

Thursday, 26 March 2026

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

(10.00 am)

LADY SMITH: Good morning, and welcome back to our case study hearings in Phase 10, the section in which we are looking at the provision of residential care for children by local authorities in their own institutions or in places they use to discharge their responsibilities.

I think we're going to start this morning with reading in some evidence before getting on to a witness in person, but no doubt Ms MacLeod will tell me whether I'm right about that.

MS MACLEOD: Good morning, my Lady. Yes, the programme for this morning, for today in fact, the plan is to have two read-ins first of all, and those are the statement -- to read in the two statements of applicants, and then to hear oral evidence by video link from Ian Samson.

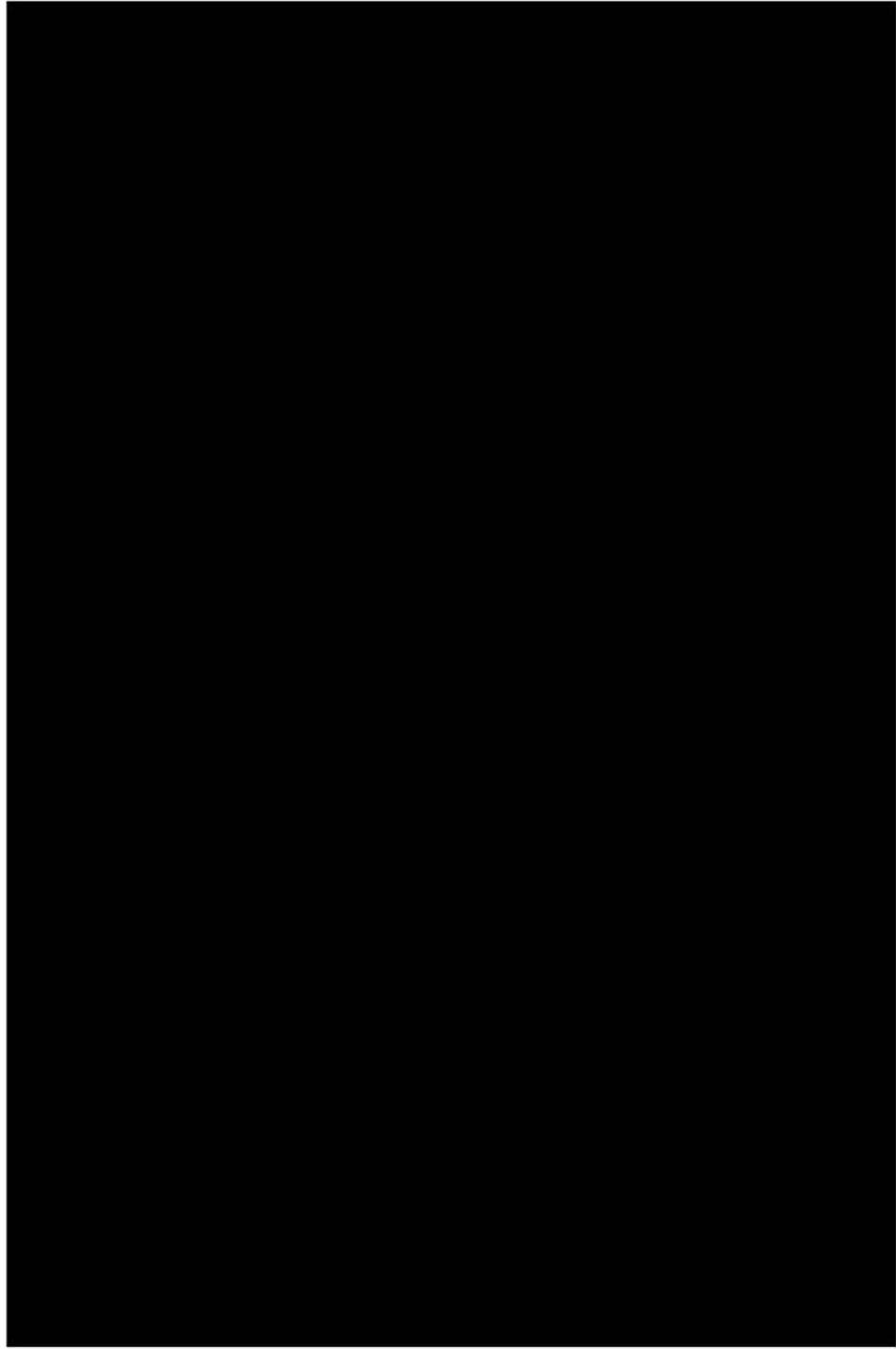
LADY SMITH: Thank you.

MS MACLEOD: And this afternoon to hear from Vivienne Dickenson, the provider, CrossReach.

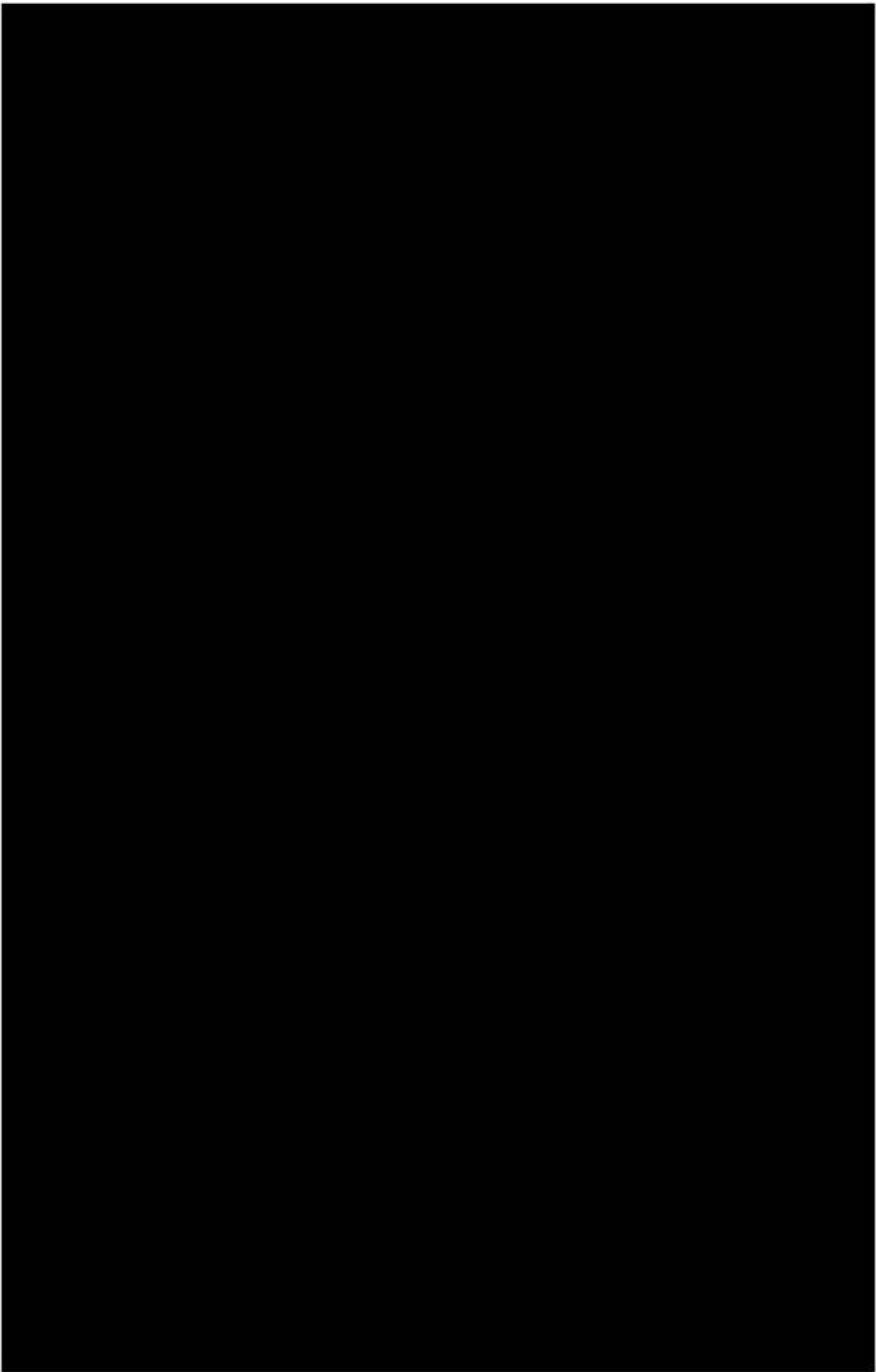
LADY SMITH: Thank you very much.



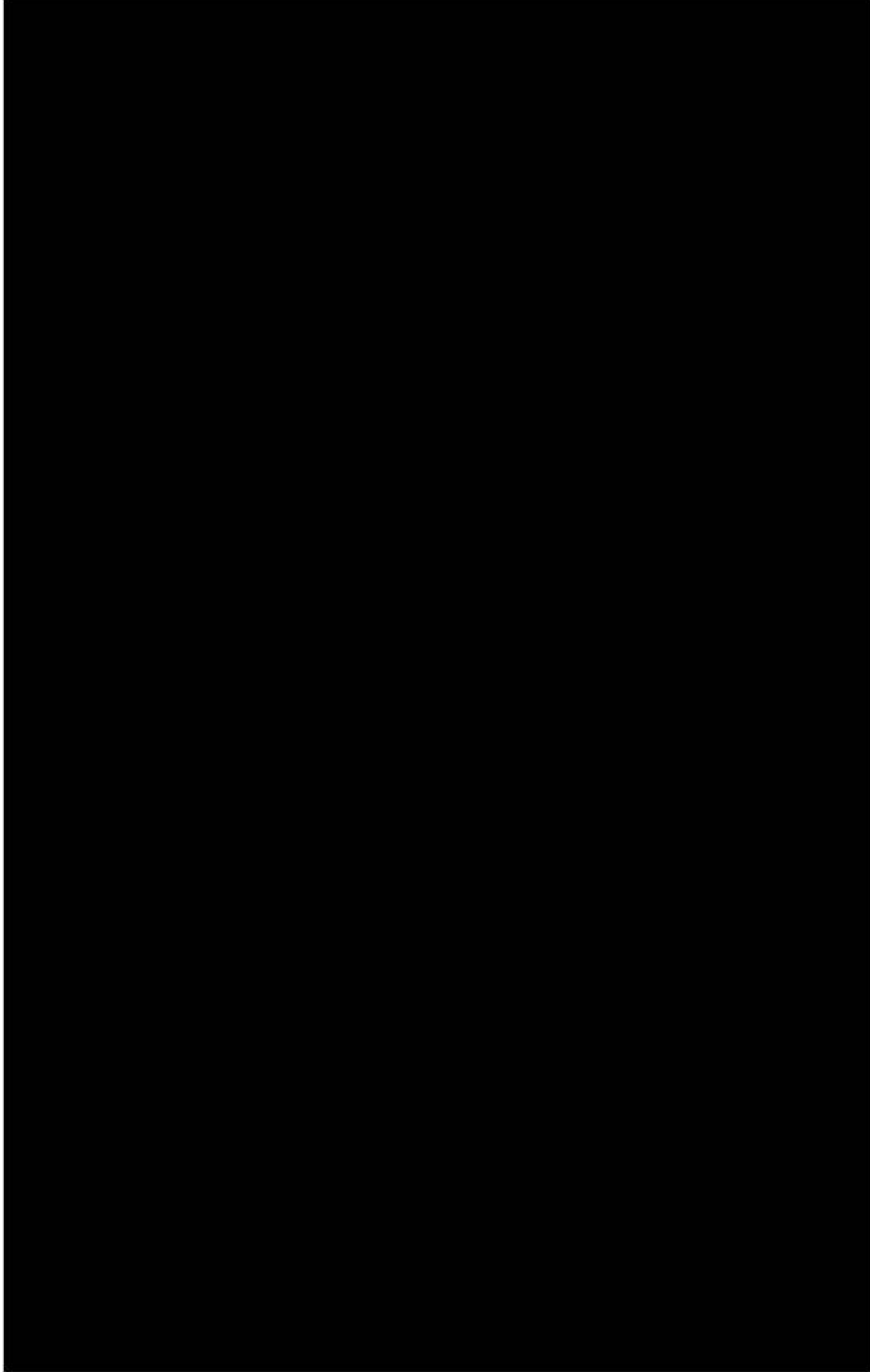
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



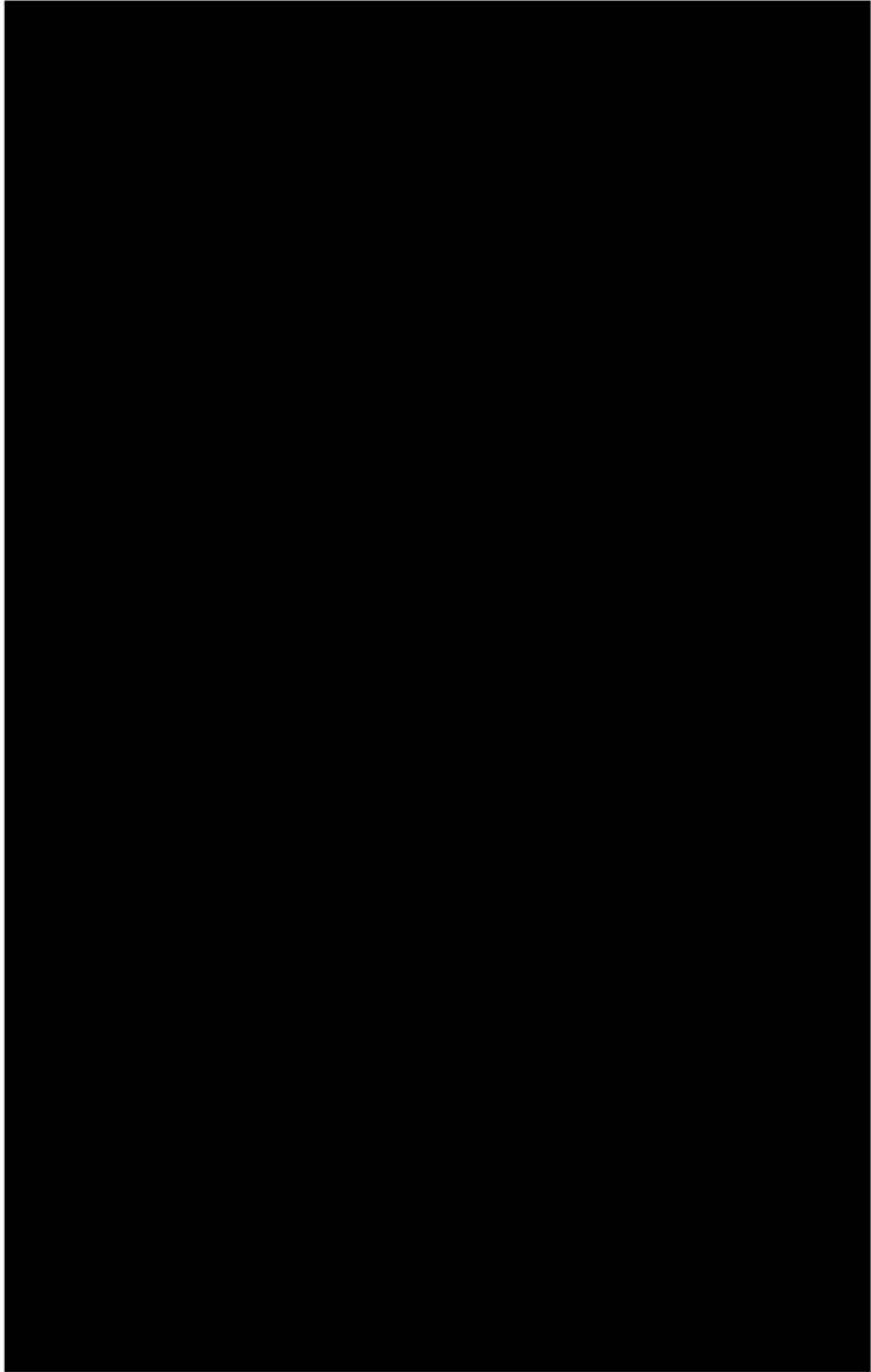
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



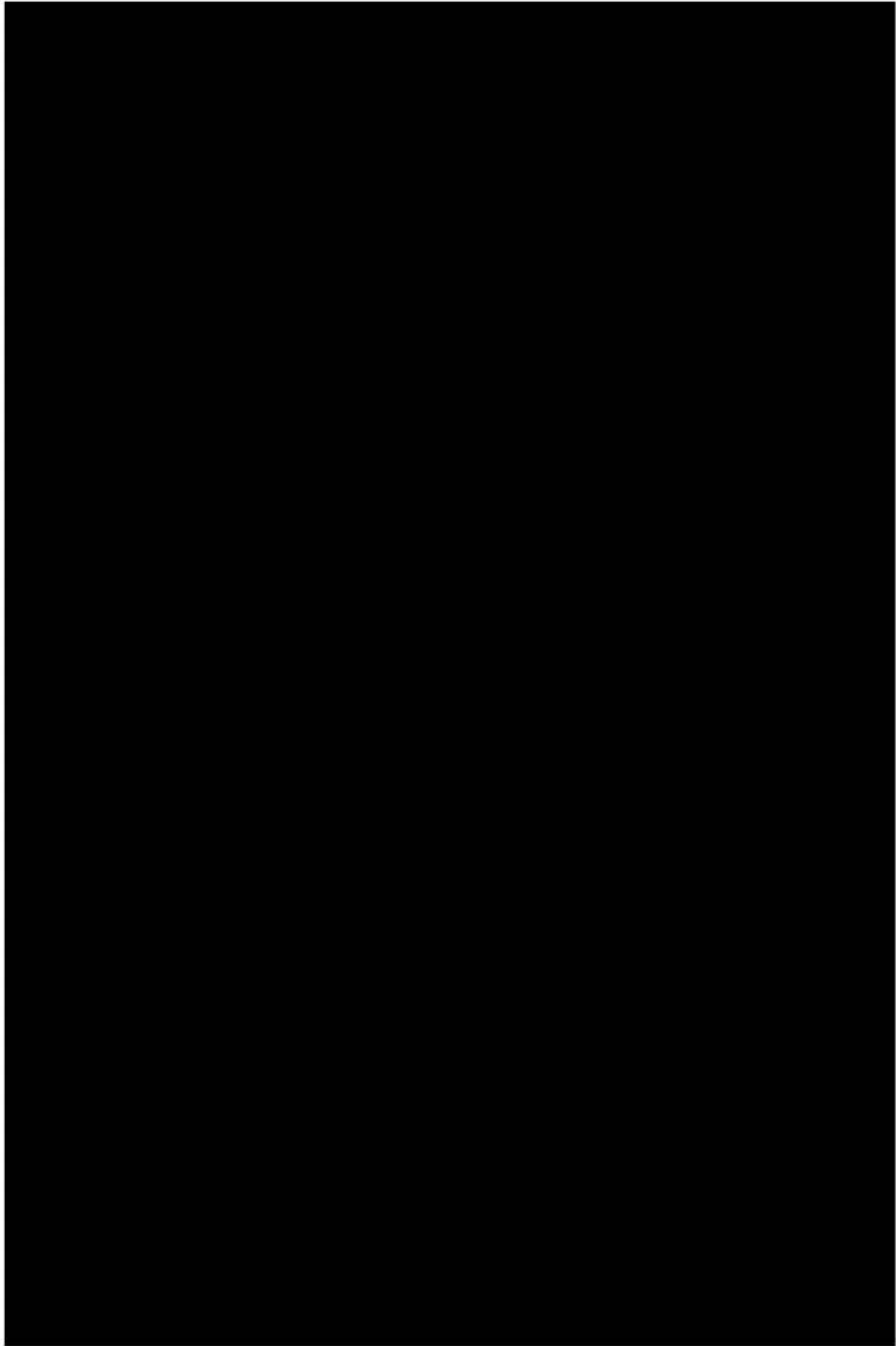
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



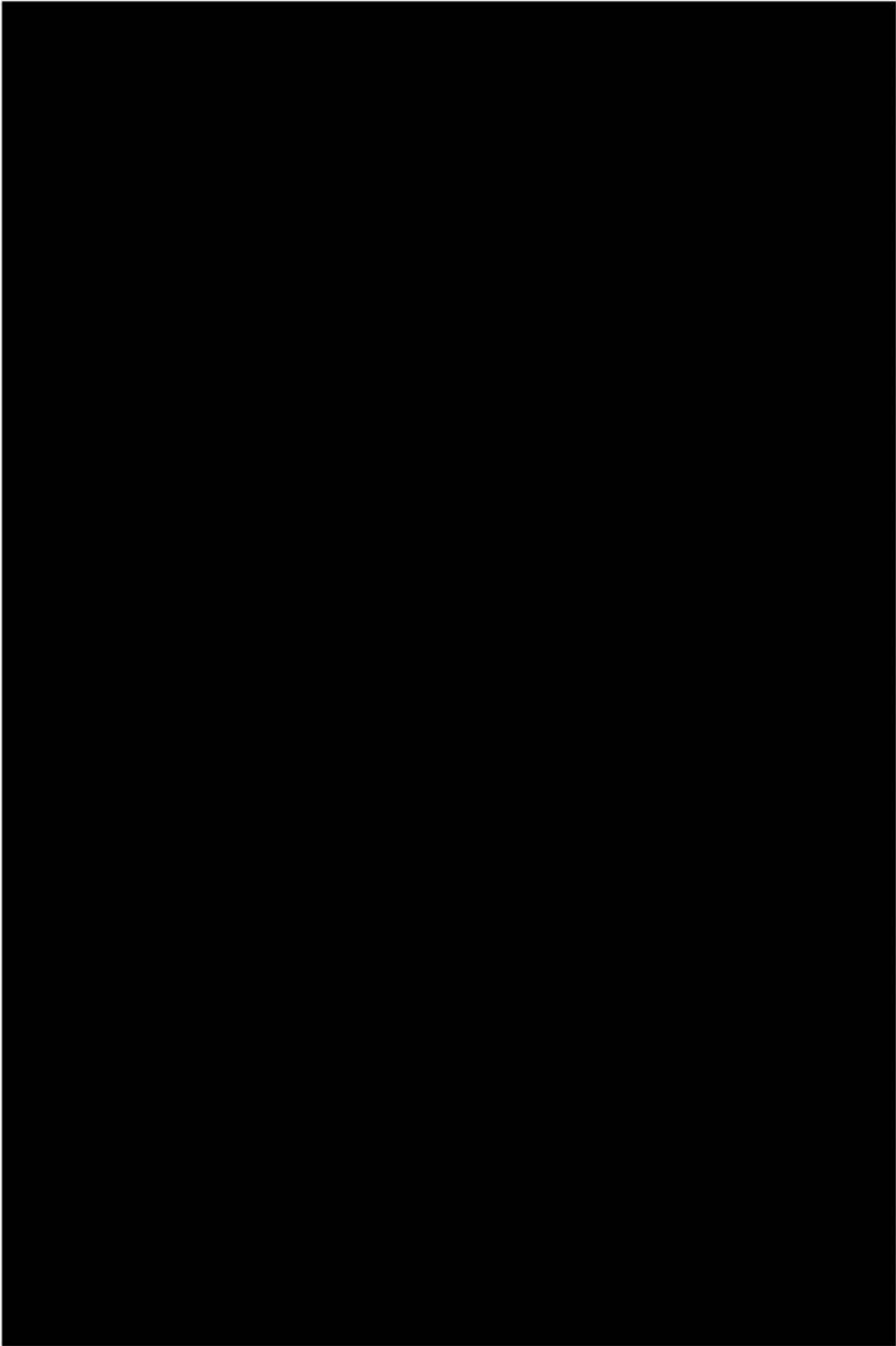
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



