to go out and see my pals.

14 Q. Were you able to go out and see pals that were in

15 Longniddry then?

16 A. Yeah.

17 Q. Okay.

18 Did you have to go out to see your pals or --

19 A. Yes.

20 Q. -- did you want to go out or could you have stayed at

21 home?

22 A. No, I wasn't allowed to stay in.

23 Q. Why not?

24 A. They just wouldn't let me stay in, I wasn't allowed.

25 I don't know why. I was never gave a reason. I was

1 outside, that's it. I wasn't allowed to stay in.  
2 I didn't even -- like I very rarely remember watching TV  
3 or anything there because they wouldn't let me. The  
4 only one thing that I remember them doing for me TV wise  
5 was a show that they recorded for me and then for  
6 a while she would let me watch one episode, like the  
7 episode that she had recorded, she would let me watch it  
8 in the morning after getting me up at 6 o'clock, I would  
9 get to watch that episode before I would go outside.

10 Q. I see. Were you ever able to have your friends over to  
11 the house?

12 A. No.

13 Q. Why not?

14 A. I wasn't allowed friends in, at all.

15 Q. Did she give any reason for that?

16 A. No, I just wasn't allowed and that was it. I never  
17 really got reasons for anything for them. It was just  
18 what they said go and that's it. It was never explained  
19 to me why or what not. They did take a friend on  
20 holiday one day -- one time as well. They went on  
21 a holiday to Blackpool and I went with them and they let  
22 me have like one of my pals come, which was quite nice,  
23 but I'm not sure how much that -- they had been talked  
24 into it, maybe with my social worker or if it was off  
25 their back, like I'm not sure.

1 Q. You talk about meeting Mrs JAN off the bus from the  
2 bingo?

3 A. Yeah.

4 Q. I think you said in your evidence earlier that she went  
5 to the bingo a lot.

6 A. Yeah, she went every night.

7 Q. Would she be away somewhere else on the bus --

8 A. Yeah.

9 Q. -- and then she'd come back?

10 A. Yeah, so she would after tea, after I'd had dinner  
11 I would be kicked out the house and then she would be  
12 away and if JAL was on a back shift or a night shift he  
13 wasn't in the house because their two times crossed  
14 over, I think, from what I can remember right, so he  
15 wasn't in the house either all night or till either  
16 later at night. So she would leave the house around  
17 teatime, just after tea, go to the bingo at Musselburgh,  
18 it used to be the Hayweights that she would go to and  
19 then she would get the bus back, which would arrive back  
20 into Longniddry at quarter to ten and I had to meet her  
21 off that bus and walk down the road and that's when  
22 I would get back in the house, and then it was in the  
23 house, supper and straight to bed.

24 Q. Mr JAL, what was his work?

25 A. He worked for [REDACTED] It's a factory. I'm

1 not too sure, I think they produce -- I think they make  
2 [REDACTED] I'm  
3 not sure, something, I'm not sure, but it was [REDACTED]  
4 [REDACTED] he worked at.

5 Q. So he was working in a factory and sometimes he would be  
6 on the back shift and sometimes he would be on the night  
7 shift?

8 A. Yeah.

9 Q. But whichever it was, he would be out in the evening?

10 A. Yeah.

11 Q. Then if Mrs JAN was going out to the bingo, you would  
12 be put out of the house as well is what you are saying?

13 A. Yeah. There were some occasions where like he wasn't  
14 working and he was in the house, but I still wasn't  
15 allowed to stay in the house.

16 Q. Right, okay.

17 At paragraph 12 you mention a little bit about your  
18 room and you talk about what was in it and you say that  
19 you weren't allowed posters, you didn't have many  
20 personal items.

21 A. No.

22 Q. Did you feel like your room was yours?

23 A. No.

24 Q. Whose room had it been? How was it set up.

25 A. It was set up with two single beds, with a set of

1 drawers between them and another set of drawers at the  
2 bottom of one of the beds and like a wee desk down at  
3 the bottom. And that was like it basically.

4 Q. Were there any pictures or things on the wall?

5 A. No. I wasn't allowed to have anything like that.  
6 I wasn't even allowed in my room to play the computer  
7 half the time. I was only allowed in it sometimes.

8 Q. Okay.

9 Then at paragraph 13 you talk about what would  
10 happen at holiday times and you've already mentioned  
11 that, that you would still have to get up early and then  
12 you'd be put out, and you say that you'd be allowed back  
13 in at lunchtime?

14 A. Yeah, to get my lunch.

15 Q. Then you'd be put out again?

16 A. Yeah.

17 Q. Then the same routine in the evenings?

18 A. Yeah.

19 Q. At paragraph 14 you say that you were never allowed in  
20 the house yourself --

21 A. No.

22 Q. -- and you had to study for your exams in the local  
23 community centre?

24 A. That's right.

25 Q. Tell us about that.

1 A. Well, I was struggling a wee bit at school. I wasn't  
2 like kind of -- I got like -- I kind of sort of for  
3 a while just messed about, but then I kind of got the  
4 feel and I was like I don't want to leave school with no  
5 qualifications, I need to do something about this, so  
6 about three weeks before my exams I kind of got my  
7 finger out and I started studying really, really hard  
8 but they just would never let me sit in my house in my  
9 room in the quiet to do it, they were like, "No, you can  
10 and do it elsewhere", so I would take all my books to  
11 the local community centre and I remember there was  
12 a woman there, Pearl, and she used to always try and  
13 like -- when she was on she would always try and set up  
14 in a wee quiet corner and that, and she would give me  
15 like free juice and stuff like that sometimes and she  
16 felt a bit sorry for me.

17 The staff in the community centre were quite good  
18 and they did always try to like help me get my studying  
19 done and they would actually help me like see if I got  
20 stuck with something that I was doing in my school work  
21 I would just ask one of the community centre staff and  
22 they would like come and sort of help me work it out.  
23 But JAN and JAL never ever helped me with anything  
24 to do with my school work ever.

25 Q. Okay.

1 A. Wouldn't even let me stay in to do my homework after  
2 tea.

3 Q. So if you had homework, what would happen?

4 A. I just -- either I just didn't do it. There was  
5 multiple -- there's multiple things there from the  
6 school that state that I didn't hand homework in or that  
7 homework was handed in late or whatever, and that's  
8 because either I didn't do it or I would rush to get it  
9 done at break at school before it was to be handed in to  
10 the class. So then even if I did get it done it was  
11 rushed and it was messy and it was just rushed, so it  
12 wasn't a good piece of work.

13 Q. At paragraph 15 you say you were only allowed a shower  
14 twice a week?

15 A. Yeah.

16 Q. Do you know why that was?

17 A. No. No idea. They just basically told me that I was  
18 only allowed in the shower twice a week. If I was in  
19 any longer than five minutes then -- I actually have the  
20 same system, so you can turn the shower on and off from  
21 outside the bathroom with like a switch, so they would  
22 turn the shower off from the outside when I was still in  
23 the shower. One time I got caught like with shampoo  
24 still in my hair and they switched it off and I had to  
25 like rinse my hair with cold water out the tap.

1 Q. On the other days then how did you wash?

2 A. I had to stand at the sink and just have a wash, but

3 I got bullied at school for it. Like people found out,

4 I don't know how, and I got called a black neck and

5 a tramp. I remember one girl drew on my neck and then

6 checked it the next day to see if I still had the pen

7 mark on my neck. To see if I'd had a wash or not,

8 so ...

9 Q. Okay.

10 You talk about clothing at paragraph 16 and you say

11 that it was always cheap stuff that you got?

12 A. Yeah.

13 Q. And this was another reason that you got bullied at

14 school?

15 A. Yeah.

16 Q. Was there a school uniform or was it just certain things

17 that you had to wear at school?

18 A. Preston Lodge didn't introduce a school uniform until

19 I had moved on to ██████ and ██████'s, so at that point

20 everybody was wearing branded clothes, you know Adidas

21 Kappa, you know, all the brand names, and they would

22 take me down to the local Sunday market or up to What

23 Everyone Wants, which was like the cheapest of the cheap

24 for everyone that remembers, and they would only

25 spend -- I remember they took me shopping twice and it

1 was in the summer holidays and they only spent about  
2 £100 on me, if you were lucky.

3 I didn't realise that I was getting money every week  
4 for a clothing grant until I moved on to my next  
5 placement.

6 Q. Okay, okay.

7 Then at paragraph 17 you tell us there about when  
8 your period started they refused to believe you, accused  
9 you of being pregnant?

10 A. Yeah. So I started my periods, I was a bit of a later  
11 bloomer and I started my period there and she used to  
12 limit me to three sanitary towels a day, which as well  
13 she didn't buy the brand that I would like her to buy,  
14 she bought the, like, really, you know, those ones that  
15 you get that are basically filled with cotton wool, the  
16 cheapest of the cheap, about 30p a packet, they're very  
17 uncomfortable and very scratchy. She would limit me to  
18 three of them a day and then when -- because I'd just  
19 started my period, I think there was one time that it  
20 lasted for about two weeks, you know your cycle can be  
21 a little bit messed up when you first start, so I had my  
22 period for like two weeks and I was asking for sanitary  
23 towels because they were kept locked away as well in  
24 a cupboard beside her chair, so I couldn't even get to  
25 them. They weren't just there for me to help myself to.

1 Q. Okay.

2 A. And she didn't believe me one day when I asked her, she  
3 didn't believe that I'd had my periods for two weeks and  
4 they accused me of being pregnant so obviously we got  
5 into an argument and then he -- not even her -- he took  
6 me upstairs and made me pull my pants down and show him  
7 my bloody sanitary towel to prove that I was still  
8 bleeding.

9 And I'm sorry, I really need to take a break now.  
10 Could I have a wee break and go to the toilet?

11 LADY SMITH: Would you like to have your break out of the  
12 room?

13 A. Yeah, just --

14 LADY SMITH: Let's do that.

15 You go and have a break. You just let us know when  
16 you feel ready to go on.

17 We'll take a short break just now.

18 (12.38 pm)

19 (A short break)

20 (12.42 pm)

21 LADY SMITH: Are you okay if we carry on now, 'Rosie'?

22 A. Yeah, sorry about that.

23 LADY SMITH: No need to apologise.

24 A. I get a bit toilety when I'm nervous.

25 LADY SMITH: No problem at all. Right, if you're ready,

1 I'll hand back to Ms Innes and we'll carry on for a bit.  
2 Thank you.  
3 Ms Innes.  
4 MS INNES: Thank you, my Lady.  
5 If we can go back to page 4 of your statement and at  
6 paragraph 18 you tell us there about a time when the  
7 JAL-JAN son moved back into the house?  
8 A. Yeah, so that was the son that lived in Edinburgh.  
9 Q. Okay.  
10 A. He had been married with two kids, he was in his 30s and  
11 him and his wife had split up.  
12 Q. Okay.  
13 A. So he moved back into their home.  
14 Q. Did the social work department know that he'd moved back  
15 in?  
16 A. I don't think so. I'm not -- actually I'm not sure.  
17 I think -- that was at the time where I didn't have  
18 a social worker, so --  
19 Q. Okay.  
20 A. In all honesty, I don't know if they knew or not. To be  
21 honest, I really don't know.  
22 Q. Then you say at paragraph 19 that at first it was quite  
23 good --  
24 A. Yeah.  
25 Q. -- because he used to let you into the house --

1 A. Yeah.

2 Q. -- and would give you drinks. You say "us", so maybe  
3 you and a friend?

4 A. A friend, yeah, my 13-year-old friend. I was 15, my  
5 friend was 13.

6 Q. You mention that the son had a friend who was 28?

7 A. Yeah, that's right.

8 Q. What happened between these two men and you and your  
9 friend?

10 A. So when JAU moved in, he was ... like I said it was all  
11 good because he would let me -- she would still kick me  
12 out, but then he would just say to me, "Just come back  
13 when she's away on the bus and you can come and sit and  
14 watch the telly with me", or whatever, and stuff like  
15 that. So I would go back -- because at that point in  
16 time as well I was getting horrendously bullied, so  
17 being out in the community wasn't that great either  
18 because I was getting like picked on all the time and  
19 I didn't really have a lot of friends, and even the  
20 friends I did have that, the crowd that we hung about  
21 with, half that crowd would bully me, so I was like yes,  
22 great, I can go and sit in the house. So that's what we  
23 started doing.

