

Wednesday, 17 August 2022

(10.00 am)

LADY SMITH: Good morning and welcome back to our oral hearings in relation to foster care and boarding out. We start this morning with an oral witness, who I'm told is ready to give evidence.

Ms Innes.

MS INNES: Yes, my Lady. I am going to refer to a document in a moment before the witness comes in. This witness has chosen to remain anonymous and has chosen the pseudonym 'John'. 'John' was in the care of Lothian Regional Council in the East Lothian area. He resided with a Mr and Mrs JCX/SPO in Musselburgh from [REDACTED] 1987 to [REDACTED] 1989.

He was in a couple of foster care placements before that, again in East Lothian and East Lothian Council is the relevant successor.

On 16 June 2005 Michael Lowry was convicted of sexual offences against three complainers, one of whom was 'John'. The offences against 'John' were committed between [REDACTED] 1988 and [REDACTED] 1989, so over the period that he was in foster care, although going slightly beyond that.

If I can refer to a copy of the conviction, which is at JUS-000000018, we can see a copy of the indictment on

1 the screen. I just want to highlight that the first
2 charge is in respect of sexual offences committed
3 between 1 August 1985 and 18 January 1987, and as we
4 will hear in 'John's' evidence that was in respect of
5 another child who was in foster care with the same
6 foster carers that I've referred to prior to 'John'
7 going to those carers.

8 The second charge -- if we scroll down a little,
9 yes, there -- that we can see that's not crossed out is
10 in respect of a family member, as we can see.

11 Then (3), the third charge is in respect of 'John'.
12 One of the addresses specified -- which is in fact
13 redacted on the screen -- is Butlins holiday centre, and
14 we're going to hear evidence from 'John' in respect of
15 that locus, so I just wanted to highlight those
16 issues --

17 LADY SMITH: Thank you.

18 MS INNES: -- by reference to the charges before --

19 LADY SMITH: So 'John's' ages at the time of the offences in
20 charge (3) would have been about 14 to just before he
21 was 16, would that be right?

22 MS INNES: Yes, that's right.

23 LADY SMITH: Thank you.

24 'John' (sworn)

25 LADY SMITH: 'John', if you can stay in a good position for

1 the microphone, that will help you and it will also help
2 us --
3 A. Okay.
4 LADY SMITH: -- because we need to hear you through the
5 sound system.
6 A. Okay, is that okay?
7 LADY SMITH: Yeah, that's great, if you can stay somewhere
8 around there.
9 You see there's a red folder on the desk. That has
10 a typed copy of your statement in it, the statement you
11 signed, and we'll take you to that in a moment but we'll
12 also bring your statement up on the screen at the
13 various points in it that we'd like to discuss with you.
14 You might also find that helpful.
15 A. Okay.
16 LADY SMITH: It's there for you to use if you want to use
17 it.
18 A. Okay.
19 LADY SMITH: Separately from that, 'John', can I say at the
20 outset I do know that what you've agreed to do is not
21 easy. You've come into a public place with strangers,
22 you don't know any of us, and we're about to ask you to
23 talk about things that happened when you were very
24 young, in your childhood, and things that are very
25 personal to you, and I fully understand may be upsetting

1 and distressing as we ask you to talk about them.

2 Sometimes, however organised and prepared we think

3 we are, our emotions can take us quite by surprise.

4 A. Okay.

5 LADY SMITH: I know that, and I want to do anything we can

6 do to help you give the best evidence that you can, so

7 if, for example, you'd like a break or a pause or

8 there's anything else that would help, you must let me

9 know. Would you do that.

10 A. Yes.

11 LADY SMITH: Thank you. If you're ready, I'll hand over to

12 Ms Innes and she'll take it from there.

13 A. Okay, I'm ready, yes.

14 LADY SMITH: Good, let's go. Thank you.

15 Ms Innes.

16 MS INNES: Thank you, my Lady.

17 Questions from Ms Innes

18 MS INNES: 'John', we understand you were born in 1973.

19 A. That's correct.

20 Q. If I can refer, please, to your witness statement, it's

21 WIT.001.001.6175, and if we can go to the last page of

22 that, please, we see at paragraph 142:

23 "I have no objection to my witness statement being

24 published as part of the evidence to the Inquiry.

25 I believe the facts stated in this witness statement are

1 true."

2 I understand that you signed the statement on

3 26 October 2017; is that right?

4 A. Yes, that's right.

5 Q. Okay. If we can go back to the beginning of your

6 statement, please, you tell us at paragraph 4 that you

7 were in care from a young age?

8 A. Yes.

9 Q. And you describe that your mother had mental health

10 issues --

11 A. Mm-hmm.

12 Q. -- and as a result she wasn't able to look after you; is

13 that right?

14 A. Well, when she was went to hospital, I would be put into

15 care. And when she got out of hospital I would be put

16 back in my mum's care and this kind of started from as

17 far back as five-year-old, I think.

18 Q. Okay, so you were going back and forth into the care of

19 your mum?

20 A. Yeah.

21 Q. I think you tell us in this paragraph that you moved.

22 You lived in Irvine to begin with and then you moved

23 across to Musselburgh?

24 A. Yeah, that's correct.

25 Q. You talk about issues that you had with the police from

1 quite a young age at paragraph 5.

2 A. Yeah. That was because my mum was so mentally ill, she
3 couldn't function, really, how to look after herself,
4 never mind me, and we were in poverty quite a bit,
5 without food, so I started committing crimes and if
6 I got say £60, I would give my mum £30 and tell her, "Go
7 get food and cigarettes for yourself", and this started
8 at such a young age that it didn't stop until I became
9 an adult, really, and grew out of it.

10 Q. You're saying, I think, that your mum was struggling for
11 food, even --

12 A. Yeah.

13 Q. -- and you began stealing --

14 A. Yeah.

15 Q. -- to --

16 A. Support her.

17 Q. -- get money to put food on the table?

18 A. Mm-hmm.

19 Q. You tell us a bit about that over the page at
20 paragraph 6 and you say about some of the things that
21 you were doing from quite a young age.

22 There came a time that you went into foster care and
23 we know that you were in a couple of places before you
24 went to live with JCX/SPO, which is the one that we
25 want to talk about today.

1 A. Yeah.

2 Q. Did you have any view about whether you should be in
3 foster care or not?

4 A. No -- yeah. I didn't think I should have been put into
5 a family setting because I had a free hand at such
6 a young age that I was never disciplined and I done
7 whatever I wanted, which wasn't always the right thing
8 to do but at a young age I didn't know, and I feel that
9 I shouldn't have been put into a family setting.
10 I should have been put into a young person's unit to be
11 educated that, look, this is not the right path you're
12 on sort of thing. And I think I was young enough for my
13 nature to go along with that, really, if I was properly
14 corrected, rather than sent to children's panels back
15 and forward where none of it even mattered, to be quite
16 honest.

17 Q. Okay. Can you remember if you ever spoke to your social
18 worker about, you know, whether you should be in
19 a residential setting or in a foster care --

20 A. I can't recall. I don't think I did actually.

21 Q. So that's maybe you're reflecting back on your time?

22 A. Yeah.

23 Q. You've come to the view that you might have been better
24 cared for in a residential setting --

25 A. Yes.

1 Q. -- than in a family setting?

2 A. Yeah.

3 Q. Okay. You tell us at page 2 of your statement that you

4 spent a little time, I think, with a family in Gifford?

5 A. Yeah.

6 Q. You talk about that at paragraph 8.

7 A. A Mr and Mrs [REDACTED], I think it was.

8 Q. Okay. And what were they like?

9 A. They were okay. It was only a short term I was there

10 for. And I was really upset at the time because that

11 was the final time that I would be separated from my mum

12 on a longer-term basis and it did affect me quite a bit.

13 And I read in the social inquiry reports that -- that

14 that's left a head -- or I can't recall what it meant,

15 sorry, a hereditary thing, I don't know, that it's

16 affected my mum and me being separated, or separated it

17 says in the social records, and Mr and Mrs [REDACTED] was

18 just a short term where I never really got to understand

19 them, really, to be honest.

20 Q. Okay. You say at paragraph 11, you talk about your mum

21 there and you say that you never saw your mum for about

22 five years after you went into care in East Lothian?

23 A. Yeah.

24 Q. Is that what you're talking about?

25 A. Yeah.

1 Q. That you were then separated from your mum and you
2 weren't able to see her --

3 A. Left a legacy, a "legacy" was the word, sorry. A legacy
4 on me and it's left a legacy on my mum, getting
5 separated.

6 Q. Okay. You say that you're not sure whether it was
7 because she was ill or not at the time?

8 A. I believed it was my fault because of all the trouble
9 I had gotten into and at an older age I read my records
10 again and there was a letter from my mum to the social
11 work department pleading with them to like do something.
12 Now I don't blame my mum because I was so out of control
13 that I think my mum was being pressured by people in the
14 town to get me under control. I was hanging about with
15 older people, committing crimes all the time and I think
16 it was just too much for my mum, plus her own mental
17 health, really.

18 Q. You tell us at paragraph 12 of your statement at the
19 bottom of page 2 that you went into foster care with the
20 JCX/SPO .

21 A. Yeah.

22 Q. From your records we know that you were there for just
23 round about two years, so we have the dates from your
24 records so it was [REDACTED] 1987 to [REDACTED] 1989,
25 so when you were between the ages of about 14 and 16 you

1 were there.

2 A. Mm.

3 Q. What were JCX/SPO like?

4 A. It was a fully functioned house. Mr [REDACTED] was

5 an architect and Mrs JCX was a housewife and they had

6 something like four children. They had two daughters,

7 [REDACTED] and [REDACTED], I think it was, who stayed in the

8 family home, and she had two sons who had left the

9 family home. And it was a fully functioned house, it

10 seemed okay to start with, but it was more -- I did read

11 in the records that they thought they would give me the

12 short sharp shock treatment sort of thing, which didn't

13 work. But I do believe that they should have looked

14 further or explained what it was like with my mother to

15 get an understanding rather than just take me on board

16 when they had first seen me, because they didn't -- they

17 didn't understand why I was behaving the way I was

18 behaving and I wouldn't -- I was too young to give them

19 any indication of that.

20 Mrs JCX was kind of strict, which I rebelled

21 against. I couldn't deal with that because I'd never

22 been disciplined before, so it was kind of -- it

23 affected the relationship there.

24 LADY SMITH: 'John', you'd have been about 13, would you,

25 when you moved there?

1 A. Roughly about that, yes.

2 MS INNES: If we go over the page, please, to page 3, and at
3 paragraph 15 you talk there about them being quite
4 strict.

5 A. Yeah.

6 Q. I think that's what you mentioned a moment ago in your
7 evidence, that your understanding, looking back at your
8 records, is that the plan was to give you a short, sharp
9 shock?

10 A. Yeah. I think -- I think she had been headhunted for
11 it, really. I don't know. I think the trouble I was
12 getting into, that would have helped, probably -- well,
13 they thought, anyway.

14 Q. They thought it would help, okay. I think what you said
15 a moment ago is that it didn't help?

16 A. No.

17 Q. You talked about them not having an understanding of
18 your background.

19 A. Mm-hmm.

20 Q. And the time that you spent with your mum. Do you mean
21 that JCX/SPO didn't understand that or do you mean
22 that the social work department didn't really understand
23 that?

24 A. Looking back and looking at the records I think both of
25 them didn't understand that, because noticing in my

1 records it states that before Haddington I had good
2 relationships with adults, no communication problems,
3 good strong friendships with my friends and no
4 behavioural problems, then further on how that all
5 disappeared, where I couldn't communicate with adults
6 and the trouble escalated, that they should have -- they
7 should have maybe picked up on that really, I'm not
8 sure.

9 Q. At paragraph 16 you describe there what you mean by what
10 you've said in your statement, which is that Mrs JCX
11 was heavy handed.

12 A. Yes.

13 Q. So what sort of things did she do, can you remember?

14 A. Well, for one instance she shook me and then slapped me
15 across the head, and that was her way of saying --
16 trying to shape me to say get some sense into your head
17 kind of thing or stop this behaviour, along those lines:
18 this is very unacceptable behaviour. Then she found
19 a lighter in my bedroom and dragged me by the scruff of
20 the neck, "What's this?" So I just -- I'd never been
21 treated like that by my mother or anything like that, so
22 I don't know if I'd ran away at that point, because
23 I ran away a few occasions.

24 Q. Mm-hmm.

25 A. But I just didn't -- I wasn't treated -- it felt like

1 I wasn't treated fairly, to be quite honest. I wasn't
2 sat down and spoken to and made to realise that, look,
3 this is the wrong path.

4 Nobody really bothered about that, to be quite
5 honest.

6 Q. Okay. So you talk about that she hit you, as you've
7 described, and you described her also pushing you
8 backwards?

9 A. Yeah.

10 Q. Was that another occasion?

11 A. That was still the same: this is unacceptable behaviour.

12 Q. Okay. Then you say that one of her daughters stepped in
13 and stopped her?

14 A. Yeah, I think her name was [REDACTED].

15 Q. What did she do?

16 A. I think she seen the shock in my face and then [REDACTED]
17 had came in and stopped her mother from going any
18 further. That was in the kitchen.

19 Q. Okay. Then at paragraph 17 you say there that you
20 remember running away from the house and you think you
21 did that at least four times?

22 A. Yes. I done that -- the longest was for nine days in
23 Edinburgh.

24 Q. Okay.

25 A. There was points where I got caught on the motorway by

1 the police trying to walk home to Musselburgh from
2 Haddington, things like that. When the abuse started,
3 I started running away because of that as well. And it
4 does state in the records that at one point I ran away
5 where they were shocked because everything seemed to be
6 going well in the family home.

7 Q. Okay.

8 A. But with the abuse happening, they didn't know that, so
9 I didn't know -- I blocked it out myself, I think -- but
10 I wasn't asked why I ran away once, so I feel as if
11 I was tolerated rather than guided, to be quite honest.

12 Q. Okay. We'll come back in a moment to the time that you
13 ran away for longer.

14 You say at paragraph 18 a little about contact from
15 your mum and you say that you don't remember getting any
16 letters from your mum, although you've seen in the
17 records that it says that you were getting them.

18 A. Yeah, I can't recall any of these letters, I can't
19 recall writing to my mum either.

20 Q. Okay. Then at paragraph 19 you talk about running away
21 once to try and see her?

22 A. Yeah.

23 Q. Is that when you were going from Haddington to
24 Musselburgh, was to try to see your mum?

25 A. Yeah. Walking.

1 LADY SMITH: Did you know where she was living?

2 A. Yeah, it was in Musselburgh. I don't know if she was
3 still in the house at that time or whether she had moved
4 on with her new husband Mr [REDACTED]. So I didn't know
5 whether I would find her or not to be quite honest, but
6 I just made the attempt to go and try.

7 LADY SMITH: I see. You knew that that was where she had
8 been?

9 A. Yes.

10 LADY SMITH: Thank you.

11 MS INNES: If we go on to the next page, you talk at
12 paragraph 22 about speaking to your father, so did you
13 have any contact with your father at all when you were
14 a child?

15 A. No, none at all.

16 Q. Okay.

17 A. I did track him down through the Salvation Army at
18 40-year-old and I was quite shocked when he says, "What
19 took you so long?" I didn't respond to that, but he --
20 it was only one phone conversation we had for about 20
21 minutes. Then I said I would phone back then there was
22 no answer, so I got in touch with Salvation Army to see
23 if he was okay and they said he didn't want it, it was
24 too much for him and he didn't want to continue
25 anything. So I had to accept that to be quite honest.

1 Q. I think you say here that your father had told you that
2 your mum had disappeared with you and that his
3 explanation for not being in touch with you was that
4 your mum had told him to go away; is that right?

5 A. Yeah, that's what he told me, that she was in a house,
6 an empty house really with me in a cot.

7 Q. Okay. You talk at paragraph 23 again about JCX/SPO
8 family, and as you've said already, I think, you
9 described them as a fully functioning family, so it was
10 a proper family setting. You say that you couldn't
11 really get on with Mrs JCX, but Mr [REDACTED] was all
12 right.

13 A. Yes.

14 Q. You got on better with him?

15 A. Yeah.

16 Q. Okay.

17 A. Mrs JCX, she may wear the trousers in that house and
18 controlled it all, but Mr [REDACTED] was a bit more
19 laid-back and there wasn't much -- he just seemed okay,
20 didn't voice much, to be quite honest.