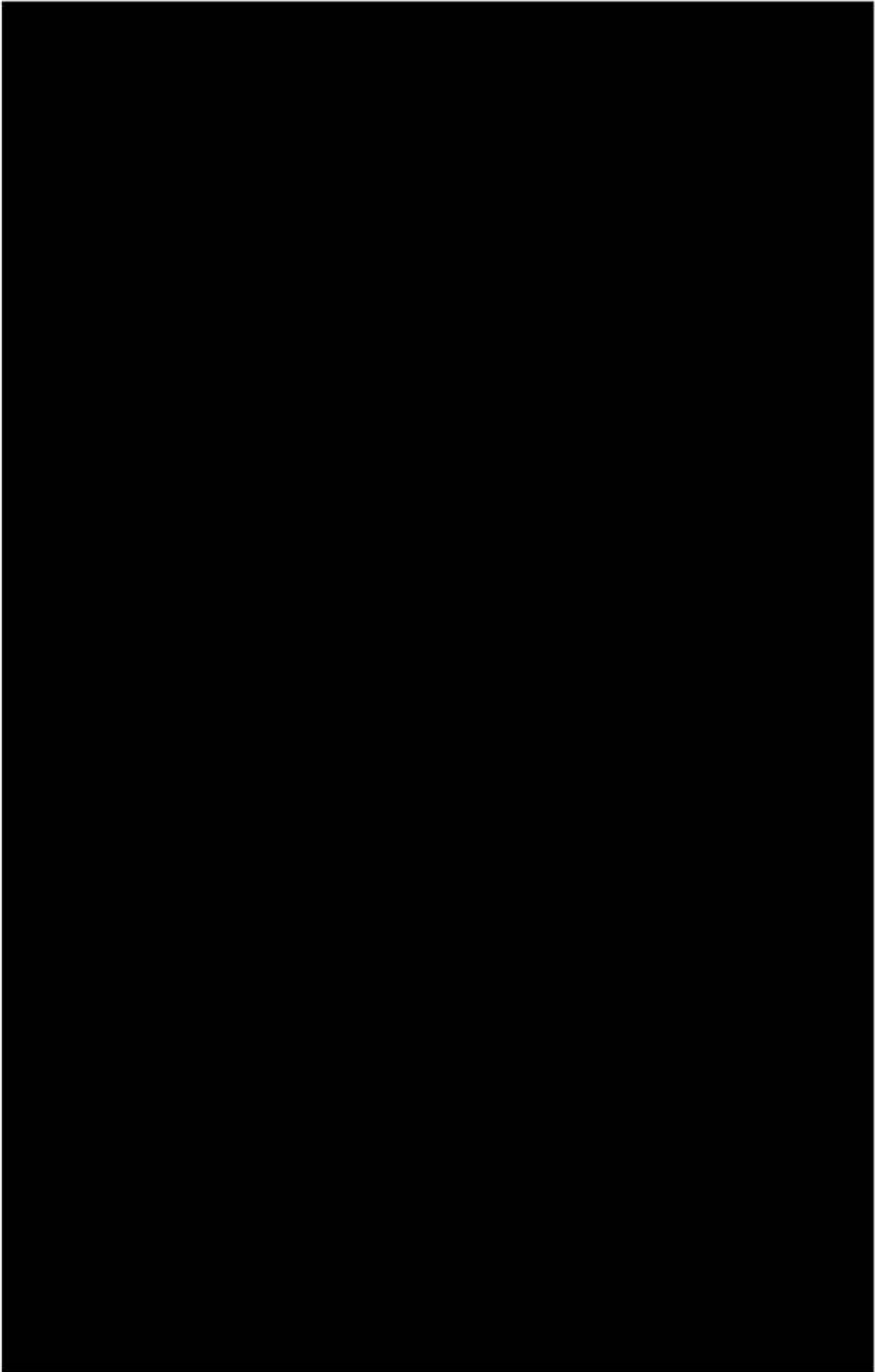
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



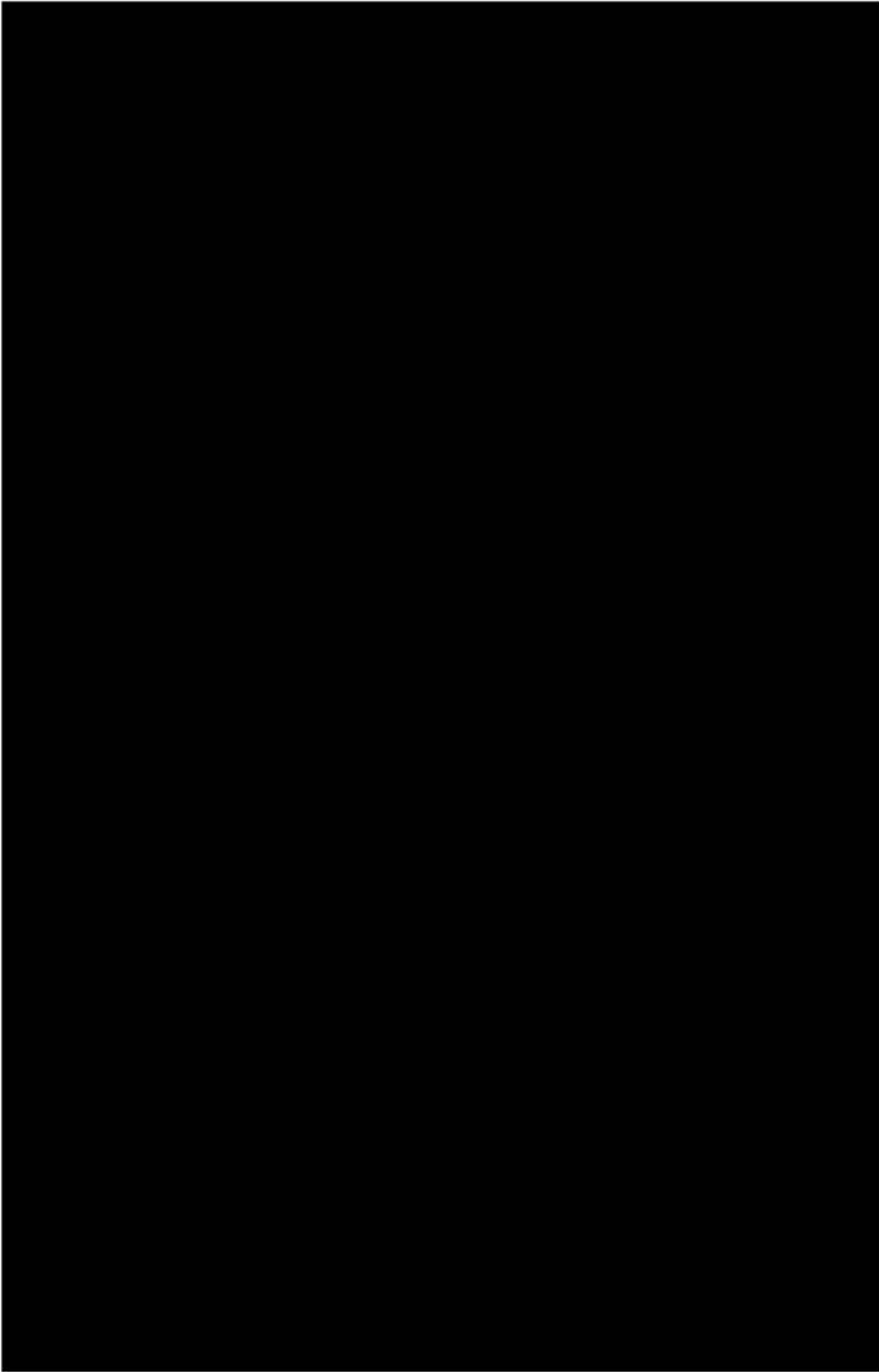
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



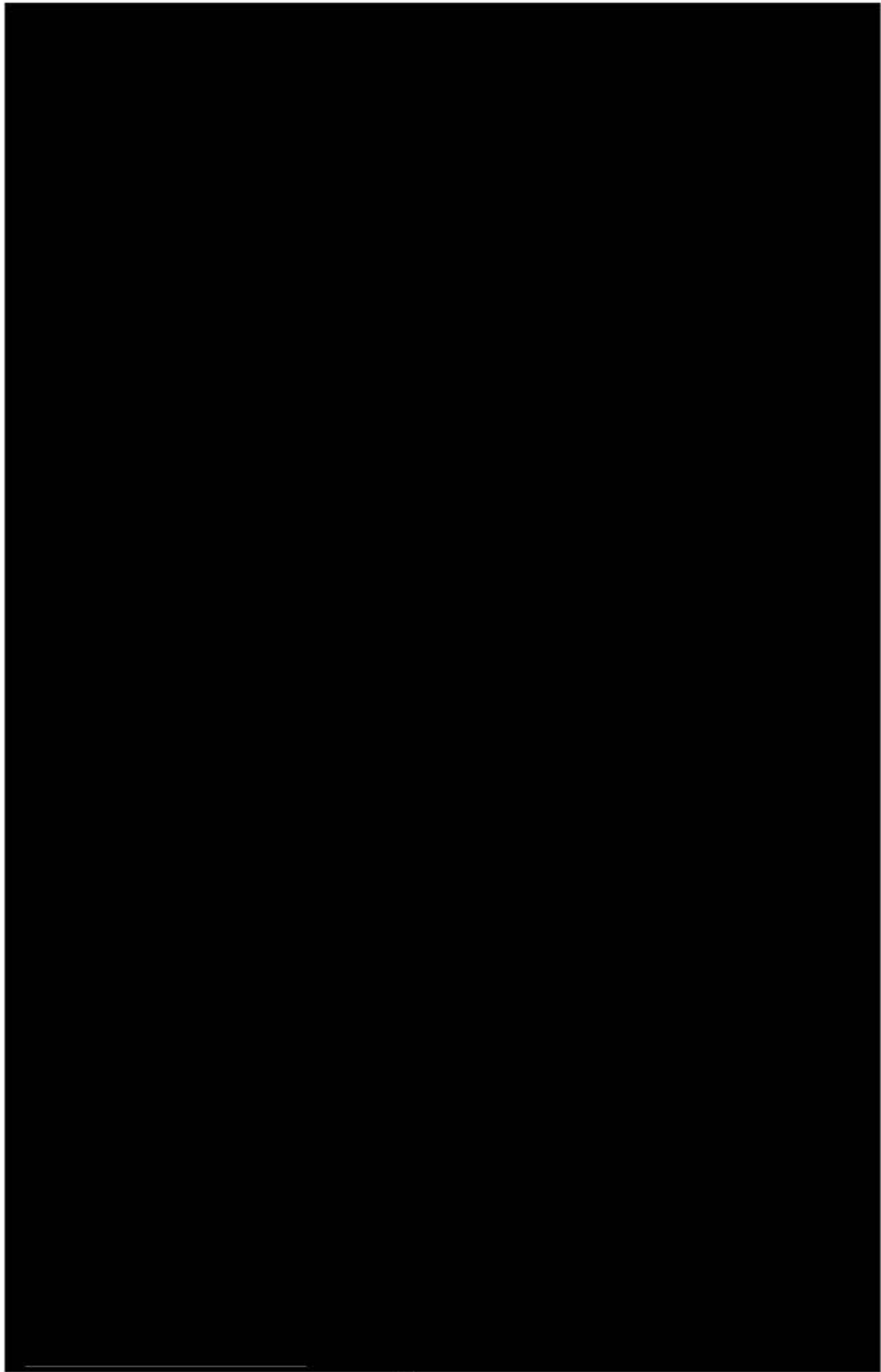
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



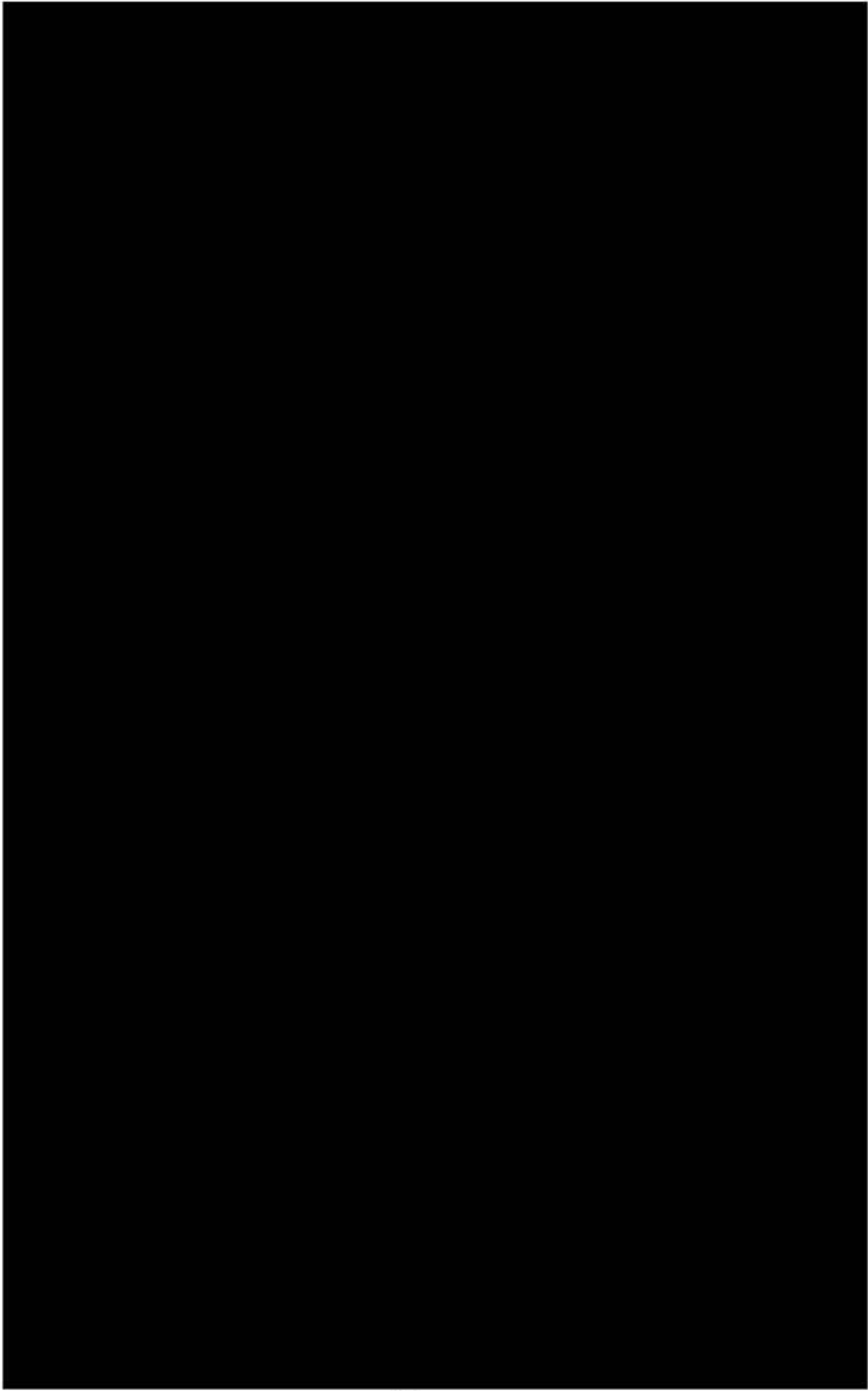
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



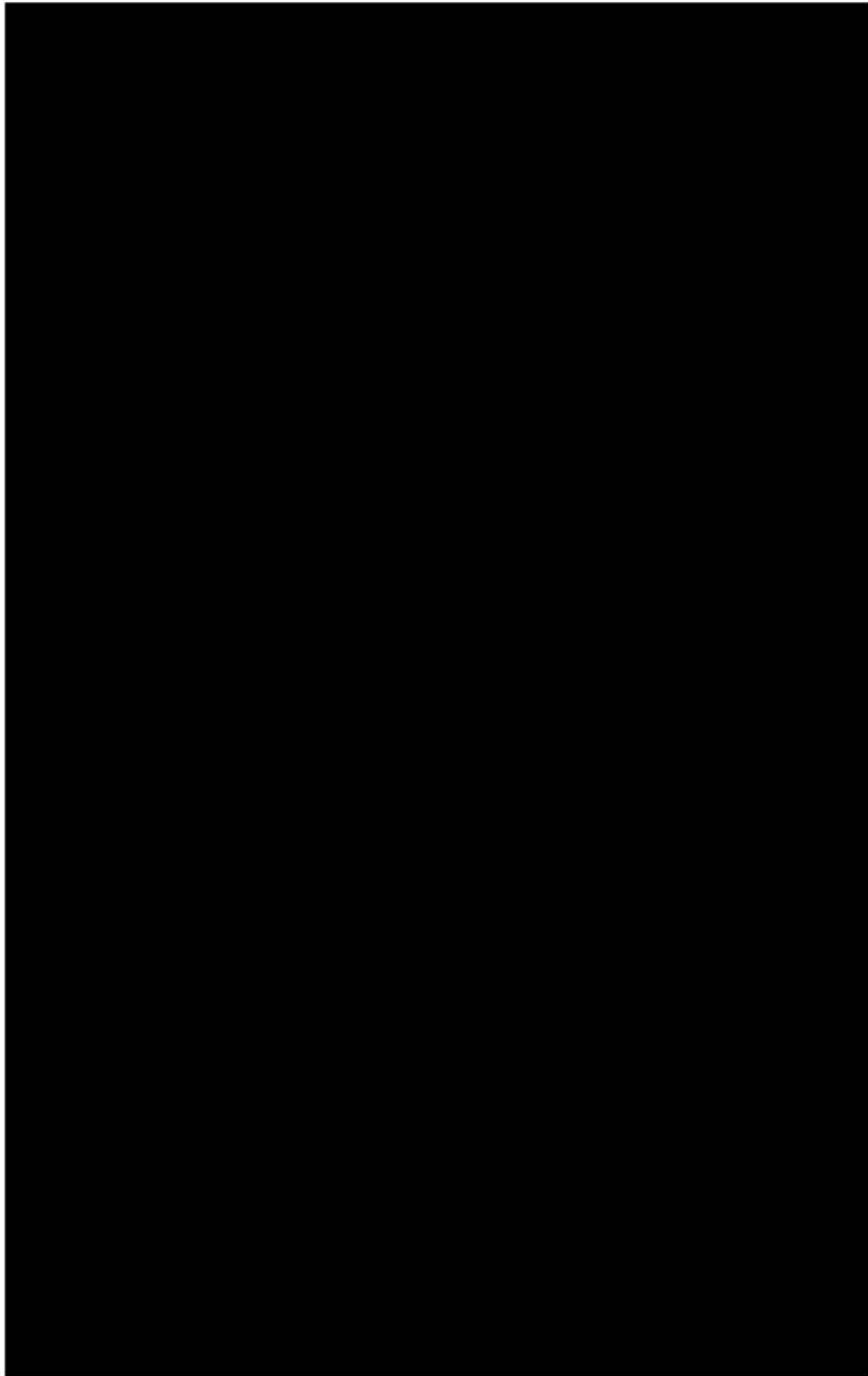
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



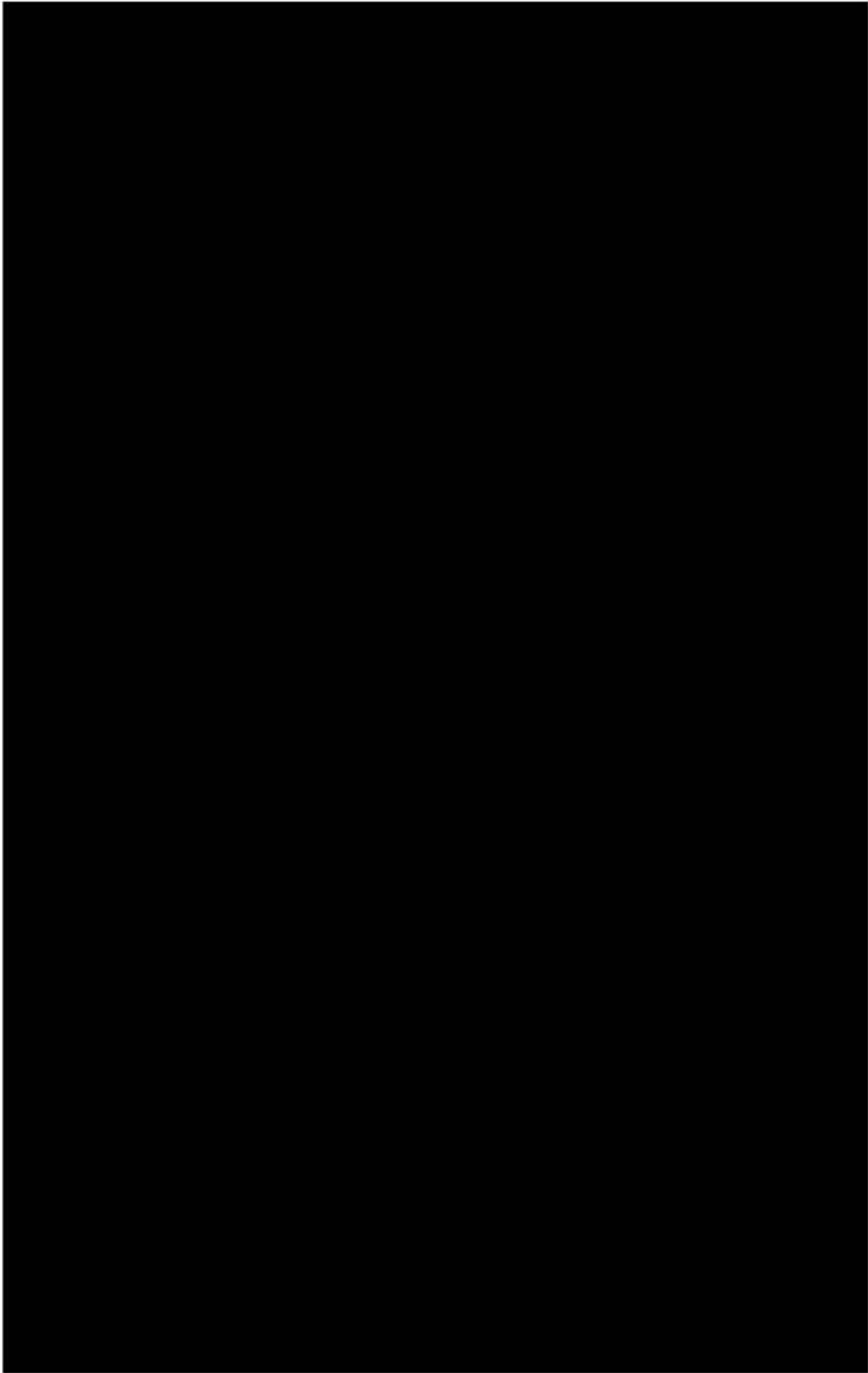
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



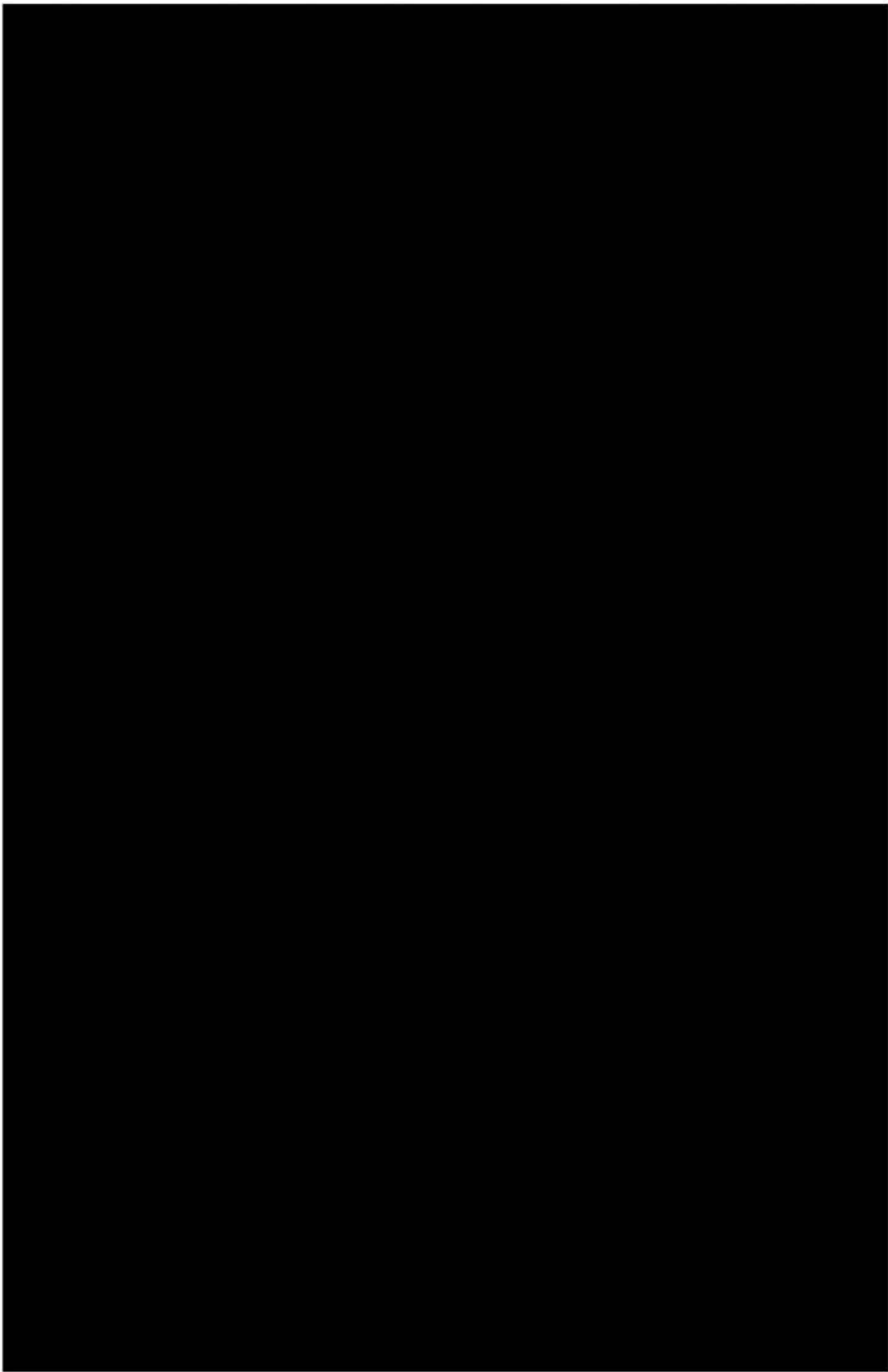
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