24 And then he started like -- he would be having a wee  
25 drink so he'd let me have a wee drink with him and then

1 his pal would start coming around and then -- I don't  
2 know why, but it was decided that we would start going  
3 down to the beach and I'm not sure if that's because  
4 like neighbours noticed and had maybe said to them or if  
5 it was just that, you know, this was their plan to get  
6 the two young lassies? I don't know exactly, but we  
7 kind of ended up going down the beach quite a lot anyway  
8 and not sitting in the house. We would go down the  
9 beach and we would drink and smoke weed, and we found  
10 like there was like a little bit -- so at Longniddry  
11 beach there's like you can walk down a bit opposite the  
12 golf course and then there's like duney bits with loads  
13 of bushes and things like that, and you could get into  
14 the bushes and if you walked through all these sort of  
15 wee jagged bits you came to a bit of like a clearing and  
16 we called it the house, and that's where we would go  
17 because nobody could see you. You could see down onto  
18 the beach and see people that were passing but if they  
19 looked up they wouldn't see us. So we would just be  
20 quiet if people passed and not make a noise and that's  
21 where we would go to drink and that's where all the  
22 grooming and stuff like that sort of started happening.

23 Q. Okay. You tell us that the son started going out with  
24 your friend.

25 A. Yeah, she was 13.

1 Q. Okay. And then you also say that the friend tried to  
2 have sex with you?

3 A. Yeah. That was a while after, obviously things first  
4 started up like -- but he did try once.

5 Q. Okay. So was that a sort of gradual development?

6 A. Yeah, yeah. Like he would like take me down to the  
7 beach and he would say things to me and he would make me  
8 feel like -- special. And kind of would say things to  
9 me like, "You're beautiful, you're not going to be  
10 interested in somebody like me when you're older" and  
11 all this, and kind of, "I really love you" and things  
12 like this, and that was sort of how it all like  
13 progressed and things like that.

14 Q. Okay.

15 Do you know if the same sort of thing was happening  
16 with your friend?

17 A. Oh yeah, yeah, yeah. It was.

18 Q. You say at paragraph 21 that you wrote it down in  
19 a diary?

20 A. Yeah.

21 Q. And --

22 A. I used to write diaries back then. I don't know why.  
23 Just something that I done. But yeah, I'd like wrote it  
24 down in a diary which I had hidden under my mattress in  
25 my bedroom and then she found it one day.

1 Q. And what was her reaction?

2 A. Well, I wasn't in, so when I got home from school the  
3 diary was lying on the coffee table in the living room.  
4 It's a bit of a blur what happened, because when  
5 I walked in and saw it, I felt like, you know, that  
6 whole like -- I think I understood then a rabbit caught  
7 in headlights, that kind of reaction, because that's how  
8 I felt. I was just like, "Oh my God! Oh my God!"

9 They confronted me about it, called me a liar and  
10 a fantasist, to which I just kind of went along with,  
11 because like as much as I was 15 and I knew that it was  
12 wrong, like legally, I think emotionally I didn't quite  
13 get that and I thought this was all real and this was  
14 good and I didn't want him to get into trouble and  
15 I didn't want JAU to get into trouble because he had  
16 been good to me and let me go into this house and it was  
17 like all of this sort of stuff going through my head so  
18 I kind of said it was lies as well and I just went along  
19 with them and told them that it was lies and it wasn't  
20 and they basically just got rid of the diary. I got  
21 told they burnt it, but I don't know but they just got  
22 rid of the diary and it just got swept under the carpet  
23 and nothing ever got raised about it.

24 Then their other son would walk about the house  
25 calling me the fantasist and the fantasiser, like every

1 time I would walk past, "Look, it's the fantasist, oh  
2 look, it's the fantasiser", and things like that, that  
3 just made me feel about that big.

4 And then it was made even worse that I actually  
5 found out when I moved out of the placement that  
6 actually that son and his wife found out about his  
7 brother and my 13-year-old pal and kept shtum about it  
8 and let them continue seeing each other.

9 Q. So you later discovered that the other brother and  
10 sister-in-law actually knew that --

11 A. I think they found out afterwards that it was true, like  
12 after I had moved out of Longniddry, it was around that  
13 point I think they found out that it was true, I think,  
14 maybe JAU and [REDACTED] had been seen together or something,  
15 I'm not sure, but they found out it was true and they  
16 knew it was true.

17 Q. And they did nothing about it?

18 A. And they done nothing.

19 Q. Okay. Were you able to talk to a social worker about  
20 what happened?

21 A. No. I just sort of -- when I got Julie, I was at a  
22 point with them -- aside all of that going on, you know,  
23 they treated me like a slave as well, again like I had  
24 to do everything in the house, you know, when they had  
25 their big family meals with their dishes, it was never

1       any of their grandchildren that got told to help, it was  
2       only me and if they occasionally had another respite  
3       child they would make them help, but it was only me and  
4       the other foster kids that got made to do the work and  
5       that, and I just had gotten to a point I think the final  
6       straw was I didn't have the foster work and Julie got  
7       allocated, so I'd been outside smoking at the back door  
8       because they did used to let me smoke at the back door  
9       and I had got a head rush off the cigarette so I tried  
10      to walk up the steps and I got a bit dizzy and I banged  
11      into their door and she was like, "Watch where you're  
12      fucking going" -- excuse my language, but that's what  
13      she said to me, and I was like, "I'm really sorry,  
14      I tripped", but I said it with an attitude, I'm not  
15      going to lie, I had an attitude with the whole family by  
16      that point. And she was like, "Who you are talking to  
17      like a piece of shit? Don't speak to me like a piece of  
18      shit, because the only fucking piece of shit in this  
19      place is you."

20             I think that might have been the Saturday or the  
21      Sunday and then I seen Julie on the Monday and I told  
22      her, "If you don't get me out of here I will leave, I'm  
23      sleeping on the streets, I don't care if I'm 15, I am  
24      not staying here a minute longer". I don't think  
25      I disclosed the stuff that had went on with the diary,

1 I was still quite embarrassed about everything, didn't  
2 again want to be called a liar as well. So I don't  
3 think I did disclose that, but then, yeah, I met Julie  
4 on the Monday. By the Wednesday she had found me new  
5 foster parents and by the Friday I was out and with  
6 [REDACTED] and [REDACTED].

7 Q. We'll come back to them in a moment, there are just  
8 a couple of other things that I wanted to ask you about  
9 your time with JAL-JAN [REDACTED].

10 A. Mm-hmm.

11 Q. One was contact with your family when you were with  
12 them.

13 First of all, were you able to see your dad when you  
14 were living with JAL-JAN [REDACTED]?

15 A. Yeah, I did I used to go to my dad's sometimes at the  
16 weekends when my dad was there, but my dad was in the  
17 [REDACTED] at the time so he was often away for long periods of  
18 time and I didn't obviously see him then.

19 My mum, my mum lived in England. I actually had  
20 lost contact with my mum for about four years at one  
21 point and had only recently got in touch with her again  
22 and she wouldn't let me phone her. If I remember right,  
23 I think the social work had to intervene on that and  
24 say -- she would sort of put it to me, "Oh, you're not  
25 phoning England from my phone, it will cost a fortune"

1 and stuff like that, and then social work kind of talked  
2 her into agreeing to let me phone at the weekends when  
3 it was cheaper, but I was only allowed like a phone call  
4 for five minutes.

5 She didn't like me phoning my mum because she used  
6 to just call my mum an alcoholic and like she would talk  
7 about my mum in front of me and that. She didn't like  
8 my mum. My mum came for a visit once up to Scotland and  
9 she came to the house with my wee brother and JAN  
10 embarrassed the living daylight out of me. Like I was  
11 so excited to see my mum, I hadn't seen my mum for like  
12 five years or something and she basically embarrassed my  
13 mum and called my mum an alcoholic.

14 Q. To her face?

15 A. Yes, to her face. I then had to take my mum and my  
16 brother up to my friend's house and my friend's mum sort  
17 of made my mum a cup of tea and we went on a wee walk  
18 with her and stuff, but yes, and my mum never went back  
19 to JAN and JAL's house after that again.

20 Q. That was contact with your mum. There was this visit  
21 once and then you were allowed to phone her for five  
22 minutes --

23 A. Yeah, and then there was one trip, actually it was  
24 around -- I think it was for Christmas, and social  
25 work -- so they must have been in contact with social

1 work even though I didn't have a worker, but anyway,  
2 social work had paid for me to get a plane down to  
3 London, because I think that was the only form of travel  
4 that you could get at that time if you were under 16,  
5 you were allowed to fly without an adult. So they had  
6 got me a visit down to my mum's for Christmas on the  
7 plane and JAN and JAL had to take me to the airport  
8 and they put me on the plane and then they met me off  
9 the plane coming back again.

10 Q. You can remember that visit as well to your mum?

11 A. Yeah.

12 Q. In terms of your dad, you said he was in the [REDACTED] and  
13 therefore --

14 A. Yeah.

15 Q. -- that meant that he travelled away. I think there was  
16 a time while you were with JAL-JAN [REDACTED] that he was in  
17 Canada?

18 A. Yeah, that's right.

19 Q. Did he write to you --

20 A. Yes.

21 Q. -- during that time?

22 A. Mm-hmm.

23 Q. Can you tell us about the letter that he sent to you  
24 that you found upsetting?

25 A. The letter basically was just a letter giving me a row

1 the whole way through. I was just getting shit -- I was  
2 getting called all the wee bastards under the sun, and  
3 that was because what they were reporting to my dad that  
4 I was this, I was that, I was a liar, I was  
5 manipulative, I was this, I was that, I was the next  
6 thing, and I think my dad obviously wasn't around and  
7 wasn't there and my dad just believed them.

8 Q. Did he write those sorts of things in the letter?

9 A. Yeah, basically told me in the letter that I was never  
10 going to have any sort of future for myself, that if  
11 I didn't pull my socks up and pull my finger out and  
12 start getting my head down that -- I can't even remember  
13 what it all was, I just remember sitting there reading  
14 and being in tears reading this letter and that's not  
15 what I wanted from my dad that was away. I mean  
16 I wasn't seeing my mum and I had no family. Like  
17 I wasn't even seeing my brother and sister at that  
18 point. Nothing to do with social work, that was to do  
19 with my step-mum upped and left and didn't even tell my  
20 dad or me or anybody, she just upped and left with my  
21 brother and sister. So I kind of just went from having  
22 a little bit of family to no family and then the one  
23 family member that I have was believing everything that  
24 they were saying and just backing them all up and  
25 calling me all the names under the sun.

1 Q. Do you know if he was getting information directly from  
2 the foster parents or was it coming through social work?  
3 A. I'm not sure, to be honest. Honestly I'm not sure and  
4 I've never really asked him either. I kind of like  
5 didn't -- tend not to bring up the past very much --  
6 Q. Okay.  
7 A. -- with my dad.  
8 It certainly wasn't through me he was getting  
9 information, anyway.  
10 Q. Okay. You have mentioned social workers. If we go on  
11 to page 6 and paragraph 31, you say that you don't  
12 remember any reviews or visits from social workers when  
13 you were there, but maybe you've seen some notes --  
14 A. Yeah, I have seen some notes but I don't remember having  
15 any reviews. I remember Gill being there once and that  
16 was when she was telling us that she was going away to  
17 work on the new Children's Act that she was going to  
18 work on.  
19 Other than that, I didn't see anybody from then  
20 until I seen Julie. But obviously -- and I don't  
21 remember going to any reviews. I don't even know if  
22 they happened or what, but they must have because  
23 there's minutes there, but I don't remember them.  
24 Q. You say at paragraph 31 what you mentioned earlier, that  
25 due to the overhanging fear from **JAL-JAN**, and

1 I think you've mentioned and also what you were told by  
2 the social work department, that you would be sent to  
3 a secure unit if your placing didn't work out, you  
4 didn't feel like you could open up to a social worker?

5 A. Yeah.

6 Q. Yeah.

7 A. Because I felt like that if I did, then I would either  
8 (a) not be believed and then (b) oh my God, this child  
9 is just too much, she needs to be locked away somewhere  
10 secure. And that was my definite overhanging fear,  
11 I did not want to move out the area.

12 Q. Then you've already told us at page 7 and paragraph 37  
13 you talk about the circumstances in which the placement  
14 with JAL-JAN [REDACTED] came to an end and you spoke to your  
15 social worker, the new social worker that you had,  
16 Julie.

17 A. Mm-hmm.

18 Q. And very shortly after you told her, you were moved  
19 to -- you've mentioned them before -- [REDACTED] and [REDACTED]?

