

Scottish Child Abuse Inquiry

Witness Statement of

Sheila CLINGAN

Support person present: No

1. My name is Sheila Clingan and my name at birth was Sheila King. My date of birth is [REDACTED] 1964. My contact details are known to the Inquiry.

Background

2. I qualified as a social worker in 1986 and hold a Certificate of Qualification in Social Work (CQSW). I was employed by Stirling Council, followed by Strathclyde Regional Council, prior to moving to Dumfries and Galloway Council in 1993. As an employee of Dumfries and Galloway Council I held the following posts: Child Protection Officer, Castle Douglas Office, Child Care Team Manager, Dumfries Office, Strategic Planning Manager, Regionwide post, Locality Manager for Dumfries and Galloway covering Fostering, Residential Care, Leaving Care, Commissioning Services, and then as a Senior Social Work Manager which also included Ukraine support and Asylum.
3. I worked for Dumfries and Galloway Council for thirty years, from July 1993 prior to retiring in July 2023. I worked as a social worker for Dumfries and Galloway Council from 1993 to 1995 and then from 1995 until 2023 as a Social Work Manager. I did not work for the predecessor authority.
4. The key tasks in my role as Strategic Planning Manager were oversight of all commissioned Services across Dumfries and Galloway and I was the direct link with Private and Public Services who delivered services to Dumfries and Galloway Children and Families Services.

5. My role as Locality Manager involved management and oversight of the following teams: Fostering Service, Residential Children Homes, Children and Families Commissioned Services, Leaving Care Team, Ukraine Support and Asylum Dispersal in my final years.

6. I became involved in discussions about an ex gratia payment scheme in relation to Merkland Children's Home following the Director of Social Work being lobbied by former residents of Merkland Children's Home. A number of social work reports were compiled and brought to the attention of Dumfries and Galloway Council members, seeking action to address the abuse they had suffered following a successful conviction of Peter Harley, Merkland Children's Home Manager. The ex gratia payment scheme was a consequence of the decision taken by Dumfries and Galloway Council members to provide a national helpline, offer a range of support, and a goodwill payment to former residents who had suffered at the hands of Peter Harley. My involvement stemmed from the commissioning of Who Cares? Scotland to operate and manage the National Helpline. I assisted in the processing of ex gratia payments to former residents of Merkland Children's Home.

7. I have been asked whether I took part in preparation of Dumfries and Galloway Council's response to the Inquiry's notice in terms of the Inquiries Act 2005 section 21. As Locality Manager with oversight of our fostering, residential services and commissioned providers, I was asked to participate in contributing information for the section 21 notice on behalf of the Local Authority. The information which was submitted and populated came from a number of sources which included: -
 - a) A review of archived social work committee reports throughout the Inquiry timeline period. Under my supervision JDV, a care worker who worked at Merkland Children's Home who is now retired, and Laura O'Toole undertook this. Both staff provided an administrative role in reading, reviewing and extracting the information relevant to the Section 21 notice. Laura would then populate the information into the Section 21 notice.

- b) A review of Looked After Children's social work child care files for those known children throughout the timeline period of the Inquiry. Laura O'Toole undertook an administrative role and supported a team of file readers to review the child care social work files and extract key care information to include when the child was received into care or accommodated, where they lived in foster care or residential care and note any reference to abuse while in their care placements. This information was then populated and submitted in the Section 21 notice. JDV [REDACTED] was a file reader, but I am unable to recall the names of the others.
- c) Review of employment records by the Councils Human Resources (HR) service. I am unable to recall who specifically provided this information.
- d) Review of records pertaining to the ex-gratia payment scheme. This information was recorded in many Social Work Services committee reports and populated in the Section 21 submission on behalf of the Local Authority by Laura and I.
8. The information provided in the Section 21 notice by the Local Authority was extensive. I do recall submitting information in relation to the culture of the Social Work Service past and present, policy references past and present and information in relation to the ex-gratia payment scheme, but I am unable to recall specifically all the sections I contributed to. The section 21 notice was also reviewed prior to submission by Dumfries and Galloway Council Legal Services. Audrey Ritchie was a local authority solicitor at the time. There may have been others who were able to contribute to the Section 21 notice, but I am not able to recall this.
9. Staff members at Dumfries and Galloway Council, current or past, who would have knowledge of any or all of Merkland's operation as a children's home, its records, or the ex gratia scheme include JDV [REDACTED]. I am not aware of other staff who worked at Merkland Children's Home who are still alive. Previous Directors of Social Work would include Keith Makin, John Alexander, Janet Birks, Assistant Director, and the Legal Advisor at the time, Brendan Kearney. Each would have knowledge of investigations into Merkland. John Alexander and Brendan Kearney would have knowledge of the ex gratia payments arrangements. Lillian Cringles, Chief Social Work

Officer who succeeded John Alexander, would have knowledge of Merkland due to her approving payments for a few former residents who came forward some years after the National Helpline ran.