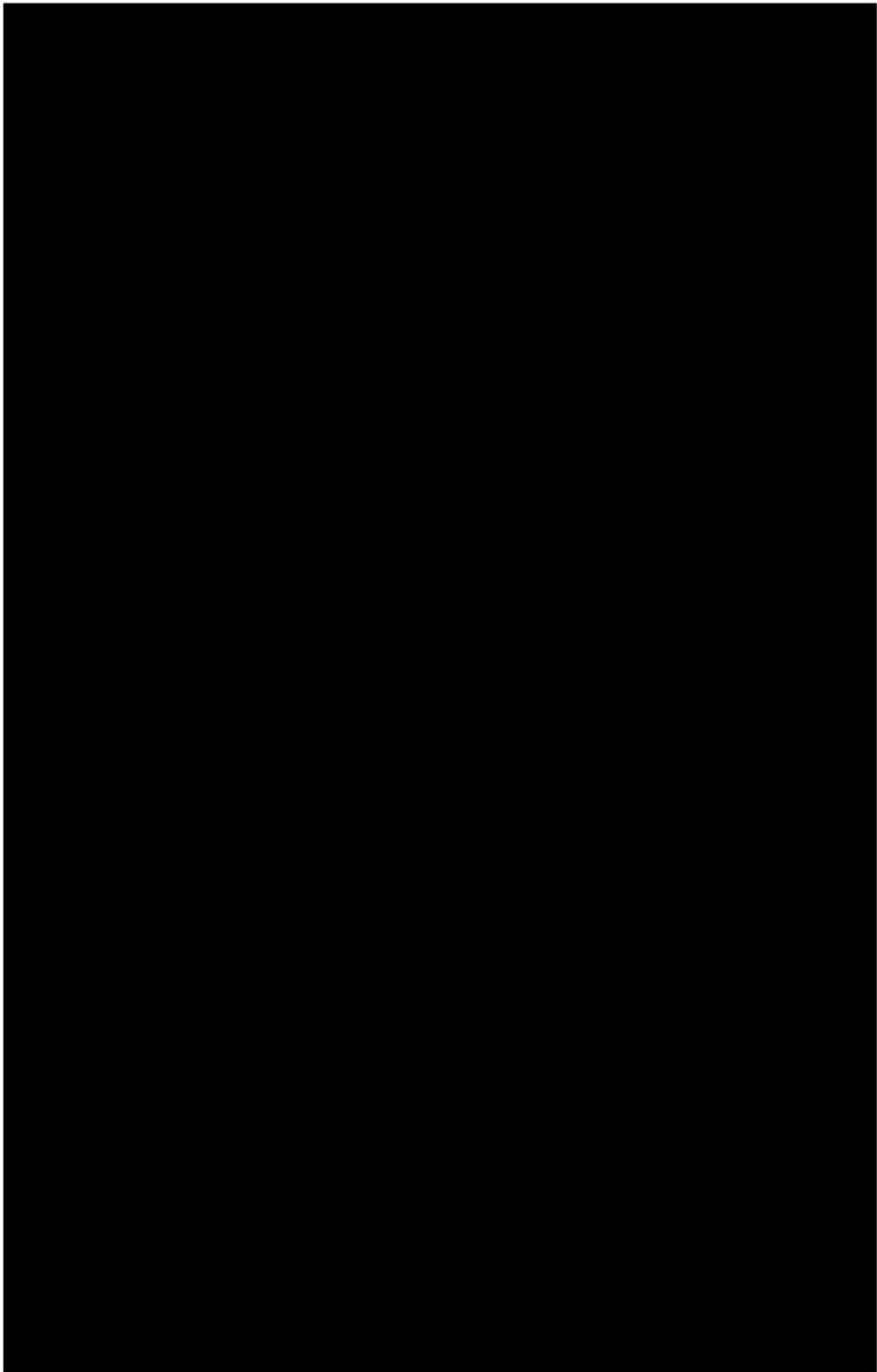
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



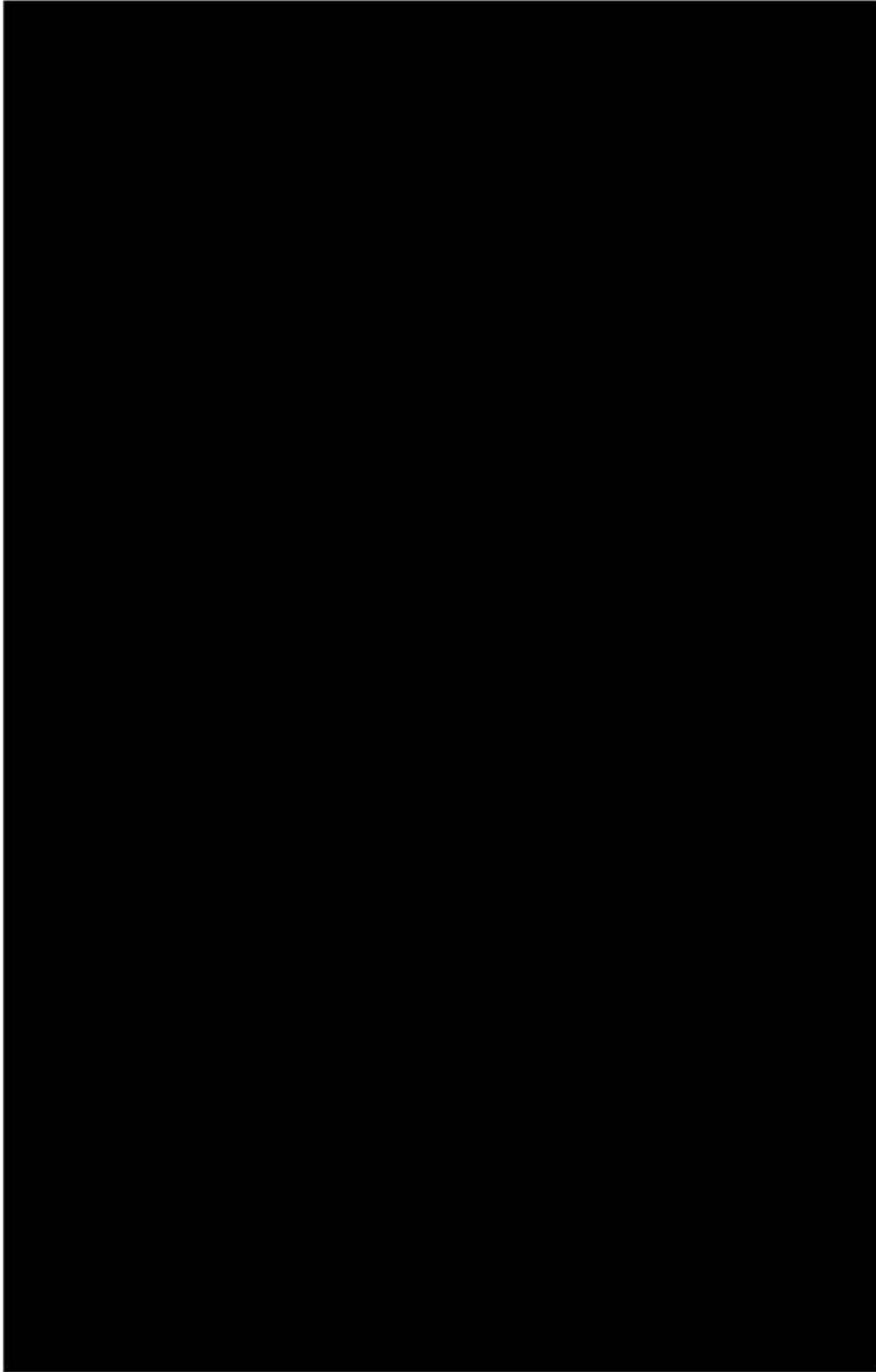
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



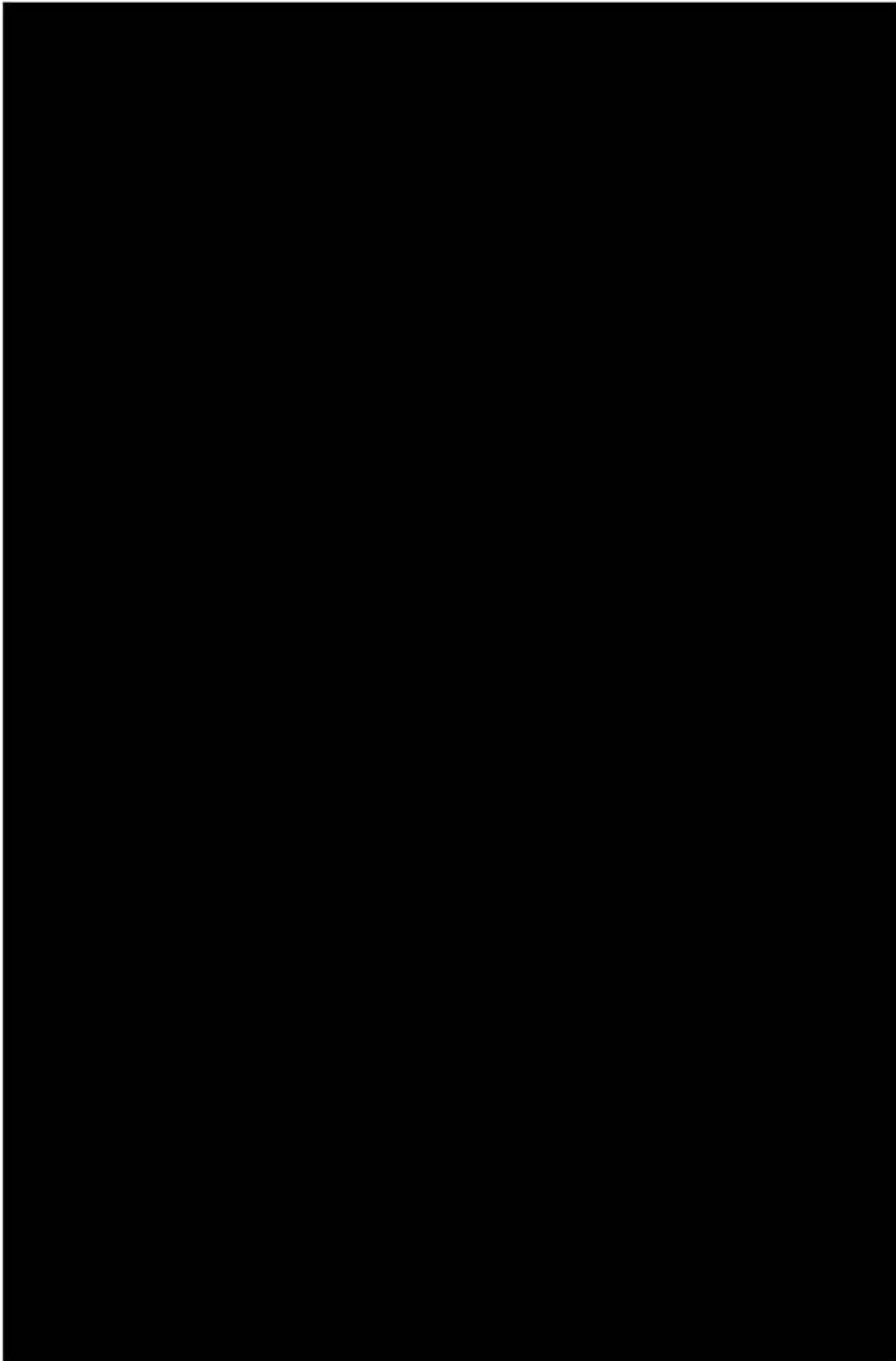
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



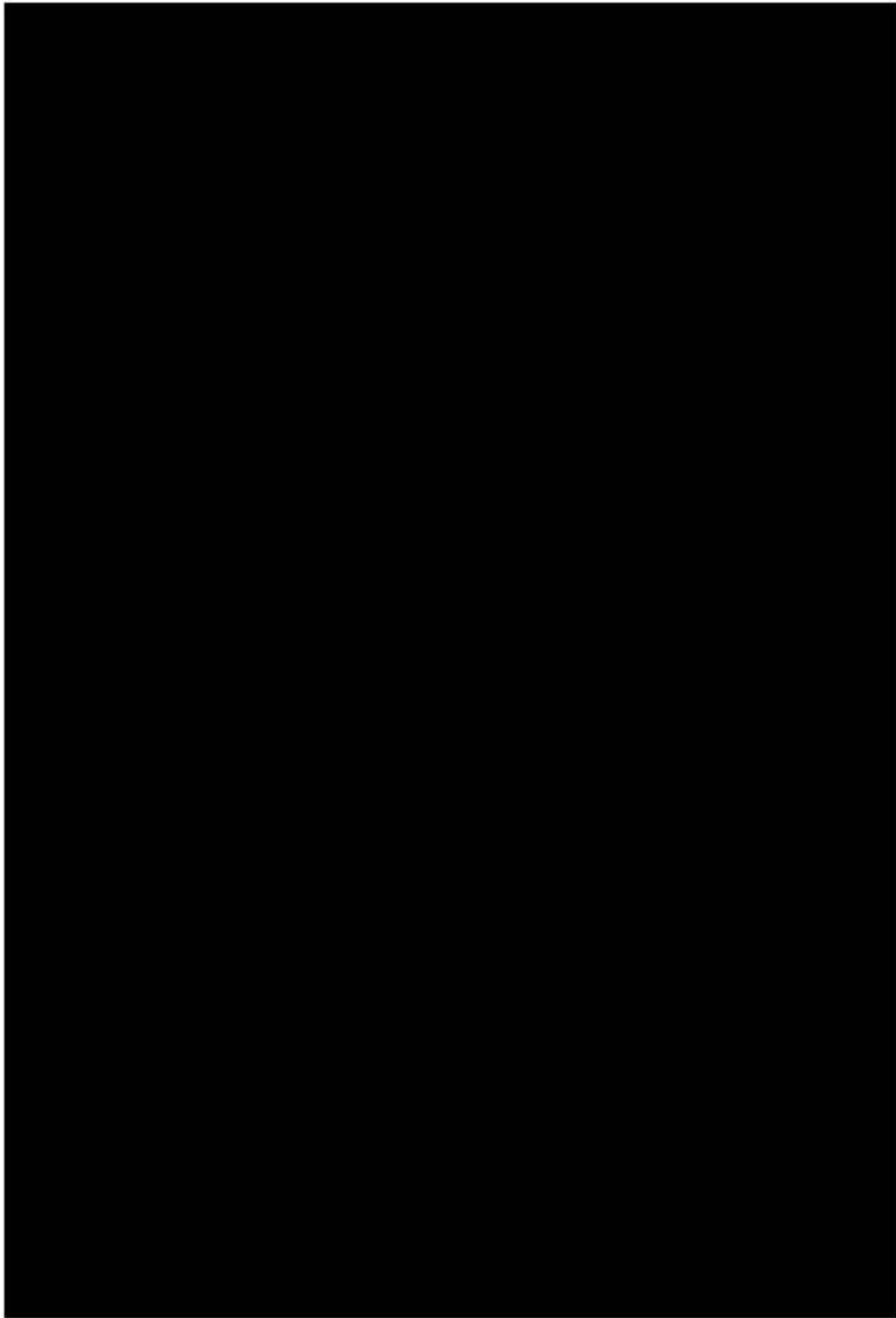
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



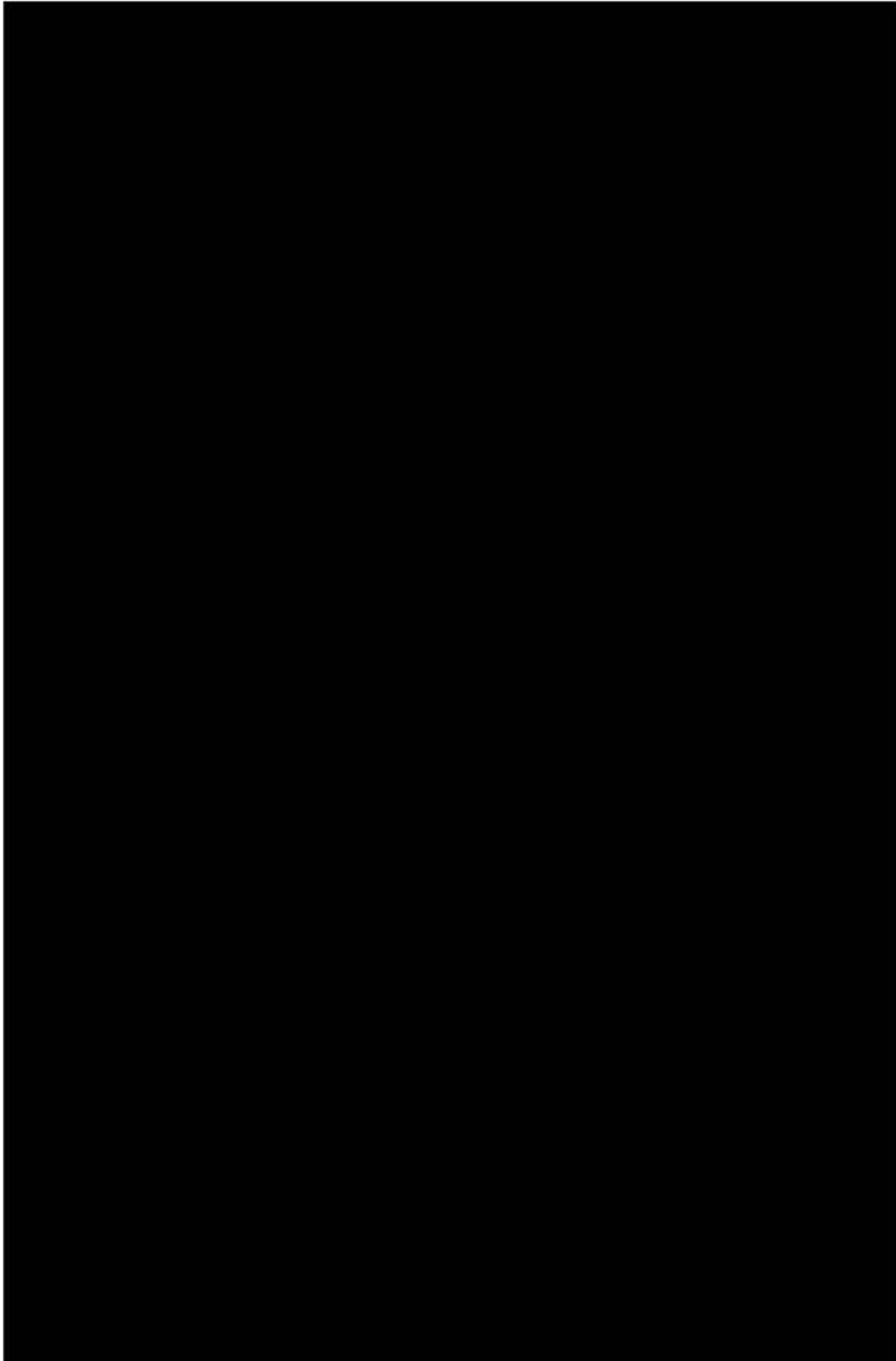
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



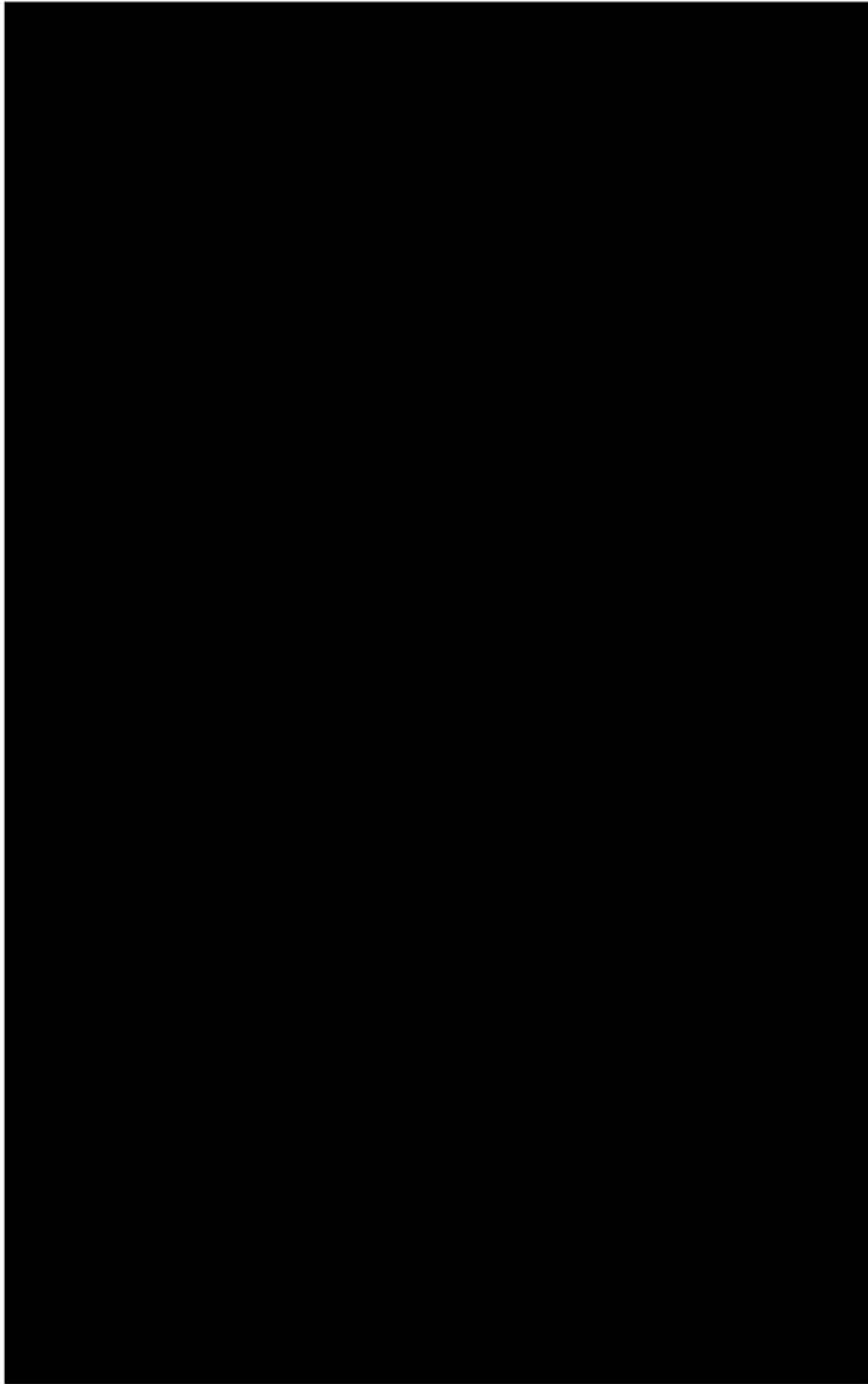
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



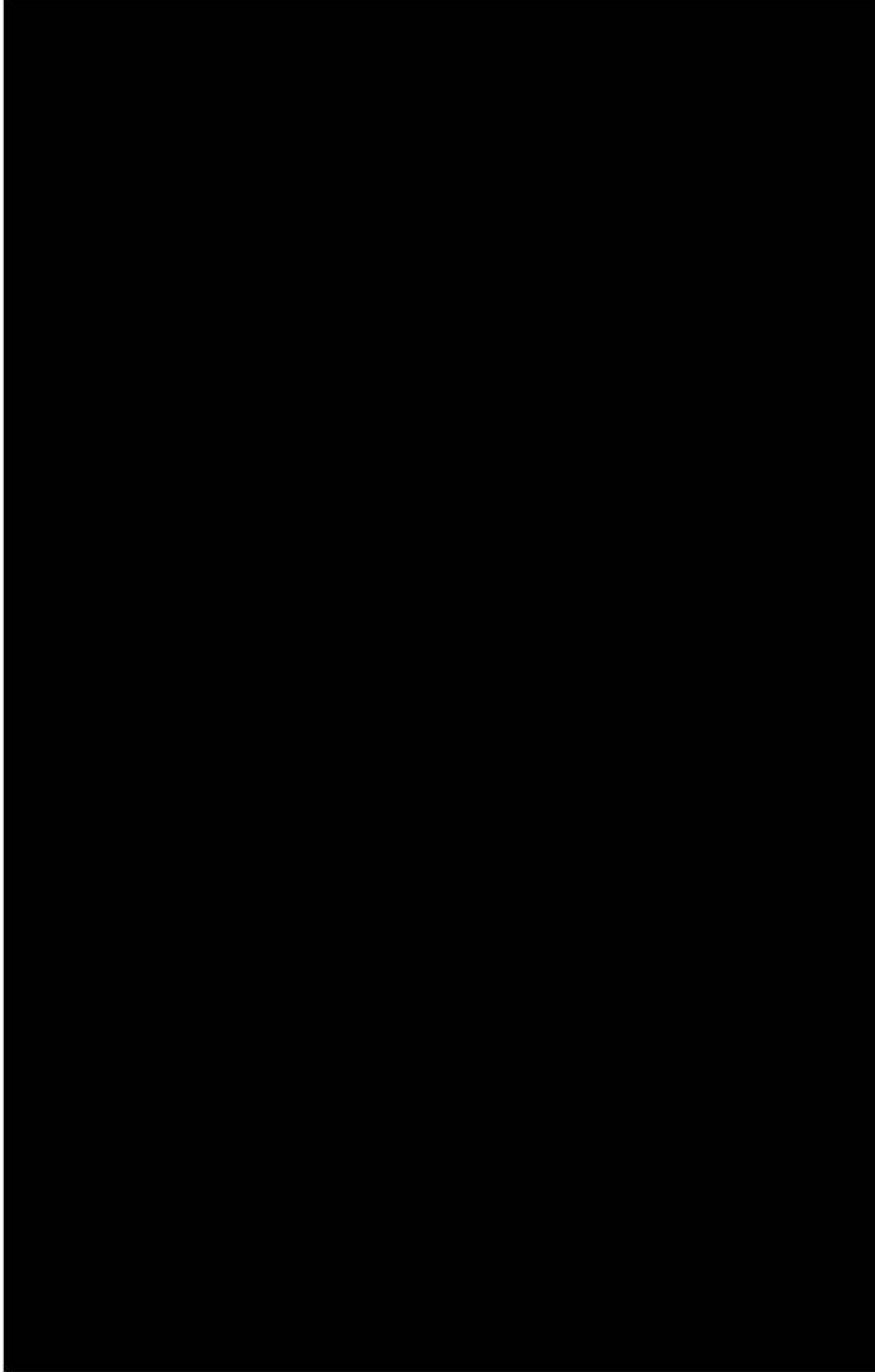
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