20 A. Yeah.

21 Q. Just in general terms, what were they like?

22 A. They were amazing. [REDACTED] and [REDACTED] were amazing. My  
23 oldest daughter still calls [REDACTED] "grandma" to this  
24 day. She was there when [REDACTED] was born. I opened up to  
25 them. I didn't open up about the whole stuff with JAT [REDACTED]

1 and JAU, but I opened up to [REDACTED] and [REDACTED] about the  
2 rest of the stuff and they were appalled. And as far as  
3 I'm aware, [REDACTED] and [REDACTED] put in a complaint to the  
4 social work department. They also had to put in for  
5 an emergency clothing grant for me because the clothes  
6 that I went to them with were too small, they were full  
7 of holes, they were worn, again backing up that they  
8 never bought me clothes.

9 So, yeah, so [REDACTED] and [REDACTED], they put in  
10 a complaint and put in for the emergency clothing grant  
11 and then [REDACTED] was the one who sort of first told me  
12 about, you know, that you actually get £60 a month for  
13 clothes and she actually showed me the jar in the  
14 cupboard where she kept the money and she said, "What we  
15 will do, if it's all right with you, is, we'll save it  
16 up for three months at a time, because you can't get  
17 very much for £60" -- that's what she was like, she was  
18 brilliant. She was like, "We'll save it up and then  
19 we'll just go every three months, is that all right with  
20 you, darling, aye?"

21 So she'd be really good and that's what we done,  
22 that's how I first found out that I got a clothing  
23 grant. I did have no clue until that point that I got  
24 a clothing grant.

25 Q. Okay.

1           You tell us in your statement about the difficulties  
2           that you faced in your life after you left care.  
3           I think from what you've said, you obviously were able  
4           to maintain a relationship with [REDACTED] and [REDACTED], the  
5           last carers that you had?

6   A.   Yeah.

7   Q.   Okay.

8           As I say, you tell us about some of the difficulties  
9           that you've faced in the past and would you attribute  
10          them to your experiences as a child?

11  A.   Yeah.  Definitely.  I think as an adult, I tried to  
12          process everything that I'd went through and then having  
13          this like such a fast-thinking brain, I just wanted  
14          everything to stop and slow down and then I was  
15          introduced to drugs and stuff and that kind of did that  
16          for me.

17  Q.   Okay.  I think you tell us in your statement that you've  
18          able to -- you've been drug-free, I think --

19  A.   Yeah.

20  Q.   -- and you've been able to put that part of your life  
21          behind you?

22  A.   Yeah, I was on drugs for about four years doing some  
23          pretty undesirable things.  I was in a really bad  
24          relationship -- my relationships haven't been great  
25          either.  Like I have six bairns to five guys, so that

1 kind of tells you something. My relationships haven't  
2 been great until I met [REDACTED], but even then I wouldn't  
3 say it's perfect. Like I'm hard to deal with, I think.

4 I do have attachment issues and emotional issues,  
5 temper issues, anxiety, depression. I just -- mm-hmm.

6 Q. Those various things --

7 A. Yeah.

8 Q. -- but I think -- so you've been in a supportive  
9 relationship with [REDACTED], is that right?

10 A. (Witness nods)

11 Q. Okay.

12 You tell us just at the end of your statement at  
13 paragraph 58 some of the lessons that you think we can  
14 learn from your experience. Thinking particularly of  
15 your experience with JAL-JAN [REDACTED] and maybe comparing  
16 that experience with the [REDACTED], who you were with  
17 before, and then [REDACTED] and [REDACTED]?

18 A. Yeah.

19 Q. What sort of things do you think we can learn about  
20 foster care and how children should be kept safe?

21 A. Oh, God, there's hundreds. I think -- I mean when  
22 I went to [REDACTED] and [REDACTED]'s, they said about me like  
23 there was no fear. I had no fear because I had been  
24 basically just like left to my own devices for two  
25 years, there was no fear like, and I think children need

1 to be not left without the social work support. Like  
2 I think that it's really important that -- I think as  
3 well like swapping social workers about all the time,  
4 it's not good for a child. Things get mixed up. You  
5 know children build up relationships, I know it myself.  
6 I had Max as a social worker for years and then he just  
7 left and abandoned me and I had nobody and then I got  
8 this new one for a couple of months that just left and  
9 abandoned me. Ken, like you cannot do that to kids.

10 Like essentially when you go into care, the state  
11 becomes your parents. Like the state are supposed to be  
12 responsible for you. They're supposed to take care of  
13 you and they're supposed to keep you safe. And that's  
14 what's needed. It needs to be done. I don't know what  
15 that is, how to put that into place. I'm not  
16 a government worker, you know what I mean, but there's  
17 not enough there.

18 Even still to this day my daughter, who actually  
19 grew up in care as well because of the issues that I've  
20 had because of my childhood, I wasn't a good parent.  
21 I did have a really traumatic 20s. That's directly  
22 impacted my daughter, who then grew up in care because  
23 of that. She's 23 and still like dealing with her  
24 social worker and stuff, but she's lucky because she's  
25 had the same one for a long, long, long, long time. Now

1       they're trying to move her over, she doesn't want to let  
2       it go but she is at an age where she should be, but for  
3       kids, for children, they need stability, they need  
4       a relationship with a worker that they can trust, that  
5       they can build rapport up with, you know that they can  
6       feel that they can go to and they're going to be  
7       believed.

8                Things like -- I never had that and all my life  
9       I was just told by foster parents and social workers,  
10       "It's you, it's you, you're the problem, your behaviour  
11       this, your behaviour that". I was never believed, I was  
12       called a liar, I was called manipulative. And I'm not  
13       any of those things. Like I'm actually not. If  
14       anything I'm too honest sometimes and it gets me into  
15       trouble.

16               I just think that the state needs to -- like as  
17       a state. If you are going to take a child and become  
18       their parents essentially they need to be acting like  
19       parents, not just palming them off and expecting the  
20       family to be the ones, because quite often the families  
21       aren't caring. So it should be the people above the  
22       families, you know the workers and that that should be  
23       intervening like that, they should be saying, "There's  
24       more going on here, there's more going on with this  
25       child than ..." Yeah.

1 MS INNES: Yes, okay.

2 Thank you very much, 'Rosie', for your evidence.

3 I don't have any more questions for you and there are no  
4 applications, my Lady.

5 LADY SMITH: Are there any outstanding applications for  
6 questions of 'Rosie'?

7 'Rosie', that does complete all the questions we  
8 have for you this morning.

9 Three things I want to say, three things I want you  
10 to take away.

11 One is well done in all you've achieved in coming  
12 here, engaging with us, giving us your written  
13 statement, coming here today and helping me learn so  
14 much more about what life in foster care can and can't  
15 be in so many ways.

16 Well done for getting off the drugs.

17 A. Thanks.

18 LADY SMITH: Four years clean is a huge achievement --

19 A. No, I was on them for four years. I'm 13 years clean.

20 LADY SMITH: Oh, well, that's even better.

21 A. But thanks.

22 LADY SMITH: May it last longer than that.

23 Also, as I look at you, you're young. You may not  
24 think that, but you are. You've obviously made huge  
25 strides forward and I hope you're able to carry on doing



1           She remained there for the rest of her childhood. The  
2           relevant successor is Perth and Kinross Council.

3 LADY SMITH: Thank you.

4                           Kerry McDonald (sworn)

5 LADY SMITH: Is it all right if I call you Kerry?

6 A. (Witness nods)

7 LADY SMITH: Kerry, you seem to be in a good position for  
8           that microphone. If you can try to stay in that  
9           position, it will help you and it helps us to hear you.  
10          We need to hear you through the sound system.

11 A. (Witness nods)

12 LADY SMITH: There's a red folder on your desk. You'll be  
13          taken to that in a moment. It has your statement in it  
14          that you signed, but we'll also bring the statement up  
15          on the screen and you can look at it there as well as we  
16          go to different parts of it if you find that helpful,  
17          but you don't have to.

18                 Would you rather not have that on the screen? What  
19          do you think?

20 A. (Pause)

21                 Sorry.

22 LADY SMITH: Kerry, don't worry. There are some tissues  
23          there if you want one. They're on the corner of the  
24          desk.

25                 (Pause)

1           Kerry, do you want to go back to the witness room  
2           for a wee while? No? All right. You get a tissue.

3   A. Sorry.

4   LADY SMITH: Don't apologise.

5           While you're getting yourself sorted, one of the  
6           things I was about to say to you is I do understand that  
7           what you're doing here is really difficult, and talking  
8           about yourself, about your own life and about your life  
9           as a child and about things that were upsetting and  
10          distressing can be hugely emotional. And your emotions  
11          can take you quite by surprise. You're in a strange  
12          environment with people that you don't know, you've  
13          never met some of us before, and we're about to start  
14          asking you to talk about yourself. Of course that's  
15          upsetting and it's perfectly all right if it causes  
16          tears and upset. You don't need to apologise. I do  
17          understand.

18          But please, let me know if you'd find it easier to  
19          get out of here and have a break or if, as we're doing  
20          now, you just take some time sitting and we're not  
21          talking about your evidence. You tell me to be quiet if  
22          that would be easier for you.

23          Would you prefer if we didn't put your statement on  
24          the screen or not? We don't have to. We'd only do that  
25          for your help, to help you. Would you rather we didn't?

1 A. It's all right.

2 LADY SMITH: Is that okay?

3 A. (Witness nods)

4 LADY SMITH: All right. We will put it up on screen as we  
5 go through, but if at any time you just are not coping  
6 with seeing it there, you tell us and we'll switch it  
7 off. Let me know that, would you?

8 A. (Witness nods)

9 LADY SMITH: Kerry, if there's anything else I can do to  
10 help you give your evidence as well as you can, you must  
11 say. Or if you have any questions, here is the one  
12 place you can ask questions. You may have had  
13 difficulty doing that as a child, but it's perfectly  
14 okay to do it here.

15 A. (Witness nods)

16 LADY SMITH: All right?

17 A. (Witness nods)

18 LADY SMITH: Do you have any questions at the moment?

19 A. No.

20 LADY SMITH: All right. Well, if you're ready, I'll hand  
21 over to Ms Innes and she'll take it from there. Is that  
22 all right?

23 A. (Witness nods)

24 LADY SMITH: Very well. We'll do that.  
25 Ms Innes.

1 MS INNES: Thank you, my Lady.

2 Questions from Ms Innes

3 MS INNES: Kerry, I understand that you were born in 1973.

4 Is that right?

5 A. Yes.

6 Q. We have your statement and we give it the reference

7 WIT-1-000000907. If we go to the last page,

8 paragraph 126, you say there:


9 "I have no objection to my witness statement being  
10 published as part of the evidence to the Inquiry.

11 I believe the facts stated in this witness statement are  
12 true."

13 You signed the statement I think on 10 February of  
14 this year, 2022. Is that right?

15 A. Yes.

16 Q. Okay.

17 You tell us at the beginning of your statement  
18 a little bit about what you understand of your life  
19 before you were taken into care 

20 

21 

22 A. 

23 Q. 

24 

25 A. 

1 Q. [REDACTED]  
2 A. [REDACTED]  
3 Q. You say I think you're not very sure why, after you were  
4 born, I think you initially stayed with your mum.  
5 A. Mm.  
6 Q. You're not very sure how that was [REDACTED]  
7 [REDACTED].  
8 A. Yes.  
9 Q. Then you tell us at paragraph 3 that you were then taken  
10 away when you were [REDACTED] months old, you understand?  
11 A. Yes.  
12 Q. You go on in your statement to say first of all that you  
13 went to somewhere called Nimmo Place in Perth, page 2?  
14 A. Yes.  
15 Q. You were there, I understand, until you were about  
16 seven?  
17 A. Yes.  
18 Q. Is Nimmo Place, was it a children's home?  
19 A. Yeah.  
20 Q. Okay. [REDACTED]  
21 A. Yeah.  
22 Q. Then if we go on to page 3 and paragraph 7, you tell us  
23 there that when you were about seven, you moved from  
24 Nimmo Place [REDACTED], I think, to another  
25 children's home in Scone.

1 A. Yeah.

2 Q. You say this is 55 Birch Avenue. Do you have any idea  
3 why you were moved?

4 A. No.

5 Q. Was Scone just another children's home?

6 A. Yeah.

7 Q. Similar to Nimmo Place or different?

8 A. No, there was more -- more kids.

9 Q. More kids at the Scone place?

10 A. (Witness nods)

11 Q. Then we understand that you lived there until you were  
12 12 --

13 A. (Witness nods)

14 Q. -- and you were moved to a Mr and Mrs GKP-GKQ

15 If we go on to page 10 and paragraph 36. This bit  
16 is just blanked out, Kerry, because it's about other  
17 institutions that we're not talking about in this case  
18 study, we're just talking about foster care.

