

1

Friday, 24 April 2026

2

(10.00 am)

3

LADY SMITH: Good morning, and welcome back to Phase 10 of
4 our case study hearings, and in this phase, of course,
5 we're looking into the provision of residential care for
6 children in homes run by local authorities or used by
7 them for placements for which they were responsible.

8

Now, we turn to a witness in person this morning.

9

Mr MacAulay.

10

MR MACAULAY: Yes, good morning, my Lady. The witness this
11 morning is Gordon Alexander Knott and he will need to be
12 warned.

13

LADY SMITH: Yes, thank you.

14

Gordon Alexander Knott (sworn)

15

LADY SMITH: Thank you for coming along this morning.

16

I hope the first question I have for you, you find

17

an easy one. How would you like me to address you, by

18

your first name or your second name?

19

A. My first name will be fine, thank you.

20

LADY SMITH: Thank you, Gordon. The way we work, as may
21 have been explained to you, is you've got your written
22 statement in that red folder in front of you, the one
23 that you've signed and provided already to me, and it's
24 been really helpful to be able to read that in advance,
25 thank you.

1 We'll bring bits of it up on the screen as well as
2 we go to the parts that we'd particularly like to
3 explore with you. Don't worry about the possibility
4 that we're going through it line by line, we're not,
5 it's particular aspects we're interested in.

6 If you've got any questions at any time, you must
7 feel free to ask them. If you don't understand what
8 we're asking you, that's our fault, not yours, we're not
9 explaining it properly. So just speak up and tell us.

10 If you want a break at any time, that's not
11 a problem, Gordon. I will break anyway about 11.30 and
12 if your evidence isn't finished by then, we'll come back
13 after a short morning break, when we can all get
14 a breather, but if you want one before then, just say.

15 If at any time you just want to pause where you are,
16 and I know some people find it very difficult going back
17 a long time to talk about events, some of which were
18 distressing, and you know we've got to ask you some
19 difficult questions.

20 A. Yes.

21 LADY SMITH: And you just want to pause where you are,
22 that's not a problem. And please do appreciate,
23 I understand how difficult some people find it going
24 through the task that we're going to take you through
25 this morning.

1 One final thing is you'll be well aware this isn't
2 a courtroom, it's a public inquiry.

3 A. Yes.

4 LADY SMITH: But you still have all the protections that you
5 would have in court in any form of court process and
6 that means that if you are asked a question, the answer
7 to which could incriminate you in something of which you
8 have not already been convicted, you don't have to
9 answer it, but if you do answer it, I expect you to
10 answer it fully.

11 If you're in any doubt as to whether it's one of
12 those questions we're asking you, do feel free to check,
13 because it's better that you check than realise
14 afterwards that you wish you had done, all right?

15 So, same protection, same warning as you'll have had
16 in court in the past, because, of course, I am aware of
17 your convictions --

18 A. Yes.

19 LADY SMITH: -- Gordon, and they come to me as facts already
20 that I have to take into account in the work we're doing
21 here. And you may understand that already, but if you
22 don't, we can explain that again.

23 If you're ready, I'll hand over to Mr MacAulay and
24 he'll take it from there.

25 Questions from Mr MacAulay

1 MR MACAULAY: My Lady.
2 Good morning again, Gordon.
3 A. Morning, Colin.
4 Q. I want to just give a reference number for your
5 statement which, as Lady Smith has said, will be in the
6 red folder, and this is for the transcript, and that is
7 at WIT-1-000001762.
8 Now, can you confirm, Gordon, that you were born in
9 1954?
10 A. Yes, I was.
11 Q. And if I could take you to your statement and in
12 particular going to the final page of the statement,
13 page 61, do you say at paragraph 335:
14 'I have no objection to my witness statement being
15 published as part of the evidence to the Inquiry.
16 I believe the facts stated in this witness statement are
17 true.'
18 A. Yes, I did, yes.
19 Q. And that's your position?
20 A. It is, yes.
21 Q. And can you confirm for me, Gordon, that you have signed
22 your statement?
23 A. I have.
24 Q. And can we see in fact that you've signed that quite
25 recently, on 8 April this year?

1 A. That is correct.

2 Q. Now, do you also have in the red folder what I would
3 refer to as a key, namely a pseudonym key, setting out
4 the names of individuals on the left-hand side and the
5 pseudonym that's been allocated to them on the right?

6 A. I do have that, yes.

7 Q. And if you could keep that to hand, so that if I ask you
8 about a particular person, I will use the pseudonym and
9 you'll be able to look across to see who it is. We
10 don't want to disclose the names of these persons,
11 because they want to be anonymous; do you understand
12 that?

13 A. Yes, that's fine.

14 Q. Now, you begin by telling us a little bit about your
15 background and your qualifications in your statement and
16 in particular you left school with certain O-Grades and
17 Highers Certificates, is that right?

18 A. That is correct.

19 Q. Where was that, where were you based at that time?

20 A. When I went to school?

21 Q. Yes.

22 A. I went to Ainslie Park Secondary School.

23 Q. So you were in Edinburgh?

24 A. I was in Edinburgh, yes.

25 Q. And you tell us that you were employed by Edinburgh

1 Social Work Department in 1973 and that's where we're
2 going to look at Clerwood and Glenallan.

3 A. Yes.

4 Q. But before that, I think you said you worked as
5 an 18-year-old in Manchester, is that right?

6 A. That's correct.

7 Q. What was the nature of that job?

8 A. I worked in an ex-offenders' hostel and I worked and
9 liaised between Stoke Heath Borstal, Strangeways Young
10 Offenders' Wing and Rislely Remand Centre.

11 Q. Was that a voluntary job?

12 A. Yes, it was.

13 Q. Now, you then applied for a job with Edinburgh Social
14 Work Department. Can you just tell me about that? What
15 did you do?

16 A. I applied to Edinburgh Social Work Department. It was
17 1973, I think it was in July, if I remember rightly, and
18 I had originally applied for a social work assistant's
19 post, but when I went for interview, they told me that
20 social work assistant's posts were no longer in
21 existence and they had no plans to take on any social
22 work assistants. So they -- they recommended that I go
23 and work in residential work and they suggested two
24 particular children's homes at that time.

25 Q. And I think one of these was Clerwood?

1 A. It was, yes.

2 Q. And that's where you ended up?

3 A. Yes, that's correct.

4 Q. And I think at that time, would you have been aged 19?

5 A. I was 19 years of age.

6 Q. Now, what job were you being allocated at that time?

7 A. I was allocated the role of a nursery assistant, that's

8 what it was classified as.

9 Q. And looking at it with -- at least with the benefit of

10 hindsight, do you think you were qualified for that sort

11 of position?

12 A. Well, it was something strange to me. It certainly was

13 strange, but I had worked with, as I say, almost in

14 a residential setting, with the ex-offenders, so that's

15 about as qualified as I could say I was.

16 Q. But here you're dealing with -- your title suggests

17 you're going to be dealing with young, very young

18 children?

19 A. Yeah, yes, that's correct.

20 LADY SMITH: And not ex-offenders?

21 A. No, not ex-offenders, no.

22 MR MACAULAY: Now, I think we know that you were at Clerwood

23 from 1973 to about 1977, does that accord --

24 A. That's correct.

25 Q. -- with your recollection?

1 A. That's correct.

2 Q. And we have seen a photograph of Clerwood; it's a big,
3 Victorian-type building?

4 A. Yes, it is.

5 Q. I'll put it on the screen so we can remind ourselves
6 what it looks like and it's INQ-0000001229.

7 Now, this is, I think, probably a more recent
8 photograph than when you were there, but do you
9 recognise the building in the photo?

10 A. Yes, I recognise the facial exterior, not this back part
11 here.

12 Q. Yes, there appears to have been a --

13 A. There's certainly an extension.

14 Q. -- a more modern building at the back.

15 A. Yes, at the back, yeah.

16 Q. And we've heard reference, for example, to areas like
17 the stables.

18 A. Uh-huh.

19 Q. Where would the stables be in reference --

20 A. The stables would have been up to -- off on the
21 right-hand side. You went up a driveway up to the
22 stables.

23 Q. So on the right-hand side as you're looking at the
24 photograph?

25 A. Yes.

1 Q. When you went there aged 19, in the position you've told
2 us about, what can you tell us about the rest of the
3 staff? Who else was there at that time?

4 A. At that time there was -- it was very, very clinical.
5 There was a matron, whose name was Ann Allan. There was
6 a sister, whose name was Olive Bagshaw. And then you
7 had two staff nurses, one of which was Margaret Allan,
8 or Moggy Allan we called her, and the other one was
9 Margo, I think her last name was Macdonald(?) but
10 I can't be 100 per cent sure about that one. And then
11 there were about 12 nursery assistants at that time.

12 Q. Who was in ultimate charge when you went --

13 A. The matron was in charge, Ann Allan was in charge.

14 Q. Now, I think after you went there, we know that a man by
15 the name of Brian MacLennan came to work at Clerwood?

16 A. Yes, that's correct.

17 Q. And his paths would have crossed with you?

18 A. Yes, they did.

19 Q. Before, I think -- because we know you moved on to
20 Glenallan in 1977?

21 A. Yes.

22 Q. And so far as Mr MacLennan was concerned, what was his
23 relationship to you? By that, I mean was he superior or
24 not?

25 A. He was my -- well, he was one of my bosses if you like,

1 but he came later on. That's when the structure kind of
2 changed. It changed at that time, yeah.

3 Q. Now, you tell us that from your perspective that -- this
4 is at paragraph 10 -- that the staff had an excellent
5 attitude towards the children?

6 A. They did, yes.

7 Q. And when you're talking there, are you talking about the
8 nursery staff or staff in general?

9 A. All of the staff, including your domestic staff
10 et cetera. They were all excellent with the kids.

11 Q. And really moving on from these paragraphs, you talk
12 about it being a happy place and so on. Just looking at
13 the age range then of the children.

14 A. Yes.

15 Q. You had very, very young children?

16 A. Yes, there was babies as well as tweenies and toddlers,
17 yes.

18 Q. And what was the age range, you go from babies to what?

19 A. Perhaps 6 months up to -- the oldest boy at that time
20 would have been 11.

21 Q. And the numbers of children?

22 A. There were, I think, a total of 30.

23 Q. And a mixture of --

24 A. Divided into two groups.

25 Q. And a mixture of boys and girls?

1 A. Yes, that's correct.

2 Q. Now, as time went on, your role at Clerwood, you tell
3 us, changed.

4 A. It did indeed.

5 Q. Can you tell me about that?

6 A. Yes, it changed -- the structures changed. They changed
7 the titles of your roles. I became what was then known
8 as an assistant houseparent, and then matron et cetera,
9 their roles were changed to officers in charge, depute
10 officer in charge and then third officer in charge.

11 Q. And was it houseparent -- was that the position you
12 remained in before you left, or did that change?

13 A. Assistant houseparent. I became assistant houseparent
14 first and then I was promoted to houseparent. And then
15 after that I became an acting third officer in charge.
16 So that was a senior position.