The ex gratia scheme

10. The impetus to set up the scheme came from Social Work Services reporting and updating Social Work Committees. The Director of Social Work, John Alexander, wished to “do the right thing” and gave a formal apology on behalf of the Council to all former residents and the ex gratia scheme was created as a good will payment to those former residents who had suffered abuse at the hands of Peter Harley.
11. I was responsible for commissioning Who Cares? Scotland to establish a National Telephone Helpline to identify all former residents who had suffered abuse at Merkland Children’s Home. A national helpline was in operation for approximately four to six weeks. Names provided by callers to the Helpline agreed for their information to be passed to Social Services and subsequently Dumfries and Galloway Constabulary, for them to corroborate past records and confirm either past allegations or offences, or both. Ex gratia payments were then made to those who either provided their details to the National Helpline or participated in the subsequent interviews which took place, or both, which established that they had in fact been subject to abuse while resident in Merkland Children’s Home.
12. I have been asked who else was involved in the formation of the ex gratia scheme. Andrea Stewart, Police Officer, was involved in the original Peter Harley investigations undertaken with former residents. Andrea would pass the outcomes of the interviews to myself to allow me to process the ex gratia payments. She reported directly to Kate Thomson, Dumfries and Galloway Constabulary. The Director of Social Work, John Alexander, approved and signed all ex gratia payments. His secretary administered the paperwork for his signing. Lillian Cringles also latterly approved a few late payments for former residents who did not come forward at the time of the National Helpline appeal. Once approved, I would send out a letter to each former resident

offering them support and seeking their payment details following which, on return, I would arrange for payments to be processed directly to them. The scheme and payments were overseen by Social Work, Legal Services, and the Police.

13. There were discussions between Social Work, Police, and Legal Services in relation to the ex gratia payments and consideration of the amount, which was agreed to be in line with the Criminal Injuries Compensation Scheme. There were a number of Social Work Committee reports which were compiled and passed for Council member consideration and approval. Following submission and discussion at a number of Council committees, members agreed to the ex gratia payment scheme. This was documented in a number of reports submitted to Dumfries and Galloway Council members for approval.
14. Prior to the establishment of the Helpline, survivors had been lobbying the Director of Social Work, Keith Makin, the Assistant Director of Social Work, Janet Birks, and then John Alexander, Director of Social Work, for a number of years. Following the creation of the National Helpline, each former resident who had come forward and provided their details to the Helpline would be telephoned to seek their agreement to pass details to the police. The police would then make contact with them and arrange an interview. The only exception to this was for those former residents who had taken part in the criminal case against Peter Harley where their allegations had already been either agreed or accepted, or both. They were not asked to tell their story again. Two standard letters were then sent out, the first an apology letter written by John Alexander on behalf of the Council confirming the decision of Committee to make a formal apology and offer support. The second was to seek their financial details for payment of the ex gratia payment.

Records reviewed for the ex gratia scheme

15. Social Work child care records were reviewed for those young people who we were aware of and where their records were available. We reviewed educational records to establish who was registered and attended school in Moffat while residing in Merkland

Children's Home. A review also took place of documents and lists held by the Police and Procurator Fiscal service at the time of the original Peter Harley investigation.

16. I have been asked whether, in my examination of children's records for the purposes of the scheme or at any other time, I found any evidence or indicators of abuse at Merkland. The records were brief and did not share detailed case notes on life events at Merkland.

Avoiding retraumatising survivors

17. Dumfries and Galloway Council took precautions to ensure former residents were not retraumatised. For those former residents who had given statements in the criminal trial, they were not reinterviewed for the ex gratia payments. Their original statements and findings were acknowledged and they were paid their ex gratia payment. For those whom had previously not come forward, they were offered a support person to attend their interview and they were offered support via the National Helpline. They were also offered additional psychological support by independent counsellors, independent of Dumfries and Galloway Council. The police officer who interviewed each of the former residents was actually one of the investigating officers in the original Peter Harley inquiry and therefore was very well informed. This assisted in the interviewing of former residents as she already knew the facts and circumstances surrounding the abuse which had taken place. She had previously been an experienced officer in the Dumfries and Galloway Constabulary Child Protection service.