19 A. (Witness nods)

20 Q. At paragraph 36 you tell us there about you think that  
21 you would have been told by MCF that you were  
22 getting fostered or that she was involved in it?

23 A. Yeah.

24 Q. Who was MCF?

25 A. That was my social worker.

1 Q. Was she your social worker for as long as you can  
2 remember or did you have different social workers?  
3 A. I remember I had her when I moved to the foster -- the  
4 GKP-GKQ  
5 Q. Okay, so you remember --  
6 A. I don't remember her when I was in the home --  
7 Q. Okay.  
8 A. -- but she was -- obviously, but when I went to live  
9 with GKP-GKQ, that's when I had her.  
10 Q. Okay. Can you remember being told that you were going  
11 to move and live with GKP-GKQ?  
12 A. Yeah.  
13 Q. Had you seen them before? Had you visited them?  
14 A. I think I went for weekends first.  
15 Q. Okay.  
16 A. I don't know how many weekends now. Because my files  
17 are saying different --  
18 Q. To what you remember?  
19 A. Yeah.  
20 Q. Okay. So you think that there were some visits with the  
21 GKP-GKQ?  
22 A. I remember there was weekends.  
23 Q. Okay. What did you think of GKP-GKQ when you visited  
24 them at the weekends?  
25 A. They were nice.

1 Q. Okay. You tell us a bit about GKP-GKQ as we go on in  
2 your statement on page 11 and paragraph 37. You tell us  
3 that they lived in a house on their farm.

4 A. Yeah.

5 Q. So did they own a farm?

6 A. (Witness nods)

7 Q. Yes. And GKP-GKQ themselves, I think you think  
8 Mr GKP was in his 40s and Mrs GKQ was a bit older?

9 A. Yeah.

10 Q. I think we know from the records that that's right.  
11 I think when you went to live with them Mr GKP was  
12 about 45 and Mrs GKQ was about 48, so you're right  
13 about their ages.

14 A. Hmm.

15 Q. Who else was living in the house? At the time?

16 A. There was . . . She was another foster.  
17 And there was .

18 Q. Okay. Was he fostered as well?

19 A. Yeah, he was in the home with us.

20 Q. Okay.

21 A. He was fostered first by them.

22 Q. Okay. So was he in the home in Scone?

23 A. Mm.

24 Q. Okay. And then there was . And so the three of you  
25 were then living in the house; is that right?

1 A. Yeah.

2 Q.

3 A.

4 Q.

5 A.

6 Q.

7 A.

8 Q.

9           You say that they had a daughter who was older and  
10       living in Edinburgh at the time?

11 A. Yeah.

12 Q. What was the farm like?

13 A. Yeah, it was cool. Plenty animals. Sheep. Cows.

14       Dogs. Cats. That's what I liked about it.

15 Q. Was this something completely new to you?

16 A. Yeah.

17 Q. From what you're saying, did you enjoy that part of --

18 A. Mm.

19 Q. -- the farm, living there?

20 A. Well, after I went there all the time, I would go and

21       sit with them, because that's where I felt safe.

22 Q. Okay. Sit with the animals?

23 A. (Witness nods)

24 Q. Okay. When you were living in the farm, did you have

25       your own room or were you sharing a room with anyone?

1 A. No, I had my own room.

2 Q. Okay.

3 You say that your name was changed quite quickly.

4 A. Yeah.

5 Q. I think you've told us at the beginning of your  
6 statement that your name was Grace Fulton and it was  
7 changed?

8 A. Yeah, I hated that name.

9 Q. So the name Kerry, where did that come from?

10 A. That was the foster mother.

11 Q. You say that you were also given their surname?

12 A. Yeah.

13 Q. What did you feel about that?

14 A. Well, I was all right. Because it wasn't the name  
15 I had, so I was fine.

16 Q. Okay. If we can go on over the page a little, onto  
17 page 12, at paragraph 42 you say that GKP-GKQ fostered  
18 two other children during your time with them?

19 A. Yeah. But they weren't there long. One was a [REDACTED] and  
20 I can't remember the other girl, but she had blonde  
21 hair.

22 Q. Okay. And they just came and stayed for a little while  
23 and then went away?

24 A. (Witness nods)

25 It was like they were respite, isn't it?

1 Q. Okay, so you think --

2 A. Yeah, she didn't hurt them.

3 Q. Okay. Maybe respite or emergency placements, you think?

4 A. (Witness nods)

5 Q. Okay. Then just in terms of the other children, you

6 mentioned [REDACTED], who you'd known from the home. Was he

7 older than you or younger than you?

8 A. Oh, he was older, but I don't -- maybe a year, two

9 years.

10 Q. Okay. What about the girl [REDACTED] that you mentioned?

11 A. Yeah, she was like in her 20s.

12 Q. Okay, but she still lived in the farmhouse with the

13 GKP-GKQ ?

14 A. Yeah.

15 Q. Okay. At paragraph 43 you tell us a bit about what

16 happened every day and you talk about having to have

17 a cold bath before washing your sheets.

18 A. (Witness nods)

19 Q. And that would be if you had wet the bed.

20 A. (Witness nods).

21 Q. Was that something that happened during the time that

22 you lived at GKP-GKQ ?

23 A. Yeah.

24 Q. Can you remember if that had happened in the home as

25 well?

1 A. (Witness shakes head)

2 I remember wetting the bed, but they didn't do what

3 she did.

4 Q. Okay, and what was it that she did?

5 A. Well, she would put me in the cold bath.

6 Q. Put you in the cold bath. Then you say:

7 "Before washing my sheets ..."

8 So who would have to wash the sheets?

9 A. I would have to wash the sheets. Outside.

10 Q. Outside, okay. Then you say that you would have

11 breakfast and you helped with the animals on the farm?

12 A. (Witness nods)

13 Q. I think you tell us about that a little later in your

14 statement, but what sort of things did you have to do

15 with the animals?

16 A. Well, feed the cows. And when it was lambing -- we

17 would feed them in the barn. When lambing came I'd help

18 with the lambing.

19 Q. How did you feel about doing those sorts of things?

20 A. I liked that.

21 Q. You liked doing those things, okay. You say if it was

22 a school day you would go to school, so sometimes were

23 you doing these jobs before you went to school?

24 A. Yeah.

25 Q. Okay. Then you say if you were at school, you'd

1 obviously come back home and you say you would have to  
2 do your homework when you came in?  
3 A. Yeah.  
4 Q. Then you would see the livestock again?  
5 A. (Witness nods)  
6 Q. You also say there that you played the accordion?  
7 A. Yeah.  
8 Q. Is that something that you had done before you went to  
9 live with GKP-GKQ ?  
10 A. (Witness shakes head)  
11 Q. No?  
12 A. No.  
13 Q. Did you take that up at school or was that -- were  
14 lessons arranged for you?  
15 A. No, [REDACTED] -- [REDACTED] was doing it first.  
16 Q. Oh, okay.  
17 A. And then obviously when I went, I started to do it.  
18 Q. Okay. Was that something you enjoyed or not?  
19 A. Mm.  
20 Q. You enjoyed it, okay.  
21 A. Yeah, I done a -- I won a lot of festivals.  
22 Q. Okay, so you went to festivals and played?  
23 A. (Witness nods)  
24 Q. Right, okay. Is that something that you were able to  
25 continue doing later in your life or not?

1 A. No.

2 Q. No, okay. If we go on over the page, you talk about the  
3 sleeping arrangements. At paragraph 45 you say that you  
4 slept in a bedroom on your own, which you've already  
5 told us about.

6 A. (Witness nods)

7 Q. And you say that -- the bit that's blanked out there is  
8 the other girl, she slept in a shed outdoors?

9 A. Yeah, it was made into a bed -- a bedroom. That's where  
10 I ended up as well.

11 Q. So was it a completely separate building to the  
12 farmhouse or was it joined on to the farmhouse?

13 A. No. It was just like a shed outside.

14 Q. Okay. So --

15 A. But they made it into a bedroom.

16 Q. Right. What was it like to sleep in? Was it ...

17 A. I liked it because I wasn't in the house.

18 Q. Okay.

19 A. That's when I ran away. I ran away from when I was  
20 there. When I was in that shed.

21 Q. Okay. You could run away from the --

22 A. I walked from [REDACTED] to Perth.

23 Q. Right, okay. We'll come back to the times that you ran  
24 away a little bit more in a moment.

25 At paragraph 46 you talk about again the cold baths

1           that you've mentioned and you say apart from that, you  
2           weren't allowed to use the bathroom?

3    A.   No, no.

4    Q.   Do you know why it was you weren't allowed to use the  
5           bathroom?

6    A.   (Witness shakes head)

7    Q.   No? You weren't given a reason?

8    A.   No.

9    Q.   Can you remember ever having a warm bath when you were  
10           there?

11   A.   No.

12   Q.   Okay. And did they ever have a shower?

13   A.   No, I had to wash at the sink, the kitchen.

14   Q.   In the kitchen?

15   A.   (Witness nods)

16   Q.   Okay. You tell us about this and you say that the other  
17           girl had to do that as well?

18   A.   Yeah.

19   Q.   Okay. Did that happen all the time that you lived  
20           there?

21   A.   (Witness nods)

22            Yeah.

23   Q.   Did you have any privacy? Would other people be coming  
24           and going or not?

25   A.   Yeah, everyone was there.

1 Q. Okay.

2 Then at paragraph 47 you talk about the food. What  
3 was the food like?

4 A. Yeah, it was okay. We had food.

5 Q. Yeah. You say that you weren't taught directly how to  
6 cook by her but you watched her and you learned that  
7 way?

8 A. (Witness nods)

9 Q. Okay.

10 If we can move on, please, to page 14 and  
11 paragraph 51, you say there and at the top of the next  
12 page that when you arrived at the farm Mrs GKQ got rid  
13 of all your clothes and your possessions?

14 A. Yeah.

15 Q. What did she do with them?

16 A. Burnt them.

17 Q. In front of you?

18 A. Yeah. I had a -- I had a cot, a doll cot, and I -- she  
19 put it in the house -- the house fire.

20 Q. Okay. You said she took away everything that you had?

21 A. Mm.

22 Q. Did she explain why she was --

23 A. She said a new beginning.

24 Q. It was a new beginning?

25 A. (Witness nods)

1 Q. Okay. Then you say that in terms of clothes and things,  
2 did she then go and buy you clothes?

3 A. Yeah.

4 Q. Were they okay or were there any issues with the clothes  
5 that she bought?

6 A. Well, it was all right. Yeah.

7 Q. Okay. At the top of the next page where you talk about  
8 possessions at the end of paragraph 52, you say that you  
9 can't remember really having anything of possessions  
10 other than your accordion?

11 A. (Witness nods)

12 Q. So no books or other things that might be yours?

13 A. No.

14 Q. No, okay.

15 In the next section you talk about school and you  
16 tell us at paragraph 54 that you went to three different  
17 secondary schools during the time that you were living  
18 at GKP-GKQ .

19 A. Mm.

20 Q. When you went to live with them you were 12, and were  
21 you already at secondary school?

22 A. Yeah. I was at Perth -- Perth High.

23 Q. Okay, so you were at Perth High.

24 A. That's where everyone was from the home.

25 Q. Okay. Then you tell us that you were moved to Perth

1 Grammar.

2 A. (Witness nods)

3 Q. Do you know why you were moved to Perth Grammar?

4 A. No.

5 Q. Were you still in first year at school or --

6 A. Yeah.

7 Q. Yeah, okay.

8 How did you feel about having to move from the high

9 school to the grammar school?

10 A. Well, I didn't like it, but what could I say?

11 Q. Okay. Did anyone ask you before you were moved about

12 how you'd feel about moving?

13 A. No.

14 Q. Okay. And then you say -- so you were at the grammar

15 school and then you were moved to Crieff High School?

16 A. Mm. Yeah. [REDACTED] turned up at Perth Grammar and

17 then next minute I was booted out to Crieff.

18 Q. So when you say [REDACTED] turned up at Perth Grammar,

19 did he turn up to be a pupil there or --

20 A. Yeah.

21 Q. -- did he just come to visit?

22 A. No, no, he just -- he was a pupil.

23 Q. Okay. Then you say that you were moved, so do you think

24 there was maybe a connection between him arriving and

25 then you being moved again?