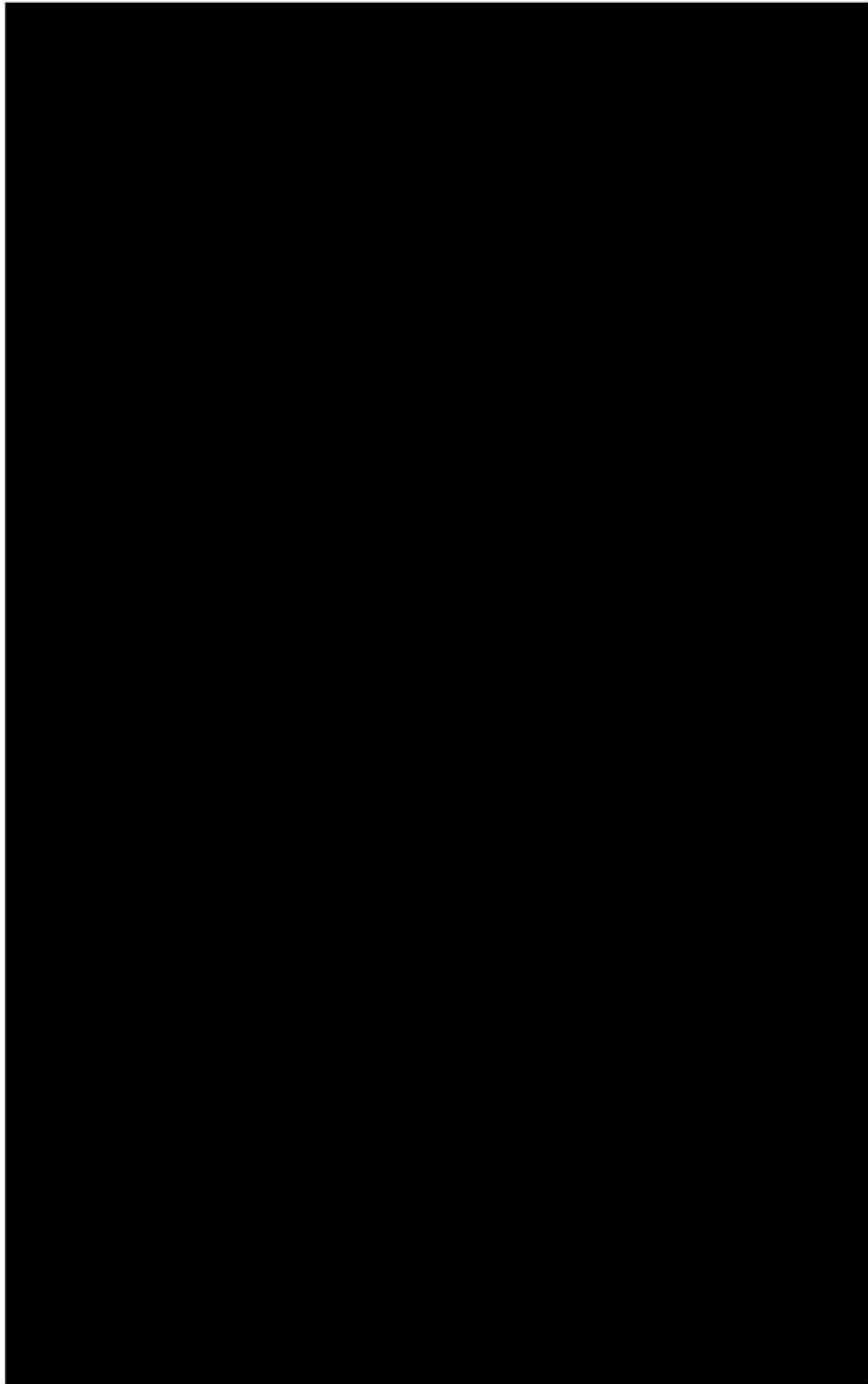
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



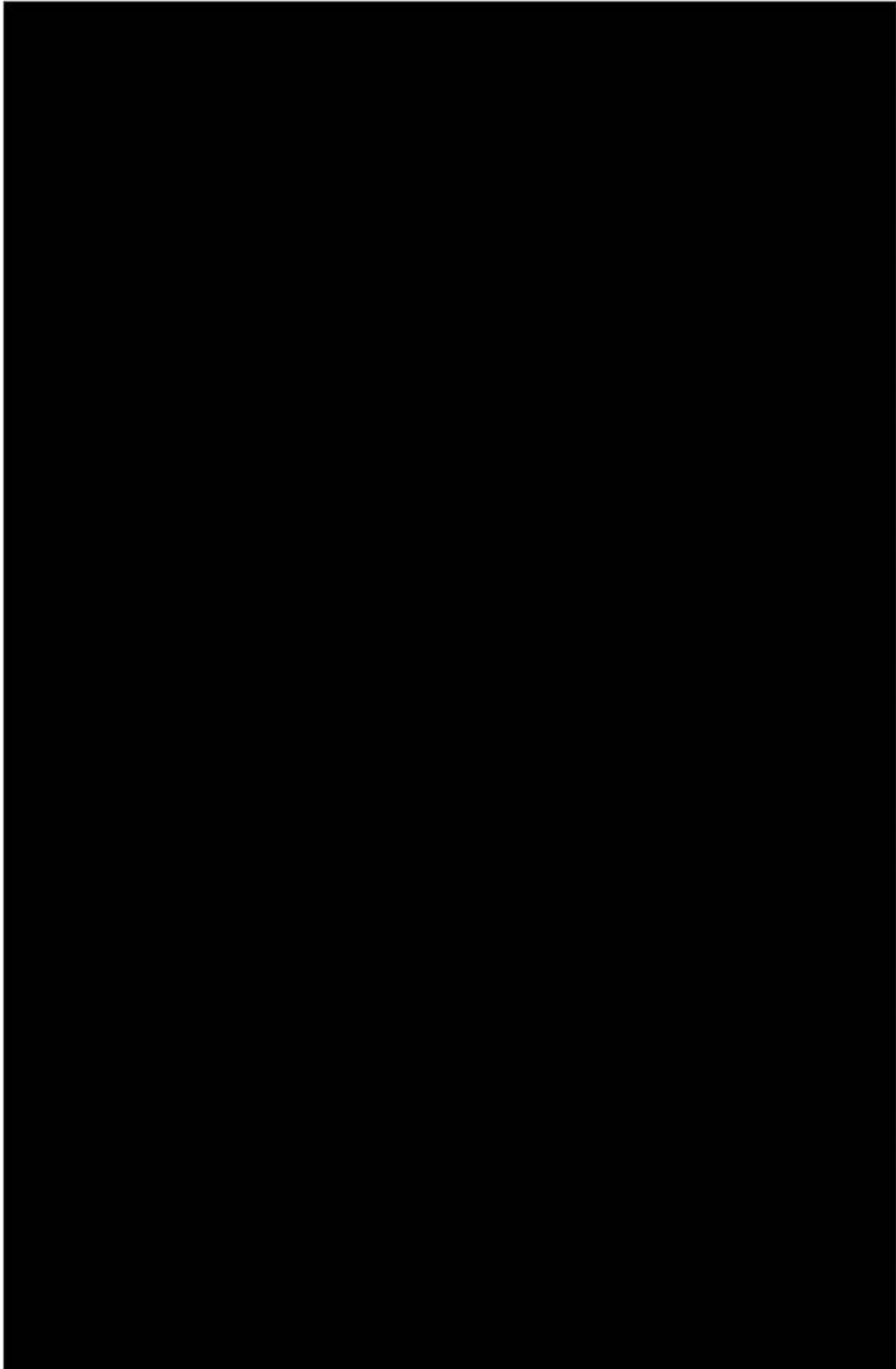
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



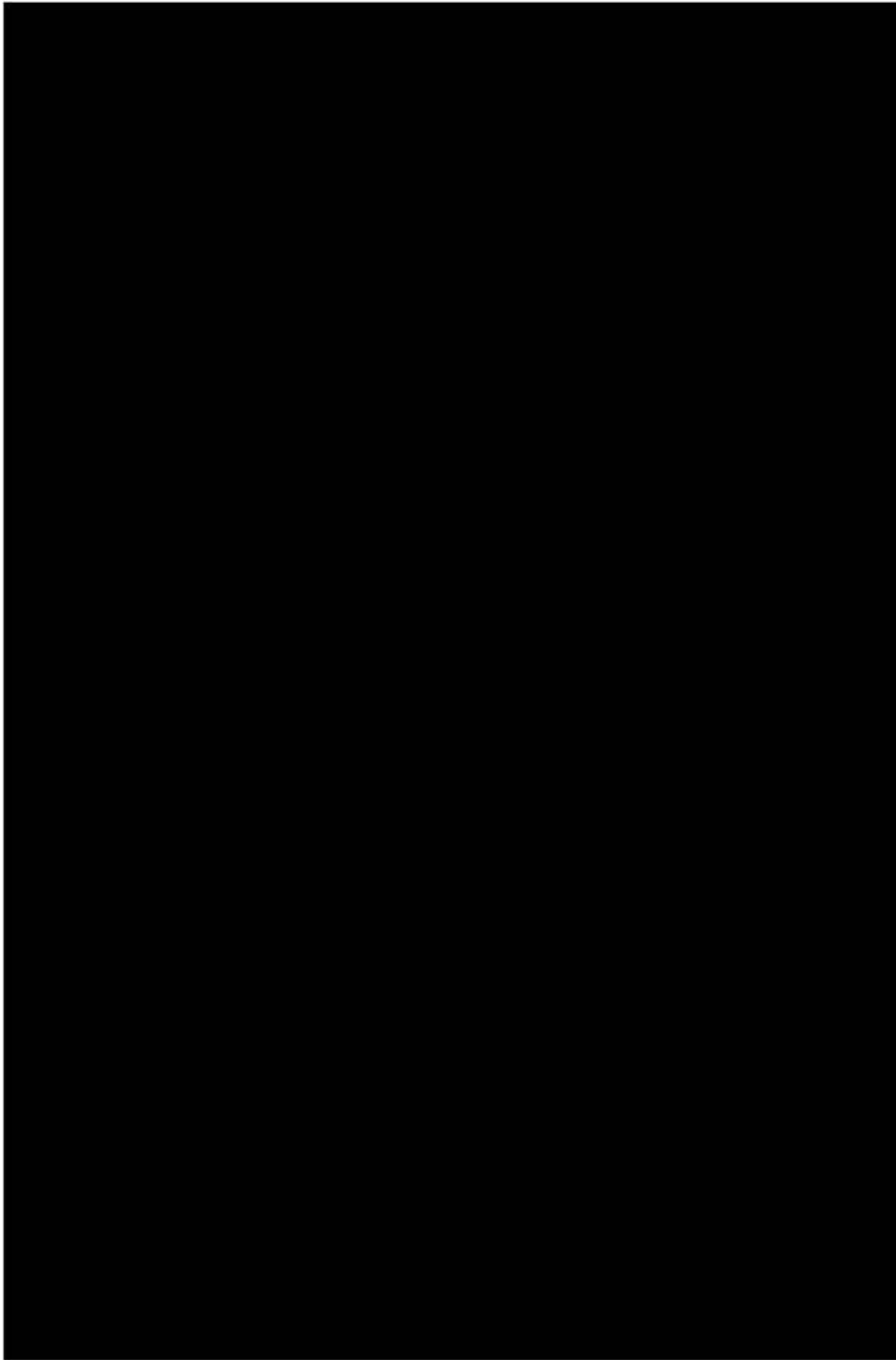
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



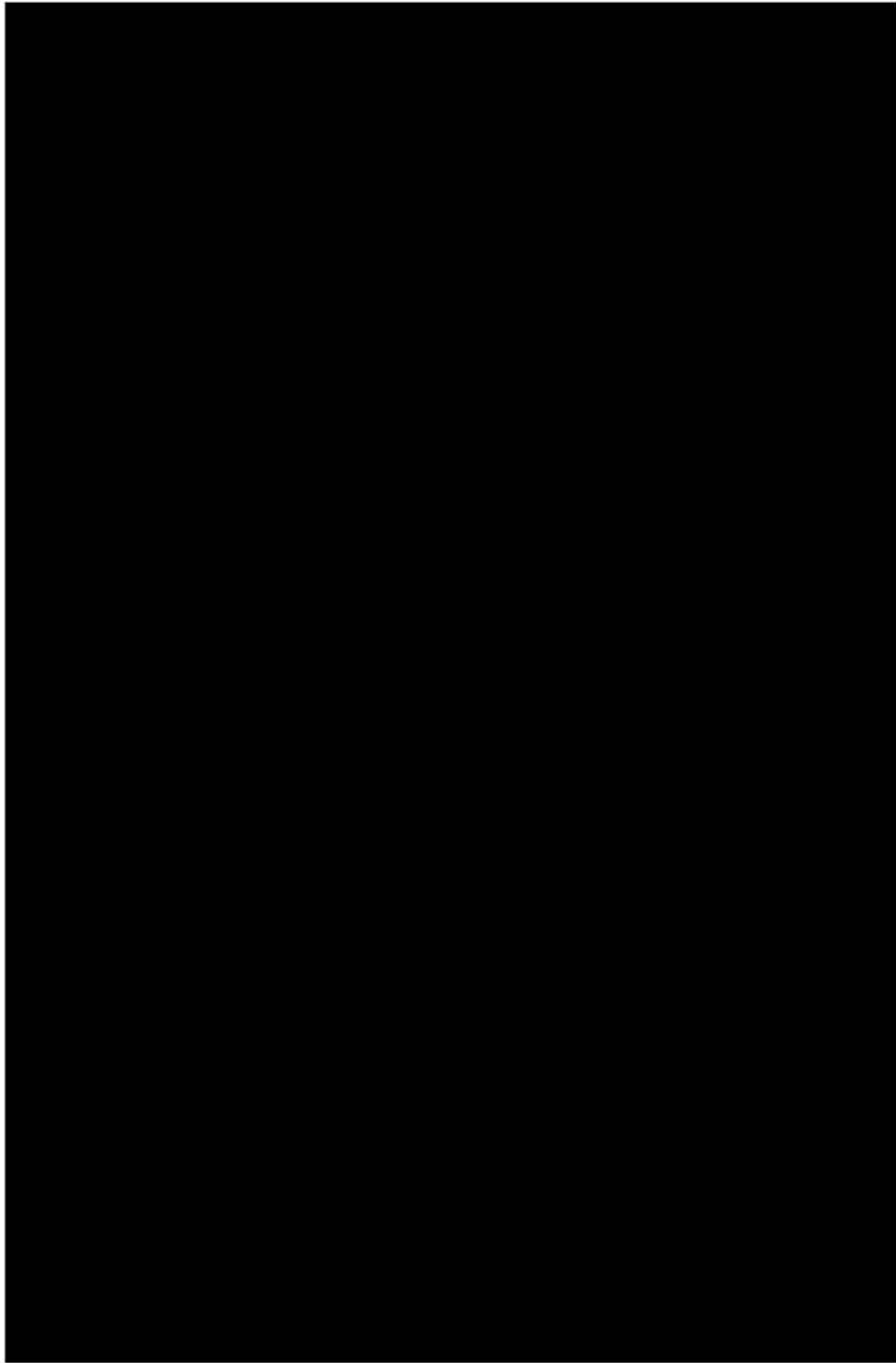
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



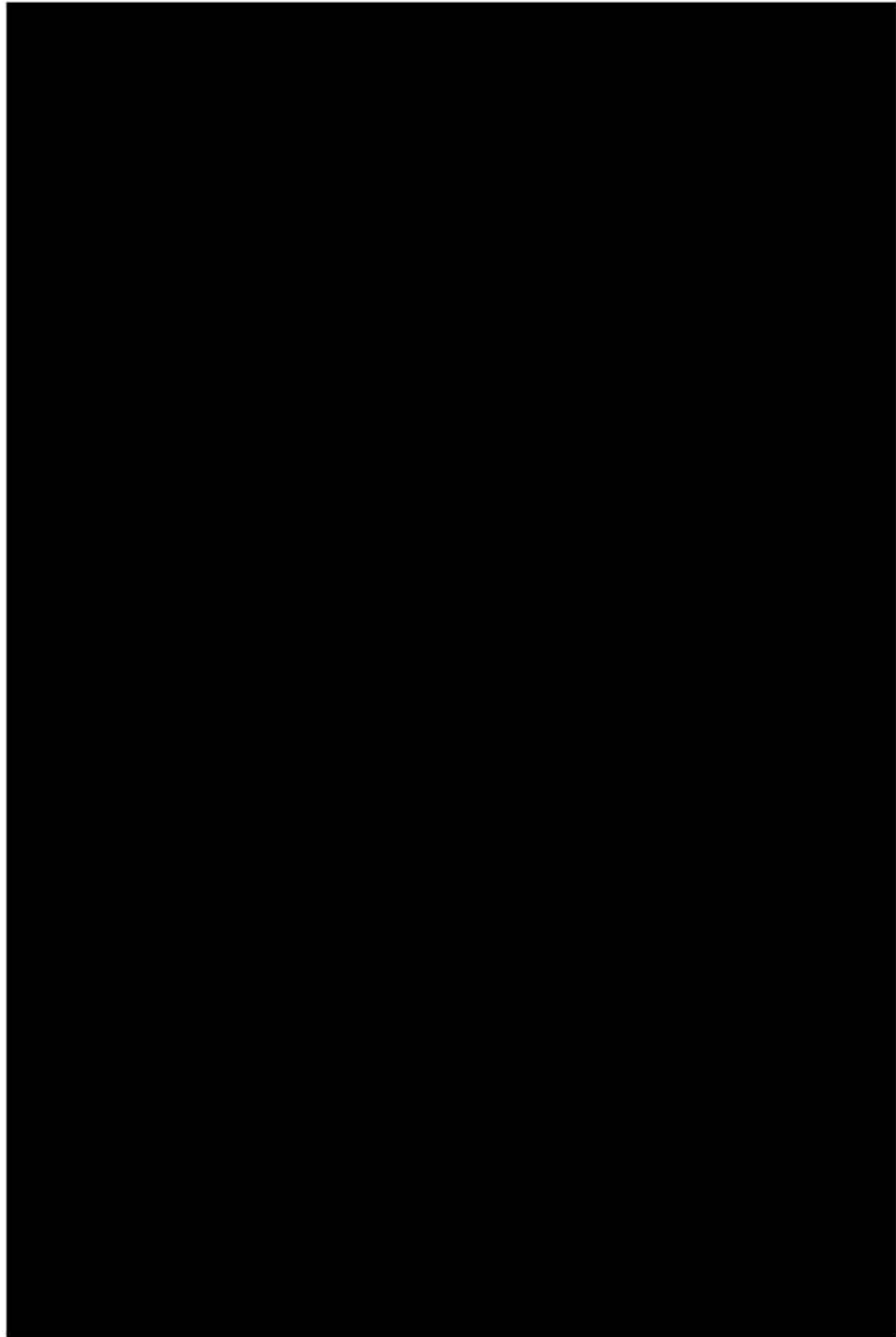
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



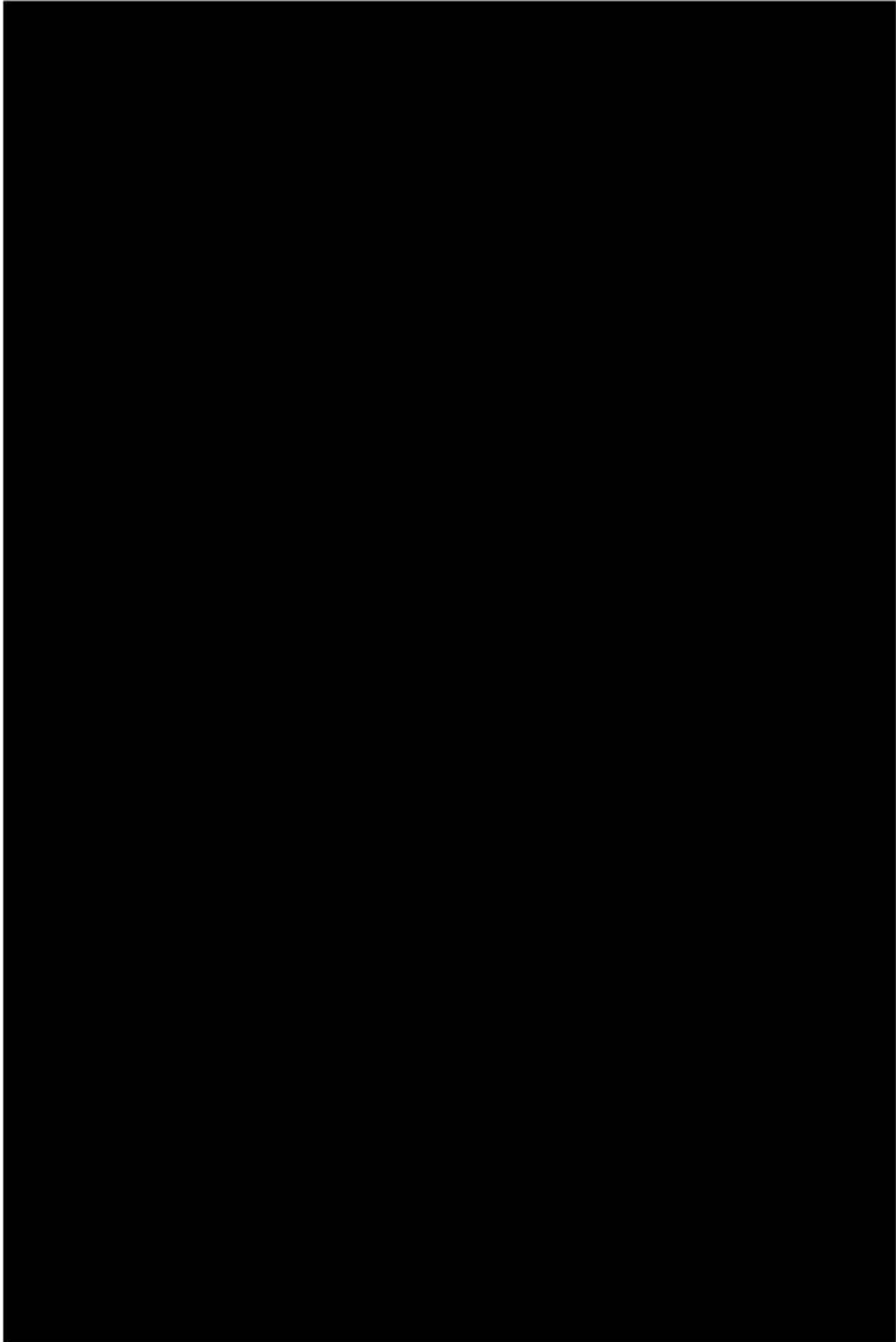
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