17 Q. And how -- can you give me some sense of the timeframe
18 when you took up these particular positions?

19 A. Probably -- I think the structure changed about
20 1974/1975. I became a houseparent, I think it was about
21 1975, and then I became the third officer in charge
22 towards the end of 1976.

23 LADY SMITH: So when you say you became a houseparent, that
24 was a promotion --

25 A. It was a promotion, yeah.

1 LADY SMITH: -- from being an assistant houseparent?

2 A. Yes, it was.

3 MR MACAULAY: And in relation to your role then, did that

4 change as your title changed?

5 A. Yes, when you became a senior officer, you had more of

6 an administrative role, I would say.

7 You were involved more in the administration of the

8 building, the -- you were then -- you were given access

9 to files, et cetera, that you weren't allowed to read

10 before. So, yeah, there was quite a -- quite a big

11 change in actual fact really.

12 Q. And just looking at the children that were there, would

13 you classify these children as vulnerable children?

14 A. Yes, they were.

15 Q. And as you've just told us, at a point in time you had

16 access to their files?

17 A. Yes, that's correct.

18 Q. Would that then give you an insight into their

19 backgrounds?

20 A. A basic insight, I would say.

21 Q. I mean, for example, was there much evidence of parents

22 coming to visit children at Clerwood?

23 A. No. I only ever recall in my time in Clerwood perhaps

24 three parents ever visiting, in my time.

25 Q. So these are, if I can sum it up in this way, these are

1 vulnerable children?

2 A. Yes.

3 Q. Who really are absolutely in the care of those who are
4 working at Clerwood?

5 A. Yes.

6 Q. I think you tell us, moving through your statement to
7 paragraph 26, that there wasn't any real structure in
8 relation to supervision?

9 A. No, there wasn't at that time.

10 Q. So, what do you mean by that? You were left to your own
11 devices?

12 A. In a way. I mean, you took instruction from your senior
13 members of staff and whatever you were instructed to do
14 then you did that, you know, you followed that task.

15 Q. And in relation to training, you hadn't had any training
16 before you went there?

17 A. No.

18 Q. Was there any in-service training when you were there?

19 A. There was in-service training but it was very sporadic,
20 I would say. It wasn't a regular occurrence.

21 Q. I think you've already told us that although you had
22 some visitors at Clerwood, this is at paragraph 55, you
23 don't remember many parents visiting?

24 A. No --

25 Q. That's your recollection?

1 A. -- I don't. I don't recall very many visitors at all,
2 parents visiting, no.

3 Q. And at paragraph 78, you talk about child protection or
4 whistleblowing policies and you weren't aware of any
5 such policies being in existence?

6 A. No, I'm not aware of any such policies.

7 Q. Were you aware of any external monitoring, such as
8 inspections?

9 A. No, I think there had been inspections but certainly
10 never -- never when I was on duty. But I don't -- don't
11 recall anybody ever mentioning, you know, independent
12 inspectors, no.

13 Q. Now, you've told us that at a point in time, before you
14 left Clerwood, that Brian MacLennan was appointed and he
15 was your boss, I think you've said?

16 A. Yeah, he was one of the -- yeah, he was the depute in
17 fact.

18 Q. And he was older than you, clearly?

19 A. Yes, he was, yes.

20 Q. And how did you interact with him?

21 A. Well, I mean, he was my senior officer so, I mean, if
22 I took instructions from him, then, I mean, I just
23 followed -- he was my boss if you like, that was it.

24 LADY SMITH: So we're back to the possibility of somebody
25 senior instructing you to do a particular task?

1 A. Oh yes, yeah.

2 LADY SMITH: But otherwise you did your own thing; have
3 I got that right?

4 A. Yes, uh-huh, yeah. I mean, there was obviously quite
5 strict routines throughout the day and you followed
6 these routines and, you know, basically every minute of
7 the day was, you know, accounted for in a sense.

8 LADY SMITH: The reason I was taking that up with you,
9 Gordon, was that you say at paragraph 81 that you
10 thought all staff had complete autonomy.

11 A. Yeah -- well, you didn't have complete -- yeah, I see
12 that.

13 LADY SMITH: Do you see what I mean?

14 A. It wasn't complete autonomy. I mean, you had autonomy,
15 certainly, there was no doubt about that, because you
16 had to make decisions without referring to a senior
17 member of staff. So, yes, we had certainly autonomy.

18 LADY SMITH: Okay. Thank you.

19 MR MACAULAY: So looking at Brian MacLennan, I think you've
20 said he was the deputy officer in charge.

21 A. He was, yes.

22 Q. And you thought he might have come to Clerwood sometime
23 before you left, would that be around 1985/1986?

24 A. No, about, erm, 1976, I think.

25 Q. I beg your pardon.

1 LADY SMITH: It must have been the 1970s, I think, Mr
2 MacAulay.

3 A. 1976, roughly 1976. I think perhaps towards the start
4 of 1976.

5 MR MACAULAY: Okay. Now, you say at paragraph --
6 I'm jumping ahead a little bit -- paragraph 189 on
7 page 30, that, as you put it:
8 'He was a good boss, he never caused me any concern.
9 I never had any concerns about him.'

10 But I think you're now aware that he was
11 convicted --

12 A. Yes.

13 Q. -- of abusing children?

14 A. Yes.

15 Q. Did you have any inclination that that was going on
16 in --

17 A. No.

18 Q. -- relation to him when you were there?

19 A. No, I did not. And nobody ever brought that to my
20 attention.

21 Q. Now, if you look at paragraph 92, just focusing on
22 Clerwood for the moment, you tell us that it was
23 sometime later that you were faced up with allegations
24 being against you, is that right?

25 A. Yes, that's correct.

1 Q. And this was in, what, 1996, around that time?

2 A. 1996, yes, that's correct.

3 Q. What was your reaction to being approached by the

4 police?

5 A. Erm, my initial reaction was I was shocked, but in a way

6 relieved.

7 Q. But why were you shocked?

8 A. Because of how it happened actually, how I was arrested.

9 Q. I mean, it is the case, I think, that you accept that

10 you did abuse children?

11 A. Yes, I have never denied that.

12 Q. And in particular if you focus on Clerwood, I think you

13 accept that you sexually abused two particular children

14 at Clerwood?

15 A. That's correct.

16 Q. And if you look at the key that I mentioned earlier,

17 Gordon, is one of these children number 24 towards the

18 bottom, and you can see the pseudonym that --

19 A. That's correct.

20 Q. That's [REDACTED]?

21 A. It is. It is.

22 Q. And was the other, the child mentioned at 13 and he has

23 the pseudonym [REDACTED]?

24 A. That's correct.

25 Q. Now, we know from records, for example, that [REDACTED], he

1 was born in 1967, and [REDACTED] was born in 1968. So is
2 it the case that when you abused these children that
3 they were very young children?
4 A. Yes.
5 Q. I mean, can you remember, when you first started to
6 abuse a child, what age the child was?
7 A. No, I can't; I'm sorry.
8 Q. Can you remember, of the two children we've mentioned,
9 which was the first, who was the first you first abused?
10 A. [REDACTED].
11 Q. And when this case went to trial, I think you accept
12 that you were convicted of --
13 A. Yes, oh, yes.
14 Q. You were convicted of abusing [REDACTED]?
15 A. Yes.
16 Q. And I'll just ask you to look at the indictment, which
17 I imagine you have seen in the past. And this is
18 CFS-000017586 and that will come on the screen.
19 Now, if you turn to page 5 -- and you'll see it is
20 heavily redacted for obvious reasons.
21 A. Yes.
22 Q. But charge 11, on page 5, is the charge -- that relates
23 to [REDACTED]?
24 A. Yes.
25 Q. Okay. And what it says is that on various occasions

1 between the dates mentioned, ██████████ 1973 and ██████████ 1977,
2 that you abused ██████████.

3 Now, looking to those dates, and looking to ██████████s'
4 date of birth, then that's a range of ages for ██████████
5 from about 5 or 6 up to 10?

6 A. Mm-hmm.

7 Q. So although you don't remember the precise age, ██████████
8 was very young when you first abused him?

9 A. Yes, he was.

10 Q. And as you can see, you were found guilty on a charge
11 that said 'on various occasions'?

12 A. Yes.

13 Q. Are you able to tell me, if you can, how often you did
14 abuse ██████████?

15 A. No, I wouldn't be able to put a number on that.

16 Q. Is that because it was quite a number of times and you
17 don't really --

18 A. It was certainly a number of times, yes.

19 Q. Okay. And if you look at the narrative of the charge,
20 what it says is that, four lines from the bottom, that
21 you exposed your private member to him, masturbate to
22 ejaculation in his presence, handle his private member
23 and place your private member between his legs and
24 simulate sexual intercourse to him.

25 Do you accept all of that narrative?

1 A. No, not all of it.

2 Q. What don't you accept?

3 A. I don't accept the sexual intercourse part, and --

4 Q. Well, the simulation of sexual intercourse?

5 A. Yes, the simulation.

6 Q. Do you accept -- if I can refer to it in this way --

7 mutual handling of the penises?

8 A. Yes, I do.

9 Q. Where did these incidents of abuse take place?

10 A. Basically, it actually took place within the television

11 room on the top floor of the building.

12 Q. And --

13 A. And it occurred whilst we were watching television.

14 Q. But were other people present?

15 A. Yes. He would sit -- the child would sit on my knee

16 with his dressing gown over him and I would masturbate

17 him underneath that.

18 Q. But I think that you would also, you would masturbate

19 yourself --

20 A. No.

21 Q. You would masturbate?

22 A. Well, no, not in the television room, no.

23 Q. So on other occasions then, were there occasions when,

24 as the charge suggests, that you would masturbate to

25 ejaculation in his presence?

1 A. No, I didn't, actually, I didn't do that.

2 Q. Okay.

3 A. I said that at the time as well.

4 Q. And so far as the TV room was concerned, where was that?

5 A. That was on the top floor of the building.

6 Q. What about the staff quarters, were the staff quarters

7 on the top --

8 A. The staff quarters were on the top of the building as

9 well.

10 Q. And did you abuse [REDACTED] in the staff quarters?

11 A. No.

12 Q. Are you saying it was only in the TV area?

13 A. Yes, that's correct.

14 Q. Why did you sexually abuse him?

15 A. I really can't answer that. I -- I really don't know

16 why.

17 LADY SMITH: Have I got your age right over that period,

18 you'd be aged about 19 years to 23 years?

19 A. I was 19 years, yes.

20 LADY SMITH: Between 1973 and 1977.

21 A. Yeah.

22 LADY SMITH: Thank you.

23 Mr MacAulay.

24 MR MACAULAY: Did you enjoy it?

25 A. Yes.

1 Q. What about the child, [REDACTED], how did he react to what
2 you were doing with him?

3 A. He didn't really react in a negative way. He didn't try
4 to stop it.

5 Q. Did -- was it your intention to instil in [REDACTED] the
6 belief that this was normal behaviour?

7 A. No, I don't think I was intending and, you know,
8 instilling anything in [REDACTED] about it being normal, no.

9 Q. Well, what made you think you'd get away with it?

10 A. Sorry?

11 Q. What made you think that [REDACTED] wouldn't tell anybody?

12 A. I don't know. He just never did.

13 Q. Well, apart from one incident we'll look at later,
14 I think it is the case that none of the children you
15 abused did tell?