1 A. Yeah. Because before that my foster mother told me that  
2 [REDACTED] didn't want nothing to do with me.

3 Q. Okay.

4 A. And then in my defence I said that I didn't want nothing  
5 to do with him, but that wasn't what happened because  
6 when he turned up, I saw him and then we started to walk  
7 towards each other and then that's when he said, "Oh,  
8 I heard you didn't want nothing to do with me", and  
9 I said, "Well, I was told that you didn't want nothing  
10 to do with me", and then that's -- after that I went --  
11 ended up going to Crieff.

12 Q. Okay.

13 A. It was the foster mother that told me social workers had  
14 told her that [REDACTED] didn't want nothing to do with  
15 me.

16 Q. I see, I see.

17 You were then moved to Crieff and you say that's  
18 when you would have been about 15?

19 A. (Witness nods)

20 Q. So maybe third year/fourth year in school?

21 A. Yeah, I wasn't there long.

22 Q. Okay. So you weren't at Perth Grammar long?

23 A. No, I wasn't long at any of them.

24 Q. Right, okay. And then you say that you were expelled  
25 from Crieff High School?

1 A. Yeah. That's because ... I think because when I stole  
2 from that old lady --

3 Q. Okay.

4 A. -- I got expelled.

5 Q. Okay. Was that when you were a bit older or --

6 A. Yeah.

7 Q. Okay. How did you feel when you were at Crieff High  
8 School? How did you feel that you were getting on  
9 there?

10 A. (Witness shakes head)

11 I had nobody. I tried just to make friends.

12 Q. Was it easy to make new friends or not?

13 A. No.

14 Q. No, okay. And how would the other children at the  
15 school act towards you?

16 A. They weren't there.

17 Q. Sorry?

18 A. Oh, what, you mean --

19 Q. The other children, how would they act towards you at  
20 Crieff High School?

21 A. I don't know, I didn't trust anybody.

22 Q. I see. Okay.

23 A. I tried to be friends with people, but ... don't know.  
24 I just felt out of place.

25 Q. Okay. Had you had friends at the grammar school in

1 Perth?

2 A. (Witness nods)

3 Yes.

4 Q. Okay.

5 A. And Perth High.

6 Q. Okay.

7 A. Because that was -- the primary school all went to Perth

8 High too.

9 Q. So there were people that you'd been at primary school

10 with that you then went to the high school with, so you

11 had friendships there?

12 A. (Witness nods)

13 Q. Then when you moved to the grammar school, did you have

14 to start and make new friends there?

15 A. Yeah.

16 Q. Or did you know people already?

17 A. No, I didn't know anyone. And then this other girl came

18 and I started being friends with her, and then [REDACTED]

19 [REDACTED] came and that was it. I don't remember much

20 after that.

21 Q. Then you were moved to Crieff?

22 A. (Witness nods)

23 Q. Okay. If we go on over the page, at paragraph 58 you

24 tell us what you've just said about the issue with [REDACTED]

25 [REDACTED].

1           After that time that you met ██████████ at the  
2           grammar school, were you able to have contact with him?  
3   A.   What, before Perth Grammar?  
4   Q.   So you'd met him at Perth Grammar and there was this  
5           conversation that you each said that you --  
6   A.   No, that was the last conversation I had with him.  
7   Q.   Okay. So before that time and after you'd moved to the  
8           ██████, had you been having some kind of contact with  
9           him?  
10   A.   I must have done, because I had told him that she had  
11           threatened me with a knife.  
12   Q.   Right.  
13   A.   But I can't remember how that was. But I remember it.  
14           I just don't know when it was.  
15   Q.   Okay. The telling him about Mrs ████████ threatening you  
16           with a knife, this is at paragraph 58, was that  
17           something that had happened or not?  
18   A.   No.  
19   Q.   No?  
20   A.   No.  
21   Q.   Do you know why you said that to him?  
22   A.   I don't know. Maybe I wanted someone to pay attention?  
23   Q.   Okay. You say that that potentially could have been  
24           something that could have been reported back to Mrs ████████  
25           and might --

1 A. Oh yeah, it was, because she beat me up for it.

2 Q. Okay.

3 A. Yeah, she beat me up for it.

4 Q. Then after that, so by the time that you moved to Crieff  
5 High School, you talk about difficulties that you had in  
6 reporting things to Social Services and the police and  
7 we'll come back to that when we look at your records in  
8 a moment.

9 Okay. If we can move on from there to paragraph 65  
10 on page 18, you say there that your family didn't visit  
11 you when you were with GKP-GKQ, so [REDACTED]  
12 [REDACTED], you didn't have any other contact from family  
13 members.

14 A. (Witness shakes head)

15 Q. Your parents, for example?

16 A. No.

17 Q. Had you had contact with them when you'd been in the  
18 homes?

19 A. I remember Nimmo Place, but I don't remember Scone.

20 Q. Okay. So who came to visit you at Nimmo Place?

21 A. My father and mother.

22 Q. Okay, and then that stopped?

23 A. Yeah. I don't -- I don't remember them coming to Scone,  
24 though.

25 Q. Okay. So they weren't visiting you at GKP-GKQ, and

1 did [REDACTED] ever come to visit you at [REDACTED] GKP-GKQ ?

2 A. No.

3 Q. You say that you can't remember anyone coming to the

4 farm to inspect it.

5 A. No.

6 Q. You mention your contact with your social worker

7 [REDACTED] MCF and then you tell us about one memory that

8 you have of her being at the farm?

9 A. Yeah.

10 Q. Can you tell us your memory of that visit?

11 A. Yeah, I told her I didn't want to be there any more.

12 Q. Okay. And why did you tell her that?

13 A. Because she had beat me.

14 Q. Mrs [REDACTED] GKQ ?

15 A. Mrs [REDACTED] GKQ had beat me.

16 Q. What was [REDACTED] MCF 's response to that?

17 A. She told me to stay a couple more weeks and that was it.

18 I heard nothing after that.

19 Q. You didn't hear anything more about that?

20 A. (Witness shakes head)

21 Q. Can you remember [REDACTED] MCF asking you again about how

22 things were going?

23 A. (Witness shakes head) No.

24 Q. Okay.

25 I'm going to just look at a couple of things in your

1 records just now, Kerry, and if we can look, please, at  
2 PKC-000000163, page 4.

3 We see an entry here, 23 October 1985, and we know  
4 that you had moved to GKP-GKQ on 13 September 1985,  
5 so this is not very long -- just over a month after you  
6 had moved to GKP-GKQ. It says here in the first  
7 line:

8 "Visited Kerry at Mr and Mrs GKP-GKQ. I arrived  
9 before Kerry came home from school ..."

10 Then there's conversations about things that had  
11 said and you coming home from school.

12 If we can go down to the paragraph that begins -- so  
13 it's, "[Blank] and I talked outside the house". So  
14 that's you. There.

15 It says:

16 "Kerry and I talked outside the house and she said  
17 she wanted to return to Birch Avenue as she did not like  
18 or Mrs GKQ. Kerry believes Mr GKP and to be  
19 wonderful."

20 I think that's GKP-GKQ daughter.

21 "I said to give the matter time and that she should  
22 take another two weeks before deciding."

23 I think that's a note in your records of what you  
24 remembered. Is that consistent with your memory of that  
25 conversation with MCF?

1 A. Yeah. I don't remember saying about Mr GKP, though.  
2 I just remember I didn't want to be there.

3 Q. Yeah.

4 A. And then that's when she said to have a couple more  
5 weeks. But I don't remember deciding. I don't remember  
6 that. But I do remember the two weeks, "Leave it  
7 another two weeks".

8 Q. Okay. I think you may have seen some of your records,  
9 which we'll come onto, but your memory of the two weeks  
10 was your memory anyway before you ever saw any of your  
11 records. Is that right?

12 A. But I wanted to return to Birch Avenue. It shouldn't  
13 have needed to take her two weeks anyway.

14 Q. Okay.

15 A. If I wanted to go back, they should have just taken me  
16 back.

17 Q. Okay. And that's not what MCF did?

18 A. No.

19 Q. She said, "Give it another two weeks"?

20 A. (Witness shakes head)

21 Q. And then after the two weeks were up, was there any  
22 discussion about, "How are you feeling now?"

23 A. No.

24 Q. "Do you still want to go back to Birch Avenue?"  
25 That sort of thing?

1 A. No.

2 Q. Okay. Then just in terms of visits, can I go, please,  
3 to PKC-000000162, page 18. We'll come to this later,  
4 but this is a handwritten summary I think by a social  
5 worker called a Mr Dingwall dated 6 December 1996.

6 A. Mr Dingwall?

7 Q. I think it was a Mr Dingwall that drafted this.

8 A. Oh.

9 Q. You tell us in your -- I think you know that you wrote  
10 a letter to the social work department in 1996.

11 A. Yeah, I wrote -- yeah, I did, yeah.

12 Q. And --

13 A. I didn't receive this.

14 Q. No, these are notes that Mr Dingwall had prepared,  
15 I think, having reviewed your file, okay?

16 A. (Witness nods)

17 Q. We'll come back to this again, but just I want to have  
18 a look at something that he says. So he says here,  
19 I think it's addressed to an Andy:

20 "This is one piece of work which I have not been  
21 able to finish."

22 Then:

23 "Somebody wanted me to look at this in mid-March to  
24 ascertain from the file if there was anything in Kerry's  
25 letter in February that would stand up to scrutiny.

1 I concentrated on reading the file during Kerry's  
2 placement with GKP-GKQ, October 1985 until some time  
3 in 1992. There were a few worrying things.

4 "1. Social worker visits to placement were not in  
5 line with boarding-out regs eg between October 1985 and  
6 October 1987, MCF only visited the carers on five  
7 occasions ..."

8 He seems to have gone through your records and  
9 counted up the number of times that she went.

10 It says:

11 " ... (she had lots of phone contact)."

12 Then number 2:

13 "Social worker's contact with Kerry was also  
14 lacking. During same period, MCF saw Kerry on  
15 only 11 occasions outwith foster home and on only five  
16 of these did she see Kerry on her own."

17 Again he seems to be looking for instances when  
18 MCF saw you and whether she saw you with somebody  
19 else or on her own.

20 A. Yeah. The woman would have been there, innit?

21 Q. Mrs GKQ ?

22 A. Yeah.

23 Q. Then he says:

24 "The majority of the contacts were occasioned by  
25 some sort of problem."

1           I think what he might be highlighting there is there  
2 weren't routine visits, so the social worker was coming  
3 when there was a problem as opposed to visiting, for  
4 example, once a month or every three months or whatever  
5 it might have been. So I think that might be what he's  
6 highlighting.

7           But he seems to be suggesting that from his reading  
8 of the file that there was maybe some sort of problem  
9 with the number of times that you were being seen by  
10 **MCF**, which is consistent with what you say in  
11 your evidence, because you don't have much memory --

12 A. (Witness shakes head)

13 Q. -- of **MCF** seeing you, visiting the farm or  
14 speaking to you on your own?

15 A. No.

16 Q. Is that right?

17           Okay, right, we may come back to this later on.

18           Again if we go back to your statement at page 19, at  
19 paragraph 69 you talk there about running away. Again  
20 we're going to come back and look in your records at  
21 some information that's there about you running away,  
22 but you tell us here that you ran away you think about  
23 five or six times.

24 A. (Witness nods)

25 Q. Why was it that you were running away?

1 A. Because of what she was doing.

2 Q. Where did you go when you ran away?

3 A. I ran away to my father's. I don't know. I ran --

4 I remember running away to ... I think there was some

5 girl that used to live in the home and that's when it

6 took her two to three days to come pick me up, because

7 she -- she wanted to sell my dog. She sold my dog while

8 I was away.

9 Q. Okay, and you say that --

10 A. Because when she came, it was her that knocked on the

11 door, when I answered it was her standing there, and she

12 told me that -- on the way home that she'd sold my dog.

13 And that's what she was waiting to do, was sell my dog,

14 then come and pick me up.

15 Q. Okay, and you say that that was as a punishment?

16 A. (Witness nods)

17 LADY SMITH: How long had you had that dog?

18 A. A long time. They were -- she was -- she -- she was,

19 like -- she was my friend. And while I was there, she

20 was helping me.

21 LADY SMITH: What was her name, Kerry?

22 A. Zola.

23 MS INNES: At paragraph 70 you mention doing a couple of

24 jobs and I think you mentioned earlier in your evidence

25 that on one occasion you'd taken money from one of the

1 pensioners, and I think this is where you mention it  
2 here in your statement.