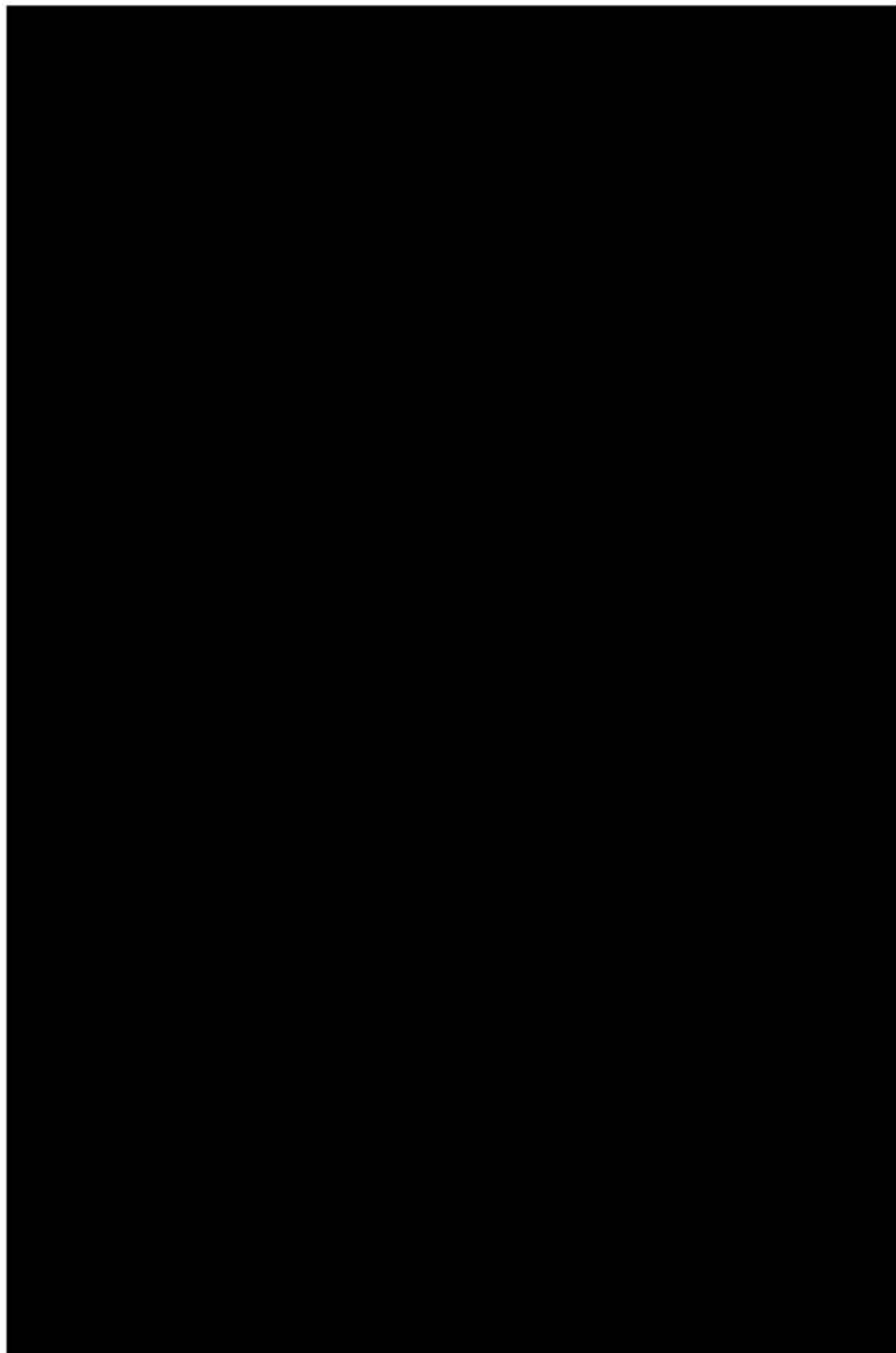
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



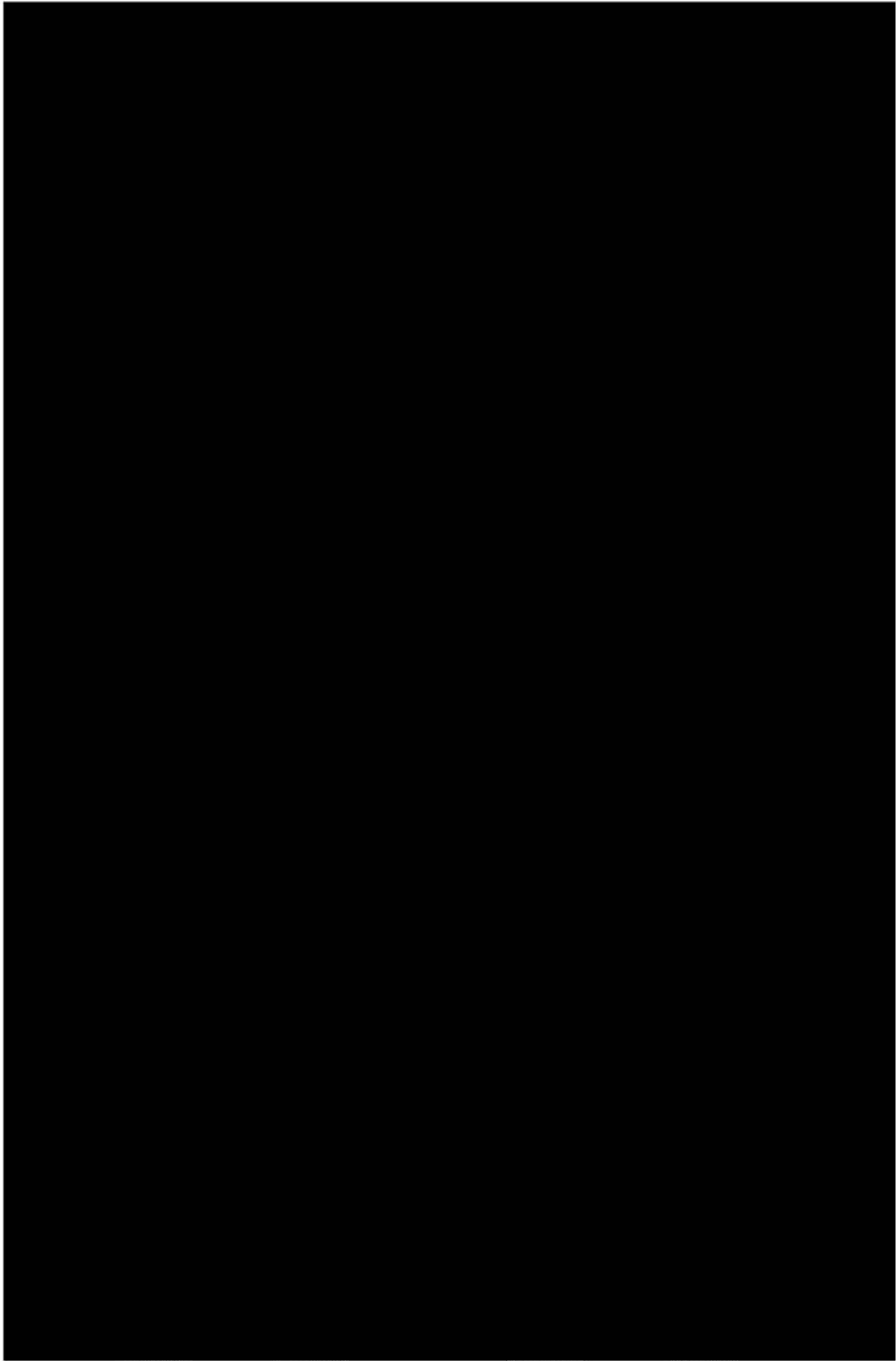
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



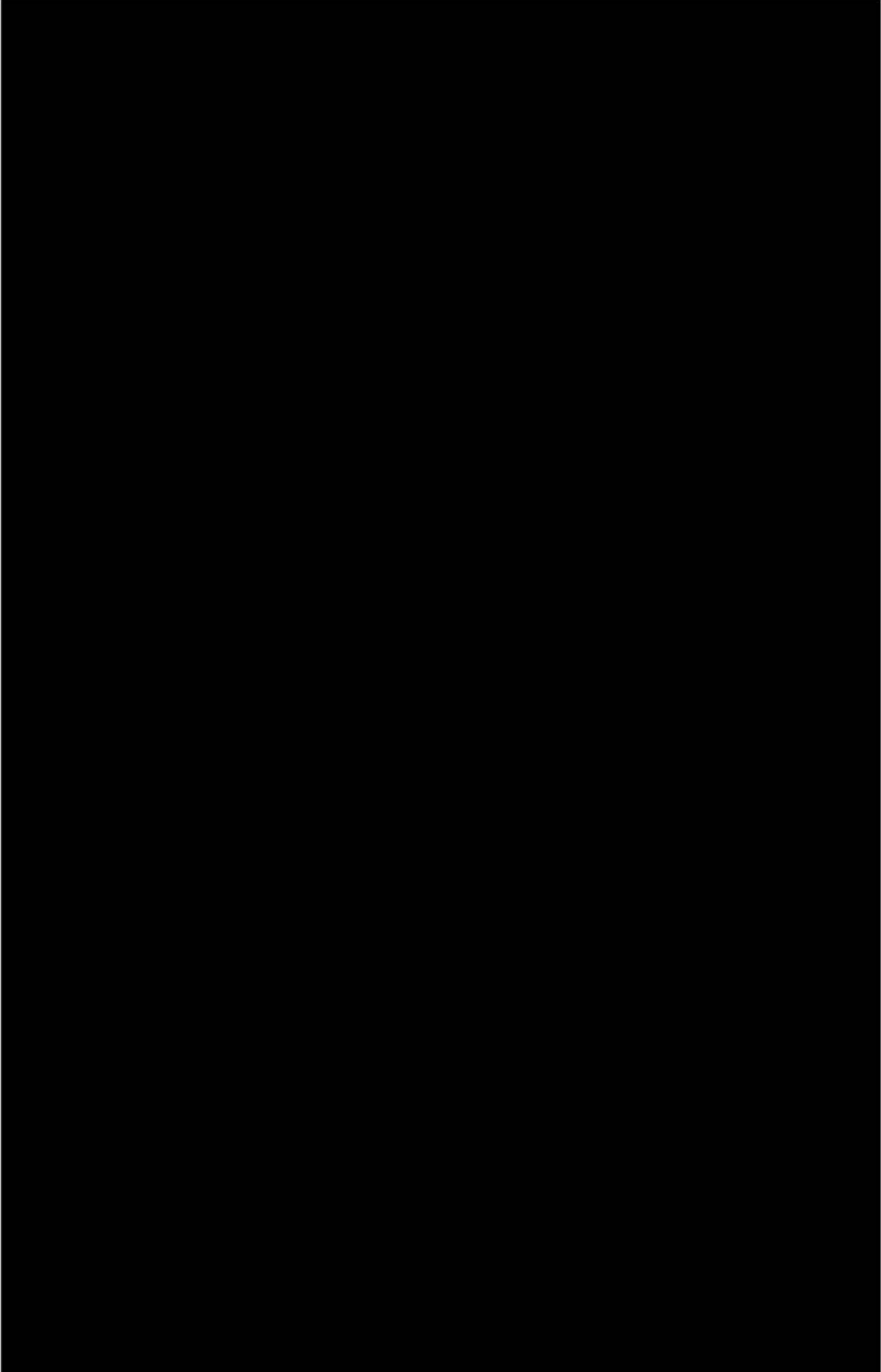
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



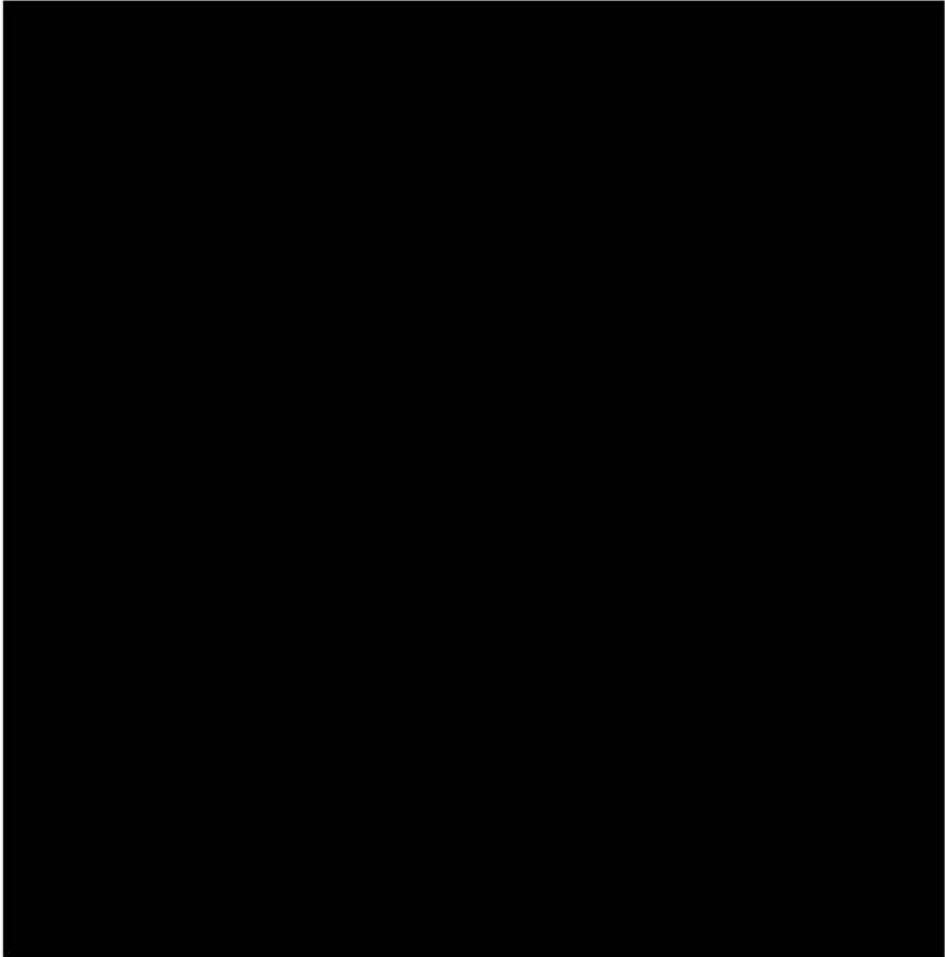
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17



18 MS MACLEOD: And I move on, my Lady, to the [REDACTED] statement  
19 that I intend to read in this morning. That is at  
20 WIT-1-000000805.

21 'Jenny' (read in)

22 MS MACLEOD: This applicant will use the pseudonym 'Jenny'.  
23 'Jenny' provided oral evidence to the Inquiry, my  
24 Lady, during the Foster Care case study on Day 318, on  
25 19 August 2022:

1           'My name is 'Jenny'. I was born in 1974. My  
2 contact details are known to the Inquiry.

3           'I was born in Edinburgh. I lived with my mum and  
4 dad and my siblings. I had a twin brother.

5           'My mum and dad were heroin addicts. My impression  
6 is that my mum didn't get a lot of support. My siblings  
7 and I were all taken into care at the same time.  
8 I first went into care when I was 8 months old.

9           'What I know about the chronology of places I was in  
10 before I was 5 years old is from records I have seen.  
11 I got a book when I was adopted, but with being in a lot  
12 of different places, children's homes and moving to lots  
13 of places, I didn't keep my book very safe and I don't  
14 have the book now.

15           'I don't remember much about Clerwood Children's  
16 Home because we were nearly 1 -- I was nearly 1 year old  
17 when we [that's the witness and her twin were 1 year  
18 old] when we were in there.'

19           Records show that the witness was admitted to  
20 Clerwood in [REDACTED] 1977, when she was 2:

21           'My brother told me later that a staff member who  
22 was --'

23           There is no discharge date, my Lady:

24           'My brother told me later that a staff member who  
25 was at Clerwood when we were there had been convicted of

1 child sex abuse. My brother found an article on the  
2 internet about this person.'

3 The witness then goes on to talk about her time at  
4 Lord and Lady Polwarth Children's Home. Records  
5 recovered by the Inquiry, my Lady, indicate that this  
6 witness was in Polwarth on three different occasions and  
7 I'll give the dates for each of those.

8 In the statement, the witness provides evidence in  
9 relation to two of the periods. It's not entirely clear  
10 which of the three those are, but given the age of the  
11 witness, it's understandable that she wouldn't have any  
12 sort of clear recollection of the dates.

13 LADY SMITH: Of course.

14 MS MACLEOD: According to the records recovered, the witness  
15 was admitted to Polwarth in [REDACTED] 1977, and  
16 discharged in [REDACTED] 1977. So this was a period of around  
17 three months when the witness was between 2-and-a-half  
18 and 3.

19 The second admission was, according to the records,  
20 in [REDACTED] 1979, for around a month, until  
21 [REDACTED] 1979, when the witness was aged 4-and-a-half.

22 The third admission, according to the records, was  
23 in [REDACTED] 1980, to [REDACTED] 1980, when the witness was  
24 aged between 5-and-a-half and 6-and-a-half:

25 'I stayed at Lord and Lady Polwarth Children's Home

1 for the first time with [my brother] sometime before  
2 I was 5 years old. The guy who owned the home was  
3 Ian Samson. His wife was called Marion. Ian Samson was  
4 really strict and shouted a lot. He's been in prison  
5 for interfering with children. There were other care  
6 workers there during the day and it was just Ian Samson  
7 and Marion there at night.

8 '[My brother] and I were together during the day but  
9 at night we had to sit in our own rooms. I was in a big  
10 dormitory with all girls. There were older girls in my  
11 dormitory. I don't know how old they were, I was  
12 probably the youngest. My brother was through the house  
13 and I sneaked through to see him a lot. We were twins  
14 and we were used to being together. I was always the  
15 one who protected [my brother]. I was the boss.

16 'There was a gong to tell you when your dinner was  
17 ready. Dinner was in a big dining room and we'd all sit  
18 there.

19 'A lot of things happened at night. Ian Samson made  
20 me stand in the corner outside the dormitory in the  
21 hallway. It was a punishment for trying to see my  
22 brother. It always happened at night and it felt like  
23 I was there all night. When you're a child, two minutes  
24 is like two hours. The lights were off, I was in my  
25 nightie on my own and I was freezing cold. Ian Samson

1 would come and tell me when I could go back to bed.

2 'There was a hatch in the dormitory where the girls  
3 slept. My bed was beside the hatch. Ian Samson would  
4 get the girls to climb in the hatch into his room where  
5 he and his wife were staying. He told me to climb in  
6 the hatch. I remember going in the hatch myself late at  
7 night quite a lot. Why would you do that? It happened  
8 so often, we eventually thought it was the normal thing  
9 to do. What happened after I had climbed in the hatch  
10 is all blank. I don't know where Ian Samson's wife was.

11 'There is a photo of me and my brother when we were  
12 there. I don't remember the photo being taken. We were  
13 about 3 years old. We were standing and we were covered  
14 in mud. My dress is folded up and you see my pants. My  
15 brother has his trousers and his jumper on. I've always  
16 had the photo. I got it in the book we were given when  
17 we were adopted. There was a card from Ian and Marion  
18 Samson. When I thought it was an innocent photo,  
19 I tagged my brother in it on social media. Now I wonder  
20 why somebody would take a photo like that. I wouldn't  
21 take a picture of a child like that.

22 'I read some newspaper articles which said that Ian  
23 Samson had taken photos of the girls at the home.  
24 I remember the girls in the dormitory having a camera,  
25 but not photos being taken. I think Ian Samson had the

1 camera and made the girls take photos as well. I don't  
2 remember what he was taking pictures of. I don't  
3 remember anything sexual with him.

4 'I am not sure why we left Polwarth.'

5 The witness speaks about returning to her parents'  
6 house and then being readmitted to Lord and  
7 Lady Polwarth's:

8 'I think maybe things didn't work out at mum and  
9 dad's and my brother and I went back to Polwarth. The  
10 last time I saw my mum and dad was at Polwarth. They  
11 came in at night with all our toys and stuff.

12 'We went straight from Polwarth to foster care.'

13 Between paragraphs 17 and 23, the witness speaks  
14 about a foster placement that she was in, in Edinburgh.

15 Between paragraphs 24 and 28, the witness speaks  
16 about being placed with different foster carers with  
17 a view to adoption when she was aged 7-and-a-half, and  
18 an adoption order being granted the following year.

19 The witness speaks about the adoptive placement, the  
20 adoption breaking down and being placed in another  
21 foster care placement in [REDACTED] 1983, where she remained  
22 to [REDACTED] 1984, and that period is covered between  
23 paragraphs 29 and 38 of the statement, and indeed this  
24 period was covered in detail with the witness when she  
25 provided oral evidence to the Inquiry.

1           Between paragraphs 38 and 47, the witness speaks  
2           about her time at Nicoll Lodge in Aberdeenshire.

3           Between paragraphs 47 and 60, the witness describes  
4           her experiences when she spent around a year and a half  
5           in Aberdeen Psychiatric Hospital for Children, when she  
6           was aged around 8-and-a-half.

7           Between paragraphs 65 and 95, the witness speaks  
8           about her time in a children's home in Culbin Road in  
9           Forres, **Secondary Institutions - to be published later**

10          **Secondary Institutions - to be published later**

11          And from paragraphs 90 onwards, the witness speaks  
12          about leaving that foster home when she was aged 17.  
13          That's described between paragraph 90 and 95.

14          Between paragraphs 96 through to 102, the witness  
15          speaks about her time after care, and tells the Inquiry  
16          that she was discharged from the care system when she  
17          was 18 years old and that she had a social worker, and  
18          social work involvement ended when she was 22.

19          That has been covered, my Lady, when the witness  
20          provided oral evidence to the Inquiry.

21          From paragraphs 103 to 118, the witness described  
22          the impact upon her of her time in care.

23          In paragraph 119, she speaks about reporting of  
24          abuse. Thereafter, other actions taken.

25          And I propose to move to paragraph 125, when the

1 witness speaks about records, specifically about Lord  
2 and Lady Polwarth, and also moves on to lessons to be  
3 learnt:

4 'I'm in the middle of getting my records from Lord  
5 and Lady Polwarth Children's Home and from Moray Council  
6 through CrossReach. I want a clear picture of what  
7 happened after burying things away and forgetting  
8 things.

9 '[My brother] and I shouldn't have been adopted at  
10 the age we were. You can't adopt kids who are 4 or 5  
11 years old who have been through a lot of trauma,  
12 especially when the adoptive parents are young. That's  
13 when it started to go wrong. We shouldn't have been  
14 split up.

15 'Social work shouldn't have kept us in the  
16 children's home for so long and we shouldn't have been  
17 in and out of care. They should have adopted us at  
18 a younger age when we would have been easier to deal  
19 with. I found out that my mum's mum told the children's  
20 home not to let my brother and I get back with our mum.  
21 Social work should have taken that on board. If kids  
22 are in care for too long, it's hard to transition them  
23 to a family environment.

24 'I was in a lot of places. That's due to a lack of  
25 training and a lack of knowing how that can impact upon

1 people in adulthood. It's not good.

2 'There should be better training and better  
3 understanding of kids who have been through a lot of  
4 trauma and who have behavioural issues.

5 'Things turned out good in the end. Secondary Institutions - to  
6 Secondary Institutions - to be published later

7  
8 'I have no objection to my witness statement being  
9 published as part of the evidence to the Inquiry.  
10 I believe the facts stated in this witness statement are  
11 true.'

12 'Jenny' signed the statement on 10 September 2021.

13 LADY SMITH: Thank you.

14 MS MACLEOD: My Lady, that completes the read-ins and my  
15 understanding is that the next witness is due to start  
16 at 11.45 am. So we may take the morning break a little  
17 earlier, if that is appropriate.

18 LADY SMITH: We will take the morning break just now and  
19 wait for the next witness. Thank you very much.

20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



Thank you very much.

(10.59 am)

(A short break)

(11.45 am)

LADY SMITH: Mr MacAulay.

MR MACAULAY: My Lady, the next witness is Ian Brown Samson

and his evidence will be via video link and he will

require to be warned.

LADY SMITH: Thank you.

Mr Samson, good morning.

(Evidence given via video link)

A. Good morning.

LADY SMITH: Can you see me and can you hear me?

A. I can see you and hear you, yes.

LADY SMITH: Thank you.

I'm Lady Smith, I chair the Scottish Child Abuse

Inquiry here in Edinburgh. Thank you for joining us

over the video link this morning.

Could we begin by you raising your right hand,

please, and then repeating after me.

Mr Ian Brown Samson (sworn)

LADY SMITH: Now a couple of things first of all.

1           An important one: how would you like me to address you,  
2           using your first name or calling you Mr Samson?

3    A.   Yes, first name.

4    LADY SMITH:  Is first name okay?  Thank you very much, Ian.

5    A.   Originally, it's not my name.  My name is Ian Brown,  
6           really.  But I -- well, I won't go into that.

7    LADY SMITH:  Shall we just use 'Ian' for simplicity?

8    A.   Yes, yes.

9    LADY SMITH:  That will be quite easy.

10   A.   Yes.

11   LADY SMITH:  Okay.

12           Now, Ian, if at any time you want a break in giving  
13           your evidence, you must let me know, because I want to  
14           do what I can to make you as comfortable as possible  
15           during this session, knowing that being put on the spot  
16           and asked questions is tiring and may be stressful for  
17           you, particularly since we have to ask you questions  
18           about things that happened a long time ago.

19   A.   Yeah.

20   LADY SMITH:  Let me know if there's anything I can do to  
21           smooth your pathway at all, if I can put it like that.

22   A.   Yeah.

23   LADY SMITH:  You will appreciate, Ian, that this is not  
24           a courtroom and it's not a court process; it's a public  
25           inquiry.

1 A. Yes.

2 LADY SMITH: But you still have all the protections here  
3 that you would have if you were in a court process. And  
4 that means if we ask you any questions, the answers to  
5 which could incriminate you of anything of which you  
6 have not previously been convicted, so if we ask you  
7 about anything new which is an allegation, you have  
8 a choice as to whether or not you answer it.

9 But of course, if you do choose to answer it,  
10 I expect you to do so fully. And if you do that, you  
11 must understand that a transcript is being made of the  
12 evidence and that will remain available for the future.

13 If you're not sure whether anything we are asking  
14 you about falls into that category or not, do please ask  
15 and we'll explain to you whether it is.

16 If at any time you don't understand what we're  
17 asking or why we're asking it, that's our fault, not  
18 yours, so please do tell us and we'll try and explain it  
19 better.