16 A. No, they didn't, that's correct.

17 Q. Are you able to help me with that, Gordon, as to how it
18 came to be that none of the children spoke to anybody
19 about what was happening to them?

20 A. I can't. I can't explain that at all.

21 Q. Well, could it be, and I just put this forward to you as
22 a potential suggestion, that the children were seeing
23 this as something that was normal?

24 A. It could -- it could be looked upon like that, yes.

25 LADY SMITH: How long had you been working with these

1 children before you started abusing [REDACTED]?

2 A. Well, [REDACTED], [REDACTED] didn't actually come to Clerwood
3 until about 1975, I think. He certainly wasn't there in
4 1973, so probably about 1975.

5 MR MACAULAY: So do I take it that, if I should say he
6 was the first child that you abused --

7 A. Yes.

8 Q. -- that it was at a point in time when you had been
9 promoted to a more senior position?

10 A. I would probably have been houseparent -- no, assistant
11 houseparent at that point.

12 Q. And just so we understand, [REDACTED]'s' reaction to what was
13 happening, are you saying he wasn't upset or -- in any
14 way?

15 A. No, not that I can recall, no.

16 Q. Now, the other child that we can focus upon at this
17 point for Clerwood is [REDACTED].

18 A. Uh-huh.

19 Q. I think you accept there also that he was sexually
20 abused by you?

21 A. Yes.

22 Q. Now, [REDACTED] was born in 1968 and by 1973, he would be 5
23 or 6, and during your time perhaps up to about aged 8 or
24 9. In relation to [REDACTED], can you tell me on how many
25 occasions you abused [REDACTED]?

1 A. Again, several, yes. I can't put a specific number on
2 that, but several.

3 Q. Well, was it a regular --

4 A. No.

5 Q. -- occurrence?

6 A. No, it wasn't.

7 Q. Were you still abusing [REDACTED] when you abused [REDACTED]?

8 A. Yes.

9 Q. Where did the abuse in connection with [REDACTED] take
10 place?

11 A. Again, it was in the television room.

12 Q. Why did you abuse him?

13 (Pause)

14 A. It's very, very difficult to answer that.

15 Q. If I can ask you in relation to what I asked you about
16 [REDACTED], did you enjoy what was happening?

17 A. Yes, I did.

18 Q. So you got pleasure out of it?

19 A. Yes, I did.

20 LADY SMITH: And these little boys were both of a similar
21 age?

22 A. Yes, they would have been.

23 LADY SMITH: Were they similar in appearance?

24 A. No, slightly different.

25 LADY SMITH: Were you attracted to them?

1 A. Not attracted to them, no.

2 LADY SMITH: Well, if you weren't attracted to them, why
3 this, why this abuse?

4 A. When I was younger, I had a relationship with a boy from
5 a very young age and there were certain features that
6 I would say I related to, that I saw in these other
7 children. And the relationship I had when I was younger
8 was a sexual relationship.

9 LADY SMITH: When you say certain features, are you talking
10 physical features?

11 A. Yes.

12 LADY SMITH: Okay.

13 MR MACAULAY: If we then look at the charge that you were
14 found guilty of in connection with [REDACTED], the
15 indictment is still on the screen, and we go to page 5
16 again, and you've confirmed this to be correct, that
17 this happened on -- as the indictment tells us --
18 various occasions during your time there.

19 A. Yes, that's correct.

20 Q. And [REDACTED] is mentioned there. And what the indictment
21 says: expose your private member to him, remove his
22 lower clothing, induce him to handle your private
23 member, handle his private member, masturbate him,
24 masturbate yourself to ejaculation in his presence,
25 induce him to masturbate you, take his private member

1 into your mouth, place your private member between his
2 legs and simulate sexual intercourse with him and
3 attempt to insert your finger into his hinder parts.

4 Now, I think I understand from what you're saying,
5 Gordon, that you don't accept the extent of that?

6 A. No, I do not.

7 Q. But that, of course, is what you were found guilty of,
8 you appreciate?

9 A. Yes, I was found guilty of it, yes.

10 Q. But I just want to understand, was clothing removed for
11 this to happen?

12 A. No.

13 Q. But -- well, did you induce him to masturbate you?

14 A. On one occasion I can remember, yes.

15 Q. And what about [REDACTED], how did he react to what was
16 happening?

17 A. Again, I would say there was no negative reaction to it
18 at all.

19 Q. Can you help me with this, Gordon: we've looked at these
20 two, I think, very young children --

21 A. Mm-hmm.

22 Q. -- certainly when the abuse began. What caused you to
23 target these particular children?

24 A. As I say, there were certain physical appearances that
25 reminded me of the person I had had this relationship

1 when I was younger, and that's what attracted me to
2 them, in terms of -- yeah, yeah.

3 LADY SMITH: Gordon, what age were you when you had the
4 earlier relationship?

5 A. I was 6 years of age until I was 14.

6 LADY SMITH: Was the person you had the relationship with
7 the same or similar age?

8 A. He was two years older than I.

9 LADY SMITH: Thank you.

10 MR MACAULAY: Older than you?

11 A. Two years older than I.

12 Q. So that's 17 or thereabouts?

13 A. No, no.

14 LADY SMITH: You said it started when you were 6.

15 A. It started when I was 6.

16 MR MACAULAY: Ah, yes.

17 LADY SMITH: So he'd have been about 8.

18 A. He was about 8.

19 LADY SMITH: It went on until you were about 14.

20 A. Yes, correct.

21 LADY SMITH: And he'd have been about 16?

22 A. That's correct.

23 MR MACAULAY: Thank you.

24 Now, again, now, these are two children that you're
25 abusing, I think you've told us, at the same time on

1 a regular basis. Again, if I can ask you, did you not
2 consider that you were taking a risk that in some shape
3 or form, one of the children or both the children would
4 blurt something out or tell somebody that they were
5 being -- that something was happening?
6 A. Yes, I suppose it was a big risk, yes.
7 Q. But you --
8 A. But it didn't deter me.
9 Q. I'm sorry?
10 A. It didn't deter me, no.
11 Q. At the time that these children were targeted, did you
12 know about their backgrounds?
13 A. No, not at that time, no.
14 Q. But --
15 A. I knew, for example, I knew what sections they had been
16 taken under, you know, in terms of the Social Work Act.
17 I knew that they had been taken under either
18 Section 44.1(a) or 44.1(b) of the Social Work Act 1968
19 or Section 16, where parental rights had been removed,
20 but that's the only information that really I would have
21 known.
22 Q. When you say parental rights were removed, these were
23 essentially children who had no parental support when
24 they were at Clerwood?
25 A. Yes, that's correct.

1 Q. And did that feature in your thinking --
2 A. Sorry?
3 Q. Did that feature in your thinking when you targeted
4 them?
5 A. No, I don't think so, no.
6 LADY SMITH: Gordon, one final matter so far as your earlier
7 relationship between the ages of 6 and 14 that you've
8 mentioned, did anybody else know about that?
9 A. No, they did not.
10 LADY SMITH: So far as you were aware?
11 A. I have spoken to, you know, with social workers
12 et cetera, yes.
13 LADY SMITH: And -- but would you necessarily know what --
14 or who the other boy had told?
15 A. No.
16 LADY SMITH: Thank you.
17 MR MACAULAY: Now, could I ask you this, because there's
18 been some suggestion that this was the case: did
19 children run away regularly from Clerwood?
20 A. No, they did not.
21 Q. So you'd challenge that?
22 A. I would challenge that, yes. I remember one particular
23 boy who ran away and that was [REDACTED], he was the
24 oldest boy, but I think he got -- he ran down to
25 Corstorphine and came back. But that's the only case

1 I can remember of anyone running away.

2 Q. And during your time there, did you hear anyone
3 referring to Mr MacLennan as a 'perv'?

4 A. No.

5 Q. Now, let's then look to when you came to leave Clerwood.

6 A. Uh-huh.

7 Q. Would that be roughly, what, mid-1977?

8 A. It was August 1977. Oh, no, no, it wasn't, sorry,
9 I apologise. It was October, I think, 1977.

10 Q. Okay. And you then went to Glenallan. Can you tell us
11 a little bit about Glenallan, and you begin looking at
12 that on paragraph 94 of your statement. This was a more
13 modern building?

14 A. Yes, it was. It was classified as a purpose-built
15 family group home. It catered for up to 12 children.
16 That was the maximum number we could take.

17 Q. And again, young children?

18 A. No. Erm, I think probably the youngest at that point
19 when I went to Glenallan would be about 6 perhaps, 5 or
20 6. They certainly were all at primary school, and the
21 oldest person, the oldest, he was a boy, 18.

22 Q. And I think it was catered -- it was designed to cater
23 for families?

24 A. It was classified as a family group home, yes, that's
25 correct.

1 Q. And you tell us at paragraph 95 in the statement that
2 the atmosphere at Glenallan was more relaxed than
3 Clerwood?

4 A. It was, yes.

5 Q. Can you explain what you mean by that?

6 A. It was less rigid. There was very, very rigid routines
7 within Clerwood, so, you know, you had -- your time was
8 really taken up, the whole day, your whole time was
9 taken up. Clerwood was a bit more relaxed. You didn't
10 have the same kind of pressures on you. There was less
11 kids. So it certainly was a lot more relaxed.

12 Q. Now, you tell us at paragraph 96 that you started at
13 Glenallan as a deputy officer in charge --

14 A. That's correct.

15 Q. -- in 1977, so does that mean you're second in command?

16 A. I was, yes, that's correct.

17 Q. And that's a role you carried out until 1979 when you
18 were promoted to officer in charge?

19 A. That's correct.

20 Q. So you were in charge of the --

21 A. I was then in charge, yes.

22 Q. -- unit.

23 While at Glenallan, did you receive any further
24 training?

25 A. No, again, there was only in-service training and that

1 again was fairly sporadic.

2 Q. And in connection with the discipline, because this is
3 something you talk about at paragraph 119, was there
4 a policy in relation to how children should be
5 disciplined at Glenallan?

6 A. There was no physical punishment ever carried out in
7 Glenallan, or in Clerwood, in fact. Basically, the
8 punishment we used was if, if indeed any child was
9 outrageous or whatever, they would be sent to their
10 room, or we had a quiet -- what was called the quiet
11 room in actual fact, where they could go and reflect on
12 how they had been reacting towards any situation, member
13 of staff, et cetera. But there was no physical
14 punishment.

15 Q. And again, just looking at the children that you had
16 there, were these again vulnerable children?

17 A. Yes, I would say so.

18 Q. At paragraph 170, if I can jump to that point in your
19 statement, what you say is that, and this is under the
20 heading 'Abuse':

21 'I didn't see any other behaviour that I considered
22 to be abusive within Glenallan and no child ever
23 reported to me that any abuse had been taking place.'