3 A. (Witness nods)

4 Q. It was after that, I think, that you were excluded from  
5 Perth High. Is that right?

6 A. No, that was Crieff.

7 Q. Crieff High, sorry.

8 A. Yeah. Yeah, because we had -- I don't know why I did  
9 it. I don't know why I did it.

10 Q. Okay.

11 A. I shouldn't have, but I did. I don't know, maybe it  
12 was ... maybe I just needed some money, I don't know.  
13 But it wasn't the old lady's fault.

14 Q. Okay. You tell us at the beginning of page 20 about the  
15 abuse that you suffered and you've mentioned a number of  
16 things already in your evidence, Kerry.

17 First of all, at paragraph 75 you describe yourself  
18 as being pretty much in a permanent state of fear during  
19 the time that you were at **GKP-GKQ**.

20 A. (Witness nods)

21 Q. You told us that at the beginning when you went to visit  
22 them you had the impression it was quite nice, it was  
23 going to be nice at the farm.

24 A. Mm.

25 Q. What changed?

1 A. Don't know.

2 Q. How quickly did things change?

3 A. A week.

4 Q. A week? Okay.

5 A. I was there about a week and then I was accused of

6 taking [REDACTED] pound, and I hadn't touched it.

7 And then she took me upstairs and belted me until

8 I said I took it.

9 Q. Okay. What kind of belt did she use? Was it

10 a trousers --

11 A. Mr [REDACTED] GKP belt, and she would double it up.

12 Q. Okay.

13 A. She never used the buckle, but she would double -- you

14 know, double it up, fold it.

15 Q. Okay, so it was in a sort of loop?

16 A. Yeah.

17 Q. Okay.

18 LADY SMITH: What was the belt made of?

19 A. Leather.

20 MS INNES: Did she hit you over your clothes or --

21 A. No --

22 Q. -- where did she hit you?

23 A. -- I had to take from the bottom half down --

24 Q. Okay.

25 A. -- and then lie on the bed.

1 Q. How often would she hit you? Would it be once or more  
2 than once?

3 A. Well, until I say I did something.

4 Q. Okay. And did that mean -- well, I think you mentioned  
5 there that you were admitting to things that you hadn't  
6 done --

7 A. Mm.

8 Q. -- to make it stop?

9 A. (Witness nods)

10 Q. Okay. And you talk about -- and is this what began  
11 making you frightened of living at **GKP-GKQ** ?

12 A. Mm. (Witness nods)

13 Because it was constant. She would accuse me of all  
14 stuff. Condensed milk, orange and lemon cake  
15 decorating. Anything, really. She even accused me of  
16 taking money. How can I take money from her safe? She  
17 had a safe. How can I take money from her safe?

18 Q. Okay.

19 A. I didn't have the number. So she took the -- how can  
20 I do that? She blamed me.

21 Q. Okay. And then she would hit you as you've described?

22 A. (Witness nods)

23 Q. Okay. And was this happening regularly?

24 A. (Witness nods)

25 Q. Every week or --

1 A. No, I wouldn't -- she was very smart. It's like she  
2 would -- she would make me feel comfortable and then the  
3 next minute she would say I did this and she said that  
4 she had a camera and she saw me. She never had  
5 a camera, because why wouldn't you show me if I'm doing  
6 what I'm doing? But she said the camera, "I see you,  
7 I've got a camera watching you". She would make me feel  
8 comfortable and then it would be something else. And  
9 I hadn't done it. I didn't go there to be a bitch, you  
10 know. When you're in a home, yeah, you do stuff, but  
11 I had this family that wanted to take care of me and  
12 then I planned on having that and then she took that  
13 away from me. She hurt me. I should have just stayed  
14 with my own parents.

15 Q. You say that later in your statement, Kerry, where you  
16 say that you don't understand why the Local Authority  
17 took you away from your parents --

18 A. (Witness shakes head)

19 Q. -- to put you into this situation where you suffered  
20 abuse. And you can't understand that.

21 A. (Witness shakes head)

22 Q. Okay. You tell us about some other things that she did.  
23 I think you mention the cameras that you've just told us  
24 about at paragraph 80 of your statement, that she told  
25 you that there were cameras in the house so that she

1           knew that you were stealing things, I think was what she  
2           said.

3    A.   (Witness nods)

4    Q.   Okay. You tell us about some other things but at  
5           paragraph 84 on page 23 you talk about once being put  
6           into the sheep dip as punishment.

7    A.   (Witness nods)

8    Q.   Are you able to tell us about that?

9    A.   Yeah. She -- she put me in the sheep dipper and it came  
10           up to here and then she --

11   LADY SMITH: That was up to your neck, was it?

12   A.   Yeah. And then she poured water over my head. I can't  
13           remember what that was about, though. I don't know what  
14           I'd done -- well, what she'd said I'd done. But that  
15           only happened once, the sheep dipper.

16   MS INNES: Yes. Then over the page at page 24 you tell us  
17           about some other punishments that she gave you, so  
18           things like writing lines.

19   A.   Yeah.

20   Q.   Then you say there were times when she made you run  
21           around the farm with just wellies on as a punishment?

22   A.   Yeah.

23   Q.   So is that naked apart from --

24   A.   Yeah.

25   Q.   -- the boots?

1 A. (Witness nods)

2 Q. Why did she do that, do you know?

3 A. I don't know, that -- that ... I -- it could have been

4 so many things. It could have been because I wet the

5 bed, it could have been because she accused me of

6 something. I can't say.

7 Q. You just remember it happening?

8 A. Mm. Because she did [REDACTED] as well. [REDACTED] had to do it as

9 well.

10 Q. Okay. So the same sort of things that happened to you,

11 did they also happen to [REDACTED]?

12 A. Yeah.

13 Q. I think you said that [REDACTED] was older, so she was maybe

14 in her 20s when you were living there?

15 A. Yeah, but [REDACTED] had nobody.

16 Q. Okay. And so would she behave the same way as she was

17 treating you, she would treat [REDACTED] that way too?

18 A. (Witness nods)

19 Q. Did you see her taking the belt to [REDACTED]?

20 A. Yeah.

21 Q. Okay. Then I think you said earlier in your evidence

22 that she didn't do that to the children that were there

23 for respite?

24 A. (Witness shakes head)

25 Q. What about the boy, [REDACTED]?

1 A. [REDACTED], yeah, apparently that happened to him before  
2 I came.

3 Q. Okay.

4 A. Because he told me -- when they found out that, in 2004,  
5 that I was up in Scotland and then [REDACTED] rung me up and  
6 then he told me that it was actually him that gave them  
7 my name to GKP-GKQ and that's how he got me fostered  
8 out to them, so it would take the heat off him. So  
9 whatever was happening with him, it would take the heat  
10 off him.

11 Q. Is that the way that he explained it to you as an adult?

12 A. Yeah.

13 Q. He suggested to GKP-GKQ that they foster you?

14 A. Yeah, to take the heat off him.

15 Q. Okay. Do you know if he was ever hit after you went --

16 A. No.

17 Q. -- to live there?

18 A. I know that he joined the army when he was 16.

19 Q. Okay, so he maybe wasn't there for very long after you  
20 went?

21 A. (Witness shakes head)

22 Q. Okay. You tell us at paragraph 86 of your statement  
23 that you remember being locked in a box room?

24 A. Yeah, that was -- I went down to Guilford, she got me  
25 a job down in Guilford at an old folks' home.

1 Q. Right.

2 A. And it said that I had a fight -- that's what my files  
3 say. I do not. I remember some girl hitting me because  
4 I had done something, but I don't -- I don't know if it  
5 was just a girl that worked there, but she did, she  
6 punched me in my mouth because I had done something bad.

7 Q. Okay.

8 A. And then when I went home, she had put me in the box  
9 room with a commode and I had to stay there for a week  
10 and wee in the commode. I wasn't allowed out.

11 Q. Was she bringing you food to eat?

12 A. Yeah.

13 Q. Okay.

14 Then you talk at the bottom of page 24 onto page 25  
15 about Mr **GKP**, what was he like?

16 A. Well, I always thought he was all right.

17 Q. Did he ever hit you?

18 A. Yeah.

19 Q. I think you tell us about that on page 25 at  
20 paragraph 89.

21 A. Yeah, because she used to provoke him.

22 Q. You say that he hit you a few times with a stick?

23 A. Yeah, that's because of her. I could see it, when I was  
24 standing there she would literally nag at him to do it,  
25 so that's when he would do it.

1 Q. What sort of stick was it?

2 A. It's what you use to go with the sheep.

3 Q. Okay, like a sort of crook to --

4 A. Yeah.

5 Q. -- walk with and hook the sheep with maybe?

6 A. Yeah, because I had one too.

7 Q. Okay.

8 A. And that's what you grabbed the lambs.

9 Q. Yes. You say he hit you with that a few times, so is

10 that on a few occasions?

11 A. Yeah, it's not many.

12 Q. Not many. Would he hit you once or more than once when

13 that happened?

14 A. Well, he'd be so angry, wouldn't he.

15 Q. Okay.

16 A. He would be so angry because she's nagged him and then

17 he would take his frustration out on who -- well, me or

18 [REDACTED], because she did it with [REDACTED] as well.

19 Q. Okay.

20 You talk again in paragraph 91 about trying to make

21 reports of what happened. You say at paragraph 91:

22 "I had no one to run to and no place to go. There

23 was no one in the nearby area who I was friends with so

24 there was no one who I could speak to."

25 Did you feel that you could speak to the social

1 worker about what was happening?

2 A. Well, probably not by then. I think I gave up in the  
3 end.

4 Q. Okay. I think you tell us that there were occasions  
5 that you ran away, I think, and if we go on over the  
6 page to page 26 at paragraph 93 you tell us that you  
7 remember a time that you ran away and ended up going to  
8 see your father.

9 A. Yeah, and then he phoned the Social Services.

10 Q. You say that you reported to him what was happening at  
11 **GKP-GKQ**?

12 A. (Witness nods)

13 Q. And he just phoned --

14 A. Well, he obviously didn't care, did he?

15 Q. Okay. You say you don't know what he said to Social  
16 Services --

17 A. (Witness shakes head)

18 Q. -- but what happened was that you, I think, went back to  
19 **GKP-GKQ**. Is that right?

20 A. (Witness nods)

21 Q. Then you say at paragraph 94 that you remember speaking  
22 to the police?

23 A. Yeah.

24 Q. Did you tell them what was happening?

25 A. Yeah.

1 Q. And what was their reaction?

2 A. Well, they just phoned her up.

3 Q. Okay, and what happened?

4 A. The one that I remember was when -- when I went there  
5 and I told them and then she came in, walked in with  
6 him, Mr GKP, and then she's all, "Oh, come on, Kerry",  
7 being nicey nice, and then as soon as I got out the car  
8 she started beating me.

9 Q. You tell us about that at paragraph 95 that when you got  
10 into the car you say that she started punching you and  
11 pulling your hair?

12 A. Mm. And that was a hundred yards from the police  
13 station. What kind of nonsense is that?

14 Q. Okay.

15 A. What kind of police are they? Outside. How can you do  
16 that outside a police station? If the -- oh. Or were  
17 the police involved?

18 Q. You say at paragraph 96 there was no point in trying to  
19 report things?

20 A. No, not in the end. I didn't have the police, didn't  
21 have the social workers, so what was the point?  
22 I couldn't tell any of her friends. They probably  
23 wouldn't believe me either.

24 Q. Okay. And then if we go on over the page to page 27 and  
25 paragraph 97, you say that by the time you were 17 and a

1 half you'd just had enough?

2 A. Yeah.

3 Q. And you say that you set fire to some bales of hay.

4 A. In the barn, mm.

5 Q. And then after that you ran away?

6 A. Yeah.

7 Q. Was it after that -- at paragraph 99 you talk about

8 going to London.

9 A. Yeah. She got me a job out of The Lady magazine.

10 Q. You say as an au pair?

11 A. (Witness nods)

12 Q. Were you consulted about that, asked whether --

13 A. No.

14 Q. -- that was something you would like to do?

15 A. No. She just had it. She just did it all by herself.

16 Q. Okay.

17 A. But I was quite happy to go, because it got me away from

18 her. And then obviously when that didn't work out, all

19 my stuff was on the bus to come back to Scotland, but

20 I just kept on walking. I didn't get on the bus.

21 Q. Okay. So when that didn't work out, you thought "I'll

22 go back to Scotland", you put your stuff on the bus, but

23 I think you're saying you just didn't get on the bus?

24 A. (Witness shakes head)

25 Q. Did you stay in London then after that?

1 A. (Witness nods)

2 Q. Okay.

3 A. What would I be coming back up to?

4 Q. Okay.

5 A. I'd be coming back up to some form of abuse. So why  
6 would I do that? And that's why I stayed and I just  
7 carried on walking and I ended up back Wimbledon.