21 Q. Okay. Then you talk about the daughters, who treated
22 you well?

23 A. Yeah. [REDACTED] and [REDACTED], they were okay. I think
24 [REDACTED] was younger and [REDACTED] was older and they were
25 okay.

1 Q. Were they still at school when you were there?

2 A. Yeah.

3 Q. Were they older than you or younger than you?

4 A. [REDACTED] was older, I think she was a year older or two

5 years older and [REDACTED] was about maybe two or three

6 years older herself. One of them was adopted, I can't

7 recall, I think it was [REDACTED] who was adopted by the

8 JCX/SPO family.

9 Q. You talk at paragraph 24 about your criminal activity at

10 the time and you say that:

11 " ... there was things I knew they couldn't find out

12 about."

13 A. Yeah, that was -- I was never spoken to about that and

14 if I got anything I wouldn't -- they wouldn't know about

15 that if I'd committed crimes, until I'd charged. If

16 I got charged, that would be the only time they would

17 find out that I'd been up to no good, but if I didn't

18 get charged, then that was it, I got away with it,

19 simple as that, really.

20 Q. When you talked earlier in your evidence about going to

21 children's panels, was that to do with offending?

22 A. Yes.

23 Q. Okay. Then you talk about being allowed to smoke at

24 paragraph 25, but you say that Mrs JCX [REDACTED] tried to

25 structure things, which was fair enough?

1 A. Well, because I'd been smoking before then, I'd been
2 smoking in the house slyly and she smelled the smoke, so
3 I think it was agreed with Mrs JCX and the social
4 worker to take control of that by allowing me to smoke
5 at the back door and keep the cigarettes on top of the
6 fridge, so it took a while for that to happen but it did
7 happen.

8 Q. Then you say at paragraph 26 what you've already
9 mentioned in your evidence, that the main thing was that
10 you feel that you were more tolerated than guided, and
11 you think that was because of the fact that you'd been
12 criminally active.

13 A. Yes. I was never -- I was just -- there was never any
14 education otherwise than children's panels or
15 discipline. Nobody sat down and says, "You're doing the
16 wrong thing here", because I started to look after my
17 mother and I was innocent enough at a young age for it
18 to stop if I got the right guidance but I didn't,
19 I didn't get the right guidance.

20 Q. Then you say it felt like it was that they couldn't wait
21 for you to turn 16 to get you out of the house.

22 A. Yeah, well, once I got charged at 16-year-old, at that
23 time your name and address would be declared on the
24 papers and Mrs JCX says she didn't want her name in
25 the papers -- address, sorry, in the papers, so I had to

1 leave, so I did.

2 Q. And you did leave when you were 16?

3 A. Yes.

4 Q. Where did you go initially when you were 16?

5 A. When I started to -- the perpetrator Mr Lowry had

6 already set all that up. He had [REDACTED] two

7 flats [REDACTED] and it was agreed that -- by the social

8 work that I'd move to some sort of location, I can't

9 recall the name of it. It was a hostel, I think, and

10 Mr Lowry was pulling the other way so I thought, well,

11 the damage is done and if I move away that's another

12 time I'm going to lose all the friends that I've made,

13 going to have to start from scratch, so innocently

14 enough I went along with Mr Lowry's way. I don't think

15 the social work was too happy about that, but again it

16 was like what good have yous done anyway to be quite

17 honest, so good riddance.

18 Q. Okay. We'll come back to that again in a moment when we

19 start talking about Mr Lowry. But was the snooker club,

20 where was that, was it in Haddington?

21 A. That was in Haddington, yeah.

22 Q. If we can move down to paragraph 28 where you talk about

23 Mr Lowry and Mrs JCX [REDACTED] allowing something to happen.

24 Just to put that in context, you talk in this paragraph

25 about going away on holiday, so you say that JCX/SPO [REDACTED]

1 went away to Germany on holiday but they never took you
2 with them?

3 A. Yeah, they went on holiday about three occasions and the
4 reason why I says I couldn't go is the police have got
5 guns abroad, she said, and they didn't -- they didn't
6 think -- they didn't trust whether I'd start offending
7 when I was abroad or not. I don't know if I would have
8 or wouldn't have, I don't know, but she just said the
9 police have got guns abroad, you can't come, and I got
10 put into other foster care settings temporarily while
11 they were on holiday.

12 Q. Okay. Then you tell us at paragraph 29 that on one of
13 these occasions I think you were allowed to go away with
14 Mr Lowry and his two children to Butlins.

15 A. Yeah, Mr Lowry had approached Mrs JCX and personally
16 asked her if he could take me to Butlins and I didn't
17 understand why they were standing being so friendly when
18 I knew they were bitter towards each other, and
19 I think -- I can only presume that Mrs JCX had
20 allowed that to happen to clear their own conscience for
21 not taking me to Germany three times when they went.
22 I don't know. Possibly. But she did agree that that
23 could happen. Without any reference to social workers
24 or anything like that, whether it was allowed in their
25 policy.

1 But Mr [REDACTED] told Detective Stevie Sutherland that
2 he wasn't happy about that one little bit, but it was
3 Mrs JCX [REDACTED] who wore the trousers in that relationship
4 and so what she said goes really and it was allowed.
5 Q. Okay, so I want to ask you some questions about that.
6 Mr Lowry was a person who Mrs JCX [REDACTED] knew; is that
7 right?
8 A. I -- I'd never seen them speaking to each other, but
9 they were aware of each other, yeah.
10 Q. Where did Mr Lowry live? Did he live locally?
11 A. He lived in the same town, Haddington.
12 Q. What did he do?
13 A. He ran a snooker club for young boys. He collected
14 money for disabled children. He collected Christmas
15 hampers for everybody in the town. He had various
16 properties. He worked in the council as a road sweeper.
17 And that's about it, really, I think.
18 Q. Okay. And how did you meet Mr Lowry?
19 A. [REDACTED] befriended me, [REDACTED], who invited me to their
20 house.
21 Q. Were you at school together?
22 A. Yeah.
23 Q. Is that how you met [REDACTED]?
24 A. Yeah.
25 Q. Okay. So you were invited to the house and you got to

1 know Mr Lowry that way?

2 A. Yeah.

3 Q. Okay. So on this occasion you understand -- do you have

4 a recollection of Mr Lowry speaking to Mrs JCX at the

5 house about this trip?

6 A. Yeah, he came to the front door.

7 Q. Right, okay. And your understanding was that they were

8 talking about you going to Butlins?

9 A. Mm-hmm.

10 Q. Okay. And who else was going on the trip?

11 A. [REDACTED]. I can't recall their name. One

12 of them he did abuse and got convicted for that.

13 Q. Okay. So it was you, [REDACTED] and him. Is that right?

14 A. Mm.

15 Q. Okay.

16 A. He had [REDACTED] [REDACTED] was not one of them

17 that went to Butlins, it was his [REDACTED] children.

18 Q. I see. So not [REDACTED] that you had met initially but

19 [REDACTED]?

20 A. Mm-hmm.

21 Q. Had you got to know them, were they friends of yours or

22 not?

23 A. No, they were too young.

24 Q. They were younger, okay.

25 A. Yeah.

1 Q. Okay. So on this occasion Mrs JCX had agreed to you
2 going on this trip and I think you mentioned in your
3 evidence that this was without reference to the social
4 work department?

5 A. Yeah. It did -- it ended up in my records after the
6 invitation was given, so Mrs JCX allowed it without
7 asking for any guidance through social work or stuff
8 like that, whether it would be allowed or not.

9 Q. Your understanding from reading your records is that she
10 hadn't asked in advance, because you've seen reference
11 to it after it had happened?

12 A. Mm.

13 Q. Okay. You also mentioned in your evidence something
14 about a policy, if there was a policy about holidays?

15 A. Sorry, repeat that?

16 Q. So you mentioned, I think if there was a policy that the
17 council had about holidays or you going away?

18 A. Well, I'm trying to take civil action and my solicitors
19 approached East Lothian Council on the aspect of Butlins
20 saying, "Is it in your policy [I can't remember the
21 words she's described it] practically for strangers to
22 take your foster children on holiday". So I've not
23 heard much since then really.

24 Q. So your solicitors asked East Lothian Council whether
25 they had a policy about these sorts of things, you

1 think?

2 A. Yes.

3 Q. And you don't know what their answer has been?

4 A. No.

5 Q. Okay. Or if there has an answer?

6 A. Sorry, there hasn't been an answer yet. She's had to

7 try twice now.

8 Q. I see, I see. Okay.

9 If we can move on in your statement a little,

10 please. If we go over the page to page 5 and

11 paragraph 33, you talk there about food at JCX/SPO

12 and I think you say that that was all fine at the

13 JCX/SPO, you were well fed?

14 A. Yeah, three meals a day and sit at the dining table and

15 sat with the family and everything. It's properly

16 structured.

17 Q. Okay.

18 Then I think you tell us about school and if we go

19 on over the page you talk about having a job and then

20 things that you might do in your leisure time.

21 At page 6 on paragraph 43 you say that you were

22 allowed out at night and you would have to be allowed in

23 by set times?

24 A. Yes. 9 o'clock I think it was. Or maybe 8 o'clock, I'm

25 not too sure.

1 Q. You're not sure if you would stick to that, you said?

2 A. I think on and off I did, really, but sometimes not.

3 Q. Okay. If we go on to the next page, at paragraph 48,

4 for example, you talk about having good memories of

5 being at JCX/SPO house when it was Christmas, you

6 have some good memories at that time?

7 A. Yeah, they fully included me in that aspect and were

8 quite generous, to be quite honest.

9 Q. Okay. Then at the bottom of this page, starting at

10 paragraph 50, you talk a bit more about running away.

11 Sometimes you say that you would have stayed with

12 friends in Haddington and I think you've already told us

13 that nobody would ask you why you were running away?

14 A. No. I'd run away to Musselburgh as well and for

15 instance I found an empty bottom flat where I'd broke

16 into, but there was nothing in it so I broke into

17 a house and stole a duvet cover and then slept there.

18 And there was another occasion where I slept in a coal

19 cellar -- and this was me trying to escape from the

20 abuse. And I'd always be arrested and then returned to

21 Haddington.

22 Q. Then at paragraph 54 at the top of page 8 you talk about

23 a time that you ran away to your sister's bedsit in

24 Edinburgh.

25 A. Yeah. She was staying at the West End in Edinburgh and

1 I stayed there for quite a while and she was a bit
2 concerned. She says, "You'd better hand yourself in",
3 so I said to her, "Well, go to the police station and
4 tell them I'll hand myself in if they send me to
5 a children's home rather than go back to Haddington",
6 and the police said they'd do that, so I handed myself
7 in. They put me in a cell and about half an hour later
8 they come up and say, "You're going back to Haddington",
9 and I says, "And why is that?" And they said, "Because
10 the judge has signed a warrant for your arrest", and
11 then I was just returned and the abuse continued again.

12 Q. Okay. Your sister, had you had any contact with her
13 other than this during the time that you were in foster
14 care?

15 A. No. Well, I think she came to Musselburgh -- no, not
16 while I was in foster care, no.

17 Q. How did you know where she was living?

18 A. I can't recall that, to be quite honest.

19 Q. Okay. At paragraph 55 you say that you have no
20 recollection of any panels for the running away.

21 A. No.

22 Q. You don't recall meeting with social workers and talking
23 about it?

24 A. No. No. There was no -- I was just -- and that's where
25 it comes along to the aspect where I was tolerated

1 rather than guided and it was just like ... it was just
2 accepted that I ran away rather than discussed.

3 Q. If we can move down this page, please, and you talk
4 about the abuse that you suffered when you were at the
5 JCX/SPO .

6 At paragraph 58 you say that before you moved in
7 with JCX/SPO there was another boy who lived there
8 and he was also a victim to the same perpetrator as you.
9 How did you find out that that had happened?

10 A. Well, I think Mr Lowry had kind of thought he had won me
11 over in this abuse and he dropped his -- he dropped his
12 guard and he says, "I done the same to [REDACTED]
13 as well". [REDACTED] stayed in the foster home
14 before me. He was assaulted. He moved out. I moved in
15 and I was assaulted. And that's when he started
16 referring to Mrs JCX as "that fat cow JCX", and
17 these were the indications that I knew that there was
18 more going on than just me being the victim.

19 Q. Okay. So this boy was somebody who had lived with the
20 JCX/SPO before you and he had moved out before you moved
21 in, is that right?

22 A. Yes.

23 Q. Did you know him at all? Is he somebody that you knew?

24 A. No. He said in the court that he knew me, but I can't
25 recall bumping into him or talking to him. I just knew

1 his name and I'd seen a photograph of what he looked
2 like.

3 Q. Okay. So you found out about this person from Mr Lowry?

4 A. Mm-hmm.

5 Q. Then at paragraph 59 you say and you mentioned something
6 about the relationship between Mrs JCX and Mr Lowry
7 and you say here that you didn't know for sure, but
8 looking back they hated each other?

9 A. Yeah. I don't know why this animosity started, but it
10 was obvious it was well underway before I'd moved in
11 there, and it was spoken about because somebody spray
12 painted on the wall "Sex at JCX" and the police had
13 spoken to him about that and he tried to put it down to
14 me, me spraying that on a wall. So things like that and
15 calling her "fat cow JCX", and then he gave me a pound
16 and Mrs JCX found out about it, then there was a big
17 argument that started about that.

18 So there was obvious indications that there was
19 something going on, they didn't like each other. For
20 what reason I don't know. Maybe because he had
21 a reputation in the town. I don't know. Or -- they
22 definitely didn't like each other.

23 Q. You mention there had that there was something spray
24 painted on a wall.

25 A. Yeah.

1 Q. Was it "Sex at JCX"?

2 A. Mm.

3 Q. When did that happen?

4 A. I don't know. It was just the police had referred that

5 to Mr Lowry and while he was giving his statement --

6 while he was being charged, I mean, and he blamed it on

7 me. He says I wrote that on the wall, which I certainly

8 didn't.

9 Q. Was that something that came out during the criminal

10 proceedings against Mr Lowry or is that something you

11 knew about at the time?

12 A. I didn't know about that at the time. It was --

13 I think -- I don't -- I can't recall whether it was

14 spoken about in court or whether it was spoken to him

15 while he was being charged.

16 Q. I see, okay.

17 At paragraph 60, you say again that Mrs JCX would

18 be very stern and raise her voice when Mr Lowry's name

19 was mentioned?

20 A. Yeah.

21 Q. Was this the case before Mr Lowry came and asked for her

22 agreement to go on this holiday?

23 A. Yeah.

24 Q. You say you feel that she had her suspicions and that

25 maybe she just didn't have any proof?

1 A. Well, it's like, for instance, I bumped into someone 20
2 years after it while I was at Royal Edinburgh Hospital,
3 he was working in the ambulance department, a term I was
4 in a psychiatric ward and I said to him, "Lowry done
5 this", and without a second thought he said, "We all
6 knew that you just suddenly changed", so if they all
7 knew that, then why didn't the foster parents see that
8 and why didn't the social workers see that, because they
9 were in close contact, so whether it was ignored or
10 picked up upon, because Michael Lowry had a reputation
11 in the town at the time expressed as a "poof", because
12 he -- well, he disguised himself with a family and he
13 did declare at the trial that he did have gay
14 tendencies, but the reason he was described as that was
15 because he had a strong homosexual accent and that's why
16 he was nicknamed that. And I think Mrs JCX was aware
17 of that and maybe had her own concerns but never really
18 voiced them, I think.

19 Q. Okay. You say in this paragraph that you don't -- this
20 is you reflecting back and --

21 A. Yeah.

22 Q. -- assuming or presuming what Mrs JCX might have
23 thought?

24 A. Yeah.

25 Q. Or what her concerns might have been.

1 You mentioned speaking to a person who was working
2 in the ambulance department at the Royal Edinburgh
3 Hospital or that you met when you were at the Royal
4 Edinburgh Hospital. Was this somebody that you had
5 known when you lived in Haddington?