24 But the essential point is that you were abusing
25 children?

1 A. Yes, I was.

2 Q. And in relation to external monitoring, at
3 paragraph 176, you say there were no visits from
4 inspectors?

5 A. No.

6 Q. And so far as record-keeping is concerned, again, were
7 files kept in relation to each of the children?

8 A. Yes, there were.

9 Q. And would you be familiar with the contents of these
10 files?

11 A. Yes, I had full access to the contents of the files,
12 yes.

13 Q. So you'd know the particular vulnerabilities of the
14 children in your care?

15 A. Yes, you would -- we would have, yes.

16 Q. You, I think, tell us that logbooks were kept, both for
17 Clerwood and Glenallan?

18 A. They were. Very, very meticulous logbooks, I would say.

19 Q. And I think you tell us, this is at paragraph 180, that
20 during the police investigation that they were taken by
21 the police?

22 A. That I believe so, yes.

23 Q. And your defence team I think sought to recover the
24 logbooks?

25 A. They did.

1 Q. But as you tell us there, that they had disappeared?

2 A. That's correct.

3 Q. So there are no log --

4 A. That's my understanding.

5 Q. So there are no logbooks available either for Clerwood

6 or Glenallan?

7 A. I'm not aware that they're available even to this day,

8 no.

9 Q. Now then, if I go back then to the police investigation

10 in 1996, and you've told us how they came to see you,

11 there were also allegations against you in connection

12 with Glenallan, is that right?

13 A. Yes, that's correct, yes.

14 Q. Now, again, Gordon, I think I'm correct in saying that

15 you do accept that you sexually abused children who were

16 at Glenallan?

17 A. Yes, fully accept, yes.

18 Q. And if we look at the key that you have there, number 12

19 on the list, who takes the pseudonym [REDACTED]?

20 A. Yes.

21 Q. Do you accept that you abused him?

22 A. Yes, I do.

23 Q. Then if we look at number 11, who has taken the

24 pseudonym PJJ [REDACTED], again, do you accept that you abused

25 [REDACTED]?

1 A. Yes, I do.

2 Q. And then if we look at number 16, who has taken the
3 pseudonym [REDACTED] --

4 A. Yes.

5 Q. -- do you accept that you abused [REDACTED]?

6 A. Yes, I do.

7 Q. Now, just focusing on [REDACTED] for a moment or two, would
8 it be correct to say that [REDACTED] became your favourite
9 boy?

10 A. No, I wouldn't say he was my favourite boy. I didn't
11 have any particular favourite children, no.

12 Q. So if there was a sense that he was your favourite, you
13 wouldn't accept that?

14 A. No, I wouldn't accept that.

15 Q. I mean, did you show obvious affection to [REDACTED] as
16 opposed to other children?

17 A. No, I did not.

18 Q. Would you be involved in bathing [REDACTED], for example?

19 A. Well, no, you -- we didn't really really bath the
20 children in Glenallan. The child would actually ask you
21 to sit with them, but you certainly could sit -- and it
22 was a time of when they would actually open up and talk
23 to you.

24 Q. Well, do you have any recollection of bathing [REDACTED]?

25 A. Physically bathing?

1 Q. Yes.

2 A. No, no.

3 Q. Do you have any recollection of perhaps sitting and
4 hugging or cuddling ██████ in a way that was evident to
5 somebody else?

6 A. No.

7 Q. Now, if I can go back to the indictment then, that's
8 CFS-000017586, and so far as ██████ is concerned, the
9 charges that relate to him, the first one's on page 5,
10 that's charge 14, and the second is on page 6, that's
11 charge 15.

12 If we look at charge 14, we're told this is 'on
13 various occasions', is it the case that you abused
14 ██████ on a regular basis?

15 A. Yes.

16 Q. And when we talk about regular, would that be throughout
17 your period at Glenallan?

18 A. Yes.

19 Q. Where generally did this abuse take place?

20 A. Erm, it happened within my own bedroom and within his
21 bedroom.

22 Q. I'm sorry?

23 A. Within his bedroom.

24 Q. And do I take it that you were able to indulge in this
25 behaviour without others in the building being aware of

1 it?

2 A. Yes, I think so, because nobody ever, ever mentioned
3 anything about it.

4 Q. But what precautions would you take to make sure that
5 nobody, as it were, discovered what was happening?

6 A. I don't recollect taking any real precautions. As
7 I say, it was -- it was a risk I took.

8 Q. And if we look at the charge then, reading from the
9 bottom of page 5, what it says is that, and moving on to
10 page 6: expose your private member to him, handle his
11 private member and masturbate him to ejaculation, induce
12 him to handle your private member and to masturbate you
13 to ejaculation, masturbate yourself to ejaculation in
14 his presence, share a shower with him while you were
15 both naked, lie in bed with him, place your private
16 member between his legs and simulate sexual intercourse
17 with him.

18 Now, in relation to that narrative, are there any
19 aspects of that that you don't accept?

20 A. Yes. I mean, I did masturbate [REDACTED] and he did
21 masturbate me. The bit about a shower, no, that never
22 happened. Lying in bed with him, that never happened.
23 And certainly not simulating sexual intercourse.

24 Q. Can I just ask you about that, because this is, I think,
25 the third occasion where we've seen the narrative

1 indicating that there was this process of simulating
2 sexual intercourse.

3 A. Yes, yeah.

4 Q. Is it -- would you say it's just coincidence that these
5 individuals also have put this forward as something that
6 happened?

7 A. I can only say it's coincidence. I mean, I can't --
8 I cannot say that they weren't, erm, abused, but
9 certainly, there's certain aspects of their statements
10 which are not accurate.

11 Q. Well, then, in relation to the mutual masturbation that
12 I think you accept in relation to that particular
13 charge --

14 A. Yes.

15 Q. -- were you both undressed when that happened?

16 A. No, not fully, no.

17 Q. Partially?

18 A. Partially.

19 Q. And you mean by that the lower part --

20 A. The lower parts, yeah.

21 Q. Now, ██████████ was born in 1966 and this abuse occurred
22 over a period, if we look at the indictment, from ██████████
23 1978 through to ██████████ 1981, so he'd be, what, perhaps
24 up to 12?

25 A. Yes.

1 Q. He was a bit older than the children you had abused at
2 Clerwood, is that right?

3 A. Yeah, yes, I would say so.

4 Q. Well, what was his reaction to this abuse?

5 A. Again, there was no negative reaction at all, that I can
6 recall. None at all. He wasn't repulsed in any way.

7 Q. And I'll come later to something that happened about
8 a note, but what made you believe that he wouldn't
9 disclose that --

10 A. I had no reason to disbelieve he would. I had no reason
11 to believe he would say anything. I mean, I can't
12 really answer that as such.

13 Q. Well, can I ask you this: did you say something to him
14 that might have persuaded him not to disclose? For
15 example, something along the lines that, 'This is our
16 secret'?

17 A. No.

18 Q. 'You're special'?

19 A. No, I never, ever actually said that, no.

20 Q. And the other charge that relates to [REDACTED] is on
21 page 6, that's charge 15, and can we see here that it's
22 a much shorter period, because the suggestion is that
23 this happened when on a campsite; do you see that?

24 A. Yes, I can see that.

25 Q. In the month of July 1980. And just to read through

1 from about halfway down, it says: 'induce him to share
2 a sleeping bag with you'.

3 Did that happen?

4 A. No, it did not.

5 Q. 'Induce him to handle your private member and masturbate
6 you to ejaculation.'

7 Did that happen?

8 A. No.

9 Q. 'Handle his private member and masturbate him to
10 ejaculation, place your private member between his legs
11 and simulate sexual intercourse with him.'

12 Well, did any of that happen?

13 A. No, it did not.

14 Q. Well, did anything happen?

15 A. No, it did not, when we were camping, no.

16 Q. I'm sorry?

17 A. It didn't happen when we were camping, no.

18 Q. But this is a -- you were found unanimously guilty of
19 this charge.

20 A. Yes, I know. Yes, I'm aware of that, yeah.

21 Q. It goes on to make other serious allegations: 'induce
22 him to take your private member into his mouth, take his
23 private member into your mouth and attempt to penetrate
24 his hinder parts with your private member and thus
25 attempt to have unnatural carnal connection with him.'

1 I think your position is that that just never
2 happened?

3 A. It didn't happen, no.

4 LADY SMITH: Gordon, you made a point of telling me that he,
5 this boy, didn't seem upset and he wasn't repulsed, he
6 had no negative reaction, and, in relation to the first
7 boy we were talking about at Clerwood, again, you made
8 a point of telling me that he didn't react in a negative
9 way and he didn't try to stop you.

10 A. No, that's correct.

11 LADY SMITH: Why are you telling me that?

12 A. Because that's what happened.

13 LADY SMITH: Why is it relevant?

14 A. Why is it relevant?

15 LADY SMITH: Yes.

16 A. I was asked a question and I've answered it. I mean,
17 I can't give you any other reason behind that, sorry.

18 LADY SMITH: Let me put it this way: do you accept that the
19 children's reaction at the time didn't mean that what
20 you were doing was any less of a breach of trust and any
21 less abusive than if they had said --

22 A. It was a complete abuse --

23 LADY SMITH: -- to you: 'Please stop'.

24 A. It was a complete abuse of trust.

25 LADY SMITH: Yes. It doesn't matter whether the children

1 seemed to be consenting, enjoying, at all. None of it
2 should happen, should it?

3 A. No, it shouldn't, no. It should never have happened.

4 LADY SMITH: Thank you.

5 Mr MacAulay.

6 MR MACAULAY: To put it shortly, he was a victim, he wasn't
7 a partner in this?

8 A. No, no, he was a victim.

9 Q. But just coming back to [REDACTED], do you remember having
10 a meeting with the Edinburgh Inquiry when [REDACTED] --

11 A. Yes, I did.

12 Q. And that was in Peterhead Prison?

13 A. That was correct.

14 Q. They came to see you. And I'll -- and you'll probably
15 be aware that a record was made of that.

16 A. Yes, I was aware. I never, ever saw it but I was aware
17 of it.

18 Q. And that's at EDI-000005905. And that's now gone on the
19 screen and if we turn to page 3 and scroll down towards
20 the bottom of the page, further down, there's
21 a paragraph there that is dealing with [REDACTED] and
22 you're quoted, because you'll see that:

23 'He was "manipulative".'

24 And I think the comment that was made: 'It's
25 a strange word to use for a child'.

1 Do you remember saying something along these lines
2 to the inquiry?

3 A. I don't remember using the word 'manipulative', no.

4 Q. But if you look about halfway down, can I just read to
5 you what has been noted:

6 'Under some gentle persuasion, he accepted [that's
7 you] that ██████████ "may have been, yes, was
8 a favourite".'

9 Now, do you remember suggesting to the inquiry that
10 ██████████ may have been your favourite, or a favourite?

11 A. No, I don't remember -- I don't recall saying that. But
12 again it's so long ago, but I don't recall that.

13 LADY SMITH: Given that it has been recorded, following this
14 interview with you, do you accept you must have said it,
15 Gordon?