8 MS INNES: We normally take a break in the middle of the  
9 afternoon, Kerry, and I'm about to move on to look at  
10 some of your social work records with you and some of  
11 the instances of running away.

12 I wonder, my Lady, if that would be a good time for  
13 a break.

14 LADY SMITH: I think that would work well as a break time.

15 Would that work for you, Kerry, if we took a break  
16 now and then came back to look at some of your records  
17 after that?

18 A. (Witness nods)

19 LADY SMITH: Very well.

20 (3.02 pm)

21 (A short break)

22 (3.18 pm)

23 LADY SMITH: Kerry, are you ready for us to carry on now?

24 A. Yes.

25 LADY SMITH: Thank you very much.

1 Ms Innes, when you're ready.

2 MS INNES: Thank you, my Lady.

3 Kerry, I'd like to look at some of your records, so

4 first of all PKC-000000163, page 26.

5 I think you've recently recovered your records from

6 Perth and Kinross Council; is that right?

7 A. Yeah.

8 Q. Have you been able to read all of them yourself?

9 A. (Witness shakes head)

10 Q. No. To what extent have you read them?

11 A. When I got to the foster mother.

12 Q. Okay. How did you find reading the bit of the records

13 that you've managed to get through?

14 A. Well, it's all lies.

15 Q. Okay. Were there any things redacted or things blanked

16 out?

17 A. Yeah, there's a lot that's missing.

18 Q. Okay. I think some are them are in handwriting --

19 A. Yes.

20 Q. -- were you able to read that or --

21 A. No.

22 Q. Did anyone help you with reading the records?

23 A. No. I've got my daughter. She's -- I sent them to her.

24 Q. Okay. To help you read --

25 A. Yeah.

1 Q. -- what was in them or find out what was in them?

2 A. Try anyway, but she can't either.

3 Q. Okay.

4 Right, so the first thing that I'd like to look at,  
5 please, is -- this is page 26 and this is a report from  
6 Tayside Regional Council social work department and it's  
7 the out-of-hours service. If we look over to the top  
8 right-hand corner, we see the date, 28 September 1987.  
9 If we scroll down a little, there's a summary at the  
10 bottom of the page:

11 "Reason for referral."

12 What this says is:

13 "Kerry had gone to school this morning as usual and  
14 instead of going home had gone to a friend's house in  
15 Perth. The friend's mother [I think] subsequently  
16 contacted the police who took her [that would be you] to  
17 the police station. Kerry simply told the police  
18 officer that she did not like being at the farm and that  
19 she had no friends there ..."

20 And I think "not very much to do", I can't read the  
21 next words.

22 "However, she did not infer that she disliked the  
23 GKP-GKQ Kerry is under care under a section 16."

24 So that's in one person's handwriting. Then if we  
25 go down a little, we see:

1 "Action taken."  
2 Somebody's written:  
3 "Phoned [I think] Margaret Kirk for information."  
4 Do you know who Margaret Kirk was?  
5 A. (Witness shakes head).  
6 Q. I think she's maybe a social worker:  
7 "Phoned Mrs GKQ for information."  
8 Then somebody else writes:  
9 "Talked with [you] at Perth police station.  
10 Contacted MCF, senior social worker. Contacted  
11 Mrs GKQ who agreed to come to police station and  
12 eventually took Kerry home."  
13 Then it says the action needed:  
14 "Urgent follow-up in relation to (1) the continuing  
15 viability of the placement, (2) Kerry's ambivalence  
16 about the custody being sought by GKP-GKQ ..."  
17 Do you remember GKP-GKQ thinking about looking for  
18 custody of you --  
19 A. Yeah, adopting me.  
20 Q. -- or adoption?  
21 A. Yeah, apparently.  
22 Q. Then:  
23 "... her lack of contact with [REDACTED]  
24 [REDACTED] a few weeks  
25 ago."

1           If we can go on, please, in this note to page 27.

2           If we can look, please, at the bottom of the page,  
3 so 19.00, this says:

4           "Interviewed Kerry (her preferred name) at Perth  
5 police station. She was adamant that she would not  
6 return to her foster home. She said she was frequently  
7 accused of stealing biscuits, cakes, cooking chocolate  
8 from the kitchen although she was rarely the culprit."

9           Is that right? Did those sorts of things happen?  
10 I think you've mentioned issues about being accused of  
11 stealing things from the kitchen.

12 A. "She was really the culprit"? No, I wasn't the culprit.

13 Q. She was "rarely".

14 A. Oh.

15 Q. "Rarely the culprit".

16 A. Oh, sorry. Yeah.

17 Q. It says that you were frequently accused of these things  
18 but it wasn't you. I think you've already said that  
19 sort of thing happened in your evidence; is that right?

20 A. (Witness nods)

21 Q. "She said Mrs **GKQ** sometimes set up a cine-camera in the  
22 kitchen in order to have proof of who was responsible."

23           Is that referring to --

24 A. The camera that she says that she saw me do it.

25 Q. "She also stated that she was often beaten with a belt

1 on the bare bottom as a result of these incidents.  
2 A piece of sultana cake went missing on Sunday and once  
3 again an issue was made of this and Kerry was threatened  
4 with having to walk around the field with no clothes on  
5 if it happened again."

6 When you talked about having to walk around outside  
7 with wellington boots on and otherwise being naked, is  
8 that the sort of thing that you were referring to?

9 A. So, wait. This is the social workers then?

10 Q. This is the social worker writing down what you said --

11 A. Oh.

12 Q. -- when you were at the police station.

13 A. So they knew this was going on and they did nothing?

14 Q. Well, yes, we'll come to that.

15 A. Ah.

16 Q. So what they've noted down here is what was happening at  
17 the police station and this is you reporting to the  
18 police and the social worker.

19 A. (Witness nods)

20 Q. It says here:

21 "She said she had not been beaten recently but that  
22 it had happened [if we go over the next page] more than  
23 ten times during her two-year placement. She said she  
24 has little to do in the evenings as there is nowhere to  
25 go and they [you and the other foster child] are allowed

1 to watch television only at weekends. She said she did  
2 not wish the custody action to be taken any further,  
3 although she was pleased when it was first mentioned."

4 A. Mm, yeah. That would have been at the beginning.

5 Q. Okay.

6 A. I didn't want her to adopt me after she was abusing me.  
7 I wanted out.

8 Q. Yes.

9 "She said she did not wish to return and wishes to  
10 go to a children's home where she would have more  
11 company -- not Colonsay -- perhaps Birch Avenue again."

12 Then the social worker says she phoned MCF :

13 "Telephoned MCF , previous social worker and  
14 present senior of the case. She confirmed that this  
15 kind of incident had taken place twice before and that  
16 on those occasions she had been happy to return when  
17 foster parents collected her from the police station."

18 So that would be references to you, I think.

19 A. Why would I be happy to return? Oh!

20 Q. Then the social worker says here:

21 "She confirmed also that Kerry always had a tendency  
22 to take things that were not her own and had in fact  
23 stolen money from home and school, there is a continuing  
24 problem about pilfering from the kitchen ..."

25 So presumably that's -- Mrs GKQ kept on complaining

1           that you were stealing things from the kitchen.

2   A.   But I hadn't, though.

3   Q.   I know.  This is what -- that's maybe the source of  
4       MCF           's information, Mrs GKQ       saying that you're  
5       doing these things.  It says:

6           "Usually she eventually admits to having taken the  
7       item missing."

8   A.   Yeah, because she's belted me.

9   Q.   I think you said that earlier in your evidence, Kerry,  
10       where you said that you would eventually admit to it.

11       It says:

12           "She suggested that Mrs GKQ       would be most concerned  
13       about her and found it hard to believe that she would  
14       have beaten Kerry.  Kerry also has a reputation for  
15       making up stories and telling lies."

16           So that's what the social worker said.  Okay.

17           So this next paragraph -- I know that you have  
18       copies of your records, but in the copy that you have  
19       this paragraph is redacted completely, okay, so I know  
20       that you've not seen this paragraph and neither has your  
21       daughter.

22       It then says:

23           "Telephoned Mrs GKQ       who eventually agreed to come  
24       to the police station.  She was very overbearing and  
25       domineering when she first arrived.  Kerry said nothing

1 for the 30 minutes or so Mrs GKQ was with her and most  
2 of the time refused to even look at her. Mrs GKQ  
3 denied any truth in the allegation of beating Kerry with  
4 a belt, although she admitted to tugging her hair ..."

5 Was that something that Mrs GKQ did? Pulled your  
6 hair?

7 A. I wouldn't use "tugging", I would use "pulling". And  
8 punching my head.

9 Q. "Clearly she finds it difficult to know how best to deal  
10 with Kerry's continuing pilfering and lying. Mrs GKQ  
11 asked me to leave the room for a little while and it was  
12 clear when I re-entered the room that she was trying to  
13 get through to Kerry by affectionate physical contact,  
14 which was being rejected."

15 Remember you said in your evidence earlier and  
16 you've said in your statement that when Mrs GKQ turned  
17 up at the police station she would be all nicey-nicey to  
18 you. Was that the sort of thing she would do, try to  
19 hug you and be affectionate?

20 A. (Witness nods)

21 Q. Is that yes?

22 A. Yeah.

23 Q. "In any case, Kerry was then helped out of her chair and  
24 out of the police station into Mrs GKQ car."

25 But I think we see above the word "helped" the word

1 "dragged" in brackets.

2 A. Mm.

3 Q. So the social worker seems to be saying that you were  
4 then dragged out of your chair and out of the police  
5 station into Mrs GKQ car.

6 Then if we just go down a little there's reference  
7 in the final paragraph to I think the social worker had  
8 discussed the possibility of spending the night  
9 elsewhere. Then in the final sentence she says:

10 "It seems as if Kerry needs a lot of social work  
11 time spent on her as her attitude to the placement at  
12 present will possibly mean that it won't last much  
13 longer. She may well try to run away again."

14 Now --

15 A. Who is the friend in Bankfoot, though?

16 Q. Did you have a friend in Bankfoot?

17 A. No. And who's the granny -- who is that?

18 Q. Granny GKP-GKQ

19 LADY SMITH: Maybe it was a friend of Mrs GKQ ?

20 A. The only people I know in Bankfoot was her sister.

21 MS INNES: Okay. There seems to have been other people  
22 suggested, but ultimately, as we've seen, Mrs GKQ took  
23 you out of the police station in the manner described by  
24 the social worker in this record, okay?

25 A. (Witness nods)

1 Q. You said a moment ago in response to what was recorded  
2 that having told the police and the social work this,  
3 they did nothing about it, okay?

4 A. (Witness nods)

5 Q. We also know from your statement that you ran away  
6 several times.

7 A. (Witness nods)

8 Q. So I'd like to move on to another incident, so this is  
9 at page 7 and this is 16 November 1987. The first line  
10 refers to an office visit, and this is from your father,  
11 okay?

12 In the second paragraph, it says:

13 "I said I would phone Mrs GKQ and tell her that he  
14 had not been at the school."

15 There's obviously some issue about him coming to the  
16 school.

17 "Perhaps Kerry was worried in case he would go."

18 Then it says:

19 "Kerry told Mr [REDACTED] [your dad] that Mrs GKQ used  
20 a leather belt on her."

21 Okay?

22 A. (Witness nods)

23 Q. "I told Mr [REDACTED] that this had been proved wrong in the  
24 past when Kerry had said this."

25 Okay? Now, remember in your evidence that you told

1           us that you had told your dad that Mrs GKQ was belting  
2           you?

3    A.   Mm-hmm.

4    Q.   So you must have done and it's been recorded here, and  
5           you said that you remember that your dad spoke to the  
6           social worker about it --

7    A.   (Witness nods)

8    Q.   -- but you weren't sure what he'd said.

9    A.   Yeah.

10   Q.   I think we can see here that he told the social worker  
11           that you had told him about the leather belt being used  
12           and I think we can then see that the social worker's  
13           response was that this had been proved wrong in the  
14           past. Do you know if there was any investigation?

15   A.   How do you prove ....

16           No.

17   Q.   How could it have been proved wrong? Do you have --

18   A.   Well, they would have believed her.

19   Q.   Okay. Right, if we just scroll down a little bit,  
20           please, so there's 17 November 1987 continued, an entry,  
21           yes, and then it's, "[Blank] was contacted ..."