6 A. Yes, it was [REDACTED] and I'd known him for quite a
7 bit in Haddington and been good friends. And he was
8 like, "Oh, it's really nice to see you again" and I was
9 telling him about it and he automatically said, "We all
10 knew that you just suddenly changed", because we were
11 all -- there was quite a big group of us that were
12 friends and he arranged for us to meet up, but my
13 section didn't allow me out of hospital and I never seen
14 him since.

15 Q. Was he a friend at school?

16 A. Yeah.

17 Q. Okay. If we go on over the page, you talk a bit about
18 Mr Lowry and the various things that he -- a bit about
19 his family, and then at paragraph 63 about his work,
20 which you've already told us about.

21 Then at paragraphs 64 and 65 you tell us about how
22 the abuse started. And this came about, you tell us,
23 from you talking to him about his nickname or --

24 A. No, I'd went -- I was quite callous when I was a young
25 kid so I'd found it amusing that he was described as

1 that and innocently I says, "I'm going to ask him", so
2 I went to where he worked and I asked him. Well,
3 I didn't even get the chance to ask him, I was just
4 immediately assaulted and it kind of stunned me.

5 Q. Okay. And that was the first time that it happened?

6 A. Yeah.

7 Q. Okay. Then at paragraph 66 you say you think you were
8 about 13 or 14 at the time and that Mr Lowry told you
9 you'd better come back again?

10 A. Yeah. Yeah, he did. He was quite forceful with that.
11 Well, strong worded about that. And I was quite --
12 I didn't know why I just took his instructions, but
13 I did.

14 I was kind of worried that my friends would find out
15 that -- am I like this when I'm not really. I knew it
16 was wrong in a sense, but I didn't understand what was
17 going on, really. I did know it was wrong and I was
18 quite frightened by that.

19 Q. Did he say anything to you about not telling anybody
20 what had happened or ...

21 A. I don't know. I was just stunned into silence, to be
22 quite honest. I can't recall. I can't recall any
23 conversations with Mr Lowry. That's how bad it was.
24 There was a time where he assaulted me then sodomised
25 me, because I'd caught him masturbating, I'd pointed at

1 him and laughed and he stood up and slapped me full
2 force across the face and then continued to sodomise me.

3 By that time I was terrified and he just dominated
4 the whole situation, to be quite honest.

5 Q. Okay. You say at paragraph 67 that it was never ending,
6 so this continued to happen did it?

7 A. Yeah. Well, it did come to an end [REDACTED]
8 in the snooker club and I was in the bedroom and I was
9 sitting crying and he was kneeling down looking up
10 saying, "What's wrong? What's wrong?" And I knew not
11 to say anything, because it would have got manipulated
12 or twisted, and I just kept crying and never said
13 anything, and I think that kind of spooked him. Then
14 the abuse stopped then and then I robbed his snooker
15 club and he had the cheek to try and get me charged
16 about it, but it didn't happen.

17 And I think then he moved away from Haddington and
18 I had my suspicion that later on in life, anyway, the
19 reason he moved was because he probably thought that
20 I was not only robbing his club, that I might have
21 revealed what he was up to and he'd moved away.

22 Q. You tell us about the occasion that the abuse came to
23 an end at paragraph 68. Then at paragraph 69 you say
24 that you think it was happening to you no less than
25 three times a week.

1 A. Sometimes -- sometimes more than that.

2 Q. I think you tell us elsewhere in your statement that
3 this also happened when you were on holiday at Butlins?

4 A. Yeah, on multiple occasions.

5 Q. Okay. You go on to tell us over the next page about
6 some of the things that you've already talked about in
7 your evidence so I'm not going to go over that.

8 At paragraph 73 you talk about the relationship
9 between JCX/SPO and Mr Lowry and you've already
10 explained that, but you say there:

11 "I think the fact that [the other boy] and me were
12 both in their foster care is more than just
13 a coincidence."

14 A. Yeah, I'm -- it was -- well, he was abusing us and when
15 he would refer to Mrs JCX it seemed like he was not
16 just evil and targeting vulnerable children, it was also
17 specifically because it was Mrs JCX foster
18 children. Why I don't know, but that was the case,
19 I think.

20 Q. You say at paragraph 74 that you think he was
21 deliberately targeting children in care with the
22 knowledge that they might not have someone to turn to.

23 A. Yeah, and was vulnerable.

24 Q. Okay. You talk about telling the conversation with your
25 friend who you met later on in the next couple of

1 paragraphs and then at paragraph 77, as you've already
2 said in your evidence, you say that if your pals knew
3 what was going on, how come the social work and your
4 foster parents didn't pick up on any changes.
5 A. Yeah.
6 Q. I think you've also had a look at your records and you
7 maybe mentioned earlier that, you know, reading your
8 records before you went to JCX/SPO you had good
9 relationships with people --
10 A. Yeah.
11 Q. -- and that changed?
12 A. I had good relationships with adults and good
13 relationships with my peers and I could communicate
14 properly, I had no behavioural problems. Then for that
15 to be that way then suddenly just all fall apart, then
16 JCX/SPO never knew what I was like before the abuse
17 and the social workers did, they had the records and
18 they should have been referring to what I was like
19 before I'd moved to any foster home or to try to
20 identify why it's all suddenly changed.
21 Q. You move on in your statement to tell us about your life
22 after care, and if we move on to page 13 you then talk
23 about reporting abuse that happened when you were at the
24 JCX/SPO.
25 At paragraph 96 you say that you felt you couldn't

1 tell your friends what was happening?

2 A. Yeah. I was too -- I was too embarrassed. I thought
3 I would be classed as a homosexual when I wasn't, and it
4 was just embarrassing, really.

5 Q. At paragraph 97 you say that you've told some people,
6 but years later and you have to be careful as they don't
7 understand the depth of it all. Can you explain that?

8 A. Well, that results in behavioural problems and just the
9 whole aspect of abuse, really. It was so -- the abuse
10 was so severe that there was all sorts of difficulties
11 from behavioural problems, everything. It was so deep
12 and it took years upon years to go through counsellors,
13 like maybe six years' counselling, to get everything
14 unravelled and come to -- and just get it all spoken
15 about, to be quite honest.

16 Q. Okay. You say at paragraph 98 that Mr Lowry did tell
17 you to keep your mouth shut so you didn't tell your
18 foster carers.

19 A. Well, he did, but it's not just him telling me. Its was
20 just the shock of what I'd been through. It was --
21 I was trying to be a normal 14-, 15-, 16-year-old boy,
22 but blocked out in the back of my mind I knew that this
23 was really disturbing so I'd started turning to solvents
24 to deal with it, to block it out, and they were only
25 a temporary release sort of thing from reality. It

1 would wear off and you'd be back until I got into drugs.
2 Then that was a different matter and that lasted for 30
3 years.
4 Q. I think you tell us in your statement that you had
5 difficulties with drug addiction for --
6 A. Yeah.
7 Q. -- as you say, a period of 30 years.
8 A. Mm-hmm, mm-hmm.
9 Q. You talk at paragraph 99 about being fearful of
10 Mr Lowry.
11 Then at paragraph 100 you say:
12 "I never told anyone about the abuse for 16 years."
13 When did you first tell somebody about the abuse
14 that had happened?
15 A. Well, I was in my house in Leith in Edinburgh and I was
16 in a very bad way, I was deteriorating mentally, and
17 when I deteriorate I don't ask for help because I can't
18 identify it, but when the NHS come, they usually say,
19 "Do you think you need the hospital?" And I would say,
20 "Aye", but I was in my house and I was deteriorating and
21 I was like: what the hell's wrong with me?
22 There was a wee indication in my mind that this had
23 happened, I remembered it, then I automatically told my
24 CPN and then she says, "Phone the police", and I did and
25 I gave a statement in 2001. Then the trial didn't start

1 until 2005, because I believe that they were waiting on
2 me because once I found out the right words of what
3 happened, "sodomised", it kind of stunned me that I knew
4 exactly what it was without knowing what that word meant
5 or hearing it before, and I just deteriorated and I was
6 in and out section, section, section, section, and
7 I think they were waiting until I was fit enough and
8 I eventually testified in 2005.

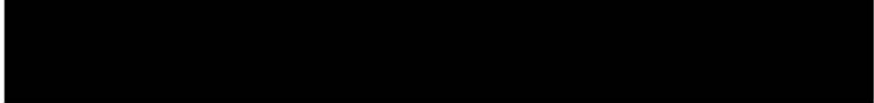
9 Q. You tell us at the top of page 14, paragraph 102, that
10 when you spoke to the police, you told them that
11 Mr Lowry had bragged about abusing the other boy --

12 A. Yes.

13 Q. -- who had been in foster care. Did the police then go
14 and try and find him?

15 A. Well, he was in prison at the time and he says it did
16 happen, and he says he'd rather wait till he gets out of
17 prison then give a statement and he did, and Mr Lowry
18 was found guilty on that charge.

19 Q. 

21 A. 

23 Q. Okay. You talk there about the trial. I just want to
24 ask you some questions about your experience of going
25 through that criminal process.

1 A. Mm-hmm.

2 Q. You say that it waited until you were well enough to
3 give evidence is your understanding.

4 A. Yeah. I gave the statement in 2001. On indictment
5 charges you are usually up court within a year and it
6 didn't happen until 2005 and I'd keep -- somehow when
7 I was in hospital I would receive letter from the
8 Procurator Fiscal stating that the trial's been deferred
9 for another six months and this continued until about
10 2005.

11 Q. Okay. Then in 2005 did you give evidence at the trial?

12 A. Yeah, I did. He pled not guilty all the way and it was
13 quite a short trial, maybe three, four, five days, and
14 I just told the Procurator Fiscal everything they need
15 to know and he try to draw as much information as he
16 could, and then I got cross-examined and I just --
17 I just stuck to the truth and then -- for instance,
18 I was in my house and I had all my records and I was so
19 far gone I didn't even read any of them apart from the
20 Sunday night where I'd read that in 1988 I was sent to
21 a psychiatrist to find out why I was committing crimes
22 and he stated that I didn't have any ongoing mental
23 health problems at that time and I knew exactly what
24 I was doing.

25 Then at the last minute, the last piece of evidence

1 that the defence had, he says, "Read exhibit A", and
2 a clerk came and put a piece of paper and I couldn't
3 believe I was reading the exact same article I'd read
4 the night before, except they changed all the words in
5 it. It says, "You have been mentally ill since 1988"
6 and I cannot recall what was said ... and he raised his
7 arms three times, saying, "Well, well, well ..." and
8 I said, "Well, that's not what it says in my medical
9 records, is it?" He tried to refer back to it so
10 I said, "Look, I'll go home now and get them now and
11 prove that that's not what it says". I should have went
12 further and said, "You have fabricated this evidence to
13 protect the likes of that", and I was quite shocked at
14 ... because I have an understanding of the education you
15 have to go through to be a QC and everything, so that he
16 would actually do something like that to protect someone
17 who's raped three children kind of -- I didn't
18 understand why --

19 Q. You didn't understand why that was being put to you?

20 A. No.

21 Q. A few things I want to ask you about in relation to your
22 experience of giving evidence.

23 Did you give evidence in court itself?

24 A. Yes.

25 Q. Was there any screen between you and Mr Lowry or not?

1 A. No.

2 Q. How did you feel about being in the same space as him
3 and being able to see him?

4 A. I was quite solid, I felt quite strong that I had a lot
5 of support and I wasn't in the room on my own sort of
6 thing. And the Procurator Fiscal asked me at the end,
7 "How do you feel about this man?" And I just says,
8 "I feel nothing for him".

9 Q. Did you have any supporter in court with you?

10 A. Yeah, I did. His name was Roy Henderson and he was from
11 Health in Mind. While we were in the witness room and
12 he didn't mention to me that he would be coming into the
13 court and when I went into the witness box the wee clerk
14 had got a chair for Roy to sit beside the Procurator
15 Fiscal facing the jury, and it just gave me a sense of
16 strength, really, and confidence.

17 Q. That he was there, okay.

18 In terms of cross-examination, you mentioned about
19 the questions that you were asked. I think those were
20 about your medical records; is that right?

21 A. Yeah.

22 Q. How did you feel about the fact that the defence had
23 access to your medical records?

24 A. Oh, that really upset me, because he was using them
25 against me and I just felt -- I just felt -- that made

1 me distrust the NHS after that and times I've referred
2 to them saying, "Look, there's no such thing as private
3 and confidential in the NHS", I said, "Your records can
4 be used against you at any given time if need be", and
5 that broke down relationships for quite a while.

6 But since I've been stable since 2009 and getting to
7 the other side of psychiatry other than the hospital,
8 it's brought my confidence back up in them, but it did
9 really upset me, that.

10 Q. Then, as you said, Mr Lowry was convicted?

11 A. Yeah.

12 Q. How did you feel when the verdict came back and he was
13 found guilty?

14 A. I was happy, really strongly happy and relieved. In
15 a sense I knew he would be guilty because I had
16 an understanding of the law, I mean you only need two
17 witnesses to convict someone and there was three of us
18 and I knew we were all telling the truth and I had seen
19 there had been nobody out for him, so I was quite
20 pleased when he was found guilty and even more pleased
21 when he was sentenced.

22 Q. You say that when he was sentenced you felt everything
23 coming back to you that was taken away?

24 A. Yeah. When he was sentenced he got eight years and he
25 collapsed in the dock. Then I felt everything

1 returning, my pride, my dignity, my innocence and my
2 self respect, I felt that all returning and it took
3 a long time to mature and develop but it was definitely
4 returned and that was the reward of justice that I'd
5 got.

6 Q. Okay. You mentioned that he was given eight years?

7 A. Yes.

8 Q. How did you feel about the length of the sentence that
9 he received?

10 A. I knew it would crush him, but at the end of the day he
11 should have got longer, I feel, because I don't know
12 what's happened in the two other victims' lives, but
13 with what's happened in my life, the trail of
14 destruction I've left, the positions it's got me into,
15 it's just -- he should have -- he should have got longer
16 for that.

17 When I was growing up in prison I could reflect, I'd
18 had the knowledge that people who commit sex crimes get
19 sentences are usually lenient.

20 When I was in prison at one point, when I had fell
21 mentally ill from the last time I had been in prison,
22 I was reading an article in the paper from the late
23 Lord McCluskey and he said in his own words how come
24 a man who smuggles cannabis into the country will be
25 sentenced to 20 years when another man who rapes and

1 sodomises a woman only gets 5 years. Now you all tell
2 me that. And I remembered because I've witnessed it all
3 my life.

4 Q. Yeah, so you feel that -- you talk there about the
5 lifelong impact that this has had on you and you've
6 talked about your difficulties with drugs and also your
7 mental health difficulties and also the offending, so
8 you talk about a trail of destruction as well.

9 A. Yeah.

10 Q. So other people have been impacted?

11 A. Yeah. And it's just a lot of people have been hurt in
12 my life by my actions and I'm just glad that it never
13 crossed my mind to make a victim be a victim, but it's
14 just -- but other offending, hurting people's feelings,
15 breaking into their property, stealing their cars and
16 how that would make them feel, and I never knew anything
17 or cared -- it's not that I didn't care about how people
18 would feel, I just didn't even know there was such
19 a thing as feelings. I was that cold-hearted at the
20 time. But until it started happening to me when I got
21 my house broken into and my car stolen and how I felt,
22 I reflected, "Gosh, this is how I've made people feel"
23 and I did shed a wee tear of remorse and that continued
24 to helping me rehabilitate myself and I've been out of
25 trouble now, apart from a driving offence, since about

1 2000/2001 or something.

2 Q. I think you feel that this impact, is that related to
3 the abuse that you suffered?

4 A. Oh God, aye, the abuse was so severe that I've never
5 been in a meaningful relationship. I have no children.
6 I don't know if my mum and dad are dead or alive. It's
7 left me -- although I've got a lot of professional
8 support around me, but in my personal life it's just me
9 and me only and sometimes I reflect on that and it's
10 kind of -- it's kind of haunting me really, to be
11 honest. It's kind of disturbing.

12 Q. If we can move on in your statement to the final
13 section, please, and to page 18 and lessons to be
14 learned. Some of these things you've mentioned in your
15 evidence already, but if I can look, please, at
16 paragraph 138, you say:

17 "I think social workers or carers shouldn't be shy
18 to take that extra step to see if they can get closer to
19 kids if they think there might be something going on."