20 If you're ready, Ian, I will hand over to  
21 Mr MacAulay and he will take it from there; okay?

22 A. Yeah, yes.

23 LADY SMITH: Thank you.

24 Mr MacAulay.

25

1 Questions from Mr MacAulay

2 MR MACAULAY: My Lady.

3 Yes, good morning again, Ian.

4 A. Good morning.

5 Q. We had a little chat just a few minutes ago and you know  
6 that I'm Colin, and you're happy that I refer to you as  
7 Ian?

8 A. Yes.

9 Q. And you are coming today from -- to us from Glenochil  
10 Prison --

11 A. Yes.

12 Q. -- where you're coming to the end of a prison sentence;  
13 is that correct?

14 A. Yes, that's correct.

15 Q. Now, just looking at your date of birth, you were born  
16 in [REDACTED] 1941.

17 A. 1941, yeah.

18 Q. So you are now 84?

19 A. Yes.

20 Q. And you will soon be 85 in fact?

21 A. Yes. [REDACTED].

22 Q. Yes. Now, as far as giving your evidence is concerned,  
23 the focus of what I'll be asking you will be looking at  
24 your time at the Lord and Lady Polwarth Home; I think  
25 you understand that?

1 A. Yes.

2 Q. And from the records the Inquiry has seen, you were  
3 there from March 1975 to April 1981, about six years.  
4 Does that accord with your own recollection?

5 A. It sounds right, yes. Sounds it.

6 Q. And before you went to the Lord and Lady Polwarth Home,  
7 I think you worked at a home or a hostel for young men  
8 in Muirhouse; is that correct?

9 A. That's correct, yes.

10 Q. And again that was on behalf of the Church of Scotland?

11 A. It was.

12 Q. And I think, again according to the records that we've  
13 seen, you took up your post there in June 1973, and it  
14 was from there you went to work at the Lord and  
15 Lady Polwarth Home?

16 A. Yes, that's correct.

17 Q. And I'll come back to that shortly.

18 But before that, can I ask you this: what sort of  
19 employment history did you have before you went to work  
20 at the Muirhouse Home?

21 A. None really, it was mainly my wife that was the  
22 qualified person, you know? Although I did enjoy being  
23 there, where I carried out my own job. I worked with  
24 McKechnie's Rolls.

25 Q. Could you repeat that, Ian, who did you work with?

1 A. McKechnie's Rolls. McKechnie.

2 Q. McKechnie's Rolls?

3 A. Yes, aye. They're no longer in existence.

4 Q. Was that some sort of delivery job, was it, or what?

5 A. No, I was the sales supervisor there.

6 Q. Okay. Any other employment you can remember before you

7 went to Muirhouse?

8 A. Er, I worked with the Scottish Television.

9 Q. Okay?

10 LADY SMITH: When you say the Scottish Salvation, Ian, do

11 you mean the Salvation Army?

12 A. No, Scottish Television.

13 LADY SMITH: Oh, Scottish Television?

14 A. Yes.

15 LADY SMITH: Ah, sorry.

16 MR MACAULAY: STV.

17 LADY SMITH: STV.

18 MR MACAULAY: What sort of job did you have there?

19 A. I was in the sales.

20 Q. Now, Ian, I think looking to your date of birth, you

21 would probably be about -- you'd be in your very early

22 30s when you started at Muirhouse in 1973?

23 A. Probably, yes.

24 Q. Did you have any training in childcare before you took

25 up any of the posts you had with the Church of Scotland?

1 A. No. It was my wife had the qualifications. I was  
2 just -- just there, you know, because I was married to  
3 my wife.

4 Q. And what qualifications did your wife have?

5 A. She was a Salvation Army officer.

6 Q. And when you went to Muirhouse -- sorry, carry on?

7 A. They go through training, of course, you know. Apart  
8 from the biblical stuff, they had training in social  
9 work, you know.

10 Q. And when you went to the Muirhouse home, did your wife  
11 go there as the matron?

12 A. Yes.

13 Q. And what was your position there?

14 A. As just a back-up for her, really.

15 Q. Did you have a particular title?

16 A. No, just cried me Ian, no.

17 Q. And just looking at the setup at Muirhouse, that was for  
18 older boys, is that correct?

19 A. Older boys, boys that had been in a children's home  
20 and -- it was actually a council flat, and we had the  
21 top flat.

22 Q. I think my understanding -- and you can correct me if  
23 I'm wrong -- it was a series of four council flats?

24 A. It was.

25 Q. And you occupied one of these flats?

1 A. We occupied one, and right opposite was where the boys  
2 stayed.

3 Q. And were these older boys who were looking for work?

4 A. Oh yes -- no, they were older boys that had been in  
5 a children's home, I think, and that was their move out.

6 Q. Can you tell me, if you can remember, how many boys were  
7 accommodated?

8 A. Er, I think about four or five.

9 Q. Okay.

10 A. That was all. It was only -- because they only had the  
11 one -- the one section. Our flat was on one side and  
12 theirs was on the other.

13 Q. Okay.

14 A. You know?

15 Q. Apart from yourself and your wife, were there other --  
16 any other members of staff there to look after the boys?

17 A. Yes. Staff and that, yes.

18 Q. As we've discussed, Ian, you took up your position at  
19 the Lord and Lady Polwarth in March of 1975 and, again,  
20 that was a home that was run by the Church of Scotland;  
21 is that correct?

22 A. Yes, that's right.

23 Q. Now, do you remember being interviewed for these two  
24 posts that we've talked about, by the Church of  
25 Scotland?

1 A. Yes.

2 Q. So --

3 A. I think mainly they were interested in my wife 'cause  
4 she was the one that had the qualifications.

5 Q. And do you remember being interviewed in particular by  
6 a body known as the Committee on Social Service, on  
7 behalf of the Church of Scotland?

8 A. I don't think so, no.

9 Q. Can you remember at either of the interviews what sort  
10 of questions you were asked about your experience?

11 A. No, they virtually -- at the interview they more or less  
12 said that I would become like a father figure, and that  
13 was basically it. My wife really was the person in  
14 charge.

15 Q. Did you require to produce references for either of  
16 these positions?

17 A. No. No, 'cause I had my own job, as a --

18 Q. What was your job at that time, apart from the position  
19 you held with the church?

20 A. I worked with Scottish Television.

21 Q. And do I take it from what you have said, then, when you  
22 came to work at the Lord and Lady Polwarth Home, you had  
23 had no training in childcare?

24 A. No.

25 Q. And indeed, during your time there, did you receive any

1 training in childcare?

2 A. No.

3 Q. Okay.

4 Now, it is the case, because we've seen the record,  
5 that you were convicted in May 1960 of indecent  
6 exposure. Is that correct?

7 A. 1960? (Pause)

8 Not when I was at Polwarth.

9 Q. No, no, this is -- you weren't at Polwarth until 1975,  
10 but when you were much younger, age of 19?

11 A. Oh yes, I did have, yes.

12 Q. So you were convicted really on two charges?

13 A. Yes.

14 Q. One was indecent exposure and the other was theft. Does  
15 that -- do you now remember that?

16 A. Yes. I think the indecent imposure was actually 'cause  
17 I had to do the toilet. The theft was from the job  
18 I worked in the garage.

19 Q. I don't need to go into the details, but the convictions  
20 are there.

21 A. All right.

22 Q. By the time you took up your position at the Lord and  
23 Lady Polwarth, were you also convicted in July 1973 on  
24 eight charges of indecent exposure?

25 A. Not when I was there.

1 Q. Sorry?

2 A. No, I don't think so, no.

3 Q. So if we have seen a record to suggest that on  
4 20 June 1973 -- or rather 10 July 1973, you were  
5 convicted of eight charges of indecent exposure, are you  
6 disputing that that happened?

7 A. Yes, I cannae think of it.

8 Q. Now, I'm going to ask you to look at a photograph for  
9 me, Ian, and it will be handed to you. It's  
10 COS.001.001.0312. And I think that photograph will be  
11 handed to you. And we will put it -- can we put it on  
12 the screen?

13 LADY SMITH: It's up. It's up.

14 MR MACAULAY: Oh, it's up. Ah, yes.

15 You will see there are three photographs there. Do  
16 you recognise the building?

17 A. Yes.

18 Q. Is that the Lord and Lady Polwarth Home?

19 A. Yes. But our quarters was above the (inaudible).

20 Q. Could you repeat that, Ian?

21 A. The flat that we stayed in was actually on the side.  
22 It's obviously away now.

23 Q. Is it not in the photograph?

24 A. It's not in that photograph, no.

25 Q. The other photograph that you'll be shown is

1           INQ-000001264.

2           Now, this is clearly a more recent photograph than  
3           the previous photographs, and do you see there the  
4           occupation -- the accommodation that you occupied, or  
5           not?

6   A. No.

7   Q. No.

8   A. No. No, ours was above the --

9   Q. So we can take the photograph off the screen.

10           So just to understand, Ian, where you were  
11           accommodated when you were at the home, where was your  
12           accommodation?

13   A. It was virtually above the play centre.

14   Q. Okay. In the main building?

15   A. In the main building, yes.

16   Q. Okay, and was that a separate flat for you and your  
17           family?

18   A. Yes, we had a separate flat.

19   Q. Thank you.

20   A. But the door was open.

21   Q. Okay.

22   A. Like -- you know, it wisnae a locked flat.

23   Q. Now, just looking at the children that were in the home  
24           at that time, I think the philosophy behind the home was  
25           to have families there; was that right? So you would

1           have brothers and sisters?

2   A.   Yes.

3   Q.   And not a large number?

4   A.   No.

5   Q.   I mean, we understand, for example, by 1981, when you

6           left, there were about eight children they accommodated

7           in the home.  Would that accord with your own

8           recollection?

9   A.   When we left?  Yes, I would imagine so.

10  Q.   Yes, and was there a range of ages?

11  A.   Yes.

12  Q.   And would that range from the younger children up to

13           children about aged 15 or 16?

14  A.   Yes.

15  Q.   Look, can I just understand your role, Ian.  What was

16           your job when you were there?

17  A.   Apart from my outside job?

18  Q.   Well, let's come back to that, but your job in the home?

19  A.   The home was virtually -- I used to do some paperwork in

20           the office, and run the kids down to church and whatnot.

21           That was about it.

22  Q.   But were you seen as the person in charge?

23  A.   No, no.

24  Q.   Well who was in charge?

25  A.   My wife.

1 Q. And, well, was there anybody -- were you second in  
2 charge then, if I can put it that way?

3 A. I suppose basically, yes, because I was married to her,  
4 yes. But we had others, senior staff there as well.

5 Q. Okay.

6 LADY SMITH: If I can just ask this before I forget, Ian?

7 A. Right.

8 LADY SMITH: From what you say, I imagine your wife must  
9 have received wages from the church?

10 A. Yes.

11 LADY SMITH: Did you also receive wages from the church?

12 A. No. It was paid jointly. It seemed to be jointly.

13 LADY SMITH: I see.

14 A. Because I had my own job.

15 LADY SMITH: Okay. So, so far as you can remember, and I  
16 know this was a long time ago, did the church pay money  
17 into a joint account that you and your wife had, a joint  
18 bank account?

19 A. No, my wife did have a separate account.

20 LADY SMITH: Oh.

21 A. Because obviously I had my own -- my own wage.

22 LADY SMITH: Uh huh.

23 A. For STV.

24 LADY SMITH: Did you and your wife just have one bank  
25 account?

1 A. No. I think she had another one.

2 LADY SMITH: Okay, thank you.

3 MR MACAULAY: You have mentioned your other job then, with  
4 STV. Can I just understand the balance, the work  
5 balance that you had. How much time would you spend at  
6 the home, and how much would you spend working for the  
7 STV?

8 A. Well -- during the day it was basically STV, because  
9 I had to go and cash and carries and I had to -- where  
10 in the evening, it was more or less an evening job.  
11 A weekend job and then evening.

12 Q. All right. Okay.  
13 In some of the documentation that we've seen,  
14 sometimes you're referred to as the superintendent of  
15 the home or the housemaster. Were these titles -- are  
16 these titles that mean anything to you?

17 A. Nothing at all.

18 Q. Okay.

19 A. Never even heard of them before.

20 Q. Now, and then as far as matters such as discipline would  
21 be concerned, would you be involved in that?

22 A. Oh yes, if the boys got out of hand, then I was sorta  
23 available.

24 Q. And what would the discipline involve?

25 A. Oh just giving them a row.

1 Q. Would there be any physical punishment?

2 A. No, no, no physical punishment. Because my family was  
3 there as well.

4 Q. And did you yourself keep any records?

5 A. No.

6 Q. Did your wife keep records?

7 A. Not that I'm aware of. She might've done.

8 Q. Had you received any instructions from the Church of  
9 Scotland as to how children were to be disciplined in  
10 the home?

11 A. No.

12 Q. Now, the children that were being cared for in the home,  
13 would you agree that these generally were vulnerable  
14 children, from either broken homes or had been abandoned  
15 by their parents or were orphans?

16 A. Yes.

17 Q. They were vulnerable?

18 A. Yes.

19 Q. Now, can I just go back to your criminal record.  
20 According to records that the Inquiry has seen, you were  
21 convicted on 5 June 1981 for indecent exposure. Now, do  
22 you have a recollection of that conviction?

23 A. Yes, I think -- I was actually doing the toilet when  
24 someone went past.

25 Q. Now, that's the date of the conviction. As far as the

1 offence was concerned, can you remember how long before  
2 the actual conviction the offence occurred?

3 A. No. No.

4 Q. No. You left the Lord and Lady Polwarth in April 1981.  
5 Can you remember if the offence occurred when you were  
6 at Lord and Lady Polwarth or after you left?

7 A. After I left.

8 Q. Okay. Did you plead guilty?

9 A. Yes. Because obviously the -- I had done the toilet in  
10 the street, so, I mean --

11 Q. So when you left the Lord and Lady Polwarth then, did  
12 your wife leave with you?

13 A. Yes.

14 Q. Why did you leave?

15 A. We had just planned to leave.

16 Q. But did you leave to go to another job?

17 A. No, I still had my job with STV. My wife got another  
18 job in a children's home -- (inaudible).

19 LADY SMITH: Where was your STV job based, Ian?

20 A. Where? Glasgow.

21 LADY SMITH: So you had to go through to Glasgow?

22 A. Every two weeks. There was a two-week sort of portion.  
23 Every two weeks we had to go through and get geared up  
24 of what we were currently selling, and was being  
25 advertised on television.

1 LADY SMITH: Did you do any of your STV work in Edinburgh?  
2 A. Yes.  
3 LADY SMITH: What work? What STV work did you do in  
4 Edinburgh?  
5 A. Well, every two weeks, I would start off doing -- I had  
6 a run sheet --  
7 LADY SMITH: Uh huh.  
8 A. -- that I would start off doing on the Edinburgh side --  
9 LADY SMITH: Uh huh.  
10 A. -- and then from there, go out to work round the  
11 country.  
12 LADY SMITH: Okay. Now, you told us you were in sales at  
13 STV.  
14 A. Yes.  
15 LADY SMITH: If you were doing STV work in Edinburgh, what  
16 exactly were you doing?  
17 A. Selling into shops that something was coming on the  
18 television.  
19 LADY SMITH: Uh huh.  
20 A. So it prepared the public to buy. So the idea is we  
21 sell into the shops and it's available in the shop.  
22 LADY SMITH: Allright, so what was it you were selling?  
23 A. Could vary.  
24 LADY SMITH: Give me some examples.  
25 A. Crisps were one thing, were a popular thing, when a new

1 variety of crisp came out.

2 That was sort of the -- other than that, we would  
3 just --

4 LADY SMITH: All right, thank you. Mr MacAulay.

5 MR MACAULAY: Am I getting the impression, and you can  
6 correct me if I'm wrong, Ian, that really, your  
7 commitment to the Lord and Lady Polwarth Home was very  
8 much part-time?

9 A. Yes.

10 Q. Because -- and indeed, would you say it was really more  
11 of an evening commitment rather than a day-to-day  
12 commitment?

13 A. Yes.

14 Q. And did you --

15 A. And the weekends.

16 Q. Did you make the Church of Scotland aware when you took  
17 on the job that that would be the extent of your  
18 commitment to the home?

19 A. Yes. They were aware that I worked with Scottish  
20 Television. I had a car that had 'STV' written on the  
21 side.

22 Q. There is some documentation before the Inquiry to  
23 suggest that you ran an ice cream van during the time  
24 that you worked at the home. Is that correct?

25 A. That's correct, yes.

1 Q. So you also did that when you were at the home?  
2 A. Yes.  
3 Q. What did that involve?  
4 A. It involved just going to the cash and carry and getting  
5 stuff for the ice cream van.  
6 Q. And what would you do? Would you go out into the  
7 streets?  
8 A. Oh yes, into the streets, yes.  
9 Q. And how often would this happen in a week?  
10 A. Maybe two or three times a week? It wisnae sort of  
11 regular.  
12 Q. So apart from your job with STV, you've also got your  
13 own little business, I suppose?  
14 A. Well, I was running my (inaudible) business, yes.  
15 Q. Running the ice cream van?  
16 A. Yes.  
17 Q. Now when you left the Lord and Lady Polwarth Home,  
18 I think you said a moment ago you still had your job  
19 with STV; is that right?  
20 A. Yes.  
21 Q. Did you still have your ice cream van?  
22 A. No.  
23 Q. Now, can I just put this to you, that on  
24 2 February 1984, you were convicted of two charges of  
25 indecent exposure. Do you remember that? That's in

1           1984.

2    A.  No, not really.  (Pause)

3           No.

4    Q.  And you, I think, were fined £100; do you not remember

5           that happening?

6    A.  Not really.

7    Q.  Okay.

8           Well, do you remember this, that on 15 June 1994,

9           that you were convicted of the offence known as

10          'shameless indecency'; do you remember that?

11   A.  1994?  (Pause)

12          Well, vaguely.

13   Q.  Well you were put on probation for a year, so --

14   A.  Yes.

15   Q.  -- that's something you would remember, isn't it?

16   A.  Aye.

17   Q.  So do you remember that conviction?

18   A.  Yes, probably.

19   Q.  Did you plead guilty?

20   A.  I wisnae at Polwarth then.

21   Q.  You weren't in Polwarth, I know that but --

22   A.  No, no, no.

23   Q.  We are looking at 1994 now.  So it's more recent.  You

24          were put on probation, I think you say you remember

25          that?

1 A. Aye.

2 Q. And did you plead guilty to that offence?

3 A. Yes, I probably did.

4 Q. Are you able to tell us what it was?

5 A. Not really, no. I can't even sort of basically remember  
6 too much about it. 'Cause it's obviously something you  
7 want to put out of your mind, you know?

8 Q. Okay.

9 Now, you were also convicted on 17 June 2008. You'd  
10 faced seven charges of conduct that involved sexual  
11 contact with under-16 boys over a period from  
12 February 2007 to February 2008. And you pled guilty to  
13 two of these charges.

14 Now, do you remember that?

15 A. Yes.

16 Q. Because you were sentenced to an extended sentence of  
17 three years.

18 A. Yeah.

19 Q. Which meant in reality you would spend two years in  
20 prison. You'll not have forgotten that.

21 A. No.

22 Q. And the charges that you pled guilty to involved a young  
23 boy who was 13/14 and 15. One was the crime known as  
24 'lewd and libidinous practices' and the other charge was  
25 a 'homosexual act of gross indecency.'

1           So you pled guilty to these charges; you remember  
2           that?

3   A. I can remember the charge but, again, I just pleaded  
4           guilty to get rid of it. I don't think I actually did  
5           it.

6   Q. But you served -- you served two years in custody for  
7           these convictions.

8   A. Two years in custody?

9   Q. I think it was a three-year extended sentence, but you  
10          had at least to serve two years in prison.

11   A. I'm not too sure about that.

12   Q. All right, okay.

13           Now, what I want to look at now though is your  
14          conviction in July 2013, because that is of relevance in  
15          particular to Lord and Lady Polwarth.

16           You are now serving a sentence in respect of your  
17          conviction in July 2013; is that right?

18   A. (Pause) When I was still working? No.

19   Q. No, no, we're in 2013. It's long after you've been in  
20          Lord and Lady Polwarth.

21   A. Oh, right.

22   Q. But some of the offences relate to your time in Lord and  
23          Lady Polwarth and I just wanted you to confirm that you  
24          were convicted and you are now serving the sentence for  
25          that conviction?

1 A. Oh yes. Yes. Yes.

2 Q. And when I'm looking at this, Ian, I'll be asking you  
3 questions in particular about one of the children at  
4 Lord and Lady Polwarth, and we're calling her **RKQ** for  
5 today's purposes.

6 A. Yeah. Yeah.

7 Q. But just to look at the position, you faced 36 charges  
8 essentially dealing with sexual activity with children.  
9 And you were found guilty of 22 charges, including the  
10 repeated rape of **RKQ**.

11 Now, is that right?

12 A. Yes, 'cause **RKQ** came to stay with us.

13 Q. But she was also a child at Lord and Lady Polwarth  
14 and --

15 A. That's right.

16 Q. -- you were convicted of raping her when she was a child  
17 there --

18 A. No, no, no, no.

19 Q. Okay.

20 Now, of the charges that you were convicted, eight  
21 of those related to Lord and Lady Polwarth. Can you  
22 remember that?

23 A. No.

24 Q. And do you remember that one of the charges that you  
25 were convicted of involved you raping **RKQ** in a flat in

1 Leith. Do you remember that?

2 A. I had a flat in Leith.

3 Q. And did you rape **RKQ** -- were you convicted of raping

4 **RKQ** in the flat?

5 A. (Inaudible), I don't.

6 Q. But do you accept, Ian, that you did abuse children in

7 Lord and Lady Polwarth throughout --

8 A. No, I did not.

9 Q. Wait till I finish -- throughout the time that you

10 worked there?

11 A. No. Definitely not.

12 Q. So what do you say about the children, several children,

13 who gave evidence against you to say that they were

14 abused by you, and clearly were accepted by the jury?

15 A. Yes, 'cause **RKQ** went to see them and they encouraged

16 them to -- and I thought, well, fae to hang.

17 But definitely not. 100 per cent sure of that.

18 LADY SMITH: Sorry, Ian, are you saying **RKQ** went to the

19 others and got them to tell lies; is that what it comes

20 to?

21 A. Yes.

22 LADY SMITH: Okay.

23 A. That's -- yes.

24 LADY SMITH: Okay. Is that what you assume?

25 A. No, I think the reason being that when we take **RKQ** out

1 with us, my wife discovered that I was paying for a flat  
2 that she had and, because I stopped paying for the flat,  
3 then this is why she brought this in and she brought the  
4 other kids in.

5 LADY SMITH: So that's the reason for you saying she told  
6 other people to tell lies?

7 A. Yes, exactly.

8 LADY SMITH: Okay, thank you.

9 MR MACAULAY: Thank you.

10 One of the charges that the jury found you guilty of  
11 was indulging in sexual behaviour with **RKQ** in your ice  
12 cream van. Now, can I ask you this: did you take **RKQ**  
13 out with you when you went out with your ice cream van?

14 A. Yes, I did, yes.

15 Q. Did you take any other child with you?

16 A. No.

17 Q. Why did you take **RKQ** ?

18 A. 'Cause she was the most needy at that time and she  
19 showed the most interest.

20 Q. And would it be fair to say that, from the perspective  
21 of another staff member, that your relationship with  
22 **RKQ** might be seen as inappropriate?

23 A. Yes, 'cause she was a -- she was a difficult child, in  
24 my view, and she needs -- needed special attention.

25 Q. Yes. But I think you agreed with me that your

1 relationship with her was inappropriate. Can you just  
2 elaborate about that; what do you mean by that?

3 A. Well, my aim was to help her.

4 Q. And how did you try to do that?

5 A. Just by trying to understand her problems, 'cause she --  
6 at that time, she wisnae well liked in the home.

7 Q. Okay.

8 The records tell us, I think, that **RKQ** arrived at  
9 the home in 1969 when she was aged 4 and she left -- and  
10 I'll come back to that -- in **██████** 1981, when she was  
11 aged 16. And as we've already discussed, Ian, you  
12 arrived in March 1975, so **RKQ** would be about 9 when you  
13 arrived at the home. Would that fit in broadly with  
14 your own recollection?

15 A. Probably, yeah. Probably.

16 Q. I mean she was very young when you arrived there?

17 A. Yes.

18 Q. Now, the convictions that are against you in connection  
19 with **RKQ**, they range from a period from May 1975 for  
20 a period of several years, including a period after you  
21 left Lord and Lady Polwarth. And the first charge is  
22 a charge involving sexual contact when she was 10.

23 Now, did that --

24 A. No.

25 Q. You don't accept that?

1 A. No. Definitely not.

2 Q. Now, as you've already indicated, Ian, when you left the  
3 Lord and Lady Polwarth in April 1981, **RKQ** with  
4 you.

5 A. Yes. She asked if she could come and stay with us.

6 Q. And by then she was 16.

7 A. Yes.

8 Q. Were you having a -- if I can put it in neutral terms,  
9 were you having a sexual relationship with her?

10 A. Definitely not.

11 Q. Okay.

12 A. 'Cause I had my own family there. I had two boys and  
13 a girl.

14 Q. Yes.

15 But, so far as the conviction was concerned, is it  
16 correct to say that you were convicted of raping **RKQ**  
17 many times after she left the Lord and Lady Polwarth?