16 A. I must have said it. If it's there, then I may well
17 have said it, yes.

18 LADY SMITH: They'd have no reason to make it up, would
19 they?

20 A. No.

21 LADY SMITH: Thank you.

22 A. I just don't recollect saying it.

23 LADY SMITH: That's all right, and I know that those
24 interviews were a long time ago as well.

25 A. Yes, yeah.

1 MR MACAULAY: But on reflection today, I know it's a long
2 time ago, do you -- would -- do you think there might
3 have been a perception amongst other members of staff
4 that he was your favourite?

5 A. I suppose there could have been, but I'm not aware that
6 there was that perception.

7 Q. But if that could have been the case, what could have
8 led other members of staff to have that perception?

9 A. I'm not saying that there was that perception,
10 I'm saying that there could have been that perception,
11 but I'm not saying that there was a definite perception
12 of that.

13 Q. And the third person that you accept that you sexually
14 abused was the person that's taken the pseudonym [REDACTED].

15 A. Yes.

16 Q. And if I just ask you about him.

17 First of all, [REDACTED] was born in 1970 and the
18 charge -- and if we come back to the indictment, have
19 that back on the screen, it's CFS-000017586, which we
20 now have on the screen. And the charge in respect of
21 [REDACTED] is charge 19 on page 7. If we just look at that
22 and it reads: 'On various occasions between [REDACTED]
23 [REDACTED] 1978 and [REDACTED] 1983.'

24 Now as we look to that, would that suggest a period
25 when [REDACTED] was 8 and onwards?

1 A. Yes, it would suggest that, yes.

2 Q. And is that your recollection, that he was that sort of
3 age when you started to abuse him?

4 A. No, I can't recollect, no, sorry.

5 Q. And again we see the narrative 'on various occasions'.
6 How often did you abuse [REDACTED]?

7 A. Again, I couldn't put a number on that.

8 Q. Well, was it a regular occurrence?

9 A. Not regular, no.

10 Q. Did it happen within Glenallan?

11 A. It did happen within Glenallan.

12 Q. Where?

13 A. Sorry?

14 Q. Where?

15 A. Again, within my, erm, er, sleeping quarters.

16 Q. And if we read on, what we read is: you induce him to
17 remove your lower clothing and to handle your private
18 member and to masturbate you and handle his private
19 member or masturbate him.

20 So that's mutual masturbation. Was that what
21 happened?

22 A. Yes.

23 Q. If you look at the three children that we've looked at
24 in connection with Glenallan, and that's [REDACTED] and
25 I think -- did we look at PJJ [REDACTED]? I can't remember.

1 I can't remember if I looked -- there was a child
2 PJJ .
3 I'll just go back to this just in case --
4 I'll deal with [REDACTED] first of all. If you -- what
5 was the reason that you targeted [REDACTED] for this sort of
6 behaviour?
7 A. Again, because of certain features, physical features.
8 Q. The other child I think I'd omitted to put to you and in
9 fairness I should, and that's PJJ [REDACTED] who you accept --
10 LADY SMITH: You have covered that --
11 MR MACAULAY: Have I covered that?
12 LADY SMITH: -- at 26 minutes past 10, Mr MacAulay. If you
13 look at the key I mentioned earlier, PJJ [REDACTED] is one of
14 the children, number 24. Is that the one you have in
15 mind?
16 A. Yes, uh-huh.
17 LADY SMITH: I'm just checking with Mr MacAulay if that's
18 the one he's thinking about.
19 MR MACAULAY: Number 25 is [REDACTED].
20 LADY SMITH: 24.
21 MR MACAULAY: Sorry, the PJJ [REDACTED] I want to look at is
22 number 11.
23 LADY SMITH: Ah, that was [REDACTED], right, I see.
24 MR MACAULAY: Sorry?
25 LADY SMITH: That's fine. It's because Gordon's [REDACTED], and

1 one of the children [REDACTED] PJJ .

2 A. Yes.

3 MR MACAULAY: So I don't think I looked at --

4 LADY SMITH: No, maybe you haven't. I'm just checking

5 PJJ on the transcript --

6 MR MACAULAY: So if --

7 LADY SMITH: -- but no, nothing earlier. That's fine.

8 MR MACAULAY: If I can just look -- and again you have

9 accepted you abused PJJ ?

10 A. Yes, I did.

11 Q. And he was born on [REDACTED] 1969 and the charge that

12 relates to him, we have the indictment still on the

13 board, is charge 16, and that's on page 6 of the

14 indictment. And this is a charge that reads: 'On

15 various occasions between 1 and 30 June 1978 at Sandhead

16 Caravan Park, Sandhead, you abused PJJ .'

17 Is that what happened? Was that where the abuse

18 took place?

19 A. It did, yes, at Sandhead.

20 Q. And did it take place on a number of occasions when you

21 were there?

22 A. No, it actually happened on one occasion there. And

23 I believe that PJJ actually agreed to that when he

24 was cross-examined.

25 Q. Okay. And -- well, how did it come about that you

1 abused PJJ while you were on holiday?

2 A. Erm, he actually shared a bed with me, because the

3 caravans weren't big enough to accommodate everybody

4 that were -- had gone on holiday, so he shared a bed

5 with me on that occasion.

6 Q. So do I take it from that that you essentially took

7 advantage of --

8 A. Yes.

9 Q. -- the opportunity?

10 A. Yes, I did.

11 Q. And if we read on the narrative, four lines from the

12 bottom: 'Expose your private member to him, masturbate

13 to ejaculation in his presence, place your private

14 member between his legs and simulate sexual intercourse

15 with him.'

16 Do you accept all of that?

17 A. No, I don't.

18 Q. What don't you accept?

19 A. I don't accept the simulation of sexual intercourse

20 and -- no, that particular part, that I definitely do

21 not accept that.

22 Q. Although I think we have seen that this is quite

23 a regular feature --

24 A. Yes, yes.

25 Q. -- of these charges?

1 A. Yes.

2 Q. So in relation to what I've been looking at, you've
3 accepted, Gordon, that you abused those three children
4 who were at Glenallan at the time?

5 A. Yes, I do.

6 Q. And I think you accept that these were vulnerable
7 children?

8 A. Yes, they were.

9 Q. In relation to [REDACTED] and [REDACTED], who you say you
10 abused at Glenallan itself, did that abuse take place --
11 were you abusing them both at different times, but over
12 that period?

13 A. Yes.

14 Q. Now, it is the case, Gordon, that you were convicted of
15 ten charges involving the sexual abuse of children and
16 also a charge under the Civic Government Act --

17 A. Yes, that's correct.

18 Q. -- for possessing indecent images?

19 A. That's correct.

20 Q. And that five of those charges related to Clerwood and
21 five were in Glenallan?

22 A. Yes.

23 Q. So you were convicted of more than you accept, I think,
24 if I can put it that way?

25 A. Yes, oh, yes.

1 Q. And perhaps we'll look at this shortly, but you were
2 also, in 2018, you were convicted of three more charges.
3 A. That's correct.
4 Q. And for the first trial you were sentenced to 16 years'
5 imprisonment?
6 A. Correct.
7 Q. And for the second trial, much more recent trial, you
8 were sentenced to four years' imprisonment?
9 A. That's correct.
10 Q. I want to focus on the charge under the Civic Government
11 Act just for a moment or two and that's charge 40 on the
12 indictment on page 12.
13 It's a statutory offence, but essentially what it
14 says is that you, at a particular time -- this is much,
15 much more recent, November 1996 -- you had in your
16 possession indecent photographs of children?
17 A. That's correct.
18 Q. And was this discovered as part of the police
19 investigation?
20 A. Yes, it was.
21 Q. Were the images both still and moving images?
22 A. No, just still images.
23 Q. Just still images?
24 A. Yes.
25 Q. The judge who dealt with you at trial was Lord Bonomy,

1 do you --

2 A. Lord Bonomy, yes.

3 Q. -- you remember that?

4 Now, in his report on the trial, this is the

5 practice, Lord Bonomy sets out the charges and the

6 sentence. And I'll put that document on the screen.

7 It's at JUS-000000365.

8 And again, for obvious -- no, that's not it.

9 LADY SMITH: That's 369 that's come up there, I think, is

10 it? No, that is -- yes, that's 369.

11 Was it 365, I think you said?

12 MR MACAULAY: 365, I think I said.

13 LADY SMITH: Yes, I thought you said 365.

14 (Pause)

15 MR MACAULAY: I'll read out, I can read out what it is said.

16 Apparently it's not on the system.

17 LADY SMITH: Yes, read it out. It would be quite helpful to

18 get the --

19 MR MACAULAY: The document.

20 LADY SMITH: -- the document properly referred to --

21 MR MACAULAY: Well, one, I suppose -- I don't know how

22 quickly we can --

23 LADY SMITH: Unless I took -- (Pause)

24 Mr MacAulay, I wonder if we should take the break

25 now and from Gordon's perspective then he's got the text

1 take you is to the page where it deals with charge 40,
2 the Civic Government (Scotland) Act charge, that's
3 page 5 of the report, towards the bottom of page 5.

4 (Pause)

5 (11.34 am)

6 (A short break)

7 (11.39 am)

8 LADY SMITH: I'm told the system is working all right now,
9 so Mr MacAulay, back to you.

10 MR MACAULAY: Yes, my Lady. I'll put the document back on
11 to the screen then.

12 LADY SMITH: Thank you.

13 MR MACAULAY: That's JUS-000000365. And we already have the
14 page I want to look at on the screen, that's page 5, and
15 I'll read that out to you, Gordon, just so you can
16 digest it:

17 'That is a total of eleven charges. Charge 40
18 involved possession of highly indecent photographs of
19 children. The maximum sentence of six months'
20 imprisonment was derisory, bearing in mind the nature of
21 the indecent photographs, including the sucking of
22 penises by children and a number of these photographs,
23 about 500, which had been downloaded from the internet.'

24 So that's the description that we get from
25 Lord Bonomy about the photographs, and would you agree

1 with that description as to what was displayed in the
2 photographs?

3 A. Yes, I would say, yeah, but not the majority of them,
4 but, yes, yes.

5 Q. Okay. Did you get some sexual gratification from
6 looking at that kind of photograph?

7 A. I would have said, yes.

8 Q. Now, the reason I put that to you is that there has been
9 evidence, and it's covered in your statement, of
10 allegations that you induced children to wrestle while
11 naked and indulged in acts of sexual content with each
12 other, including oral penetration. Now, you're aware of
13 that?

14 A. I'm aware of the allegations, yes.

15 Q. But in particular the allegation that you induced
16 children to put -- place their penises in each other's
17 mouths?

18 A. No, that did -- never -- that never, ever happened.

19 Q. But you're aware that that's being suggested?

20 A. I'm aware of it being suggested, yes.

21 Q. But looking to the images that you had in your
22 possession?

23 A. Mm-hm.

24 Q. Would you agree that these images, from -- you say you
25 took some sexual gratification, do tend to mirror the

1 type of allegation that has been made?