20 A. Yeah, well none of them -- there was one social worker,
21 for instance, before the abuse happened when I was in
22 Musselburgh staying with my mum, he would take me to
23 snooker club and he'd say, "Right, I've got £5, but the
24 pool is £2, the juice is £1 each, that leaves £2, I'll
25 give you that, but you can't tell my boss", and that's

1 how he started getting to get to know me a bit better
2 and understanding by being generous and drawing me in.
3 I always remember that, but other than that there has
4 never been any kind of understanding or any kind of
5 kindness from them really. Just institutionalised
6 treatment sort of thing.

7 Q. Yes, you talk about that in the next paragraph, about
8 showing some humanity.

9 A. Yeah.

10 Q. By putting an arm --

11 A. Well, I did -- some of the evidence went missing from
12 the records, but I can recall one saying this must be
13 very painful for me -- sorry, I nearly said my name
14 there, but this must be very painful for such-and-such,
15 but why not put your arm across my shoulder and say,
16 "Look, what's going on here?" That never happened

17 Q. Okay. Then you talk at paragraph 140 about being taken
18 away on holiday and that Mr Lowry wasn't even vetted.

19 A. Well, he appears all over my childhood records and why
20 suspicions weren't raised I don't know. They never
21 checked, they never -- well, it wasn't until I was
22 speaking to a policewoman maybe a couple year ago where
23 I says he wasn't even vetted and she said, "Well, he
24 wouldn't have been because vetting didn't start until
25 the Dunblane massacre, so he wouldn't have been vetted".

1 LADY SMITH: The holiday you've told us about, 'John', was
2 to Butlins. Is that right?
3 A. Yes.
4 LADY SMITH: Was it just once that you went there with
5 Lowry?
6 A. Yes. And the Procurator Fiscal on the court case
7 emphasised, "And is that where your mum had taken you?"
8 and there was an indication there that Mr Lowry knew
9 about that, so he's took me to Butlins because my mum
10 took me there, and sorry, that -- they just sort of
11 referred to that and I don't know why, but I --
12 LADY SMITH: Maybe the idea of what was that it showed it
13 was somewhere she would approve of?
14 A. Yeah, I think that's where he was coming from.
15 LADY SMITH: How long was it? I think you say in your
16 statement it was a long weekend. How many days?
17 A. From the Friday to the Monday I think it was.
18 LADY SMITH: How long were your foster carers away at that
19 time?
20 A. They were -- they were at their own house. They weren't
21 on holiday at that time. It was just Michael Lowry had
22 approached to take me to Butlins, but Mr and
23 Mrs JCX/SPO family were still where they were in their
24 house.
25 LADY SMITH: Oh, I see. So when you were referring to them

1 having gone on holiday without you, your feeling was
2 that they were approving of this Butlins holiday with
3 Lowry as some sort of compensation for not --
4 A. Yeah, I think --
5 LADY SMITH: -- going with them?
6 A. Yeah, I think that's why Mrs JCX had allowed it,
7 because -- because specifically maybe to clear their own
8 conscience that they never took me on holiday for any
9 aspect when they'd went on holiday to Germany and so on,
10 and I think that maybe made her feel good that at least
11 he got to Butlins, that's not too bad sort of thing.
12 LADY SMITH: When they were away on holiday, who looked
13 after you?
14 A. It was other carers, foster parents. There was about
15 three different foster parents.
16 LADY SMITH: All right. So when they went away on holiday,
17 the social worker must have known that they were going
18 to be away and made arrangements for you?
19 A. Yes.
20 LADY SMITH: I see.
21 That explains things. Thanks, 'John'.
22 A. Okay.
23 LADY SMITH: Ms Innes.
24 MS INNES: Thank you, my Lady.
25 Just finally at the top of page 19, at paragraph 141

1 you mention something you've already covered in your
2 evidence about the telltale signs being there and that
3 those should have been picked up on by the adults, so
4 I think you mean the social workers and the foster
5 parents, is that right?

6 A. Yeah. I think that since I met [REDACTED], he said,
7 "We all knew that you just suddenly changed" and my
8 criminal activity had escalated. Although I was already
9 committing times long before that, it escalate --
10 I think it escalated more on a silent cry for help. I'm
11 not too sure. I think that was the case. But it did
12 escalate. And I can't recall what other behaviour, but
13 with crimes such as this, there's going to be noticeable
14 things and Mrs JCX [REDACTED] should have picked up on that,
15 I think.

16 Q. You've talked about running away for example in your
17 evidence and you said that part of that on some
18 occasions was to get away from the abuse?

19 A. Yeah. For instance it did state in the records that the
20 family's quite shocked that I'd run away when everything
21 was going so well in the family house, but it was the
22 abuse I'd run away for, but they never -- never asked
23 why. Never.

24 MS INNES: Okay. Right, I have no more questions for you,
25 'John'.

1 There are no applications, my Lady.

2 LADY SMITH: Are there any outstanding applications for

3 questions?

4 'John', that does complete all the questions we have

5 for you.

6 A. Thank you.

7 LADY SMITH: Thank you very much for engaging with us as you

8 have done.

9 A. You're welcome.

10 LADY SMITH: Both by providing your written statement and by

11 coming along here today. I do appreciate that you've

12 had to wait a number of years to do that.

13 A. Mm-hmm.

14 LADY SMITH: And that was against a background of having to

15 wait a number of years before you could give evidence at

16 the criminal trial.

17 A. Mm-hmm.

18 LADY SMITH: I hope you understand that it's not that we

19 don't care about or very much appreciate the statement

20 you've given us. It's to do with the scheduling of our

21 oral hearings in relation to different subject matters

22 and it's only this year that we've started hearings on

23 foster care.

24 But it's been so helpful hearing from you in person

25 in addition to your written statement and hearing you

1 being so frank and at times very fair about your first
2 set of foster parents and your second set of foster
3 parents. I do note that.
4 A. Thank you.
5 LADY SMITH: It shows that you're able to look back and
6 appreciate the good things as well as the bad things.
7 A. Well, thanks for having me along to give the opportunity
8 for this. I do appreciate that as well. Thank you.
9 LADY SMITH: Not at all.
10 I'm now able to let you go and I hope you have
11 a less stressful time for the rest of today.
12 A. Okay, thank you.
13 (The witness withdrew)
14 LADY SMITH: Ms Innes.
15 MS INNES: My Lady, I think we have a time for a read-in
16 before the break. If I might be excused Ms Rattray will
17 deal with this.
18 LADY SMITH: Certainly.
19 When you're ready, Ms Rattray.
20 MS RATTRAY: Thank you, my Lady.
21 'Mary' (read)
22 MS RATTRAY: This is a statement of an applicant who wishes
23 to remain anonymous and has chosen the pseudonym 'Mary'.
24 Her statement is at WIT-1-000000469.
25 'Mary' was in the care of Strathclyde Regional

1 Council. She recalls being in three foster placements,
2 two in Cumbernauld and one in Milngavie. However the
3 records recovered are very sparse and there's
4 information in the records of only one of those
5 placements which was with Mrs FWB in Milngavie,
6 from 1984 until 1984.

7 There is a fleeting reference in the records to
8 'Mary' having been previously in care twice in
9 Cumbernauld, but the care settings are not identified.

10 The successor authority is Glasgow City Council.

11 "My name is 'Mary'. I was born in 1973. My contact
12 details are known to the Inquiry. I was born in Irvine.
13 I stayed at first with my father's parents on a farm in
14 Cheshire, although it may have been Beverley. I then
15 moved at the age of 3 to Springburn in Glasgow to live
16 with my nana. My nana's partner died of cancer. My
17 nana hit the drink and my mother turned up and took me
18 to live with her in a Tower block in Sighthill in
19 Glasgow with her partner. I have a sister who's six
20 years younger than me and a brother who's eight years
21 younger than me. They are both deceased.

22 After only three weeks my mum's partner was telling
23 me to call him dad. There was lots of arguing between
24 my mum and dad. My mum was an alcoholic, but I didn't
25 realise this until I was older and all dad thought about

1 was working at the shipyard. He was also an alcoholic.
2 I attended primary school at the time.

3 At the age of six I was sent to live with two of my
4 mum's friends in Dewsbury. They were a lovely couple
5 and I was there for six months and I attended school
6 whilst I was there.

7 When I eventually returned home, my mum had given
8 birth to my sister. Dad had been made redundant from
9 the shipyard and we moved to Cumbernauld.

10 Mum was totally isolated and miserable in
11 Cumbernauld as she didn't know anyone and dad was always
12 working. My mum again turned to drink.

13 Dad was a workaholic and he decided that we should
14 be taken into care, and my sister and I went into the
15 care of a lady in [REDACTED] in Cumbernauld.

16 The lady whose name I cannot recall was lovely and
17 I can remember thinking that I never wanted to go home.
18 The lady had a wee boy. The lady introduced me to
19 'toast toppers' which were absolutely beautiful and hot
20 orange juice. The lady was a calm woman and I felt much
21 loved. I remember going to the school enrolment process
22 for [REDACTED] Primary School but by the time I was
23 ready to attend I was sent back home. On arriving home
24 in 1981 my brother had been born and we had moved to
25 a huge house in Cumbernauld.

1 Whilst we were in the house at Cumbernauld there was
2 an incident with my nana's new boyfriend. He used to
3 steal plants for his garden. He took me into the bushes
4 on a roundabout in Rutherglen and he was digging up this
5 fir tree and he touched me sexually. The police turned
6 up and confronted him as to what he was doing to me, and
7 he told the police that he was digging up plants and
8 being only a little girl I confirmed that he was digging
9 up the tree. The police turned up at his house and
10 asked what he was doing. I remember mum quizzing me
11 around the kitchen table about him touching me, and
12 I again said that we were digging up plants. I don't
13 remember going round to his house again. I do remember
14 people coming in and asking me questions but I didn't
15 know at the time if they were social workers.

16 Mum again hit the drink and she had numerous suicide
17 attempts and she became quite ill. We were sent to
18 a new foster home.

19 We were at the foster parents' home for a couple of
20 weeks and their daughter, who was a punk, hated me
21 because she had to give up her bedroom. They also had
22 a foster son who they were going through the process of
23 adopting and he became a really good pal. I was only
24 there for weeks. It wasn't long term.

25 Eventually we returned home and we ended up living

1 in a room and kitchen in Dennistoun where my siblings
2 and I slept in a bed in the kitchen and mum and dad
3 slept in a bed in the living room. Dad just went to
4 work. Mum would regularly say that the place was cursed
5 and we would regularly move home.

6 We moved back to Glasgow and I attended primary
7 school and my brother and sister attended nursery. Life
8 at home was chaotic as my mum had no support.
9 I remember that my mum punched a glass panel in the
10 kitchen and injured herself. Dad told me to ring our
11 social work worker Eric Walker. I remember always going
12 to the office at Cow Point Road to see him. I phoned
13 Eric Walker and told him my mum had injured herself and
14 that dad was going to work. They came and we were taken
15 away and I have a fleeting memory of a children's panel.
16 I ended up at the age of eight being taken to Eglinton
17 Children's Home and my brother and sister went into
18 foster care at Largs.

19 Life was chaotic. My mum did the best she could and
20 she had a crap upbringing herself. Dad just didn't know
21 how to be a dad. He'd grown up in the west of Scotland
22 and the men just went to work."

23 From paragraphs 15 to 92 'Mary' speaks of her
24 experiences in Eglinton Children's Home in Glasgow for
25 about two weeks before being returned to her mother.

1 She says things became very bad at home and there was
2 a lot of involvement with Social Services. Her mum was
3 admitted to hospital because of her mental health.
4 'Mary' and her siblings were taken to Eglinton again.

5 Secondary Institutions - to be published later
6
7

8 Moving now to paragraph 93 on page 17:

9 "The social work arranged for us to be in a bigger
10 home because of where we were all sleeping. Just before
11 we moved I remember that mum was drunk and dad said ring
12 the social. I rang them and we were moved to a foster
13 home in Milngavie. I think we went to Milngavie in May,
14 as I remember having a conversation with the social
15 worker about it being too soon to start school because
16 of the summer holidays. The home was run by FWA-FWB
17 FWA-FWB who were aged in their late 30s, early 40s.

18 FWA-FWB had a three-bedroom house.
19 She had a daughter and two sons and a child that she was
20 long-term fostering. She also child minded two kids
21 during the day. One was a boy and there was a girl and
22 us three. My younger sister and brother were in the
23 bedroom with their middle son. They had pull-down beds
24 in the attic. The foster daughter was in a bedroom on
25 her own. The other son had his own room. Me and their

1 daughter shared a room.

2 FWB was a bully and he would belittle
3 their middle son in front of us. He worked as a chef
4 and stole large bags of pasta which we lived off. The
5 FWA-FWB were a money-making machine. I can remember
6 not attending school and being sat in their garden all
7 day whilst FWA child minded. FWB idolised
8 his daughter but he physically bullied his middle son.
9 FWB wouldn't allow us to sit in the living
10 room when he was home from work. He would just sit
11 smoking a cigar.

12 I can recall being there for the whole of the summer
13 because they took us on holiday to Oban with them.

14 I can remember that my sister and brother started to
15 wet the bed and the FWA-FWB started smacking them.
16 I recall challenging FWA about the smacking and she
17 replied that my dad had given permission for them to do
18 it. I also remember seeing a piece of paper which
19 showed that the FWA-FWB were getting £300 a week for
20 our care. The older daughter didn't want us there and
21 she was nasty. I can understand why she was being nasty
22 because they weren't getting any attention.

23 I remember complaining to our social worker
24 Dorothy Hanley about our treatment and that I didn't
25 want to be there. Dorothy responded by saying that both

1 my sister and brother were happy to stay. I said that
2 I didn't want to leave them and Dorothy said that there
3 were very few foster parents who would take three
4 children. Dorothy said that we wouldn't be with the
5 FWA-FWB for long and I should just tough it out.

6 I don't remember what my mum was doing but I do know
7 that her and my dad had got back together again. Dad
8 was coming to visit on Saturday and we returned to live
9 in the big house in Dennistoun. I had my own bedroom
10 which was amazing.

11 At the age of 13 I recall attending a big children's
12 panel meeting. My sister wore her school uniform.
13 I had no further social worker involvement and I was
14 effectively caring for my brother and sister full time."

15 From paragraph 101 'Mary' describes her life after
16 care. Secondary Institutions - to be published later

17 Secondary Institutions - to be published later

18 Secondary Institutions - to be I will move to paragraph 121 on page 22
19 where 'Mary' speaks of lessons to be learned:

20 "I don't think that people should go into foster
21 care with families who have their own children. The
22 family's children will resent the foster kids because
23 their parents' attention will be taken away from them
24 and this should never have been allowed.

25 Hopefully there will be a time when kids don't have

1 to be in care and the families are supported better.

2 There should be spot checks on any establishment and
3 the people doing the spot checks should arrive
4 unannounced.

5 You can get all the training in the world but after
6 six months it's all forgotten, so there should be
7 an ongoing evaluation of establishment and staff.

8 The person who is in charge of these places should
9 be held responsible for the wrongdoing and criminal
10 charges should be brought against them if things aren't
11 followed through.

12 There should be a safer whistle-blowing policy.

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

17 'Mary' signed her statement on 9 October 2020.

18 My Lady, that would seem to be an appropriate time
19 perhaps for the break.

20 LADY SMITH: To take the morning break.

21 Before I rise, I should mention that with 'John's'
22 evidence the names of JCX/SPO and the , both of
23 whom were foster carers, were mentioned, as were names
24 of children who lived in, in particular, JCX/SPO '
25 foster home and we just used the names of FWA-FWB

1 FWA-FWB during the evidence. These are names that
2 can be used within this room, but they're all covered
3 within my general protection order and these persons'
4 identities cannot be disclosed outside here.

5 We'll take the break now and sit again at about
6 11.45. Thank you.

7 (11.29 am)

8 (A short break)

9 (11.45 am)

10 LADY SMITH: Ms Innes.

11 MS INNES: My Lady, the next witness has chosen to remain
12 anonymous and is using the pseudonym 'Anna'. She was in
13 the care largely of Lothian Regional Council. She was
14 placed with a Mr and Mrs FKX-FKZ in Dalkeith on
15 1975 and she remained there for the rest of her
16 childhood.