18 A. Oh, definitely not.

19 Q. But that was the conviction. You were convicted of  
20 that.

21 A. Maybe I agreed to it but --

22 Q. Sorry?

23 A. Maybe I agreed to it but it certainly didnae happen. It  
24 happened once.

25 Q. What happened once?

1 A. When she was 16, 17. 'Cause my wife was working away  
2 from home.

3 Q. And what happened? (Pause)

4 What happened?

5 A. Er, we had sex but I -- it suddenly dawned on me this is  
6 not right, so I stopped.

7 Q. So you had sex, you said, on one occasion with **RKQ** when  
8 your wife was away?

9 A. She was 16. Or over. Just over 16.

10 LADY SMITH: Where did it happen, Ian? Where? Where did it  
11 happen, Ian?

12 A. Where? In the house.

13 MR MACAULAY: This was in your family home?

14 A. Aye, in the family home, yes.

15 Q. Are you saying then that, just out of the blue when your  
16 wife was away, you had this sexual encounter with **RKQ** ?

17 A. Well, my wife used to go away one day and come back the  
18 next, and go away and come back the next.

19 Q. Yes.

20 A. It meant I was sorta looking after our kids, plus **RKQ** .  
21 So it just happened one day that -- I felt it, er --  
22 that, as soon as it happened, I stopped. I realised and  
23 it just didn't happen.

24 Q. Was this the occasion then, because you have been  
25 convicted of this, that as a consequence of one of the

1 rapes, that **RKQ** became pregnant?

2 A. No. I was in Dumbreck. My wife's taken her down south  
3 somewhere.

4 Q. No, just to be clear about the question, you've accepted  
5 you had sexual intercourse with **RKQ** ?

6 A. Yes, yes.

7 Q. Now, just wait. Just wait till I ask the question. As  
8 I said, you were convicted of an offence that involved  
9 sexual connection, and as a result of which **RKQ** fell  
10 pregnant. Now, is this the occasion you've been telling  
11 us about that caused **RKQ** to fall pregnant?

12 A. I don't think so, 'cause then she was going out with  
13 boys and whatnot after that.

14 Q. Well, it is the case, I think, that **RKQ** did fall  
15 pregnant?

16 A. Yes, my wife's definitely taken her down south.

17 Q. Yes, and it is the case that you were convicted of  
18 an offence --

19 A. Not -- not that offence.

20 Q. Okay. So I think what you are telling us, although you  
21 were convicted of an offence that involved **RKQ** falling  
22 pregnant, you're saying that is not connected to the  
23 time you had sexual contact with her?

24 A. No.

25 Q. And you mentioned on one or two occasions about your

1           wife taking **RKQ** down south. Was that in order for **RKQ**  
2           to have a termination?  
3    A. I don't know. I didnae get involved in that.  
4    Q. Well, did she have a termination, an abortion?  
5    A. No idea, 'cause they never said anything to me about it.  
6    LADY SMITH: Ian, you obviously remember your wife taking  
7           **RKQ** down south.  
8    A. Yes.  
9    LADY SMITH: What did your wife take **RKQ** down south for?  
10   A. I was not really sure.  
11   LADY SMITH: You didn't know or you've forgotten?  
12   A. No, I wisnae sure.  
13   LADY SMITH: You didn't ask?  
14   A. No. Because it's nothing -- I mean, by that time, **RKQ**  
15           was going out with boys and whatnot, so it had nothing  
16           to do with me.  
17   LADY SMITH: But she was also a young girl that you seemed  
18           to have got quite close to since you got to know her.  
19   A. Yes.  
20   LADY SMITH: Are you sure you didn't try to find out where  
21           your wife was taking her and what for?  
22   A. No. I just left it up to my wife, because she was the  
23           one that was dealing with it. It had nothing to do with  
24           me.  
25   MR MACAULAY: If I can just backtrack a little bit, you did

1 know, I think, that RKQ did fall pregnant?

2 A. Yes, I think I did, but by that time she was going out  
3 with boys.

4 Q. Very well, but you knew she fell pregnant?

5 A. Yes.

6 Well, yes, and that's why my wife dealt with it,  
7 rather than me.

8 Q. Yes, and when you say your wife dealt with it, you're  
9 really saying, are you, you know that your wife arranged  
10 for RKQ to have an abortion?

11 A. Yes.

12 Q. Yes.

13 Now, one of the charges that you were found guilty,  
14 Ian, was one where part of the narrative involved you  
15 taking indecent photographs of RKQ, and I just want to  
16 ask you about that, because it is the case, and we've  
17 seen this from records, that there was an incident when  
18 you were at Lord and Lady Polwarth where photographs  
19 were found of RKQ and she was naked.

20 Now, do you remember that incident?

21 A. Not really, no.

22 Q. Well, do you remember there being an investigation into  
23 why there were naked photographs of one of the children  
24 in the home?

25 A. No. I had nothing to do with that.

1 Q. I'm sorry?

2 A. I had nothing to do with that.

3 Q. No, but do you remember the incident?

4 A. Not really. It's something that was in the --

5 Q. Did you take photographs of naked --

6 A. No, definitely not. Definitely not.

7 Q. Am I right in thinking that you or your wife had

8 a Polaroid camera?

9 A. Yes, we did have.

10 Q. And were photographs from time to time taken of

11 children?

12 A. No. Apart from maybe a holiday, I suppose.

13 Q. But do you remember an investigation involving, after

14 the photographs had been found, involving yourself being

15 questioned about it, **RKQ** being questioned about it as

16 well, and **RKQ** saying it was another girl that took the

17 photographs? Do you remember that happening?

18 A. Vaguely, yes.

19 Q. Yes, okay.

20 And that was the position. The photographs were

21 found, two photographs I think, of **RKQ** in a naked

22 position. She was naked, lying on the carpet in your

23 living room in your flat, and she said that the

24 photographs had been taken by another girl; does that

25 ring a bell with you?

1 A. Not really.

2 Q. Sorry?

3 A. Not really. No. You've confused us.

4 Q. This was an investigation that involved the police.

5 Now, are you saying you don't remember that  
6 investigation taking place, that involved the police  
7 asking questions?

8 A. No. No.

9 Q. I want to ask you about a letter that will be shown to  
10 you in a moment. I'll put it on the screen for our  
11 benefit. It's COS-000001403.

12 And it's a letter dated 4 July 1980 to the Director  
13 of Social Work, and when we turn over to page 2, it's  
14 from the Director of Social Work for the Committee on  
15 Social Service, and it's to do with the investigation  
16 that I have been asking you about and, for example, if  
17 we go back to page 1, there's a discussion about the  
18 photographs, and towards the last sentence of the second  
19 paragraph:

20 'The couple in charge of the home denied knowledge  
21 of the photographs.'

22 So you'll see, this is narrating that there was  
23 an investigation and that you, and indeed your wife,  
24 were asked about the photographs; does that ring a bell  
25 with you now?

1 A. Not really.

2 No. And if we go on to page 2, there's a suggestion  
3 there that you were sent what was, in effect, a written  
4 warning, regarding your employment. And can we just  
5 read the last four lines:

6 'In all the circumstances, we feel it necessary to  
7 warn you that if there is --'

8 LADY SMITH: Can you just run it up a little, because -- if  
9 we stop there, that's fine.

10 MR MACAULAY: The fourth last line, there's a bit in  
11 quotations:

12 'In all the circumstances, we feel it is necessary  
13 to warn you that if there is one cause for future  
14 complaint about any of these matters, your position as  
15 part-time housefather in charge will be in jeopardy.'

16 Now, do you remember getting a letter along these  
17 lines?

18 A. No.

19 Q. Okay.

20 A. No.

21 Q. And indeed, in that same paragraph, there's a suggestion  
22 that you had been told earlier about your close  
23 relationship with you and **RKQ**. Had you been told by  
24 another member of staff that your relationship with **RKQ**  
25 was too close?

1           Are you able to answer that question?

2   A.  No, 'cause I don't think -- I can't recall it.

3   Q.  Well, is it the case -- if we can take that off the  
4       screen now.

5           Is it the case that shortly after this, **RKQ** was  
6       removed from the Lord and Lady Polwarth Home?

7   A.  She was removed to -- yes, to another home.

8   Q.  Yes.  Why was that?

9   A.  Well, they never gave a reason.

10  Q.  Did you go to see her when she was in the other home?

11  A.  No.  No.

12  Q.  When she had gone to the other home --

13  A.  Uh huh.

14  Q.  -- did you take her to your flat in Leith?

15  A.  No.

16  Q.  Because, as you will be aware, one of the charges that  
17       you were convicted of was raping **RKQ** in your flat in  
18       Leith; did that happen?

19  A.  No.

20  Q.  Did you have a flat in Leith?

21  A.  I had a flat in Leith that was rented out most of the  
22       time, 'cause we didn't need it, so we rented it out.  It  
23       was in  in Leith.

24  Q.  Now I think, if I can understand you correctly, you've  
25       admitted one incident of having a sexual connection with

1           **RKQ** , but --

2   A. She was 16 -- 16.

3   Q. But, although you have been convicted of many charges,  
4       not only in relation to the Lord and Lady Polwarth, but  
5       also other children in the community, are you suggesting  
6       that these other charges, these convictions, are wrong?

7   A. Yes.

8   Q. You see, I understand your account in relation to the  
9       children at Lord and Lady Polwarth, and you say that  
10      **RKQ** engineered for these children to say bad things  
11      about you.

12   A. Yes, from the past.

13   Q. What about the children you abused in the community?  
14       Because you were convicted of quite a number of charges  
15       of abusing children in the community, after you had left  
16       Lord and Lady Polwarth. Were you guilty of these  
17       charges?

18   A. Only about indecent exposure once, that I can recall.

19   Q. But one of the charges, for example, between the period  
20       October 1988 and October 1990, related to lewd, indecent  
21       and libidinous practices and behaviour towards a girl  
22       then aged above the age of 12 and under the age of 16;  
23       that you exposed the fact you had an erection to her;  
24       you viewed pornographic films in her presence; into your  
25       bed, you touched her private parts; you compelled her to

1 touch your penis; you penetrated her vagina with your  
2 fingers; you penetrated her mouth with your penis to the  
3 emission of semen, and you masturbated in her presence.  
4 And you were found guilty of that charge. That was  
5 a young girl in the community. That had nothing to do  
6 with Lord and Lady Polwarth.

7 Were you guilty of that charge?

8 A. In the community? I can't recall.

9 Q. That was in your house. It was in your house. It  
10 happened in your house according to the charge.

11 Why do you find that difficult? These are appalling  
12 allegations and you were found guilty of those  
13 allegations. You either remember or you deny the  
14 allegations.

15 A. I certainly don't remember.

16 Q. Why would somebody like this young girl make it up?

17 LADY SMITH: Do you remember being in court for this case,  
18 Ian?

19 A. Not really, no.

20 LADY SMITH: No memory of being in court for a trial when  
21 people were giving evidence about these things that  
22 Mr MacAulay has just been mentioning to you?

23 A. No.

24 LADY SMITH: Are you sure?

25 A. I'm positive.

1 LADY SMITH: Do you remember having a lawyer representing  
2 you in court sometime?

3 A. Yes, but I can't remember what it was for.

4 LADY SMITH: Do you remember who it was?

5 A. No.

6 LADY SMITH: Okay. Do you remember them asking questions of  
7 witnesses?

8 No?

9 A. No.

10 LADY SMITH: Okay.

11 Mr MacAulay.

12 MR MACAULAY: Well, I'll put this to you, this charge to you  
13 as well. Again you were found guilty of this particular  
14 charge. A period from 1988 to 1991, where -- sorry,  
15 between October '91 to October '92, where you were found  
16 guilty of raping a young girl. Now that's something you  
17 wouldn't forget, I wouldn't have thought, if you were  
18 found guilty of that.

19 A. No -- (inaudible).

20 Q. Do you remember being found guilty of that charge?

21 A. Young girl? No.

22 Q. I mean, it's a very serious charge. That's a charge  
23 of --

24 A. Who was the girl.

25 Q. Sorry?

1 A. It was a girl.

2 Q. And what does that mean?

3 A. Well, who was it?

4 Q. Okay. Well, you wouldn't forget, Ian, would you, if you  
5 had, for example, raped a girl, would you?

6 A. No, I wouldnae think so.

7 Q. And you wouldn't forget, would you, if you had been  
8 found guilty of such a crime?

9 A. Well, I do.

10 Q. Well why are you in prison?

11 A. Oh. (Pause).

12 I'm in prison because of the incident I had with  
13 **RKQ**.

14 Q. It's not just that. You must be well aware it's not  
15 just that incident. You're in prison because you were  
16 convicted of 22 charges involving different children.  
17 Is that not the true position?

18 A. No.

19 Q. Were you sexually attracted to children?

20 A. No.

21 Q. In your time in prison, have you undergone any treatment  
22 that might be given to some sex offenders, treatment  
23 programmes for example, have you engaged with these  
24 programmes?

25 A. No.

1 Q. Have they been offered to you?

2 A. I believe they had at one stage, but, again, I refused  
3 it.

4 Q. So, you haven't engaged then with --

5 A. No.

6 Q. -- these treatment programmes?

7 Very well, Ian, that's all I have to ask you today.  
8 Again, thank you for making yourself available to come  
9 to give your evidence. Thank you.

10 A. What do you mean, 'today'? Is this something that's  
11 going on and on?

12 MR MACAULAY: Well, again, can I just thank you for coming  
13 to give your evidence.

14 A. Yes.

15 LADY SMITH: Ian, let me add my thanks for bearing with us  
16 in engaging over the link and dealing with our  
17 questions. As I said at the beginning, I realise we  
18 were asking a lot of you and I'm sure it's been very  
19 tiring. I hope you are able to get a restful time the  
20 rest of today.

21 A. Thank you.

22 LADY SMITH: Thank you very much.

23 (The witness disconnected)

24 MR MACAULAY: My Lady, we will adjourn until the afternoon.

25 LADY SMITH: Until 2.00. I'll do that, thank you.

1 MR MACAULAY: RKQ was a pseudonym but --

2 LADY SMITH: Yes, RKQ is a pseudonym.

3 MR MACAULAY: The name should not be published.

4 LADY SMITH: But her identity cannot be published outside

5 this room.

6 (12.50 pm)

7 (The luncheon adjournment)

8 (2.03 pm)

9 LADY SMITH: Mr MacAulay.

10 MR MACAULAY: Good afternoon, my Lady. The next witness is

11 Mrs Vivienne Dickenson.

12 LADY SMITH: Thank you.

13 Mrs Vivienne Dickenson (sworn)

14 LADY SMITH: I seem to recall that on the occasions you last

15 came to help us, you were happy with me calling you Viv;

16 is that right?

17 A. That's fine, yeah.

18 LADY SMITH: Thank you so much and thank you for coming back

19 again today. I know it's been a lot of work for you and

20 your organisation to engage with us and we'll try and

21 make it as painless as possible, I promise.

22 A. Thank you.

23 LADY SMITH: You know how we work. In the afternoon

24 session, I will normally take a break at about

25 3 o'clock, but if you want a break at any other time,

1 just say. And if you've got any questions, please speak  
2 up, don't stay silent if you've got queries in your  
3 head.

4 A. Okay, thank you.

5 LADY SMITH: If you're ready, Viv, I'll hand over to  
6 Mr MacAulay and he'll take it from there.

7 (Questions from Mr MacAulay)

8 MR MACAULAY: My Lady.

9 Yes, good afternoon, Viv. Welcome back.

10 A. Good afternoon. Thank you.

11 Q. This is your fourth visit?

12 A. It is.

13 Q. I suspect your last visit. You were here in 2017, 2020  
14 and 2024.

15 A. I was.

16 Q. Now, when you gave evidence previously, we looked at  
17 your CV and in particular that you were the Chief  
18 Executive Officer with effect from 1 June 2017; is that  
19 right?

20 A. That's right.

21 Q. And I understand that retirement beckons?

22 A. That's right.

23 Q. I think you did hear the evidence given this morning by  
24 Mr Samson?

25 A. I did.

1 Q. Now, when you gave evidence in 2017, you were looking at  
2 the Section 21 responses and you did provide evidence  
3 about the Lord and Lady Polwarth Home.

4 A. Yes.

5 Q. And in particular, it was a home that was initially  
6 geared towards children under 5. And that changed in  
7 1970 to children up to the age of 16?

8 A. Yes.

9 Q. It was a small home, even when it was very young  
10 children, but latterly, I think the numbers had dwindled  
11 to single figures?

12 A. That's right, as it was closing.

13 LADY SMITH: Viv, could I ask you to just get a little bit  
14 closer to the microphone?

15 A. Sorry.

16 LADY SMITH: That would be helpful, thank you.

17 MR MACAULAY: I will come and ask you some questions shortly  
18 about Mr Samson and his role, but just one or two  
19 general points that we may have already covered under  
20 reference to the responses. And can I say, any document  
21 that I put to you, and particularly the Section 21  
22 responses, will be in the folder but also will come up  
23 on the screen, and you may find it more convenient  
24 simply to look at the screen.

25 A. Okay.

1 Q. This is COS.001.001.0076, and I want to go to page 31.  
2 Now, this is part of the Section A response, and one  
3 of the questions you were asked is:  
4 'How was the establishment managed and led?'  
5 And what you tell us:  
6 'It was managed by a local committee of 21.'  
7 Is that correct?  
8 A. That's right. Yes.  
9 Q. And you provide information about the makeup of the  
10 committee.  
11 A. Yes.  
12 Q. And I think you also say on the following -- yes, it's  
13 on the following page, who was in charge of the home.  
14 You provide a history of those in charge, this is  
15 page 32. But of relevance to what we're looking at, you  
16 tell us that Mr and Mrs Samson were in charge  
17 from March 1975 to March 1981?  
18 A. Yes.  
19 Q. What you do say there is that their qualifications were  
20 unknown?  
21 A. Yes.  
22 Q. But you've heard Mr Samson's evidence. Did he have any  
23 qualifications that would stand him in any stead in  
24 running a children's home?  
25 A. I heard his evidence this morning. It would appear not.

1 Q. You also say, I think further down in that paragraph,  
2 that the local committee would make monthly visits to  
3 the home; is that correct?

4 A. That's correct.

5 Q. And when you say that the staff would not have prior  
6 warning, can you help me with that; where does that  
7 information come from?

8 A. My understanding is that it comes from some of the  
9 memorandums that were around about the running of local  
10 committees, so they had that responsibility. Sometimes  
11 visits would be announced and sometimes unannounced.  
12 And that would allow them to assess a home on any  
13 individual day, as opposed to something that was  
14 necessarily orchestrated.

15 LADY SMITH: Just going back for a moment, Viv, to the  
16 Samsons, we heard Mr Samson tell us he didn't have any  
17 qualifications. He seemed to think his wife was  
18 qualified but he gave as the reason for that that she  
19 had previously worked for the Salvation Army.

20 A. Yes.

21 LADY SMITH: Do you know anything about that?

22 A. We don't know anything about that. We don't hold  
23 employment records for the Samsons. However, the Act at  
24 the time indicated that people should be suitably  
25 qualified, and we had the intention at least of

1           appointing somebody who had a nurse qualification. So  
2           that is clearly captured in one of the documents: we  
3           would be looking for, to take this position, somebody  
4           who was a qualified nurse.

5           Now, I can't tell you whether Mrs Samson was  
6           a qualified nurse, but that was certainly the intention  
7           in terms of going out and seeking houseparents.

8   LADY SMITH: Thank you, that's helpful.

9   MR MACAULAY: On that same page, actually, page 32 of that  
10          document, there's a question:

11                 'What was the oversight and supervision arrangements  
12          by senior management within the establishment?'

13                 And the answer is:

14                 'The matron/superintendent/houseparents were  
15          responsible for the day-to-day running of the service  
16          and held line-management responsibilities for all staff  
17          within the service.'

18                 Now, when you talk about the matron -- and I think  
19          we understand that to relate to Mrs Samson -- was  
20          Mr Samson, at least on paper, known as the  
21          superintendent?

22   A. No. He would be a part-time houseparent in charge  
23          and --

24   Q. Part-time?

25   A. The part-time houseparent in charge, and I think we saw

1           that in a document that you referred to earlier.

2   Q.   Yes.

3   A.   So the superintendent was a post which sat above the  
4       Samsons and was responsible for the admission and  
5       demission of children liaising with social work and  
6       arranging visits et cetera out of the home.

7   LADY SMITH:  Yes, the letter you had in mind is the one that  
8       also had the warning to Mr Samson --

9   A.   That's right.

10  LADY SMITH:  -- in it about his inappropriate relationship.

11  A.   That's it, yes, and you'll see on that it says  
12       'part-time houseparent in charge'.

13  MR MACAULAY:  It does mention that.  But just on that point,  
14       we heard what we heard from Mr Samson as to what his  
15       involvement with the home might have been.  Essentially,  
16       as I understood it, it was mainly in the evenings that  
17       he may have had some involvement.

18           Have you any comments to make in relation to his  
19       part-time duties?  Would you envisage more than that?

20  A.   Well, as he said, I think part of what my understanding  
21       of what he would be responsible for is some of the  
22       administrative tasks, some of the -- some record-keeping  
23       and I guess some of the handy work round about the home.

24  LADY SMITH:  He also spoke of driving the children to  
25       places?

1 A. Yes.

2 LADY SMITH: To church, for example.

3 A. Yes.

4 MR MACAULAY: Can I then look at the appointment of

5 Mr Samson to that role, and perhaps beginning with his  
6 appointment to the -- whether it was a hostel or a home  
7 for young men. Can you just tell me a little bit about  
8 that establishment at Muirhouse?

9 A. Yes, as I say, it was a small establishment. I think it  
10 was largely for children coming out of a care home  
11 setting, where there was no family to return to, and was  
12 to support them in terms of that, what we would now call  
13 independent living and that transition stage in their  
14 life.

15 Q. And these were, at least at the time that Mr Samson was  
16 involved in 1973, these were older boys?

17 A. Yes.

18 Of course, working boys at that age might have been  
19 14.

20 Q. Okay. Well, to get -- to put some flesh on the bones,  
21 so to speak, I want you to look at a review that was  
22 carried out, an independent review, carried out by  
23 Professor Andrew Kendrick. I'll be looking at this  
24 later but just to get dates, can I ask you to look at it  
25 for the moment. That's at COS-000001423. It will come

1 onto the screen. And the page I want to take you  
2 through to is page 31.

3 Do we see at the top there that a staff list shows  
4 that Ian and Marion Samson were recruited in April 1973  
5 and they took up their post at Muirhouse Hostel for  
6 Young Men on 20 June 1973, and then it goes on:

7 'Other documents from this time refer to Ian Samson  
8 in his role of superintendent of the hostel.'

9 So was that a position he held then?

10 A. Yes, my understanding is that there was, at one point,  
11 a preference for married couples to support hostels and  
12 homes, to create that family atmosphere. That was the  
13 intention.

14 Q. And the report then draws attention to a minute -- this  
15 is about halfway down, coming down to halfway down -- of  
16 11 December 1974 of the Committee on Social Services,  
17 and this is following upon the resignation of the  
18 previous houseparents in charge and I'll just read  
19 what's been minuted:

20 'The Committee agreed to interview Mr and Mrs Ian B  
21 Samson, presently Superintendent and Matron of Muirhouse  
22 Hostel for Young Men, Edinburgh. After careful  
23 consideration, it was resolved to offer them the joint  
24 post of Houseparents in Charge of the Lord and  
25 Lady Polwarth Home for Children, at the salary

1           appropriate to the appointment and the usual terms and  
2           conditions of service.'

3           Do we take from that that it was a sort of joint  
4           appointment and they were both in salaried employment  
5           with the church?

6   A.   Yes, my understanding is they were both in salaried  
7           employment with the church.

8   Q.   And do we read on, can we see that they took up their  
9           posts in March of 1975?

10  A.   Yes.

11  Q.   Now, we had Mr Samson's evidence about whether  
12           references were sought or not. Is there any evidence in  
13           the records that references were sought?

14  A.   There's no evidence -- I don't have records showing any  
15           evidence of references being sought.

16  Q.   And what you've heard about Mr Samson's background, from  
17           him, in relation to his employment history, do you  
18           consider that he was in any way qualified to be even in  
19           joint charge of children?

20  A.   My personal opinion would be no. At the time, I think  
21           the employment standards were quite different and he had  
22           had two years working in a young men's hostel. So  
23           I suppose when he moved into the Lord and Lady Polwarth  
24           Home, he did have that experience behind him.

25  Q.   And it is the case, although I don't think he could very

1 clearly remember the position, but he had been  
2 convicted, as a young man, 1960, when he was, I think,  
3 19, but he had other convictions before he took up the  
4 position at Lord and Lady Polwarth in 1973, and I take  
5 it the committee would not have had any knowledge of  
6 that track record?

7 A. That would have to be the assumption.

8 Q. Yes.

9 LADY SMITH: Well, can I just check that this way, Viv.  
10 Let's say he was asked about it at the interview and he  
11 told them that some years before, when he was just 19,  
12 he got into trouble because he urinated in the street  
13 and he's got a conviction for that, and he also got into  
14 trouble because he took £10 out of the till that -- did  
15 he say it was a garage or something that he was working  
16 at?

17 A. Yes.

18 LADY SMITH: Would you have, from such as you know of the  
19 way things were working then, would you have expected  
20 that to operate as a veto on employing him or not?