Communications about the ex gratia scheme outwith Dumfries and Galloway Council

18. The scheme was presented for approval at Dumfries and Galloway Council committee structure. All reports are public documents. Dumfries and Galloway's approach was advertised in local and national newspapers and covered by Border News to highlight the apology given by the Council and to raise awareness of the National Helpline. I am not aware of discussions with Scottish Government at the time of the development of the scheme however, in years to follow, the Dumfries and Galloway ex gratia payment

arrangements have been shared with other local authorities and national groups to share good practice.

19. The Inquiry have provided me with a partial note from a meeting which took place on 28 August 2013. The note has the heading, "Merkland School: Meeting with Shelia Clingan, Dumfries and Galloway Council" (Nuix reference SGV-00001687). I think this meeting was in relation to the National Confidential Forum and lessons learnt but I am unable to recall exactly the purpose of this meeting or if anyone was present from Scottish Government, albeit the names of the positions of the people may tend to imply so.
20. I have been asked what the Scottish Government's attitude to the ex gratia scheme was, whether any discussions took place, and whether any concerns were expressed about possible wider implications. I am unable to answer this question as I would not have been involved in such discussions.

Analysis of the ex gratia scheme with survivors post payment

21. For those survivors who agreed to a follow up telephone call, I made a call to them to ascertain that they had received their payment and to verify if they needed any further support. Feedback from survivors was received and many emphasised that the public apology alone was the most important thing to them. However, many survivors advised that receiving the payment would allow them to make specific changes in their lives and that of their families, therefore the ex gratia payment was life changing for many.

Records

Background

22. I was not working in Dumfries & Galloway when Merkland was still in operation.

23. I have been asked whether I, or anyone I worked with, had knowledge of record keeping at Merkland whilst it was in operation. As stated at paragraph eight, I am aware that JDV worked at Merkland and would therefore have some knowledge of what records were or were not kept, and by whom.
24. I have been asked who, within the Council, would have had knowledge or contact with Peter Harley and JDW, or other employees at Merkland, while it was in operation. I am unable to answer this as I was not employed by Dumfries and Galloway Council at this time.

Policies and guidance in relation to record keeping

25. I have been asked what policies and guidance the Council had in place in relation to record keeping, both when Peter Harley and JDW were employed at Merkland Children's Home and subsequently. I am unable to answer this in relation to the policies and guidance at the time as I was not employed by the Council then. Subsequently, there are a number of policies and guidance statements for residential children's homes which have emerged over the years, in compliance with the registration and inspection of children's houses both locally and nationally.
26. When Merkland Children's Home closed, the records should have been retained by Dumfries and Galloway Council and archived for future reference.

Inspections

27. I have no knowledge as to whether Merkland Children's Home was or was not inspected.
28. I have been asked where records of inspections should have been kept. I am unable to answer this due to not working for Dumfries and Galloway at the time and I am unaware of the arrangements for the storage of records during the operation of Merkland Children's Home.

Retention of records following closure of Merkland Children's Home

29. While discussing Merkland Children's Home, I was told by a previous Child Protection Officer, who is now deceased, that there were no records for Merkland Children's Home as they had been burnt in a fire following the house being sold. He advised me that, when he was involved in the original criminal investigation with Dumfries and Galloway Police, he had approached the new owners of the home to enquire if they had found any such records but was told that they had found old papers in the loft but these have since been burnt.
30. The Inquiry has provided me with a letter from the Legal Services department of Dumfries and Galloway Council to the Scottish Child Abuse Inquiry dated 31 July 2025 (Nuix Reference DGC-00000000557). The letter concerns the events referred to in paragraph 28 above. The Child Protection Officer's name was Alistair McGougan. I am unable to verify the specific date of such a visit to the owners, as this information was not shared with me.
31. The letter referred to in paragraph 29 above (Nuix Reference DGC-00000000557) refers to "the initial disclosure of abuse at Merkland", at paragraph two, line 8. The abuse mentioned here is in relation to the criminal investigations that took place in relation to the disclosures against Peter Harley in the 1990s.
32. No details were given about the nature of the records destroyed.
33. No indication was given to me of when the records were destroyed.
34. I have been asked whether the new owners of the home gave any reason as to why they might have destroyed the records. I am unable to answer this question as this information was not shared with me.
35. I have been asked why the new owners of the home did not contact Dumfries and Galloway Council when they found the records. I am unable to answer this question

as I had no contact with the owners and the account was a third-party account via the Child Protection Officer.

36. I have been asked whether the new owners of the home said anything else about the records. For example, why they might have been left in Merkland, and who, if anyone, knew they were there. I am unable to answer this question as I had no contact with the owners and the account was a third-party account via the Child Protection Officer who did not share this information.

Other information

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

Signed..........

Dated.....16th February 2026.....