17 'Anna' was from Edinburgh and it appears that
18 officers in Edinburgh dealt with both her and the foster
19 carers, although they lived in Midlothian. City of
20 Edinburgh Council are a relevant successor and
21 Midlothian may also have an interest.

22 LADY SMITH: Thank you.

23 'Anna' (sworn)

24 LADY SMITH: The microphone should help you, 'Anna', but it
25 will also help us. We need to hear you through the

1 sound system, so if you can keep in a good position for
2 it --

3 A. Of course.

4 LADY SMITH: -- that would be very helpful.

5 That's good, yes.

6 The red folder that's on the desk there has your
7 statement in it and you'll be taken to that in a moment,
8 but we'll also put it up on that screen in front of you
9 and take you to the various parts of it that we're going
10 to discuss with you as we go through your evidence. You
11 might find it helpful, you might not, but it will be
12 there if you want to use it.

13 Other than that, 'Anna', can I just say from the
14 outset that I do understand that it's not at all easy
15 agreeing to come into a public setting and give evidence
16 in front of people, all of whom are strangers to you,
17 about your life and your life as a child, and in your
18 case the whole of your childhood, I think, that you were
19 in foster care.

20 Sometimes people find, however well prepared they
21 think they are, that their emotions can take them quite
22 by surprise and I fully understand that. If, for
23 example, you'd like a break, whether out of the room or
24 just sitting where you are, that's absolutely fine by
25 me. If it works for you -- or if there's anything else

1 I can do to help you give your evidence as well as you
2 can, let me know, would you?
3 A. Of course. Thank you.
4 LADY SMITH: I'll hand over to Ms Innes now if you're ready
5 to start. Is that okay?
6 A. Yes, uh-huh.
7 LADY SMITH: Very well.
8 Ms Innes.
9 MS INNES: Thank you, my Lady.
10 Questions from Ms Innes
11 MS INNES: 'Anna', we understand you were born in 1974. Is
12 that right?
13 A. That's correct.
14 Q. If we can look please at your statement, we give it the
15 reference WIT.001.003.0724, and if we can look at the
16 final page of that statement, please, and paragraph 88,
17 you say there:
18 "I have no objection to my witness statement being
19 published as part of the evidence to the Inquiry.
20 I believe the facts stated in this witness statement are
21 true."
22 I believe you signed this statement on
23 25 November 2019?
24 A. That's correct.
25 Q. Can we go back to the start of your statement, please,

1 and at paragraph 3 you tell us a little of what you know
2 about the circumstances in which you came into care and
3 you talk about your parents. You say that you were
4 always told the reason that you went into care was
5 because your mother had had a car accident and went into
6 hospital and wasn't able to look after you. You say:
7 "The real truth is that my parents were never
8 married and my mother couldn't cope as a single mum."
9 Who was it that told you the story about the car
10 accident?
11 A. Both my birth parents and my foster parents corroborated
12 that.
13 Q. Then when you say that the real truth -- who told you
14 the real truth?
15 A. That's probably conjecture on my part.
16 Q. I see. Have you ever recovered your records from the
17 City of Edinburgh Council?
18 A. No.
19 Q. We'll come back to that in due course:
20 We know that you were very young when you went into
21 care.
22 A. Yes.
23 Q. You went into care as a baby and you went to live with
24 the ██████████ as a baby as well. If we go over the page
25 to page 2 of your statement you tell us a bit about them

1 at paragraph 5. Mr FKZ, you say he was a miner?

2 A. Yes, he worked at Bilston Glen colliery.

3 Q. Did he do that the whole time that you lived with him?

4 A. Up until the point that the mine was closed, when I was

5 about 17 years old or thereabouts.

6 Q. What did he do then?

7 A. He went to work as a handyman for the local council.

8 Q. What about Mrs FKX, did she work?

9 A. She didn't work through our early childhood, and again

10 when I was a later teenager she took a job into sort of

11 mid afternoons into the evenings, where she worked in

12 Gorebridge in a shop.

13 Q. Okay. You say the FKX-FKZ had two children of their

14 own.

15 A. Yes.

16 Q. You say what you think about their ages. We do know

17 from the records that we have that I think was

18 born in 1976 and was born in 1978, so

19 a couple of years younger than you and then

20 four years younger than you.

21 A. (Witness nods)

22 Q. You say that when you went there they had two further

23 children in foster care?

24 A. Yes. I'm not sure whether they were there before

25 I arrived or afterwards, but certainly I remember them

1 being there the whole time I was there.

2 Q. Were they older than you?

3 A. They were.

4 Q. You tell us that they were a brother and sister?

5 A. They were.

6 Q. How much older than you were they?

7 A. I think possibly -- am I allowed to say her name?

8 Q. Yes.

9 A. ██████, now who is known as ██████ I believe that she

10 was possibly about eight years older than me, possibly

11 ten. And her brother, ██████, as he was known, he was

12 a little bit older than she was, a few years older than

13 she was.

14 Q. Okay. You say that the ██████FKX-FKZ lived in one house and

15 then you think that you moved house when you lived with

16 them?

17 A. Yes, only a few streets away, we moved to a larger

18 house.

19 Q. Roughly how old were you, what class in school were you

20 in when you moved?

21 A. I was an infant, so I think I was possibly two years old

22 when we moved into the house that I grew up in.

23 Q. Okay. Then you stayed in that house for the rest --

24 A. Yeah.

25 Q. -- of the time that you lived with them? Okay. If we

1 can look, please, at the bottom of page 2 and in
2 paragraph 8 you tell us about your earliest memory of
3 your time with the [FKX-FKZ] and you say that you think
4 it happened when you were about two. Why is it you
5 think you were two at the time?

6 A. So -- very young and the age of [] and how I guess
7 I had recalled my age in relation to []'s age. He
8 was the baby in the story. And also the scale of the
9 size of the garden and my reaction to what happened. So
10 the garden felt enormous, so obviously my sort of view
11 of the garden was probably related to how old I was.

12 Q. Okay. So you're not saying that you were definitely two
13 at the time, you are saying that --

14 A. No, I was very young.

15 Q. -- you were young? Okay. If we go on over the page you
16 talk about this incident. Can you tell us what you
17 remember?

18 A. Yeah, I can. I can still see it as sort of an image
19 that sticks with me really vividly. My foster mother
20 was standing to the left-hand side in front of a sofa.
21 My foster father was closer to me and he was holding his
22 son and they were arguing, they were verbally shouting.
23 [FKX] was shouting quite a lot at [FKZ] and [FKZ]
24 was responding, so there was a lot of raised voices.
25 And [FKZ] had [], his infant son, in his arms, and

1 through the course of the altercation, the argument, he
2 held [REDACTED] up and he held [REDACTED] by the legs and he
3 held him over his head and he was threatening [REDACTED] FKX
4 that he was going to drop the "fucking baby", I remember
5 that vividly, and [REDACTED] FKX was screaming and she was
6 really distraught and I just -- really overwhelmed and
7 I ran out of the room and I ran into the front garden.

8 And up the middle of the garden we had a path that
9 led just to a fence, it didn't go anywhere and
10 I remember running to that boundary because that was as
11 far as my world went at that age and just standing there
12 and feeling firstly a sense of panic and just being
13 overwhelmed as to what was happening, and then also this
14 sense of: I don't know what else to do, I have to stay
15 here now because this is the end of the world.

16 Q. Okay. You say that you feel this set the tone for the
17 rest of your foster placement?

18 A. Yeah. And when I was describing these events in giving
19 my statement a few years back, just in terms of that
20 level of violence and aggression was commonplace just
21 throughout my whole childhood, so it was quite
22 normalised. So those sorts of examples, whilst that's
23 quite a -- you know, a really horrific one, there were
24 quite a few other sorts of events throughout my
25 childhood.

1 Q. Okay. If we look down to paragraph 10 of your
2 statement, you talk about your understanding of the
3 circumstances in which you came to be fostered and you
4 say that you think that they had fostered some children
5 before you lived there?

6 A. Yeah.

7 Q. Was that something that you were told about?

8 A. Yeah, [REDACTED] spoke quite openly about it. So she
9 spoke openly about the reasons why she had had troubles
10 having her own children naturally, and she spoke about
11 some of the children that had stayed with them prior to
12 me being there.

13 Q. You then talk about how it came to be that the older
14 children, the foster children that you've already
15 mentioned, they were living in the family home with you
16 and you say that they stayed until their late teens?

17 A. (Witness nods)

18 Q. When did they leave? Did they leave when they turned 18
19 or at another time?

20 A. I can't recall the precise age for each of them, but my
21 foster brother [REDACTED], he left following sort of
22 a physical fight. There had been obviously lots of
23 different violence throughout his childhood as well, but
24 on this one occasion because he was quite, you know,
25 sort of a mature boy, possibly 16/17, maybe a little bit

1 older. There was a really sort of like a man-to-man
2 fight between them. A bed was broken when young
3 [REDACTED] -- because they had the same name -- jumped onto
4 the bed to get away from his father who was physically
5 bigger, broader than him, and the bed broke and
6 I remember just, you know, the amounts of punches and
7 the sound and all the violence. So it was not long
8 after that that [REDACTED] moved in with his girlfriend, so
9 he left the house then.

10 Q. What about your foster sister?

11 A. Different circumstances, although it's not reflected in
12 my statement.

13 So [REDACTED] was a very, very kind sister and she did
14 a lot around the house. I think they were particularly
15 upset because on one occasion she had been out sort of
16 in the evening and she was old enough to be out sort of
17 in the evening and she'd stayed out overnight and in the
18 morning they were really upset that she hadn't come home
19 and they were sort of knocking around about the
20 neighbours' doors to find out if anyone knew where she
21 was and it turned out that she had sort of stayed over
22 with a young guy, which they were really unhappy about.
23 So I -- I was told that the young guy was assaulted and
24 that [REDACTED] was dragged home physically, like in
25 a really sort of humiliating manner, not fully dressed,

1 back to the house, and then she was essentially thrown
2 out.

3 And at that point [REDACTED] had already started work
4 because she had left school.

5 Q. Okay.

6 A. She was on a Youth Training Scheme, and so she packed
7 some things, sort of really quite hastily, and then left
8 and that was the last we seen of her, and then she was
9 referred to thereafter in sort of really degrading
10 terms.

11 Q. So do you remember her being back at the house and
12 packing a few things? Do you remember that happening?

13 A. I do, yeah. Because there was a lot of commotion, it
14 was when she got dragged back into the house and it was
15 really hasty. It was almost like you were having to
16 leave in a rush so she -- and I was really upset. I was
17 in her room and she was packing all of her sort of like
18 make-up and things like that. And then when she left,
19 I remember being in her room and seeing the things she'd
20 left behind and feeling really quite sad.

21 Q. Okay.

22 Did the [REDACTED] have any other children that came
23 to stay with them when you were living there on
24 a fostering basis?

25 A. No other foster children, no.

1 Q. At paragraph 12 you say that you think that the foster
2 children were treated differently to the FKX-FKZ own
3 children.

4 A. Very much so.

5 Q. Okay, in what way?

6 A. I never witnessed any violence nor any verbal
7 name-calling towards their own children. I was never
8 aware of their own children having to do the excessive
9 amounts of chores that myself and my foster brother and
10 sister had to do. So it was very markedly different.

11 Q. You talk about them showing a lot more affection to
12 their own children?

13 A. Yeah, indeed. Well, they didn't show any affection to
14 myself, nor do I recall any affection to ██████████ and
15 ██████████ But in my own case, there was never any
16 affection.

17 Q. Okay. Then you talk about the houses that you stayed
18 in. Did you have your own room in the house that you
19 grew up in?

20 A. Only towards sort of when I was 16 towards 18, I moved
21 into the downstairs bedroom but that was the point at
22 which obviously ██████████ had also left the house, so that
23 had been his room at one point. So the rooms moved
24 around. We tended to sort of share when we were
25 younger.

1 Q. Okay. If we go over the page to page 4 and
2 paragraph 14, you describe Mr FKZ as being a heavy
3 drinker and a very violent man?

4 A. Yes.

5 Q. In terms of him being a heavy drinker, can you explain
6 what that was like? Was he going out to the pub? Was
7 he drinking in the house? What was happening?

8 A. He didn't drink in the house apart from new year, he was
9 always out at the miners' club. But on the occasions
10 where the drink turned into violence, that was always
11 coming home from work. So I recall like being sitting
12 in school uniform and it being a Friday and he didn't
13 come back from his shift at the pit and instead he'd
14 come home drunk later, so FKX was obviously upset
15 and then she'd have a go at him and then he would become
16 very violent in response.

17 So the drinking was quite out of sorts in that it
18 was during the day, it was early, it wasn't late into
19 the evening where you maybe would more expect to see
20 people sort of under the influence of alcohol.

21 Q. What sort of time would he finish up at work at the pit?

22 A. He worked shifts. So on the occasions where he came
23 home where he'd been drinking, it would generally be
24 where they've had maybe an earlier shift and he'd
25 finished and then there'd be obviously like a lot of

1 repercussions in the house from the drink. But then
2 drinking as well over and above that socially, they
3 drank socially very frequently. They drank every
4 Friday, every Saturday and Sunday evening in the local
5 miners' club and sometimes as well on a Thursday.

6 Q. Okay. You know that we've spoken to Mr and Mrs FKX-FKZ
7 and if we hear evidence from them that they only really
8 went out on a Saturday night, what's your response to
9 that?

10 A. It's not -- it's not true. And on a Sunday evening when
11 I used to visit -- go out with my birth parents on
12 a Sunday, it was stipulated I had to be home by 7.30 pm,
13 and that was precisely because that was the point at
14 which the FKX-FKZ would then be going out to the
15 labour club, as it was commonly known, so that was when
16 they were going out drinking.

17 Q. Okay. Why would you have to be home before they went
18 out?

19 A. Because Mr FKZ insisted that obviously when I was
20 returned that my dad, my birth father and he used to
21 stand at the door and exchange a few words.

22 Q. You say in this paragraph, and you mentioned in your
23 evidence there, that there were incidents of domestic
24 violence between Mr FKZ and Mrs FKX, and you
25 described there might be an argument between them and

1 Mr FKZ would become violent. What sort of things
2 did he do to Mrs FKX that you saw?
3 A. Really badly beat her. You know, he'd pull her to the
4 ground by the hair, be punching her, he'd be kicking
5 her. Just really violently assaulting her with his
6 fists and with his feet. And on a couple of occasions
7 he'd terrorise her into the corner. On one occasion he
8 smashed the glass coffee table and I attempted to sort
9 of stand in the way to protect her because I thought he
10 was going to kill her and it distracted him and he
11 turned on me.
12 Q. What did he do then?
13 A. He started coming towards me to sort of assault me and
14 then FKX stepped in to try to protect me and
15 I managed to run out of the room.
16 Q. Okay. Was Mrs FKX sometimes injured as a result of
17 these altercations?
18 A. She was regularly injured, regularly sporting black
19 eyes, and I do believe that on a Saturday afternoon
20 quite regularly her parents would visit the house and
21 I think part of the purpose, on reflection, for those
22 visits was actually to sort of check in on their
23 daughter. Frequently the FKX-FKZ would cancel the
24 visits at late notice if FKX was, you know, visibly
25 sort of black and blue, and equally if we ourselves had

1 any sort of visible marks on us then we were sent sort
2 of upstairs to play so we weren't seen by [FKX]'s
3 parents when they visited.

4 Q. Okay. You then go on in this paragraph to say that you
5 used to call your foster parents mum and dad, although
6 you also saw your own birth parents. So did you go out
7 with your birth parents every Sunday?

8 A. Yeah. On occasion obviously there would be reasons as
9 to why it wouldn't happen, but that was infrequent.

10 My foster mum was quite -- it's quite troubling with
11 hindsight. She used to insist that I referred to my
12 birth parents as my "lady" and "man", which was really
13 odd. I knew, absolutely knew never to call them mum and
14 dad, never to even acknowledge that they were part of my
15 life story. She had an illusion that I was her child
16 and she liked to use my middle name, [FJC], and refer to
17 me as [FJC] in full.