21 A. I would expect that would operate as a veto in  
22 employment, because what we do know is that -- and  
23 I think it's referred to in the Kendrick report and also  
24 the report by an independent social worker -- was it's  
25 your character and your faith that were the foundation

1 stones for employment at the time and I think that would  
2 probably, certainly, blemish his character reference.

3 LADY SMITH: Yes. On both counts.

4 A. On both counts.

5 LADY SMITH: On those convictions, yes.

6 A. Yes.

7 MR MACAULAY: Because by the time he took up his role at  
8 Lord and Lady Polwarth, he had gathered a total of nine  
9 convictions -- a conviction on nine charges, rather, of  
10 independent exposure. He's explained his position on  
11 that, we're not in a position to gainsay that, but that  
12 would be an absolute black ball, if you like?

13 A. That absolutely would be, yes.

14 Q. If I could take you back to Professor Kendrick's review.  
15 When -- yes, it's on page 32, so it is still -- it's  
16 COS-000001423 at page 32.

17 At the top of the page, page 32, Professor Kendrick  
18 looks at the minutes for March 1981 and notes the  
19 resignation of Ian and Marion Samson, and what has been  
20 minuted:

21 'It came as a shock to the committee to be told that  
22 Mr and Mrs Samson were leaving Polwarth from this date,  
23 [and] working a month's notice. They [were] going to  
24 Central Region, to Redding House, a home similar to  
25 Polwarth, but where they will be non-residential except

1 for one or two duty nights.'

2 And it's just the reference to 'It came as a shock'.

3 Are you able to give us any background to that?

4 A. I think that the Samsons were trusted individuals.

5 There had been a police investigation. The police had  
6 said there was no case to answer. And that clearly the  
7 local committee felt that they were a couple that could  
8 continue to run that home, should they want to. And the  
9 resignation, which I think actually was fairly forced by  
10 the director, seems to have come as a shock to the local  
11 committee, because actually it's the director who's  
12 responsible for the employment, not the local committee.

13 Q. Right. Okay.

14 LADY SMITH: So the director being of what?

15 A. Of social services, the social services committee of the  
16 Church of Scotland.

17 MR MACAULAY: And it was he who had correspondences with the  
18 Director of Social Work?

19 A. That's right. And it may be that the local committee  
20 didn't have all of the detail, I'm not sure, but  
21 certainly the employment contract would be held with the  
22 Committee of Social Work and not the local committee.

23 Q. Now, I'll look in a moment at his conviction in 2013  
24 that does relate directly to Lord and Lady Polwarth, but  
25 you may have heard in the evidence and you may have been

1           aware of this, that he had previously pled guilty to two  
2           charges in June 2008 that involved a sexual element.  
3           Were you aware of that previously?  
4    A.   Sorry, could you --  
5    Q.   Were you aware of that?  
6    A.   Was the organisation aware of it?  
7    Q.   Yes.  
8    A.   No.  
9    Q.   And these were clearly serious charges, because he was  
10        sentenced to a three-year extended sentence and he had  
11        to serve two years in custody. And it would appear that  
12        after, having served his two years in custody, he was  
13        released on licence and he was in breach of his licence.  
14        And I think you're aware of that now?  
15   A.   Yes.  
16   Q.   And he was returned to prison?  
17   A.   Yes, that's right.  
18   Q.   Now, can I just ask you then about the incident that  
19        I asked him about involving the finding of photographs  
20        of the child that we've named **RKQ** for these purposes.  
21                Is it your understanding that even before the  
22        finding of the photographs, that concerns had been  
23        expressed in relation to Mr Samson's relationship with  
24        the child **RKQ**?  
25   A.   Yes. I believe that it had been flagged up that there

1 was a close relationship that was bordering on  
2 inappropriate and that it was -- one of the things that  
3 was reported was the way they were lying together,  
4 I think stretched out together, although I think  
5 latterly it was reported that when that was reported up,  
6 it wasn't felt that anything sexual was going on at that  
7 point, just that it was getting a bit close for comfort,  
8 and inappropriate for a houseparent to be lying with  
9 a child like that.

10 Q. And this was a report made by a fellow member of staff?

11 A. That's right.

12 Q. And was some action taken on that report?

13 A. Yes, I believe Samson was spoken to at that point about  
14 that relationship.

15 Q. Is that what's referred to in the letter we looked at  
16 this morning from your director to the Director of  
17 Social Work?

18 A. Yes. He'd already been warned and this was -- the  
19 finding of the photos, I think, was the second shot, and  
20 that prompted a formal written warning.

21 Q. But the incident involving the finding of the  
22 photographs, that involved, I think, two photographs of  
23 the child being naked, and lying on a carpet in  
24 Mr Samson's living room.

25 A. Yes.

1 Q. And I think it was known that Mr and Mrs Samson had  
2 a Polaroid camera?

3 A. Yes.

4 Q. And it was in the context of it being known that he had  
5 a close, if not inappropriate, relationship with this  
6 child?

7 A. Yes. It was known that he had an inappropriate  
8 relationship with the child, or -- yes. It was -- yes.

9 Q. And we now know that he was convicted of a charge  
10 including the narrative of taking indecent photographs  
11 of that child?

12 A. That's right.

13 Q. You're aware, from what you've looked at, that the  
14 investigation involved the police, the child being  
15 questioned, Mr and Mrs Samson being questioned, and the  
16 child, who may have been about 14 at the time --

17 A. Yes.

18 Q. -- saying that it was another girl who took the  
19 photographs. That was the story, so to speak?

20 A. That was the story.

21 Q. Can we look then at the letter I've looked at  
22 previously, at COS-000001403. And that's the letter  
23 that's dated 4 July from one director to another. And  
24 in the third paragraph, towards the bottom of that  
25 paragraph, if we just look at that, can we see that:

1           'The social worker was anxious that the police  
2           should not be involved in the investigation since this  
3           had been a disturbed family over a number of years.'

4           But the police in fact were brought in?

5   A. Yes, that's right.

6   Q. Which was an appropriate course of action?

7   A. It was an appropriate course of action then and it would  
8       be now.

9   Q. And on page 2 of the document, there's a quote from the  
10       letter that was sent to Mr Samson. Four or five lines  
11       down from the top, it says:

12           'It is not being suggested that this association was  
13           in any way immoral, but our concern is caused by your  
14           apparent lack of awareness or appreciation of the  
15           consequences of such action and by your non-acceptance  
16           of the advice and instructions given to you.'

17           And it goes on to narrate the fact that that related  
18           to the earlier instruction that you mentioned.

19   A. Yes.

20   Q. And then, as we read this morning, the last few lines,  
21       which effectively is a warning to him?

22   A. That's it, yes.

23   Q. Now, the upshot was, I think, that, not immediately but

24       ██████████, RKQ was moved?

25   A. They resigned -- that was the shock resignation.

1 Q. I'm sorry?

2 A. That was the shock resignation.

3 Oh, **RKQ** was moved.

4 Q. **RKQ** was moved.

5 A. Yes, sorry. Yes, **RKQ** was moved, to Muirhouse Hostel.

6 Q. Yes. And Mr Samson stayed in post.

7 A. Mr Samson stayed in post.

8 Q. When looking at now, I don't know if you have

9 a particular view, but when you put together the

10 circumstances of there being an inappropriate

11 relationship, the nature of the photographs, and in

12 particular where they must have been taken, namely in

13 Mr Samson's home, the age of the girl, was there

14 a degree of naivety in the way this was handled by the

15 church?

16 A. There may well have been. I don't know what was in

17 their minds at the time. I can see at the end of that

18 letter the director saying:

19 'I feel that this is the appropriate professional

20 way to conclude this, that we move **RKQ**'.

21 I wonder whether at the time there was a sense that

22 if the police couldn't find -- I notice the wording is

23 just really careful:

24 'We are not suggesting there was anything immoral.'

25 I think now we would be saying, actually, that

1           there's probably enough there to say that it was  
2           immoral, if not criminal. And HR law has changed over  
3           the time too, so we'd probably be much more able to take  
4           action, but I think even at the time, they would have  
5           been able to suspend Samson with that type of evidence.  
6           Because you didn't have to have it beyond reasonable  
7           doubt; you just had to have that kind of -- with some  
8           sort of certainty in the --

9   Q. In any event, we see from this letter that the  
10       investigation has been concluded on 4 July. [REDACTED]  
11       after that, [REDACTED] leaves and Mr Samson stays on?

12   A. Yes.

13   Q. Now, I don't know to what extent you were aware that  
14       Mr Samson thereafter kept in contact with [REDACTED], after  
15       she had left?

16   A. And in fact it was encouraged. I think if you look at  
17       the -- some of the -- within [REDACTED]'s record, there is  
18       some reference to [REDACTED] -- the social workers were so  
19       sure that this was a supportive relationship, and that's  
20       what you read in the evidence there, that: actually, we  
21       don't want to move [REDACTED], this is her home -- she has  
22       been there for 11 years by this point -- that actually  
23       she should continue to have access to her other siblings  
24       and to the Samsons. So it was encouraged that they  
25       continued to have a relationship.

1 Q. At some point later did she go back then to the Lord and  
2 Lady Polwarth?

3 A. She did, she ran away from Muirhouse, I think, on  
4 a number of occasions, and went back to Lord and  
5 Lady Polwarth.

6 Q. And while she was at the other home, we know from the  
7 conviction that she -- in Mr Samson's flat in Leith,  
8 that she went there and she was raped by Mr Samson?

9 A. Yes, that's the conviction. Absolutely.

10 Q. That was sometime between November and December of 1980.

11 A. Yes.

12 Q. So it would appear that Mr Samson, sailing close to the  
13 wind as he did in relation to these photographs, it  
14 didn't put him off indulging in abuse?

15 A. No. He seemed to be untouchable.

16 Q. I'll just put this on the screen, I don't suppose to  
17 dwell too long on it, but it's the indictment that  
18 Mr Samson faced in 2013 and that's at JUS-000000290.  
19 You will see it's heavily redacted for obvious  
20 reasons, but the course of conduct, if you look at the  
21 first charge, begins in May 1975. That is a charge  
22 involving **RKQ**.

23 A. Yes.

24 Q. And the last charge that he was convicted of, it's on  
25 page 7 and it's charge 31, and the end date there

1 is January 2004. So that gives us a sense as to the  
2 period over which Mr Samson was an abuser. He was  
3 clearly a prolific abuser, both in the home and in the  
4 community?

5 A. Prolific and organised.

6 Q. Sorry?

7 A. Prolific and organised.

8 Q. Yes.

9 I think you have seen this before and indeed this  
10 might have been influential in setting up the Kendrick  
11 review, but I will put it on the screen. This is  
12 Lady Scott's sentencing statement, and it's at  
13 JUS-000000355.

14 We'll read this in full to have it in the  
15 transcript, because I think it's important, so:

16 'You have been convicted of 22 offences involving  
17 the sexual abuse and rape of 12 children over a period  
18 of many years.

19 'The overwhelming evidence in this case demonstrated  
20 that you are a prolific, predatory and violent sexual  
21 offender who poses a serious danger to all children and  
22 vulnerable youngsters. I have formed the distinct  
23 impression that you have organised and conducted your  
24 whole life in order to gain access to children and to  
25 perpetrate sexual abuse - working in a boys' hostel,

1 then a children's home, running an ice cream van,  
2 employing children in your shop, hunting down children  
3 hanging about the streets in your locality, and drawing  
4 them into your house with the supply of free drink and  
5 cigarettes. You appear to have seized every conceivable  
6 opportunity to abuse a child.'

7 Clearly a dangerous man, from the perspective of  
8 children.

9 A. Clearly.

10 Q. 'The offences of which you have been convicted reflect  
11 a wicked campaign or a course of conduct persistently  
12 pursued to abuse children over a period of years. The  
13 sheer length of this course of conduct, over 30 years,  
14 is an important factor in determining the appropriate  
15 sentence here.

16 'You held a position of trust over many of your  
17 young victims as their surrogate dad or uncle, or as  
18 their employer. I consider you were motivated to place  
19 yourself in that situation of trust with the intent of  
20 abusing it and gaining access to and power [to] your  
21 victims.'

22 And as you pointed out yourself, Viv, he was  
23 organised.

24 A. He was organised.

25 Q. 'The sexual violence you visited on your young victims

1 was not only prolific, but also very serious in nature.  
2 It involved many rapes, and instances of penetration.  
3 The court heard moving testimony from witnesses from the  
4 children's home who hid in cupboards and slept in dog  
5 baskets or staff doorways in an effort to escape your  
6 visiting abuse upon them in their beds at night.

7 'Most seriously, you targeted and separated out from  
8 the children the first victim on the indictment and  
9 abused her for over 10 years. You controlled her from  
10 a young age and your serial sexual abuse of her began  
11 when she was too young to understand what was happening  
12 to her and escalated to repeated rapes on an almost  
13 daily basis. Your persistence is demonstrated in the  
14 evidence that when this girl was removed from your care  
15 in the home, you persuaded her to run away and then  
16 detained her in a flat for about a week, in order to  
17 rape and abuse her. When she was older, you controlled  
18 her through violence and assaults. The fact that, free  
19 from you, she has managed to build a life for herself is  
20 a testament to her strength of character and courage.

21 'Your predatory impulse in seizing any opportunity  
22 is clearly shown in charge 23 by your rape of a girl who  
23 called by arrangement to your house. You laid in wait,  
24 seized her, dragged her into the bedroom, and despite  
25 her fighting throughout, you pinned her down and raped

1 her.'

2 And her Ladyship then goes on to deal with what was  
3 said on his behalf, what could be taken in mitigation,  
4 and she then goes on, towards the bottom, to sentence  
5 him to a cumulo period of 14 years' imprisonment, which  
6 he's now serving, but it's coming to an end.

7 And then on the final page, Lady Scott says towards  
8 the top:

9 'Before adjourning, I would like to make the  
10 observation that there were circumstances, led in  
11 evidence in this trial, which appeared to suggest  
12 a failure in the protection of the child victims who  
13 gave evidence in this case.

14 'For example, the fact that while resident in the  
15 Lord and Lady Polwarth Children's Home, you remained in  
16 a position of trust over children, despite an incident  
17 where it was suspected, correctly, that you had taken  
18 obscene photographs of a child within the home; the fact  
19 that you remained in the home notwithstanding your being  
20 convicted of ten charges for indecent exposure during  
21 your time there; the fact that when you left the home,  
22 you took the first victim with you, without any apparent  
23 concern being raised; the fact that the first complainer  
24 reported her abuse in 1991 and, she described in  
25 evidence, she was not believed.'

1           So these points that Lady Scott drew attention to  
2           were points clearly that may have been directed to the  
3           Church of Scotland in particular. Is that how you read  
4           that?

5   A. That's how I read that, yes.

6   Q. And did that then influence the fact that you instructed  
7           the review by Professor Kendrick?

8   A. Yes. We hadn't been advised of the trial going ahead  
9           until the kind of blaze of newspaper publicity. So it  
10          caught us something by surprise and we were not in court  
11          to hear all the evidence. So the sentencing remarks,  
12          which directed some criticism at us, we felt deserved  
13          investigation and deserved that independent scrutiny,  
14          both of the remarks that were made, but actually of our  
15          whole kind of safeguarding system, policies and  
16          procedures and our recruitment procedures, just to make  
17          sure that, as far as possible, such abuse could not  
18          happen in our establishments again.

19   Q. Okay.

20                 And one of the points, I think -- and this is  
21                 addressed by Professor Kendrick -- the fourth bullet  
22                 point:

23                 'The fact that the first complainer reported her  
24                 abuse in 1991 and, as she described in evidence, she was  
25                 not believed.'

1 I don't think you had any evidence of a report of  
2 abuse to the church at that time?

3 A. Not in 1991. I think our first request was in 1999,  
4 when the police approached us for records.

5 Q. And this may very well refer to a report by this  
6 individual to the police, rather than to you?

7 A. Yes.

8 Q. So if we then go back, briefly, to Professor Kendrick's  
9 review, at COS-000001423, and if we turn to page 4, and  
10 the point 1.2, this should be the 'Executive Summary' on  
11 page 4?

12 Yes. At 1.3 rather, I think as you've just said:

13 'The remit of this review was to examine the  
14 policies and safeguarding practices which were in  
15 operation in the 1970s and 80s and to consider current  
16 policies in order to make recommendations about any  
17 issues or areas of concern which may have implications  
18 for current policy and practice.'

19 I note in the next paragraph you in fact  
20 participated, albeit your name is spelt wrongly, in this  
21 review?

22 A. Yes, that's right. At the time I was the Director of  
23 Children and Family Services, so it was appropriate that  
24 I would support the review at that point.

25 Q. Yes. And, in particular, you were anxious to look at

1 the issues that had been raised by Lady Scott in her  
2 sentencing note?

3 A. Yes.

4 Q. I think we know from the report that Professor Kendrick  
5 made six recommendations?

6 A. Yes, he did.

7 Q. And one being to express deep regret to victims by the  
8 church?

9 A. Yes.

10 Q. But, had that in fact been done already?

11 A. Yes. It had been done already. I think the first time  
12 that was done was when actually we were asked for  
13 comment as the trial was coming to a conclusion and the  
14 sentencing was taking place. At that point we were  
15 asked for comment, without having a lot of information  
16 to hand, but clearly, a huge error of safeguarding had  
17 been made and children had been abused and it felt  
18 appropriate at that point to issue an apology as part of  
19 the comment by the Church of Scotland that was requested  
20 at that point.

21 And we also tried to make some attempt to contact  
22 the survivors to say: look, we're here and if there's  
23 anything we can do at this point, albeit very late on,  
24 we would be open to an approach, and if you don't want  
25 to speak to the organisation, speak to our safeguarding

1 service.

2 Q. But did this recommendation trigger another response, or  
3 were you comfortable with what you had done previously?

4 A. No, we have since issued -- we did issue another  
5 response. Yes.

6 Q. But the earlier response -- which I should perhaps ask  
7 you to look at: COS.001.001.0827.

8 A. Yes.

9 Q. And you'll see that's a letter from the Church of  
10 Scotland Safeguarding Service dated 15 October 2013, so  
11 that's after the trial?

12 A. That's after the trial.

13 Q. And it's an open letter to former residents?

14 A. Yes.

15 Q. And you're doing this through the auspices of the  
16 police?

17 A. We're doing this through the police because we have no  
18 contact details.

19 LADY SMITH: So this would go to people whose contact  
20 details were known to the police?

21 A. Yes.

22 LADY SMITH: No doubt as a result of the inquiries they made  
23 before the trial.

24 A. That's right.

25 LADY SMITH: Thank you.

1 MR MACAULAY: And in the third paragraph, you say, the  
2 church says:

3 'You may have seen in newspapers and from the  
4 television that we have encouraged survivors of abuse  
5 from that time to contact the Church of Scotland's  
6 Safeguarding Service.'

7 So that had been done.

8 A. That had been done, yeah.

9 Q. And the last paragraph, the last paragraph before the  
10 George Street address, if we can move down the page  
11 a bit:

12 'We acknowledge the wrong that was done by Mr Samson  
13 and are sorry by the way in which this has affected you.  
14 If you would like to contact us, you can do so  
15 confidentially by phone, in person or email.'

16 And do you know what response this communication  
17 generated?

18 A. My understanding is that none of the survivors have been  
19 in touch with the Church of Scotland through the  
20 safeguarding service or directly to CrossReach.

21 Q. I don't propose to dwell on the other recommendation  
22 apart from one, the second recommendation, which focused  
23 on recommending review and updating of recruitment  
24 policies, for obvious reasons, having regard to the way  
25 in which Mr Samson was recruited.

1           Did you follow the recommendations that were --

2   A. We did. We followed the recommendations, we put in  
3       place an action plan to make sure, on a continuous  
4       improvement basis, we were always reviewing our policies  
5       and procedures. And that happens to this day. There is  
6       regular update of policies and procedures to do with  
7       safeguarding and recruitment. And anyway, since these  
8       times, there is safer recruitment that is overseen by --  
9       well, Care Inspectorate have a view on that, they come  
10      and inspect our records and there is all of the  
11      registration of care workers that has to happen through  
12      the SSSC. So it's a far more regulated environment,  
13      with registration of care workers at the centre of that.

14   Q. Can I go back to the role of the local committee and  
15      having regard to what Professor Kendrick says and,  
16      indeed, presumably you were present when this  
17      information was being ingathered.

18           So, we're back to COS-000001423, and if I could go  
19      to page 29.

20           Yes, it's the heading. The heading is 'The Local  
21      Committee' and towards the bottom, if I could just read  
22      that and get your comments, at the very bottom, we can  
23      read:

24           'Evidence from a member of staff working in the  
25      Polwarth Children's Home indicates that monthly visits

1 by the members of the local committee took place during  
2 the day when the children were in school, and the  
3 visitors were looked after by Mrs Samson and did not  
4 speak with the other staff members.'

5 Now, does that square with the records you may have  
6 in minutes that might indicate what role the members of  
7 the local committee would play?

8 A. It doesn't entirely square with that. I believe the  
9 evidence was taken from an ex-member of staff, who  
10 I think was indicating that, actually, the local  
11 committee, instead of coming in on unannounced visits  
12 and speaking with many members of staff and potentially  
13 children, in fact, weren't operating in that way.

14 So there's the policy and then actually what was  
15 working in practice, as reported by this member of staff  
16 and what they'd seen.

17 Q. Yes, because I think what you say in your Section 21  
18 response is that the local committee would speak to  
19 children?

20 A. Yes.

21 Q. And this contradicts that?

22 A. And this contradicts that.

23 Q. Apart from, I suppose, holiday periods when the children  
24 were not at school; at least during the summer holiday,  
25 there might be the opportunity then to speak to

1 children?

2 A. Yes, they might, and I'm not sure whether members of the  
3 local committee were also social aunts and uncles, but  
4 there was quite a system in the home. So as well as the  
5 superintendent, the local committee and the houseparents  
6 in charge, children were encouraged to go out with  
7 their social aunt and uncle, who were also people who  
8 would be accredited, in whatever way they were at that  
9 point, to befriend children, to take them out, and  
10 I believe that members of the local committee could also  
11 be social aunts and uncles.

12 So there was opportunity for children to speak to  
13 other adults outwith the formal structures here.

14 Q. Quite recently, in November last year, you submitted two  
15 addenda to the Section B and D responses, and, for  
16 example, COS-000001419.

17 Is that additional information you wanted to put  
18 before the Inquiry since you had submitted the earlier,  
19 much earlier responses?

20 A. Yes.

21 Q. Yes. The one piece of information that comes out from  
22 that particular document is that you tell us now that  
23 there have been six civil claims made against the  
24 church?

25 A. Yes.

1 Q. And you have provided us with the five writs where  
2 actions have been raised, and also a letter of claim.  
3 A. Yes.  
4 Q. And so far as the civil -- the writs are concerned,  
5 these include allegations of serious sexual abuse by  
6 Mr Samson. But there's also two claims, two writs that  
7 make reference to peer abuse?  
8 A. That's right.  
9 Q. By one individual, by one boy?  
10 A. By one boy.  
11 Q. And so far as the five claims that have been -- where  
12 actions have been raised, am I right in thinking that  
13 these have been settled out of court?  
14 A. These have been settled, yes.  
15 Q. And the case where there's simply a letter of claim, as  
16 we speak, that has been repudiated?  
17 A. Yes, correct.  
18 Q. Because it lacks specification, I think would be the  
19 point?  
20 A. Yes, it doesn't -- it didn't meet the evidence required  
21 for the insurers to pay out on that claim.  
22 Q. Yes. Now, the final document I wanted you to look at is  
23 the addendum that you submitted in relation to the  
24 Section B response, and that's at COS-000001418. And  
25 that's at page 3, if we move to page 3. And just scroll

1 down towards the bottom at 3.2.

2 And I was just raising this with you again because  
3 I think you quite candidly accepted when you came before  
4 that this was the case, but the question at 3.2(i) was:

5 'Does the organisation/establishment accept that its  
6 systems failed to protect children cared for at the  
7 establishment between [the dates that are given there]  
8 from abuse?'

9 And the answer is:

10 'The organisation accepts that the systems and  
11 processes available to them at the time did not protect  
12 the children in their care.'

13 A. Absolutely.

14 Q. And that's been your position really from day 1?

15 A. Yes. There was a failure.

16 Q. Very well, Viv. Well, thank you very much indeed for  
17 that. You have finished your fourth visit and I suspect  
18 it will be your last visit, but you've been a tremendous  
19 help to the Inquiry. Thank you.

20 LADY SMITH: Viv, let me add my thanks. I did say I hoped  
21 that we wouldn't make it too taxing for you today and  
22 I do hope that that's the case. But we have required  
23 you to look back at some terrible times in the life of  
24 the work of CrossReach. I wish you well in all the good  
25 work it carries on doing and thank you for everything



1 MR MACAULAY: It's a Webex.

2 LADY SMITH: The witness in person was the Webex tomorrow  
3 morning.

4 Thank you very much. Until tomorrow morning.

5 (2.59 pm)

6 (The hearing adjourned until 10.00 am the following day)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21


22

23

24

25

I N D E X

1		
2		PAGE
3		
4	'Jenny' (read in) .....	32
5	Mr Ian Brown Samson (sworn) .....	41
6	Questions from Mr MacAulay .....	44
7	Mrs Vivienne Dickenson (sworn) .....	82
8	Questions from Mr MacAulay .....	83
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