2 A. I certainly would agree with that, but it certainly
3 didn't happen.

4 Q. And to go to the part of the statement where this is
5 addressed, if you could turn to page 42, at
6 paragraph 261.

7 And this is evidence provided by, if you look at the
8 key, the individual at item 9, who has taken the
9 pseudonym 'Paul', do you see that?

10 A. Yes, I see that.

11 Q. And you recognise the name?

12 A. Yes, I do.

13 Q. And at paragraph 261 what's being noted is this:

14 'After a while it progressed from there to oral
15 stuff. When he did it, he would put the penis of the
16 boy he was wrestling with in his mouth. He'd then
17 encourage the boy to do the same to him. He did that to
18 me. He'd encourage the children who weren't partnered
19 with him to do the same. If you were partnered with
20 a girl, he would encourage you to perform oral sex on
21 them.'

22 Now, again, just to put this again to you, Gordon,
23 having looked at that again, and standing the fact that
24 you -- images of that kind provided you with some sexual
25 gratification, thinking back, could it be that there's

1 some truth in what's being said here?

2 A. There's definitely no truth in that. They were
3 wrestling -- they were encouraged to wrestle.

4 Q. Can I just ask you about that then. Why did you
5 encourage young children --

6 A. It wasn't, it wasn't my idea to have them wrestling, it
7 was a Mr and Mrs Beatson who came to the unit, and they
8 suggested that it would be a way of them getting rid of
9 any excess energies that they had. And it was only --
10 it wasn't only myself who actually took the children for
11 these wrestling matches. It was other members of staff
12 as well.

13 Q. What about Mr MacLennan, was he involved in this
14 practice?

15 A. He may well have been -- he may well have been, I don't
16 know. I can't say for sure.

17 LADY SMITH: Tell me about these people, Mr and Mrs Beatson.

18 A. Mr and Mrs Beatson were a couple who were employed when
19 Ann Allan, the matron, had a brain haemorrhage, and they
20 were employed by the social work department to take over
21 her position and run the unit whilst she was on sick
22 leave. They came from New Zealand. They were there
23 for, I don't know, perhaps nine months to a year. And
24 they basically had sole charge of the unit at that time.

25 LADY SMITH: Do you know if they had any background in this

1 type of work?

2 A. I could not tell you. They would have been interviewed
3 by the senior members of staff who were in the social
4 work department at that time in Castle Terrace, probably
5 Peggy Hunter and -- I think her name was Miss Bain, but
6 I couldn't tell you for sure.

7 LADY SMITH: Did they say anything to you or other people in
8 the home about what they had been doing before they
9 worked there?

10 A. No, no. I had no idea as to what they had done before
11 they took the position, no.

12 LADY SMITH: Did they have any expertise in how to help
13 children, as they put it, get rid of any excess energy?

14 A. Again, I could not comment on that, Lady Smith.

15 LADY SMITH: Thank you.

16 Mr MacAulay.

17 MR MACAULAY: And we're talking here about very young
18 children, I think, are we not?

19 A. They would be possibly 6/7 upwards, yes.

20 Q. Yes. Boys and girls?

21 A. No, girls were never involved in any of the wrestling
22 matches whatsoever.

23 Q. Why were they excluded?

24 A. Because, I'm assuming because the Beatsons thought it
25 was appropriate for boys and boys only.

1 Q. And were you given any explanation as to why -- you said
2 it was to use up energy best, but why not play football
3 or some other recognised sport?

4 A. Again, it was the suggestion of Mr and Mrs Beatson that
5 they felt that that was the best way. That's all I can
6 tell you about that, I'm sorry.

7 Q. And the applicant who has given this evidence, and was
8 supported by other evidence, also went on to say, and
9 this is at paragraph 263 and I'll put this to you
10 because it's such a serious allegation, it's page 43,
11 263:

12 'Gordon Knott made me have sex with my sister.
13 I was about 7 then. It was in the stables in the room
14 where the mattresses were. He told me to do that. He
15 put his hand on my back and forced me to lie on her.
16 That was the worst abuse I ever suffered. It's
17 something I will probably never get over. I've got over
18 the rest of it, but I will never get over that. It
19 didn't cause any shame then because I didn't know what
20 I was doing. However, it caused me a great deal of
21 shame later on. Of the abuse, that was the thing that
22 killed me inside. It wasn't horrid at the time, but
23 horrid after I realised what he had made me do. It is
24 also horrid because of the pain it caused my sister.
25 That's the worst part of me. That's the part that will

1 always live with me.'

2 Now, that's a very poignant statement?

3 A. It is.

4 Q. And is it true?

5 A. No, it isn't.

6 Q. Can you think of any reason why this person would invent
7 such a dreadful situation?

8 A. Because I believe this did actually happen with MTH
9 and EHV, which was reported actually to the police at
10 the time and it was an offence that was committed by
11 an older boy, who had been admitted to Clerwood at the
12 time. He was 13 or 14 years of age. Am I allowed to
13 say his name?

14 Q. We don't need the name, but --

15 A. His name was [REDACTED]. He was admitted actually on
16 an emergency basis. There were no other places
17 available anywhere within the children's homes within
18 Edinburgh at that time. And he was actually found with
19 MTH -- sorry, with 'Paul' and his sister in the area
20 that you've described by a member of staff. It was
21 reported. It was reported to the police and 'Paul's'
22 sister was taken to and examined by a Dr Caldwell, who
23 was the doctor for Clerwood at that time, and not long
24 after, in fact I think that same evening, [REDACTED] was
25 moved from the unit.

1 Now, it didn't go any further than that, I don't
2 believe it went any further, but that was all logged
3 within the logbooks within Clerwood.

4 Q. Now, that may have happened, Gordon --

5 A. Yes.

6 Q. -- but what I'm puzzled about is why would [REDACTED]
7 transpose that to you and why say it was -- that you
8 forced him to have --

9 A. I cannot comment on that at all. I mean, I don't know
10 what was in this person's head at that time and
11 I certainly cannot comment, but it certainly never ever
12 happened.

13 Q. And I think I said [REDACTED]. I think it's --

14 A. You said [REDACTED].

15 Q. Did I say [REDACTED]?

16 A. Yes.

17 Q. Okay. Did you punish children if they wet the bed?

18 A. No, there was never a child punished for wetting the
19 bed.

20 Q. Did you humiliate children for wetting the bed?

21 A. No, that never happened either.

22 Q. Now, the brother and sister that have made allegations
23 against you about the wrestling process and the forcing
24 of them to have sex --

25 A. Yes.

1 Q. -- I think you'll see from the key, number 26 is 'Anne',
2 is that your understanding?

3 A. Yes, that's correct.

4 Q. And number 9, 'Paul'?

5 A. Yes, that's correct.

6 Q. And I think it is the case that you were convicted of
7 charges relating to your abuse of those two children?

8 A. I was, yes.

9 Q. One of the things you were asked about when you were
10 seen was whether or not you had any connection with
11 a place called Ponton House. I think your position was
12 that you'd never been there?

13 A. I'd never even heard of Ponton House until the day I was
14 interviewed.

15 Q. Can I then go back to the position at Glenallan and the
16 incident that involved a note being posted under a door.
17 You'll remember that?

18 A. Yes, I do.

19 Q. And can you tell me what your recollection is?

20 A. My recollection is that there was a note posted under my
21 door. It was when I was married and Lorna and I, my
22 wife at that time, we both lived in -- we were resident
23 in Glenallan. And it was a note that was posted under
24 the door by [REDACTED], who had made an allegation and
25 withdrawn the allegation, and the note was saying he

1 apologised for having made that allegation, and that he
2 did it because he felt that when Lorna and I married,
3 that we were going to both remove each other and so he
4 wouldn't have the same attention, if you like.

5 Q. Now --

6 A. That's the basis of what I can remember. I don't
7 remember anything beyond that.

8 Q. Well, did the note in the first instance not make
9 an allegation against you? That's what the note was
10 saying, that you --

11 A. No. No, that's not what the note said. I'm not aware
12 of the note saying that. The note was actually attached
13 to, again, one of the logbooks. It would have been in
14 one of the pages of the logbooks.

15 Q. If I take you back then to the interview you had with
16 the Edinburgh Inquiry.

17 A. Yes.

18 Q. EDI-000005905.

19 And if we turn to page 3 of the document, and
20 there's a heading there:

21 'The note.'

22 We have it on the screen. I'll read that to you:

23 'This was placed under his and his wife's door.

24 They lived on the premises. They had read it. It was
25 written on a scrap of paper. He had arranged for his

1 wife and another to interview [REDACTED]. The note also
2 seemed to involve another child. He withdrew the
3 allegations to Lorna and Anne. The whole matter was
4 discussed at a staff meeting. The note was left in the
5 logbook and remained there until the closure of the
6 unit, when it was sent with the other staff
7 documentation to [REDACTED]. "I told [MVF] about it.
8 I decided to leave the note in the logbook because it
9 would have been more like to raise suspicions if I had
10 removed it." No one ever asked him whether or not what
11 was said in the note was true.'

12 Now, that tends to suggest to me that the note
13 contained the allegation and it was in response to that
14 that the boy was seen. Is that not the position?

15 A. No, that's not my recollection at all, sorry.

16 Q. And in the inquiry report, [REDACTED] told the inquiry that
17 you said to him something along the lines, when this
18 note appeared -- and this is recorded in the inquiry
19 report --

20 A. Yes, uh-huh.

21 Q. Something along the lines: 'Now you've blown it, we
22 can't have our special thing anymore'?

23 A. No. I never, ever used words like that, no. Definitely
24 not.

25 Q. This was at a time when you were abusing [REDACTED]?

1 A. Yes.

2 LADY SMITH: Gordon, did you ever tell children who you were
3 abusing either that they were special or what you were
4 doing was special?

5 A. No, I don't recollect ever saying that.

6 LADY SMITH: You don't recollect it?

7 A. No.

8 LADY SMITH: Might you --

9 A. None at all. I have no memory of that at all.

10 LADY SMITH: Might you have said that?

11 A. No, I don't think so.

12 LADY SMITH: Mr MacAulay.

13 MR MACAULAY: If we go back to your statement then, Gordon,
14 at paragraph 325, the way you put it there is that the
15 note was an apology for having made the allegation, if
16 you read that. It's paragraph 325. So I'll read that
17 to you again, halfway down the paragraph:

18 'The note was actually an apology to me and Lorna
19 for having made the allegation. The reason he made the
20 allegation was because he was jealous of Lorna.'