18 She liked to do that alongside [redacted] and
19 [redacted], who were her child and her sister's child, to
20 sort of give this illusion that we were all some sort of
21 like -- I don't know, family that were named in some
22 sort of like conscious reason with her sister and
23 similarly the fact that [redacted] was [redacted] and that her
24 husband was [FKZ]. It just created this sense that we
25 were this family that she perhaps was struggling to

1 have.

2 Q. In terms of calling them mum and dad, how did you feel

3 about that?

4 A. Oh, I hated it. I loathed it.

5 Q. If we hear evidence from the FKX-FKZ that it was you

6 that wanted to call them mum and dad, what's your

7 response to that?

8 A. They were -- they were very leading, they were very

9 controlling individuals, so even like having the surname

10 FKX-FKZ, I hated that as well and I used to get taunted

11 at school about it, because it's not the greatest of

12 names, but aside from the fact it wasn't my identity,

13 I think because ██████████ and ██████████ were older when they

14 came, it was harder for them to make them take on their

15 name, although they did for a few years.

16 You didn't step out of line with the FKX-FKZ. You

17 knew how to perform. You knew what was expected of you.

18 And you didn't challenge them because you knew that if

19 you were challenging them that you had to be prepared

20 for the consequences.

21 Q. Okay.

22 In terms of using your middle name, if we hear from

23 Mrs FKX ██████████ that this is something that your mum wanted

24 her to do, what's your response to that?

25 A. Quite the opposite. My mum was insistent that I was

1 named after my grandmother and I was FJC . FJC was
2 my middle name.

3 Q. Okay.

4 If we can move a little down on this page to
5 paragraph 16, you talk about Monday mornings being the
6 worst and I think this is linked to what you've already
7 said about them going out on a Sunday night.

8 A. Yeah.

9 Q. Can you tell us a bit about that?

10 A. The reason for me personally why I hated Monday mornings
11 was because I never knew whether they would be up and
12 about, whether FXX would be up and about, so she
13 wouldn't be able to get us ready for school and I loved
14 school and I remember crying a lot when she wouldn't be
15 prepared to get us ready for school.

16 I remember attempting to get myself sorted for
17 school and having to plead with her to get to go to
18 school. And because I would prepare myself for school,
19 then she would usually allow me to go because I'd make
20 such a fuss, but her own children would be quite happy
21 just to sort of go along with staying off because it was
22 easier for her.

23 Q. Okay.

24 In paragraph 17 you talk about being asked to go to
25 the bookies to place a bet.

1 A. (Witness nods)

2 Q. Can you tell us about that, please?

3 A. Yeah, so that happened sort of on and off but there was

4 one particular occasion that stood out, and I think it

5 stood out because of the reactions of the people on that

6 particular day.

7 So you had to go with a note. Whenever the

8 FKX-FKZ needed anything, so on this occasion the

9 bookies, which is about maybe a 20-minute walk from the

10 house down into the central area of Mayfield, and we

11 lived right at the top of the housing scheme, and you

12 just had to stand outside. You were told to stand

13 outside and hand this note to every person going into

14 the bookies until someone would accept the note and the

15 money, and it was just such an overwhelming sense of

16 shame because you were having to approach strange men,

17 as a child, and ask them to do something and then see

18 their response. It was just -- you know, it was quite

19 crushing.

20 Q. What were the responses of people like?

21 A. Judgemental and shame and so they were looking pitifully

22 at me I guess.

23 Q. Did they know who you were and who your foster parents

24 were?

25 A. No. Some of them may have, but I wouldn't have been

1 aware of who they were.

2 Q. Then over the page you talk about being sent out to

3 a grocery van?

4 A. Yeah, so again this would be with hangovers and

5 headaches and suchlike. [FKX] would frequently sort

6 of send us on all sorts of chores, so we were always

7 sent with a note and the money for whatever was needed

8 and sometimes we weren't sent with the money and we were

9 asked to sort of -- in the note to be sort of given

10 goods and that she would then square them up with the

11 money at a later date and sometimes the -- depending on

12 which van it was, they would agree, and other times you

13 were sent packing, and again it was just like really

14 humiliating.

15 LADY SMITH: These sorts of incidents like being sent to the

16 bookies or to the grocers in the circumstances you've

17 described, were they tasks that were given just to the

18 foster children or were they also given to the

19 [FKX-FKZ] own children?

20 A. I don't have any memory of their own children having to

21 do similar. I don't even recall that my older foster

22 siblings would have, because they would have been older.

23 I think the period of time where I was tasked was

24 probably where it was more age appropriate for me

25 compared to the older children, who were maybe off doing

1 other things.

2 LADY SMITH: Thank you.

3 MS INNES: Roughly how old were you? Or were you at primary

4 school or secondary school.

5 A. Yeah, primary school going into early secondary school.

6 Q. Okay.

7 LADY SMITH: But it wasn't age appropriate for a primary

8 schoolchild to be sent to the bookies, was it?

9 A. Of course not, but that was my reality. So everything

10 was normalised. That's all I knew. All I knew was that

11 you go tap on neighbours' doors to ask for stuff,

12 whether that's money or food or milk or a babysitter or

13 a loan of money. They were really just notorious at

14 doing it and I didn't know any different.

15 LADY SMITH: Thank you.

16 Just going back to your schools, how did you get to

17 school? Were they close enough for you to walk?

18 A. It was quite a distance. It was walkable. In the

19 winter it was quite difficult because we lived up

20 a really steep hill and really snowy and we generally

21 never had appropriate clothing. We always arrived at

22 school with very, very wet feet and freezing cold hands

23 and I remember on one occasion being told to run my

24 hands under the tap when we'd come home because it was

25 so cold my hands had kind of frozen and they were

1 painful and I had run them under the cold tap thinking
2 that they would heat them up.

3 But no, it was we walked to school and we walked
4 everywhere. We didn't have a car for transport. But
5 they didn't have an active interest in us. They didn't
6 escort us anywhere. They didn't accompany us to
7 anything. We were just sort of sent off as almost like
8 little errand boys and girls.

9 LADY SMITH: Thank you.

10 MS INNES: You talk at paragraph 19 about ringing the
11 neighbour's doorbells and again I think asking
12 a neighbour to put a bet on. And you remember -- you
13 talk about an occasion where the neighbour's husband was
14 furious when you went to the door.

15 A. Yeah, exactly, because we'd woken him from a night shift
16 and I knew that he worked night shifts and you could
17 tell because their bedroom curtains would be drawn and
18 even though you'd highlight that to FKX, she still
19 insisted that you went. And it was almost less painful
20 to knock the door and know that there would be
21 consequences from upsetting the neighbours than it would
22 be to come back to the house having failed on the task.

23 Q. You talked about going to neighbours to ask for a loan
24 of money and then sometimes being asked to go to the van
25 and ask for buy now pay later. Were they short of

1 money?

2 A. They always -- we always felt poor. We always had less
3 than everyone else. I could never understand it, but
4 again that was just normal. They should not have been
5 short of money. They were being paid, again as an adult
6 they were being paid to care for three foster children,
7 but clearly we were then enabling their lifestyle.

8 Q. At paragraph 20 you talk about clothes and I think you
9 say that you were wearing hand-me-down clothes, I think
10 with a name on them, a boy's name on --

11 A. (Witness nods)

12 Q. -- and you had to wear their old clothes?

13 A. Yeah.

14 So we would -- again, we were like, sort of, people
15 felt sorry for us, so they would hand in bags of
16 clothes, but again more generally it was routine to
17 share things like hand-me-downs and suchlike, but
18 often -- and I think [REDACTED] particularly took -- she
19 took a bit of, you know ... a twisted sort of sense of
20 pleasure in giving me all these clothes that belonged to
21 [REDACTED] and they all had [REDACTED] you know
22 sewn into the clothing and again what stuck out to me
23 there was that somebody had labels that they sewed into
24 their children's' clothes, because I'd never seen that
25 before, and welly boots and suchlike with the name

1 inside [REDACTED]

2 They were functional things, so they always went to

3 me, but certainly that would never have been the case

4 for [REDACTED].

5 Q. You say in this paragraph that her daughter would always

6 be made to look very feminine, whereas you weren't?

7 A. Yeah. So [REDACTED] always had long hair, it was always,

8 you know, pleated, in ribbons, in all sorts of -- with

9 bits and bobs. They always kept my hair really short by

10 contrast. There was a real distinction made, although

11 on one or two occasions I do recall [REDACTED] mother

12 [REDACTED] [REDACTED] she sewed and she made myself, [REDACTED]

13 and [REDACTED] all the same dress but in a different

14 colour. But, again, that fitted into that sort of idea

15 that we were all sort of family.

16 Q. We might hear evidence from the [REDACTED] that there was

17 a time where you did ballroom dancing?

18 A. (Witness nods)

19 Q. Is that right?

20 A. Yes.

21 Q. And that dresses were bought for you that were quite

22 expensive for that?

23 A. There was one dress that was made from a lady in

24 Glasgow. So the ballroom dancing came about because my

25 friend from school went to the local community centre

1 and there was dancing classes and she encouraged me to
2 come along and I enjoyed it, so then clearly when that
3 was mentioned maybe in visits with the social work, they
4 would know that they would have to sort of follow these
5 things through, I think, because then if anything was
6 mentioned as to why is she not taking part in any
7 hobbies, I imagine it probably would have come back
8 negatively on them.

9 So I did do dancing in the local community centre
10 and one of the types of dancing they did was ballroom,
11 Latin American and disco, and there was a family and
12 I was quite good at dancing, so there was a family who
13 had a son who also danced. So I was asked if I would
14 like to actually pair up with him, because they thought
15 we could do some amateur dancing together and it was the
16 boy's mother who took us everywhere and made sort of the
17 dress happen, all of that, and I believe it was
18 a welfare fund from the [REDACTED] miners' club that paid
19 for the dress.

20 Q. Okay. And then after you did the ballroom dancing, did
21 you do disco dancing after that?

22 A. That was all at the same time.

23 Q. Oh, I see.

24 A. Yeah.

25 Q. What ages were you when you were doing that?

1 A. I was in first year of high school until about third
2 year of high school.

3 Q. You talk in the next couple of paragraphs about getting
4 your hair cut and I think you talk about one occasion
5 where your hair was cut extremely short. Can you tell
6 us about that?

7 A. Yeah, I was in Primary 7 and it literally had been
8 shaved, like literally shaved like into a really severe
9 short back and sides and I just remember being
10 completely distraught and sitting in the hall cupboard
11 looking in the mirror, because the mirror was kept in
12 the hall cupboard, sitting there just feeling like
13 I just couldn't go outside. It was really humiliating.
14 And FKX was laughing. And I was late to school
15 because I obviously couldn't face leaving the house, and
16 obviously arriving at school and the teacher was
17 really -- really thoughtful and tried to sort of
18 reassure me.

19 Q. Did their daughter have a similar haircut at the same
20 time, can you remember?

21 A. Never. There was always this attempt to almost -- and
22 my birth mother was also aware of it. She kind of had
23 cottoned onto it. There was always this attempt to
24 almost try to sort of promote their daughter as being
25 sort of really beautiful and feminine and to sort of try

1 to sort of make me really functional and -- it was just
2 very different.

3 Q. Okay. If we go on over the page, paragraph 24, you talk
4 about beginning to do small jobs like paper rounds?

5 A. Yeah.

6 Q. What did you use the money that you got from these jobs
7 for?

8 A. Necessities.

9 Q. Right.

10 A. So sanitary towels, things like that. There wasn't
11 a lot of money from the paper rounds because we had to
12 buy all the papers ourselves and then collect in all of
13 the money, and if people didn't pay then that was papers
14 we had to buy from the newsagents. So there could be
15 times where you were working and we delivered the
16 morning papers and then the Edinburgh Evening News in
17 the afternoon after school and you could be doing that
18 six days a week and maybe have sort of like £3 or £4 to
19 show for it if you were lucky.

20 Q. We're just having a bit of a problem with your statement
21 coming up, so I'm just going to see if that's going to
22 be resolved easily or not. So just give me a moment.

23 A. No problem.

24 (Pause)

25 LADY SMITH: I'm so sorry about this, 'Anna'.

1 A. It's okay.

2 LADY SMITH: We'll take a break, hopefully for no more than
3 about five minutes, and try and get this sorted out.
4 (12.29 pm)
5 (A short break)
6 (12.50 pm)
7 (The luncheon adjournment)
8 LADY SMITH: 'Anna', I'm so sorry we've had to mess you
9 around like this.

10 A. It's okay.

11 LADY SMITH: I think it's been explained to you that
12 technology has let us down, but we hope that we have
13 a fix in place now, and I realise you may have had other
14 plans for this afternoon --

15 A. It's not a problem.

16 LADY SMITH: -- but thank you for bearing with us.
17 Ms Innes.

18 MS INNES: Thank you, my Lady.
19 'Anna', we were looking at your statement on page 6
20 and if we can start by looking at paragraph 25, you talk
21 there about washing and bathing and you say that you had
22 no privacy, I think, until there was a shower installed
23 and you were able to use that.

24 A. Yes. So there was one bathroom for everyone in the
25 household and we had to keep that unlocked at all times,

1 because if someone needed to use the facilities whilst
2 you were in the bath, then that needed to be possible.

3 And when we were children, up until an inappropriate
4 age in my mind, we were bathed together, myself and the
5 two younger sort of step -- sorry, foster siblings,
6 I should say. And on occasion we were also bathed in
7 the kitchen sink and talking about Primary 5, 6, 7, at
8 an age where it really should not have been appropriate.

9 Q. Okay. Then you say it was when you went into high
10 school that there was an electric shower put into the
11 house?

12 A. Yes.

13 Q. Okay. You say you were bathed with the younger
14 children, so would that have included the male child as
15 well as --

16 A. Yes.

17 Q. -- you and the foster sister?

18 A. Yeah.

19 Q. Okay. Up to what sort of age was that happening?

20 A. Up to, say, Primary 6, I'd expect.

21 Q. Okay. You then go on to talk about chores to be done in
22 the house and you've mentioned this already briefly in
23 your evidence. What sort of things did you have to do
24 in the house?

25 A. Chores were a constant background noise, so you always

1 were on edge because you knew at a moment's notice you
2 were always going to be called to do something and to
3 this day if I am sat -- I have difficulty relaxing,
4 because I'm on edge and sort of, you know, need to be
5 doing things. If you were seen to be idle, then you
6 were called on to do chores, so you were up early at the
7 weekends and you had to sort of clean bathrooms, scrub
8 stairs, but it wasn't just the chores themselves, it was
9 you were being screamed at, shouted at. You were either
10 taking too long or you hadn't done it well enough. So
11 there was just this constant sort of like large amounts
12 of ironing for the whole household, all sorts of chores.

13 Q. Okay. What would happen if you didn't do them to the
14 FKX-FKZ satisfaction?

15 A. You would get a bollocking. You would be completely
16 sort of screamed and shouted at and possibly, you know,
17 slapped around the head. Nothing more severe ever sort
18 of happened than that.

19 Q. Did their own children have to do some of these chores?

20 A. Not at all.

21 Q. So if we hear evidence from the FKX-FKZ that
22 Mrs FKX did most of the chores and that the
23 children would take it in turns doing things like
24 washing and drying dishes and being asked to keep their
25 rooms tidy, is that as much as you had to do or was it

1 more than that?

2 A. It was more than that. Mrs FKK was very idle, she
3 sat around a lot and she sort of basically directed us
4 as to what to do.

5 Q. Then you've told us that there came a time that you went
6 to dancing, for example, on a Saturday and you said that
7 you saw your mum and dad on a Sunday. Did that mean
8 that on those days you didn't have to do any things
9 about the house?

10 A. So the dancing on a Saturday would have been a very
11 irregular occasion where there might have been, say,
12 a competition, but those were more generally on
13 a Sunday, so it would be a day I'd generally then miss
14 seeing my parents.

15 The actual dancing lessons were through the week and
16 in the evenings, so they didn't interrupt any chores.

17 Q. Then you talk about the paper round that you did and you
18 say that you were doing that every morning seven days
19 a week over the time that you were doing it.

20 A. (Witness nods)

21 Q. So how long did you do that for, can you remember?

22 A. Yes, through high school, so I done it for probably
23 about three years through high school, then I moved on
24 to sort of get a job in a shop in the St James Centre,
25 as it was then, when I was 16.