22           So it is:

23           "Kerry was contacted by the police and taken to the  
24           grammar school. She told the police that she did not  
25           want to return to live with GKP-GKQ . I collected

1 Kerry from the school [so this is the social worker] and  
2 brought her to the office. Kerry said she did not want  
3 to live with GKP-GKQ, she would prefer to go to the  
4 children's home. This seemed to be because you don't  
5 get a row there if you do anything wrong. In the long  
6 run, Kerry went home with Mrs GKQ. I mentioned to  
7 Kerry that when I ask her how things are at home she  
8 always says she is happy."

9 Is that correct? That any time that you spoke to  
10 MCF that's the sort of thing that you'd have  
11 said?

12 A. (Pause)

13 Why would I say I'm happy? That doesn't make sense.  
14 It says up there that I don't want to go back to the  
15 GKP-GKQ, but somehow I'm always saying I'm happy. That  
16 doesn't make sense. Why would I be saying then I don't  
17 want to go back there then if I'm happy?

18 Q. Okay.

19 A. And I did get punished at the home when I did something  
20 wrong, so ...

21 Q. You don't understand that.

22 Okay. Can we scroll down a little bit, the entry of  
23 24 November 1987. This says:

24 "At about 6.15 pm Kerry arrived at the Girls'  
25 Brigade company I am involved with."

1           So this is MCF [REDACTED] as well. Can you remember  
2           ever going to try to find MCF [REDACTED] at the Girls'  
3           Brigade after school?

4    A.   Probably, but no, I don't remember it.

5    Q.   Okay.

6           So you've obviously gone -- at 6.15 you've gone to  
7           find the social worker and you say:

8           "She said she was not going back to her foster  
9           parents."

10          And then the social worker phones the police to see  
11          if you've been reported missing. She phones Standby and  
12          asks a social worker to come to the school to see if she  
13          can help you, and then you disappear again. Then there  
14          are other entries about them looking to see where you  
15          are.

16          If we can go over the page, please, there's  
17          reference to:

18          "I went to Colonsay Children's Home and told them  
19          that Kerry was likely to call there."

20          [REDACTED]

21    A.   [REDACTED] I don't remember  
22          Colonsay.

23    Q.   Okay. Then it says:

24          "I returned home but received a telephone call from  
25          Standby ..."

1 A. That I did arrive.

2 Q. Mm-hmm.

3 "I visited Colonsay but the police were interviewing  
4 Kerry. Thereafter Kerry asked for time to speak with  
5 [REDACTED]. Later I saw them both with Diane."

6 I don't know who Diane is:

7 "Kerry was quite sure she was not going back to  
8 GKP-GKQ [REDACTED] house. I told her that there were no  
9 other placements and that the matter would be sorted out  
10 in the morning."

11 Then it says that [REDACTED] was good with you and  
12 told you to go home.

13 In the next paragraph below that:

14 "Eventually Kerry agreed to leave the children's  
15 home and get into the car and I drove her home. Kerry  
16 had told the policeman about Mrs GKQ belting Kerry.  
17 The policeman, who was the same man as the last time  
18 Kerry ran away, asked Kerry when this was and Kerry said  
19 it had happened two years ago. Kerry told me that the  
20 family always cast up the fact that she ran away. [REDACTED]  
21 had done so on a Sunday. It seems a long time to wait  
22 until Tuesday to run away."

23 That seems to be the observation of the social  
24 worker.

25 Then you go back to the farm again. So this seems

1 to be another instance in which you've told the police  
2 and the police have told the social worker that you're  
3 saying that you're being belted and you don't want to go  
4 back to **GKP-GKQ**, but you end up being taken back  
5 again.

6 A. (Pause)

7 Q. I think that's consistent with your memory --

8 A. Yeah, but they've twisted it all.

9 Q. In what way have they twisted it?

10 A. (Pause)

11 The belting went on most of the time, so why would  
12 I say two years ago?

13 Q. I see, okay.

14 A. I'm really confused at all this, you know. This is why  
15 I didn't read -- this is why I didn't read any more,  
16 because it's ... oh God.

17 Q. Okay, I'm just going to refer to --

18 A. It went on for six years. Why would it just be two  
19 years?

20 Q. Okay. I'm just going to refer to another couple of  
21 things in your records if it's okay, Kerry, because  
22 I think it's important for us to -- if it's okay with  
23 you, it's important for us to understand what the social  
24 work department were doing about these reports, or not  
25 doing. Okay?

1           If we can just look down a little, 25 November 1987.

2           There's a paragraph beginning:

3           "I discussed Kerry's position with Betty Bridgeford,  
4           who agreed that Kerry be returned home every time she  
5           runs away."

6           Then there was discussion about somebody else being  
7           involved. So it seems to be that the social work  
8           department's view was that if you ran away, you were  
9           going to be returned home. Okay?

10          A. (Witness nods)

11          Q. Then there are other entries in the records but I'm just  
12          going to refer to one more, if it's okay, on this issue.  
13          So page 20. It's a report I think for a review at the  
14          end of December 1987, so after these times that you'd  
15          run away, and it says in the first paragraph:

16                 "Initially, Kerry presents as being a confident  
17                 young lady, well in control of her life. However, this  
18                 is very misleading to those who meet her for the first  
19                 time in difficult circumstances ...

20                 "Her habit of running away has continued since the  
21                 last review, as she has done so on five occasions. It  
22                 seems a minor miracle that no physical harm has befallen  
23                 her. The damage she causes ... is considerable."

24                 Then it says:

25                 "She fabricates stories of abuse inflicted on her by

1 her foster parents and repeats them to the police and  
2 the out-of-hours service. She also refuses to return  
3 home on these occasions until persuaded otherwise."

4 I think that's the social worker telling us that her  
5 view is that you were fabricating the stories of abuse,  
6 that you weren't being believed, and that seems to be  
7 why they kept putting you back.

8 We can put that away now, thank you.

9 I think, Kerry, that's consistent with what you have  
10 said in your evidence, that you kept trying to tell  
11 people what was happening and then there came a point --  
12 and you were running away and telling people, and then  
13 there came a point that you gave up, because that was  
14 the sort of response you were getting. Is that what was  
15 happening?

16 A. (Pause)

17 Why ... oh God. (Pause)

18 Why would I fabricate ... I wanted out.

19 Q. And that's what you kept trying to tell people, Kerry.

20 We can see that from your statement and from these  
21 records. (Pause)

22 LADY SMITH: Kerry --

23 A. No one believed me.

24 LADY SMITH: I know. I know. (Pause)

25 Kerry. Kerry. Kerry, I think we're getting pretty

1 close to the end of the questions that we need to ask  
2 you, or we hoped to ask you today. You tell me what you  
3 choose to do. We could stop now and leave it that we  
4 have your written statement that you signed for the rest  
5 of your evidence, or we can carry on, but you guide me  
6 as to what would work for you. To finish the last bit  
7 of your evidence with you answering the questions or  
8 not?

9 A. (Witness nods)

10 LADY SMITH: Yeah?

11 A. (Witness nods)

12 LADY SMITH: Okay. Can I assure you, I've been listening  
13 carefully to everything you've said. I hear everything  
14 you say about your feelings that nobody was listening to  
15 you and you were telling the truth. So be assured I've  
16 listened carefully to that. I've heard it all.

17 Let's see then how we get on with just the last  
18 little bit of evidence. If you want to stop, just tell  
19 me. It's your choice, all right?

20 Ms Innes.

21 MS INNES: Thank you, my Lady.

22 Kerry, I wanted to come back to something that  
23 I asked you earlier on about, where I think you wrote  
24 a letter to the social work department in 1996. I'm not  
25 going to go through the letter but I think it might be

1 helpful just so we know where it is, so PKC-000000162,  
2 pages 14 to 16.

3 That's a letter in which you sent out some of the  
4 questions that you were asking, and I think at the  
5 beginning, on this page, you say:

6 "I have a question which has been burning me for 10  
7 years now? I would like to know why I was put in  
8 a placement that seemed more convenient to Social  
9 Services than to myself. As I had said to MCF  
10 that I did not want to stay with Mrs GKQ after they  
11 started belting me, and she told me to give it another  
12 two weeks and see how I felt, and I still didn't like  
13 it, so I told her again that I didn't want to stay, and  
14 she said the same as before."

15 Then you continue in this letter to talk about some  
16 of the abuse that you experienced, so things that you've  
17 told us about in your statement and you've told us about  
18 in your evidence this afternoon.

19 If we just move on to page 17, I think we see on  
20 16 March that there was a letter to you in which it says  
21 that the issues were going to be examined by  
22 a Mr Dingwall, who was going to go through your case  
23 records. It says:

24 "Any information gained by Mr Dingwall will be made  
25 available to you. You will also be able to look at your

1 file when you are next in the Perth area."

2 Okay? Then remember we looked earlier at the notes.

3 So if we just go on to page 18, I think we see these are

4 the notes that Mr Dingwall took that are on your file.

5 Did you ever get a letter from --

6 A. (Witness shakes head)

7 Q. -- the council responding to the letter from 1996?

8 A. No. That one that was there --

9 Q. If we just go back to page 17.

10 A. I never received that.

11 Q. You can't remember receiving that letter?

12 A. (Witness shakes head) No.

13 Q. No. And it says in that letter that, you know, you were

14 going to get any information that Mr Dingwall gained was

15 going to be made available to you.

16 Did that happen?

17 A. I sent the letter and that's all I did and I got

18 nothing.

19 Q. And they --

20 A. I got nothing.

21 Q. How recently is it that you applied to get your records?

22 A. Just the other month.

23 Q. Just the other month, okay. Is that the first time that

24 you received a copy of your records?

25 A. (Witness nods)

1 Q. Okay. Right, just finally --

2 A. And I still haven't got the leaving care grant. I never  
3 even got that.

4 Q. You never even got your leaving care -- oh, the leaving  
5 care grant, yes. You'd made a request for that and you  
6 didn't receive one is what you're saying?

7 A. (Witness shakes head)

8 Q. No. Okay.

9 Then I think in terms of the lessons to be learned  
10 from your experience, I think one of the things that you  
11 tell us in your statement, Kerry, at paragraph 125 is if  
12 a child in care comes to a social worker and reports  
13 things that are happening to them, they have to take  
14 notice. You say:

15 "I trusted that through the government and the law  
16 things would be done when I reported them but they  
17 weren't."

18 And I think that's one of the most important things  
19 that you think that we should learn from your  
20 experience --

21 A. Uh-huh.

22 Q. -- is that right?

23 A. (Witness nods)

24 Q. Okay. You talk about in the paragraph that we see just  
25 above there, it's something that you mentioned earlier

1 in your evidence about, you know, why were you taken  
2 away from your parents and put into this situation. You  
3 say at the end of this paragraph:

4 "A child in foster care should feel secure and not  
5 feel frightened or threatened."

6 A. Mm-hmm.

7 Q. Okay.

8 I've come to the end of the questions that I have  
9 for you this afternoon, Kerry.

10 A. (Witness nods).

11 Q. Unless there's anything else that you want to say that  
12 we've not covered in your evidence that you think it's  
13 important to say?

14 A. (Pause)

15 I don't think so. I don't know. I think it's all  
16 been --

17 Q. Okay. It's in your statement and it's been in your  
18 evidence this afternoon.

19 A. No, there was one where she made me drink saltwater and  
20 she made me smoke 60 fags.

21 Q. Was that as a punishment for smoking?

22 A. Yeah. I got caught smoking at her sister -- her  
23 daughter's. And then I got home and she made me smoke  
24 them and she lit them -- she lit about three and made  
25 me -- and no smoke could come out my mouth or my nose.

1 By the time I was finished I was on the floor. And then  
2 she locked me in her daughter's bedroom.

3 Q. Okay.

4 LADY SMITH: Yes, we have that in your written statement,  
5 Kerry.

6 A. Is it in there?

7 LADY SMITH: Yes.

8 A. Oh, it was, I couldn't remember if I --

9 LADY SMITH: No --

10 A. -- said it or not.

11 LADY SMITH: You probably wouldn't have done, because you've  
12 helped us with so much detail in your statement. It  
13 doesn't surprise me that you can't remember every part  
14 of it that's there.

15 Are there any outstanding applications for  
16 questions?

17 Kerry, that completes all the questions we have for  
18 you.

19 A. (Witness nods)

20 LADY SMITH: Thank you for engaging with us and sticking  
21 with it, despite how difficult it's been. I can see  
22 that. I can see that you're at the end of your tether  
23 with exhaustion as well, and that doesn't surprise me  
24 given everything that we've been asking you to look back  
25 to in your memory banks.



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