21 Now, what was the allegation?

22 A. I can only say the allegation was that I had been
23 abusing him.

24 Q. Yes?

25 A. Yes.

1 Q. But do you remember that now?. That was what this was
2 all about, that [REDACTED] wanted to tell that he was being
3 abused by you?
4 A. Yes, yes, I would acknowledge that, yes.
5 Q. And how did he come about to retract the allegation?
6 A. All I can say is that the note that was posted under
7 Lorna and my door -- Lorna, my wife, and my door was
8 that he was withdrawing the allegation. That's all
9 I can tell you.
10 Q. But you knew he had made the allegation?
11 A. He'd obviously made the allegation to someone, but
12 I don't know who, exactly who he'd made it to.
13 Q. But you knew that an allegation had been made --
14 A. Yes, that's correct.
15 Q. -- that you were abusing [REDACTED]?
16 A. Yes.
17 Q. And this was the first time that any child had actually
18 raised --
19 A. Raised, yes.
20 Q. Yes. Well, were you worried about it?
21 A. Yes.
22 Q. Did you speak to [REDACTED] about it?
23 A. No, I didn't speak to [REDACTED] about it.
24 Q. Why not?
25 A. He was -- he spoke to my depute and with Lorna at that

1 time.

2 Q. But, please forgive me for not understanding this, but
3 if someone has just made an allegation against you and
4 you knew the allegation was true --

5 A. Mm-hm.

6 Q. -- would it not be a natural thing for you to go to the
7 individual and say: 'Look, this will get me into
8 trouble', or words to that effect?

9 A. No, I never ever said that. No. Definitely not.

10 Q. Well, what is the point you're making about [REDACTED]
11 being jealous of your wife, or your to-be wife?

12 A. No, he wasn't jealous. I mean, I think he was -- he was
13 actually -- what he said was he thought that when Lorna
14 and I married that we would either -- because at that
15 time, when we married, Lorna was no longer allowed to
16 work in the unit. She had to move somewhere else, and
17 he felt that we were dividing our attentions, if you
18 like. I think that's what it was about.

19 Q. But I'm still trying to understand: if, having made the
20 allegation --

21 A. Uh-huh.

22 Q. -- which was true --

23 A. Yes.

24 Q. -- why would he withdraw the allegation?

25 A. I cannot answer that. All I can say is he did withdraw

1 it.

2 Q. And according to what he said to the Edinburgh Inquiry,

3 he withdrew it because you put pressure on him in the

4 way I've described?

5 A. No, I never, ever put any pressure on him, not at all.

6 Q. Was it in your interests that he withdraw the

7 allegation?

8 A. Yes, of course it was, yes.

9 Q. Because if he hadn't, there would have to be

10 an investigation?

11 A. Yes, there would have been an investigation.

12 Q. That's arguably -- it might be said that there should

13 have been an investigation anyway, but that's not really

14 for you to deal with.

15 But if there had been an investigation, then that

16 would almost certainly have involved the police?

17 A. Oh, yes, I would have said so, yes.

18 Q. So you would be very anxious to persuade ██████ to

19 withdraw this allegation?

20 A. No, I never persuaded ██████ to withdraw. I never,

21 ever spoke to ██████ about withdrawing.

22 Q. But again, I ask you, why not?

23 A. I don't know. Guilt? I don't know. I really can't

24 tell you. I can't answer that.

25 Q. So your position is that without any input from you, off

1 his own bat, having made the allegation, [REDACTED]
2 withdrew it?

3 A. Yes, that's correct.

4 LADY SMITH: Gordon, if the police had become involved there
5 could have been a prosecution?

6 A. Yes.

7 LADY SMITH: That would have been devastating for you?

8 A. Yes, it would have.

9 LADY SMITH: You were about to get married.

10 A. I was married.

11 LADY SMITH: You were married by then.

12 A. I was married in 1979.

13 LADY SMITH: Right. To Lorna?

14 A. Yes, that's correct.

15 LADY SMITH: And you had a secure job, it seemed?

16 A. Yes, yes, very secure.

17 LADY SMITH: Life ahead of you with more secure jobs
18 hopefully?

19 A. I would have thought so, yes.

20 LADY SMITH: And that could have all come crashing down.

21 A. Oh, yes, it would have, yes, most definitely.

22 LADY SMITH: Mr MacAulay.

23 MR MACAULAY: As her Ladyship has pointed out, you had a lot
24 to lose.

25 A. Yes, I did.

1 Q. So it was very -- it was critical to you really that
2 [REDACTED] withdrew the allegation?

3 A. Yeah, it was critical, yes. I have to agree.

4 Q. What was the allegation?

5 A. I'm assuming that it was that I was sexually abusing
6 him.

7 Q. But just that, or do you know, were you told what the
8 nature of the allegation was more specifically?

9 A. No, no.

10 LADY SMITH: And that was what you were doing?

11 A. Yes.

12 MR MACAULAY: Do I understand from what you've been telling
13 us, Gordon, that when the Edinburgh Inquiry have
14 recorded the note -- the sentence, quote again in
15 connection with the note:

16 'No one ever asked him [that's you] whether or not
17 what was said in the note was true.'

18 That your position is that the inquiry has
19 misunderstood the situation, that there was -- namely,
20 that the note did not contain the allegation; the note
21 contained the apology?

22 A. That's my recollection, yes.

23 Q. But why do you think the inquiry has recorded that as
24 being something you said to them?

25 A. I don't know. I really don't recall exactly what was

1 said during that interview at the time.

2 Q. Okay, very well, Gordon. We'll leave the note aside

3 then and I just want to move on to the convictions you

4 had in 2018.

5 A. Yes.

6 Q. And just perhaps to remind you, you were convicted for

7 sex offences. There were three charges in respect of

8 two individuals?

9 A. That's correct.

10 Q. And two of the charges were in relation to abuse at

11 Clerwood?

12 A. Yes, that's correct, yes.

13 Q. You'll probably find it helpful if I put the indictment

14 on the screen. This is JUS-000000369.

15 The first charge you'll see has a period from

16 ██████████ -- ██████████ 1973 to ██████████ 1975 and it's

17 at Clerwood, so you see that's the location. And you

18 did use, et cetera, behaviour towards the person

19 mentioned, who is, and I'll just remind you of the name,

20 someone who has taken the name, pseudonym ██████████, he's

21 number 10 on your list.

22 A. Yes, that's correct.

23 Q. Was this a boy you knew at Clerwood?

24 A. Yes, I did, yes.

25 Q. And what the charge goes on to say is that you did

1 attempt to touch his penis, seize hold of his penis,
2 masturbate him, masturbate yourself in his presence and
3 place his hand on your penis, control the movement of
4 his hand and cause him to masturbate you.

5 And you were found guilty on that charge.

6 A. I was, yes.

7 Q. And the second charge relates to the person who is
8 number 7 on your list and has taken the pseudonym
9 [REDACTED]; do you recognise the name?

10 A. Yes, I do, yes.

11 Q. And again that's at Clerwood, and also at a house or
12 flat near to Edinburgh, where the precise location was
13 unknown. That you did, in short, abuse him and did
14 compel him to remove his clothing, touch his penis and
15 his testicles, masturbate him, masturbate yourself,
16 compel him to touch your penis, compel him to masturbate
17 you, compel him to kiss your penis and penetrate his
18 mouth with your penis, and again you were found guilty
19 of that charge.

20 A. Yes, I was found guilty, yes.

21 Q. Did that happen?

22 A. No.

23 Q. Did either of these charges happen?

24 A. None of these charges happened. I've always denied it.

25 I've always maintained my innocence where this one --

1 these two -- these three charges are concerned.

2 Q. And the third charge talks about on various occasions

3 between [REDACTED] 1979 and [REDACTED] 1981, and there's

4 an address given in the community. It's been blanked

5 out.

6 A. Yes, I know the -- yes, I know the --

7 Q. You know the address?

8 A. Yes, I know the address.

9 Q. Whose address was it?

10 A. That was my address.

11 Q. And that you did 'use lewd, indecent and libidinous

12 practices and behaviour towards this individual and did

13 remove his clothing, touch his penis, masturbate him,

14 masturbate yourself and compel him to masturbate you'.

15 Did that happen?

16 A. No.

17 Q. You were found guilty of that charge?

18 A. I was found guilty, yes.

19 Q. Now, as we've just noted, and as you have accepted, this

20 abuse, alleged abuse, took place in the community. Did

21 you have any contact at all with [REDACTED] in connection

22 with your home address?

23 A. No. I never saw [REDACTED] after he left Clerwood in

24 about 1976, I think.

25 Q. I think the suggestion here is that [REDACTED], who you

1 say had left Clerwood --

2 A. Yes, he had.

3 Q. -- but you knew from Clerwood --

4 A. Sorry?

5 Q. You knew him from Clerwood?

6 A. Oh, I knew him from Clerwood, yes, yes, absolutely.

7 Q. That he was cleaning cars in the area of your address

8 and that he came to your door, you recognised him, he

9 recognised you and you paid him to clean your car. Does

10 that ring a bell?

11 A. No, I didn't possess a car until about 1985, I think.

12 Q. And at some point you took him into your house and you

13 abused him?

14 A. No, definitely not.

15 Q. And that happened more than once?

16 A. No, it definitely did not happen.

17 Q. And I think we --

18 A. At that time my son would have been born and my wife

19 would have been at home constantly at that time.

20 Q. Now, when we look at the whole picture, Gordon, you have

21 been convicted altogether of 13 charges.

22 A. Yes, that's correct.

23 Q. Involving the sexual abuse of children.

24 A. Yes.

25 Q. And in these instances, I think you've accepted, in

1 relation to those charges that you accept, that this was
2 ongoing abuse, it wasn't just one instance; it was
3 ongoing? Is that --

4 A. Absolutely, yes.

5 Q. Okay. And I think you've told us, Gordon, and correct
6 me if I'm wrong, you enjoyed this behaviour?

7 A. I did at that time, yes.

8 Q. It could be important from the perspective of what
9 lessons the Inquiry can learn if you're able to provide
10 us with any assistance at all as to how did you get away
11 with it for so long?

12 A. I think because there was no real, erm, way of a child
13 actually being able to report anything like that at the
14 time. There was no whistleblowing. There was no --
15 I don't think that there was anybody in particular that
16 the child could refer to. I mean, they could, if they
17 wished, have spoken to my line manager, such as MVF
18 MVF or Brian Tait who were in [REDACTED] at that time,
19 but I don't recollect any other method, other than if
20 they wanted to contact the police or their own social
21 workers.

22 Q. Well, of course, these are very young children in many
23 instances.

24 A. Yeah.

25 Q. But you say that -- you say what you say about speaking

1 to senior people, but there were carers there, were
2 there not, in the -- let's take Glenallan. There
3 were --

4 A. Oh, yes, there was assistant houseparents and suchlike,
5 yes, yes.

6 Q. So there were --

7 A. They could easily -- they could speak to any member of
8 staff any time they wished. I mean, there was nothing
9 stopping them doing that.

10 Q. That's why what I'm asking you is if you can help the
11 Inquiry as to why you think no child, leaving aside the
12 note under the door --

13 A. Yeah, yeah, yes.

14 Q. No child spoke to someone who was caring for them?

15 A. No, they never, ever did. If they had, it would have
16 been reported. It would definitely have been reported,
17 I have no doubt.

18 Q. And you'd be in trouble?

19 A. Yes, absolutely.

20 Q. And you realise that?

21 A. Yes, of course I realise that, yes.

22 Q. And could it be that, however you managed it, that you
23 were able to persuade these children that this was
24 a normal type of behaviour?