1 Q. Okay. How long would that sort of job take you?
2 A. So that job was really quite sort of time-expensive
3 because we had -- I had to get up at 5.30 to make the
4 walk on my own, unaccompanied, in the dark in all
5 weathers, down to the shop, which was in the centre of
6 Mayfield, so that's about a 20 or so minute walk and
7 then we would have to be there before the shop opened
8 because one of the things that the shop owners
9 stipulated is that we needed to be there to make sure
10 when the papers were delivered that there was someone
11 there to greet the person that was dropping them off in
12 case they went missing.

13 So we were up from 5.30, doing the paper rounds and
14 then coming back and having to get washed up, because
15 you were covered in ink, before then getting yourself
16 back out to school, so that was in the mornings.

17 And then in the afternoons after school we went
18 straight from school with your school bag and I would
19 have a large music instrument as well, so it was quite
20 comedy, a big kind of trombone case and two paper bags,
21 a school bag, a trombone, walking round the streets must
22 have looked quite a sight. So that went on for a couple
23 of hours afterwards every evening.

24 Q. You say at the top of page 7 that there were some times
25 that the customers wouldn't pay their bill and you had

1 to pay for the newspapers?

2 A. Yeah. That was just the general practice and that was
3 quite frequent, and there were repeat offenders. So
4 there were people that just didn't pay full stop and
5 when you explained that to the newsagent, you were sort
6 of advised to continue giving them their papers, but in
7 essence as a child, I don't think I quite understood,
8 that I was essentially buying them their newspapers. So
9 there was no attempts to sort of approach the newsagents
10 by the FKX-FKZ or provide any sort of support to
11 resolve that situation.

12 Q. Did you talk to the FKX-FKZ about that?

13 A. Yeah.

14 Q. Then you go on to talk about social work visits, can you
15 remember social workers coming to the house to see you?

16 A. Yes, I can.

17 Q. Can you remember who they were, what their names were,
18 for example?

19 A. There was no continuity that I can recall. The visits
20 were infrequent, they were always planned well in
21 advance, and we were notified by Mr FKZ that this
22 would be happening, because they would have perhaps
23 received a letter, I'm assuming a letter because we
24 didn't have a telephone in the house until probably part
25 way through high school.

1 Q. Okay.

2 A. So when we were informed that there would be a visit
3 coming up, then there was usually a hive of activity,
4 you know, extra cleaning, extra preparations, and then
5 you were obviously warned beforehand. You weren't
6 always warned directly. You knew just from practice
7 that what was expected of you in terms of how you were
8 to behave and how you were to present, and how that
9 visit would then unfold. We all knew the rules,
10 including my foster siblings themselves.

11 Q. Okay. Would the visit just be for you or would it be
12 for you and your foster siblings altogether?

13 A. I have no -- no full understanding of that, other than
14 when I got older and then I was aware of some of the
15 feedback, it was feedback about me specifically, so I'm
16 going to assume that it probably was separate visits.

17 Q. Can you remember your foster siblings being there when
18 the social worker was there, for example?

19 A. No, and I wasn't there either. So you were always out
20 of the room when the social worker was in the property
21 and it was Mr FKZ holding court and it was
22 a private conversation between the social worker and
23 Mr FKZ. Mrs FKX would never be at home when
24 these visits were taking place. And then you were
25 brought in towards the end of the visit and you were

1 spoken to directly by the social worker with very
2 leading statements such as, "I hear you're very happy,
3 I hear you're doing well at school", and you nodded in
4 all the right places and you smiled appropriately and
5 you hoped you got it right, because then you were sent
6 out of the room or you said goodbye as the social worker
7 was leaving and then you waited to kind of get sort of
8 your debrief, so to speak.

9 Q. Okay. So where would Mrs FKX go then when the
10 social work was there?

11 A. I'm not actually quite sure.

12 Q. But she was out of the house altogether?

13 A. Yeah, that was part of the sort of the set up.

14 Q. Can you remember her ever being there when you spoke to
15 a social worker?

16 A. I recall her being there when I was very young on one
17 occasion and I recall another lady being there as well,
18 who I think must have been a social worker with long
19 dark curly hair, glasses, and a brown leather satchel,
20 so I have got a memory of -- on one occasion.

21 Q. Her being there.

22 Do you know why it was that Mr FKZ spoke to the
23 social workers rather than Mrs FKX?

24 A. Mr FKZ was very much a controlling individual and
25 he was quite self-important and he liked to hold court.

1 He saw that as, you know, he had his own special chair.
2 Nobody ever sat in his chair. And when the social
3 worker came in, it was really -- you could tell how he
4 presented and how he articulated himself all very much
5 changed. So I think he really enjoyed the whole
6 experience.

7 Q. You say that you were aware of what the rules were on
8 those visits, so what were those rules?

9 A. Not to say anything at all out of turn. There was never
10 any sort of open-ended questions. There was never any
11 opportunity to explore genuinely how I was feeling or
12 what I was doing or what was going on in my life. It
13 was really just summing up what had been told to the
14 social worker from Mr FKZ and a perfunctory
15 confirmation on my part was what was expected.

16 Q. Then you say that there would be a -- you described it
17 as a debrief from Mr FKZ, so what form did that
18 take?

19 A. In plain English, if you were -- you got it wrong, you
20 would have absolutely got bollocked. You would have
21 really just been waiting for his wrath. You would be
22 waiting for him to really, you know, be shouting at you,
23 really angry, possibly a smack about the head or the
24 face. That was, you know, quite a common way of sort of
25 like disciplining you if it was just in a moment.

1 Q. And if it had gone well?

2 A. Nothing would be said.

3 Q. Okay. Can you remember ever meeting a social worker

4 outside the house?

5 A. Yes.

6 Q. Can you tell us about that? Was it one meeting or more

7 than one meeting that you can remember?

8 A. I can recall a couple of meetings, because both of those

9 meetings they took me in a car and we came into

10 Edinburgh and we went to a pizza restaurant. I don't

11 recall the specifics of those visits other than to say

12 there was some general chat around about potential

13 adoption, but I don't know if that was being pursued by

14 the social work department or if it was the **FKX-FKZ**,

15 but nobody really spoke to me about it.

16 Q. When you say potential adoption, adoption by whom?

17 A. By the **FKX-FKZ**.

18 Q. Of you?

19 A. Yes.

20 Q. And so both of those visits were to do with that?

21 A. Yes. And there was a visit in the house prior to that,

22 because the visit in the house was led by a female

23 social worker and the visit where I went in the car to

24 the pizza restaurant was with a man.

25 Q. Okay.

1 A. And the female social worker took me in fact to buy
2 a book on George IV Bridge in the book store there,
3 I recall that as well in fact, and we sat in the kitchen
4 and we would sort of work through sort of details of my
5 life story in this really quite pretty book that then
6 got kept in FKK sort of underwear drawer.

7 Q. Okay. So there was that going on with the female social
8 worker and then the male social worker -- was it
9 a social worker?

10 A. I believe so, yeah.

11 Q. He took you to the pizza restaurant?

12 A. (Witness nods)

13 Q. Did you feel able to speak to him about how things were
14 with the FKX-FKZ ?

15 A. No. And I don't recall any conversations where he was
16 asking me anything. He would just generally be sort of
17 talking about school and what I liked and that sort of
18 thing, so quite happy to have those sort of
19 conversations. And then I recall specifically on one
20 occasion when we arrived back and we were in the street
21 and the car was parked before I was going back into the
22 house, he made mention of the fact that perhaps there
23 was going to be some sort of adoption, and again in
24 a very leading sort of way, he was saying, "You're very
25 happy here, aren't you? You're very settled here,

1 aren't you?" And I remember being feet away from this
2 door, I cannot say anything to the contrary, and looking
3 out of the window of the front passenger seat and hoping
4 that he might pick up on my signals from the fact that
5 I wasn't sort of, you know, confirming what he wanted to
6 hear.

7 Q. Did you say anything at all in response to that --

8 A. No.

9 Q. -- can you remember? Okay. Did he question you further
10 when you didn't answer?

11 A. No.

12 Q. Are these the only times that you can remember speaking
13 with a social worker outside the house?

14 A. Yeah.

15 Q. You then go on to talk about your time at school. If we
16 look at paragraph 30 you say in the middle of that
17 paragraph that you must have had bruises from times that
18 you were hit and you think that the teacher should have
19 picked up on that?

20 A. I do. There must have been bruising, because obviously
21 there was bruising from the regular amount of abuse that
22 was directed at me. It was quite a deprived area where
23 I lived, so I don't imagine I would have been the only
24 child from a troubled family, whether there was care
25 involvement or not. In fact I know like in my peer

1 group there was just other people who did live with
2 their birth parents and there was maybe alcohol abuse
3 and all sorts of other sort of, you know, troubles
4 happening. So maybe it was a challenging school
5 environment so perhaps the teachers wouldn't have
6 necessarily picked up on it. But equally, the fact that
7 school was my safe haven and I was really happy in the
8 school environment, so there maybe wasn't much else to
9 sort of draw attention to the fact, other than on one
10 occasion when I had an injury -- a visible injury to my
11 leg, which the teachers were aware of.

12 Q. On that occasion, what did they say?

13 A. They just asked what had happened to me and I think
14 I probably quite liked the attention, the fact I had
15 this sort of poisoned leg, as it was explained to me,
16 but there was no follow-up.

17 Q. So there was no follow-up from the school?

18 A. No.

19 Q. You say that you didn't think that the school was aware
20 that you were in care?

21 A. Yeah, I know that to be true because in later life when
22 I was at my eldest daughter's parents' evening at school
23 in Edinburgh, I met my old biology teacher, who just by
24 chance happened to be her biology teacher, and he
25 remembered me from school and he -- I specifically asked

1 him if he knew and he said he was not aware, nor were
2 people aware of that at all.

3 Q. Okay, so they just thought the FKX-FKZ were your
4 parents?

5 A. Yes.

6 Q. Then if we move on over the page, please, and at
7 paragraph 34 you tell us about an occasion where it came
8 time to choose an outdoor activity and parents were
9 supposed to pay for the activity but they didn't. Can
10 you just tell us a little bit about that, please?

11 A. Yes, so in S3 we all did sort of outdoor education and
12 there were a variety of activities such as skiing or
13 kayaking, that type of thing, and I had chosen to do the
14 camping and hillwalking, but what I couldn't do is
15 I couldn't take the slip home for the payment and there
16 wasn't money for the payment and specifically the
17 FKX-FKZ would, when you asked for things like that,
18 you know, say there wasn't money and I was lucky to get
19 this and you were lucky to get that, so you just knew
20 that that wasn't an option. So they were refusing to
21 pay for anything like that, and when it came to the time
22 for the trip I went into school on that day knowing full
23 well I wasn't coming to school with my kit to go on this
24 trip and just got into a lot of trouble with the
25 teachers, but they didn't probe as to why. Nobody

1 questioned or challenged as to why. It was very much
2 out of character for me to sort of, you know, play up in
3 that way.

4 Q. Just to be clear about this. Did you ask the **FKX-FKZ**
5 for the money on this occasion?

6 A. Yeah.

7 Q. What was their response?

8 A. That I had to be grateful for what I already had, that
9 there wasn't a bottomless pit of money, so to speak.

10 Q. So you went to school on the day without any money to
11 pay for the trip?

12 A. Yes.

13 Q. Okay. If we can move on to the next page, please, to
14 page 9, paragraph 37, you talk there about not being
15 allowed to help yourself to food, that access to food
16 was strictly controlled?

17 A. (Witness nods)

18 Q. Can you tell us about that, please?

19 A. So there was never any sort of food to access in the
20 house. **FKX** or **FKZ** prepared meals. That was
21 your dinner, that was it, you either eat it or you go
22 hungry.

23 I particularly recall that there were rusks in the
24 cupboard for when he was little and that I had
25 kind of helped myself to a couple of those and getting

1 into a lot of trouble for that.

2 Yes, so they knew everything, they knew absolutely
3 everything that was there. Everything was counted down
4 to how many slices of cold meat there were and
5 everything was like earmarked for a certain person for
6 a certain purpose and if you were to have done anything
7 that wasn't -- you weren't given permission for, then
8 yeah, you'd be in trouble.

9 Q. Okay. You talk about religion in the next couple of
10 paragraphs and you say that there was a time that you
11 would go to the local Gospel Hall with other local
12 children and you say that the [FKX-FKZ] started to
13 become uncomfortable with that. Do you know why that
14 was?

15 A. Again I can only sort of speak for my own sort of point
16 of view. I suspect it was because again I found it
17 a place of safe haven. So it started that we were
18 encouraged to come along to Gospel Hall in sort of, you
19 know, Bible classes, sort of like singing and story
20 telling, and I particularly found it a really nurturing
21 environment because there were lots of like adults who
22 were listening and they were caring and they were, you
23 know, sharing lots of stories and it was a happy, safe
24 space to be. So I became more interested in the stories
25 and started on occasion to go to some more of the Bible

1 talks in the evenings outwith the services that the
2 other children went to, but that's just as the years
3 developed. It wasn't in a short space of time.

4 I believe the FKX-FKZ didn't like the fact that
5 there was an outside influence on me and that they
6 wanted to cut ties with that. I think possibly
7 I imagine they would also be concerned that I might
8 share some information to Ken in particular that might
9 get them into trouble.

10 Q. You say that there was a meeting between Ken, who you
11 mentioned, and Mr FKZ, and after that you weren't
12 allowed to go back?

13 A. Yes, Mr Bell. He came to the house, I remember him
14 standing in the sitting room and words were exchanged,
15 I wasn't privy to those words because I was outwith the
16 room but I could see them, I was the other end of the
17 hall, and that was the last time I seen them.

18 Q. Did Mr FKZ give you any explanation as to why you
19 shouldn't go back?

20 A. No.

21 Q. Then you tell us about this injury to your leg at
22 paragraph 40, which I think is the one that you
23 mentioned a moment ago, that there was some issue with
24 an injury or bite to your knee.

25 You say that you still have the scar from that and

1 I think essentially you're saying it wasn't treated
2 properly by the FKX-FKZ ?

3 A. They never sought medical advice generally. On another
4 occasion we had gone on a day trip organised by the
5 miners' club to Burntisland and it was
6 a particularly sunny day and I got really seriously
7 sunburned across my back, I was in a lot of pain and
8 I remember being asked to go around the doors just
9 asking people to see if they had calamine lotion, so
10 there was no sunscreen, no calamine lotion. If you had
11 earaches you just had to put up with it. If you had
12 cold sores, and I used to suffer from really bad cold
13 sores, they would put alcohol or perfume onto the cold
14 sore to try and stop it. And it would be down onto my
15 chin, it would be really excruciatingly painful and they
16 would crack and bleed. There was never any medical
17 advice sought.

18 And the injury to my knee must have just been
19 a small sort of cut that became infected and then it
20 grew and to the point that my knee was inflamed and
21 I was struggling to bend my knee and to walk properly
22 and Mr FKZ, I don't know if he was perhaps doing
23 some sort of first aid in the mine, so he came home with
24 a tin of what was told to me as a poultice, which looked
25 like a paste. He boiled that up in a pot on the cooker

1 and then they held me down, because it was really
2 excruciatingly painful, and applied this red hot paste
3 to my leg and they did that repeatedly to draw out the
4 poison, he explained to me.

5 Again he really enjoyed the fact that he was almost
6 some sort of, I don't know, like self-made medic. He
7 liked that position, that he was going to fix it. And
8 then towards the end of this treatment, which went on
9 over some time in around about Primary 6, he started to
10 try and squeeze out the poison, which came out like
11 incredibly painfully. So it was a really nasty injury.

12 Q. Okay. I'm going to move on to page 11 of your statement
13 and at paragraph 48 you -- sorry, I'm going to go up to
14 paragraph 46. So at Christmas and birthdays you talk
15 about on one occasion your birth parents giving you
16 a present of a red tricycle and you say it was taken off
17 you by the [FKX-FKZ] and sold.

18 A. (Witness nods)

19 Q. If we hear evidence from the [FKX-FKZ] that it wasn't
20 your birth parents that gave you this, it was them --

21 A. That's a lie, a complete lie. Because it was my birth
22 parents themselves as I got older as well that would
23 enquire as to what happened to some of the gifts that
24 they would buy. Not just the red tricycle, there were
25 other gifts, and none of those gifts were retained.