25 A. No. I never, ever tried to persuade the child it was --

1 any child that it was a normal behaviour, no.

2 Q. And that it was something special between the two of

3 you?

4 A. No, no, not at all.

5 LADY SMITH: Did you explain what was happening to them, to

6 any of them?

7 A. No, I didn't.

8 LADY SMITH: You just did it?

9 A. I just did it.

10 LADY SMITH: As you look back, and as Mr MacAulay has

11 rightly said, your conduct extended over a long period

12 of time.

13 A. Yes.

14 LADY SMITH: Do you think that it became increasingly

15 apparent to you that nobody was going to stop you?

16 A. No, I can't say that, no. I can't say that it became

17 increasingly apparent, no.

18 LADY SMITH: Well, can you say that you just felt you

19 weren't going to get caught?

20 A. Probably, yes. I would more say that, yes.

21 LADY SMITH: All right. Well, what contributed to that?

22 A. I don't know. I can't -- again, I can't comment.

23 I can't comment, Lady Smith, at all.

24 LADY SMITH: All right, thank you.

25 Mr MacAulay.

1 MR MACAULAY: Did you give any thought, Gordon, at the time,
2 and by that I mean quite a lengthy period of time when
3 you're abusing children, as to what impact that
4 behaviour might be having on the children?

5 A. No, I didn't actually, I have to say that. I did not.

6 Q. Can I just ask you, looking at your time at Clerwood, as
7 compared to your time at Glenallan, and this might be
8 helpful also for the Inquiry to know, did you find it
9 easier to abuse children at Glenallan or at Clerwood,
10 bearing in mind that these two different types of units;
11 one was an institutional-type unit and the other was
12 a family friendly unit, did you find any difference in
13 how easy it might have been one between the other?

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

15 Q. Did the fact that you were in charge at Glenallan, as it
16 were, make it easier for you to target children?

17 A. No, I don't think it made it easier, no. I don't think
18 so because I was in charge, no.

19 Q. Well, do you think the fact you were in charge might
20 have influenced the children in not saying anything to
21 anybody about it?

22 A. Yes, I suppose it could have, yes.

23 Q. Now, if I finally go back to your statement then,
24 Gordon. It's just the very last paragraph. You make
25 the comment in paragraph 334, you say:

1 'I think there needs to be stricter guidelines.
2 There has to be better training for staff to be able to
3 identify whether a child has been abused. There needs
4 to be acceptance if a child is saying they have been
5 abused and it needs to be accepted and investigated
6 fully. Safeguards have to be in place.'

7 Are you saying that if that had been the position
8 when you were at Clerwood and Glenallan, that you would
9 never have got away with it?

10 A. I think so, yes. I think I would definitely agree with
11 that.

12 Q. But you did get away with it, as you've accepted, until
13 about 1996, when the police investigation was in place.
14 And I think you told me earlier that your initial
15 reaction to the investigation was one of shock?

16 A. Yes.

17 Q. You didn't expect to be investigated?

18 A. No, I didn't. I didn't think I would be investigated,
19 because, I mean, a number of years had obviously clearly
20 passed. In fact, I think -- I can't even remember how
21 many years it was, but, yes.

22 Q. And when you were in court, listening to the testimony
23 of those who were essentially your victims --

24 A. Yes.

25 Q. -- and to the testimony as to the impact that might have

1 had on them, what was your thought process?

2 A. My thought process at that time was how much I regretted
3 having done and -- what I did and I was obviously made
4 very much aware of the effect it had had on them over
5 the years and I'm deeply sorry for, you know, the harm
6 that I caused them. But, again, that became very, very
7 clear during the court case and afterwards, during
8 therapy sessions and such likes that I attended. It
9 made me very much aware of the damage that had been done
10 over the years.

11 Q. And when you talk about therapy sessions, that's when
12 you were in prison?

13 A. No, when actually I left prison. I didn't attend any of
14 the programmes in prison. I attended them when I was
15 released.

16 Q. But the programmes were there in prison if you wanted to
17 attend them?

18 A. Yeah, but, again, it was very difficult to get on
19 a programme within prison, yeah.

20 LADY SMITH: So were these programmes you were able to get
21 on to when you were on licence after being released on
22 licence?

23 A. Yes, that's correct, Lady Smith, yes.

24 MR MACAULAY: Very well, Gordon, thank you very much indeed
25 for answering all my questions and for coming to the

1 Inquiry to do that. Is there anything further you'd
2 wish to say?

3 A. No. I just hope that my testimony's been helpful.
4 I'm sorry, as I say, for what I did. I know that what's
5 done, it can't be undone. I wish I could go back in
6 time and change that. But I can't and I'm really sorry
7 for it.

8 MR MACAULAY: My Lady, I haven't received any questions.

9 LADY SMITH: Thank you.

10 Gordon, let me add my thanks to you for being here
11 today and bearing with us with the difficult questions
12 we've had to ask you. Your patience has been much
13 appreciated. Thank you for that. And you're now free
14 to go.

15 A. Thank you.

16 (The witness withdrew)

17 LADY SMITH: Mr MacAulay.

18 MR MACAULAY: My Lady, there was to be another witness who
19 cannot come for health reasons and my learned friend,
20 Ms MacLeod, will provide a very short narrative about
21 this witness.

22 LADY SMITH: Thank you very much.

23 While Ms MacLeod gets organised, let me just mention
24 some names that have been used this morning and these
25 are names of people whose identities are protected by my

1 General Restriction Order. And there was [REDACTED].
2 There was MTH [REDACTED] or MTH [REDACTED] and there was EHV and
3 [REDACTED]. And I'm just looking to the end of the
4 line there for the Oracle to confirm whether there's
5 anybody else I missed.
6 [REDACTED] as well, yes, and [REDACTED] and [REDACTED].
7 That's a pseudonym [REDACTED]. [REDACTED]
8 [REDACTED]
9 [REDACTED]. Is that it? [REDACTED], I think I've
10 mentioned [REDACTED] already, yes, thank you very much.
11 Ms MacLeod, when you're ready.
12 Summary of convictions of Brian MacLennan (read in)
13 MS MACLEOD: My Lady, I will provide a summary of the
14 convictions of Brian MacLennan.
15 Following a trial lasting around four weeks, Brian
16 MacLennan was convicted on 4 December 1997 of the
17 following charges:
18 The first charge:
19 'On various occasions in 1977, at Clerwood
20 Children's Home, you, Brian MacLennan, did use lewd,
21 indecent and libidinous practices and behaviour towards
22 [a child] born in 1963, care of Lothian and Borders
23 Police. Then a girl of or above of the age of 12 years
24 and under the age of 16 years, handle her upper body and
25 private parts, expose your private member to her and

1 masturbate in her presence, induce her to handle your
2 private member and to masturbate you to ejaculation,
3 insert your fingers into her private parts and into her
4 hinder parts, induce her to take your private member
5 into her mouth, insert a plastic instrument into her
6 hinder parts and into her private parts, insert a shower
7 hose into her private parts and attempt to insert said
8 shower hose into her hinder parts and place your private
9 member between her legs and simulate sexual intercourse
10 with her, contrary to the Sexual Offences (Scotland) Act
11 1976, section 5.'

12 The next charge was:

13 'On various occasions between [REDACTED] and
14 [REDACTED] 1977, both dates inclusive, at Clerwood
15 Children's Home, you, Brian MacLennan, did assault [the
16 same child] born 1963, care of Lothian and Borders
17 Police, penetrate her hinder parts and her vagina with
18 your private member.'

19 This charge, my Lady, was quashed on appeal and
20 I will come back to that.

21 LADY SMITH: Thank you.

22 MS MACLEOD: The third charge:

23 'On an occasion between [REDACTED] 1977 and [REDACTED]
24 1978, at Clerwood Children's Home, you, Brian MacLennan,
25 did use lewd, indecent and libidinous practices and

1 behaviour towards [a child] born born in 1964, care of
2 Lothian and Borders Police and handle her legs and upper
3 body.'

4 The next charge:

5 'On an occasion between [REDACTED] 1986 and
6 [REDACTED] 1986, both dates inclusive, at Dean House
7 Children's Home, Edinburgh, you did assault [a child]
8 born in 1970, care of Lothian and Borders Police
9 Edinburgh, force her onto the floor of a bedroom there,
10 hold her wrists with your hands above her head, lie on
11 top of her and penetrate her vagina with your private
12 member.'

13 Again, my Lady this charge was quashed on appeal and
14 I will come back to that.

15 And the final charge:

16 'On various occasions between [REDACTED] 1978 and [REDACTED]
17 1983, both dates inclusive, at Dean Children's Home,
18 Edinburgh, you, Brian MacLennan, did conduct yourself in
19 a shamelessly indecent manner towards [a child] born in
20 1967, care of Lothian and Borders Police, handle her
21 chest and private parts, induce her to handle your
22 private member and to masturbate you and place your
23 private member between her legs and simulate sexual
24 intercourse with her.'

25 The court sentenced the accused to two years'

1 imprisonment on the first charge, one year imprisonment
2 on charge 28, five years' imprisonment on charge 33,
3 which is one of the charges that was subsequently
4 quashed, and three years' imprisonment on charge 39,
5 said periods of imprisonment to run consecutively with
6 each other from 4 December 1977(sic), and ten years'
7 imprisonment on charge 26, to run concurrently with the
8 sentences imposed and that was also quashed.

9 In relation to charges 26 and 33 on the indictment,
10 it is clear from the report of Lord Bonomy, which is at
11 JUS-000000317, that the jury directions included that
12 they were precluded from finding mutual corroboration of
13 penetration relating to those charges. And indeed it is
14 the case that part of the verdict was subject to
15 a successful appeal on that basis, my Lady.

16 At an appeal hearing on 6 January 1999, the Appeal
17 Court sustained the appeal, quashed those two
18 convictions and relative sentences.

19 The indictment relevant to this is at CFS-000017586.
20 The extract sentence can be found at JUS-000000318 and
21 Lord Bonomy's report, as I indicated, can be found at
22 JUS-000000317.

23 LADY SMITH: Thank you very much.

24 MS MACLEOD: And that completes proceedings for today,
25 my Lady, and for this week.

1 LADY SMITH: And we turn to other evidence starting at
2 10 o'clock on Tuesday, I think, is that right?

3 MS MACLEOD: That's right, my Lady.

4 I am told that there is one more name to add to the
5 list of names to mention from this morning's evidence
6 from Gordon Knott and that is MVF as a name that's
7 not to be mentioned outwith the hearing room.

8 LADY SMITH: Oh, right, yes, he was mentioned once I think
9 in passing. So he's to be added to the list of those
10 who can't be identified as referred to in our evidence
11 outside this room.

12 Thank you very much.

13 I'll rise now and look forward to seeing you on
14 Tuesday morning, 10 o'clock.

15 (12.30 pm)

16 (The Inquiry adjourned until 10.00 am
17 on Tuesday, 28 April 2026)

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