1 They were always sold.

2 Q. Okay. If we go down, please, to paragraph 48, you talk
3 there about running away. Can you tell us about the
4 context of that?

5 A. I think as I started to get a little bit older I started
6 to challenge a little bit more and I possibly had spoken
7 back to him and he got particularly angry and he grabbed
8 me by the back of the head on one hand and on the other
9 hand he grabbed the door and he slammed my head
10 repeatedly against the door as he was pulling the door
11 towards me at the same time and my nose burst, it was
12 bleeding. It felt like it broke and I just ran out of
13 the house, I just ran out with no coat and then sort of
14 met up with some friends, just having to come across
15 other people that I was friendly with and we stayed out
16 until late in the evening.

17 And then later in that evening Mr **FKZ** had come
18 around looking for me. I was aware even from other
19 people that had come to me when we were hanging out and
20 playing saying, "Oh, your dad's looking for you, you're
21 in so much trouble", and just thinking I need to hide
22 and they were covering for me. But in the end I hung
23 out until as late as I could but I knew -- where else am
24 I going to go? There's no way out of this godforsaken
25 place. It literally is on the edge of the world on

1 a housing estate, there's like a bus once an hour,
2 I have no phone, I have no access to anything to raise
3 an alarm, I have nowhere to go. I have to go back.
4 And I was so frightened to go back, but I didn't
5 know what else to do, and I was wholly surprised when
6 I went back because I was expecting, you know, like all
7 levels of hell to break loose and it didn't happen. It
8 was quite the opposite. They were really quite quiet
9 and sort of, you know, quite sort of -- with hindsight
10 probably frightened that I was going to raise an alarm
11 as to what was happening, but at the time they seemed to
12 be genuinely remorseful. But again with hindsight, it
13 was a similar sort of aftermath to when **FKX** would
14 be hit by her husband. So he would smash the coffee
15 table or kick-off, beat her up really badly, and then
16 there was a lot of effort put into placating us
17 afterwards and for **FKX** to bring us on side to
18 explain, "And he's not going to do it again and it's all
19 fine", almost to settle everyone down, and that was the
20 only time there was this really twisted sense of
21 affection or attention.

22 Q. When you met your friends that you said that you met up
23 with and you described your nose as having been bleeding
24 and suchlike, did you tell them what had happened?

25 A. Yes.

1 Q. Did they see what had happened?

2 A. Yes.

3 Q. What did they do? Do you know if any of them told their

4 parents or --

5 A. I'm not aware. They were obviously comforting me, but

6 I'm not aware if anyone mentioned to anyone else.

7 Q. Did they know that the FKX-FKZ were your foster

8 parents or did they --

9 A. Yes.

10 Q. Right.

11 I'm just going to move on in your statement to

12 page 13, please, and paragraph 55, where you talk a bit

13 more about some of the things that happened, and some of

14 the things you've covered already.

15 At paragraph 55 you say:

16 "You could tell that there was going to be domestic

17 abuse as you could sense it in the air."

18 A. (Witness nods)

19 Q. Can you explain that, please?

20 A. So usually it would be if FKX wasn't happy about

21 something and then she would want to bring it up with

22 FKZ, so he may have been out and then he's come in so

23 she's had it all bottled up and she's ready to offload

24 what she's unhappy about. So you knew that that was

25 brewing. And then as soon as he would come in, then

1 there would be words exchanged. It would just really
2 quickly escalate. She almost like goaded him into
3 a reaction to an extent because she would pick, pick,
4 pick at whatever the issue was and then he would just
5 blow. And then it was almost like then there was this
6 calm after a storm.

7 Q. Okay. When you say "he would blow", would that be at
8 her in the type of incidents that you've described --

9 A. (Witness nods)

10 Q. -- or could it also be at one of you?

11 A. Yeah, so the situations where -- and I probably don't
12 think of that as domestic abuse, as to when we were
13 hurt, that was more if there was bickering between us as
14 siblings or he wasn't happy with something that you had
15 done or were believed to have done, then he would pick
16 you up, he'd put you over his knee -- and you got
17 threatened as well, prior to that, "You will get the
18 belt, you will get the slipper, you'll get sent to the
19 Humbie Home, where you get jaggy sheets and stale bread
20 and water", which I believe is a List D School, which
21 I didn't know what that was, but that was what I was
22 told, that that was where I was heading.

23 But he would put you over his knee, he'd use the
24 slipper and lift your clothes and smack you really
25 repeatedly and you'd try and put your hands to your

1 bottom to stop it hurting.

2 Q. On those occasions where he was doing that, how whole
3 were you at that time, was that at primary school or
4 also in secondary school?

5 A. At primary school. The violence at secondary school was
6 more the example where I gave where he had sort of
7 punched -- not punched me, he had smacked me against the
8 door. The violence was more direct. But when we why
9 younger it was over his knee.

10 Q. Okay. You say at paragraph 57 that you were strictly
11 told not to speak of what was happening with the locals
12 or your school friends.

13 A. (Witness nods)

14 Q. Was that to do with the violence against FKX or
15 more than that?

16 A. It was unsaid. The violence towards us was just
17 normalised. That was just routine. But the violence
18 between FKZ and FKX, that was where there was
19 efforts made to almost then explain it and to sort of
20 bring you on side and to sort of give you that
21 reassurance that it wasn't going to happen again.

22 I vividly remember after he -- the incident with the
23 coffee table in particular -- because that's not the
24 only incident. On other occasions he would pull over
25 the large units -- we used to have these units in the

1 1980s growing up that had all your ornaments and
2 suchlike on it. So he would pull them across to the
3 floor and smash things because he was just trying to
4 terrorise people, but with the coffee table FKX
5 words to me -- and she was really happy with this -- was
6 that he was going to buy a new coffee table. So it
7 wasn't the fact that, you know, he'd just completely
8 beaten her to a pulp and smashed the table, terrorised
9 the children. It was the fact she was getting a new
10 coffee table that was, you know, a sort of happy ending.

11 Q. At paragraph 58 you say that you were regularly beaten
12 by both of them. You've talked about Mr FKZ and
13 you say here:

14 "He would beat us for no apparent reason."

15 A. Yeah. He was just really ... really mean. Really
16 cruel. Just a very cruel man. So, you know, he -- and
17 he just enjoyed sort of, you know, clipping you around
18 the ear, clipping you around the head. So it was just
19 this constant, like I say, sense of you're on edge
20 wondering when the next thing's going to happen.

21 Q. What about Mrs FKX, what did she do?

22 A. Mostly everything from FKX started with a lot of
23 verbal sort of aggression and then it escalated. And
24 she generally would slap you about the face. That was
25 more her style of chastising you.

1 Q. Okay. You say that she would often use her husband as
2 a threat?

3 A. Very much so, "Wait till he gets home, you're going to
4 get the belt, you are going over the knee with the
5 slipper". Then she would. When he came home she would
6 tell him what we'd been doing and then it would happen.

7 Q. Did you ever see them physically hitting or chastising
8 their own children?

9 A. Not once.

10 Q. If we go on over the page at the top of page 14 in
11 paragraph 59 you talk about an occasion where you
12 accidentally smashed a cup. What was Mr FKZ
13 reaction to that?

14 A. So I was drying the dishes, he was at home, I don't know
15 why because that was very unusual for him to be at home
16 at lunchtime instead of FKX, at lunchtime, and had
17 obviously prepared whatever was for his lunch and then
18 washed his dishes and he had a particular special cup.
19 We had a peg rack on the wall where the cups got hung,
20 which again was very typical in the 1980s, but one of
21 the pegs was shoogly and the cup went onto the peg and
22 then the cup fell and smashed on the worktop and smashed
23 and he completely beat me, just really beat me, he just
24 kicked me and hit me and really hurt me a lot and I was,
25 you know, screaming and shouting.

1 I then had to just collect myself, which I think
2 again I think I've taken into adulthood this: okay,
3 right, so we're all good, we are all fine now, let's
4 move on, back to school, back into lessons, and you just
5 completely put a lid and internalise it and just move on
6 as if nothing's happened.

7 Q. Then the next paragraph at paragraph 60 you talk about
8 on occasions he would come in drunk and he would take
9 the tray his meal was served on and throw it up on the
10 air?

11 A. And he wasn't even always drunk, just to correct that
12 point in the statement.

13 So again his meal was served to him on his tray with
14 his special cup on his special chair and you served him
15 like a king. Again, if FKX had any issues that she
16 needed to address, so he's come in, his dinner's ready
17 for him getting home, he sits in his chair with his
18 dinner on the tray and then if he was unhappy with
19 something again he would terrorise us. He would quite
20 deliberately push the tray into the air so that
21 everything would hit the ceiling as much as is possible
22 and smash and splatter all the food everywhere. That
23 was quite common. And then we would have to sort of all
24 run around, you know, cleaning it up.

25 Q. And when you say "we would all have to run around", did

1 that include their own children?

2 A. No, usually myself and [REDACTED], I particularly remember,
3 and FKX [REDACTED] as well.

4 Q. Okay. At paragraph 61 you tell us about an incident on
5 Christmas Day and you say that you think you'd had
6 an argument with the daughter and you recall Mr FKZ [REDACTED]
7 grabbing hold of you by the neck?

8 A. So we were both primary age children, myself and
9 [REDACTED]. We were squabbling, we were bickering like
10 young kids do, but it was -- it may even have been
11 raised voices, it may not even have been anything
12 particularly negative. We'd be fighting over a toy or
13 something. And he came running up the stairs and
14 grabbed me and he pinned me to the wall. He held me off
15 the ground, I remember choking, and he had my whole body
16 off the ground, and struggling for breath.

17 Q. Okay.

18 A. And then I was sent down to FKX [REDACTED] sister's house,
19 who she stayed a few streets away, to go on some sort of
20 errand, so I shared what had happened obviously with
21 [REDACTED], who was hugging me and comforting me and telling
22 her husband, you know, "He's such a bad" -- and swearing
23 as to what he was and trying to sort of you know give me
24 advice as to how to better navigate the situation so
25 I could avoid more.

1 Q. How was it that you felt able to speak to her about what
2 had happened?

3 A. She was kind and gentle, and you could trust her.

4 Q. Okay. You say that she talked to you about how you
5 might navigate the situation. What sort of suggestions
6 did she make?

7 A. Staying out of his way. Don't make eye contact. You
8 know, just try and be a good girl, try not to cause any
9 trouble. You know, just try and stay out of his way.
10 You know what he's like.

11 Q. Do you know if she reported anything to the social work
12 department about that?

13 A. I don't expect so. I have no knowledge.

14 Q. The next paragraph's paragraph 62 and you tell us about
15 an occasion where you didn't finish a meal that you were
16 eating.

17 A. Yeah, like I say, your dinner was your dinner. You
18 either lumped it or liked it. And I was putting up
19 a particular fuss I think on this occasion about
20 something I'd been given to eat, which I really didn't
21 like, and he threatened me, he said, "If you don't eat
22 that, then you can eat it on the floor like a dog, you
23 will eat like a dog, you will eat it", and I refused to
24 eat it and sure to his words he put the food onto the
25 floor and forced me to get down on my hands and knees,

1 he was holding my arms behind my back and pushing my
2 face into the food.

3 Q. Then you tell us at paragraph 63 about an occasion again
4 where Mrs **FKX** had given you hand-me-down clothes,
5 but this was a swimsuit that was far too small for you.

6 A. (Witness nods)

7 Q. Did you try to explain to her what the problem was?

8 A. (Witness nods)

9 I did, yeah. So I explained to her before we had
10 left the house and it didn't fit me properly, it was for
11 a younger child age wise than I was, and then also
12 because I was starting to develop into a young woman, so
13 it was quite transparent in certain places and it was
14 really not appropriate but I didn't obviously use that
15 language. I was just trying to sort of, you know, get
16 her to understand without saying too much because I was
17 a bit embarrassed, again I've explained, and she
18 insisted that I wore it. She never came into the pool,
19 she was spectating, and obviously I had to go swimming
20 and then when the suit got wet it became even more of
21 an issue and she called me to come out of the pool up to
22 the area where the spectating was and stand in front of
23 her so that she could see what the problem was with the
24 swimming suit and it was quite clear what the problem
25 was with the swimming suit, but she just took that

1 opportunity to kind of highlight that there was nothing
2 wrong with it and I was just making a fuss about
3 nothing.

4 Q. Okay. You've told us about some of the incidents that
5 happened with the [FKX-FKZ]. Is what's in your
6 statement and what you've said in your evidence, is that
7 everything that happened or are these some examples?

8 A. They're just illustrative. And something else that's
9 not in my statement that I think's quite sort of
10 relevant is on the -- we never did anything. There was
11 no sort of family time, there was no trips anywhere
12 other than those trips that were arranged by the
13 [redacted] labour club during the summer holidays or the
14 day trips on the bus. They never encouraged you
15 academically, they didn't encourage you in any sports.
16 They didn't even turn up for things. They just weren't
17 actively interested.

18 And [FKX], she just treated you like you were
19 a servant essentially.

20 And on a Saturday afternoon one of the things she
21 used to enjoy is I had to sit and tickle her feet and
22 play with her hair, and you had to do that for quite
23 a time and you had to sit there just literally tickling
24 her feet sitting in front of her and then sitting on the
25 sofa kind of giving her a head massage and if you

1 stopped, she would kind of clip you a little bit to go
2 keep going. It was really degrading.

3 Q. Did the other children had have to do this?

4 A. No, although her younger son used to like -- he was
5 quite close with his mum so he did enjoy spending a bit
6 of time, so I do have memories of her younger son
7 perhaps doing something similar, but not under duress.

8 Q. Okay. So in terms of discipline in the home, if we hear
9 evidence from Mr and Mrs **FKX-FKZ** that there was no
10 physical punishment used at all, what's your response to
11 that?

12 A. It's just blatant lies.

13 Q. If we hear evidence that if there were issues in the
14 household you would discuss them together and resolve
15 them; is that correct?

16 A. He's never discussed anything with me ever.

17 Q. If we hear evidence from him that he didn't give you any
18 sanctions or punishments; is that correct?

19 A. It's not correct, no.

20 Q. If we hear evidence that you would be perhaps grounded
21 if naughty, if Mrs **FKX** tells us that, is that
22 something that was done?

23 A. Yeah, that was something as well as, yeah.

24 Q. What was being grounded, what did that look like?

25 A. You just weren't allowed out to play, so you were kept

1 in.

2 Q. Was that for one day or did it happen on a number of
3 days one after the other?

4 A. I don't have a particular recollection of it, but yeah,
5 it would depend on what they saw the issue to be.

6 Q. If you were sent to your room to think about what you
7 had done, was that something that happened?

8 A. No.

9 Q. Okay.

10 If I can have a look at paragraph 64, where you talk
11 about reporting of abuse. You say there, you talk about
12 the [FKX-FKZ] warning you not to speak about things and
13 I think you said already in your evidence that that was
14 particularly in relation to the domestic violence by
15 Mr [FKZ] towards Mrs [FKX].

16 A. (Witness nods)

17 Q. Whereas the other violence was normalised, you say.

18 A. Yeah.

19 Q. You say that on one occasion you confided in a friend
20 and she told her mother?

21 A. So again, just to expand on what's in the statement
22 there, it was around about the time there was potential
23 discussion about adoption. What I confided in the
24 friend was -- we were in Primary 7, there was large
25 cupboards in the upstairs area in the primary school and

1 we'd all been sent for art supplies and my friend
2 [REDACTED] I had said to her that my mum and dad want me
3 back and I think that had obviously been part of the
4 discussion around about the adoption and she told her
5 mum and her mum spoke to FKX [REDACTED] and then obviously
6 I got into quite a lot of trouble about it.
7 Q. Okay, so you were saying about your mum and dad perhaps
8 being opposed to the adoption --
9 A. Yeah.
10 Q. -- and wanting to look after you again and then that got
11 back to Mrs FKX [REDACTED] and what was her reaction?
12 A. She was furious. She was furious, because as far as she
13 was concerned my birth parents -- she wanted to write
14 them out of my life story. They were, you know, my lady
15 and man. You know, she was irritated by the fact that
16 there was any sort of ongoing relationship there. So
17 she really disliked the fact that I was talking with
18 other people about them in favourable terms.
19 Q. What effect did that have on you in terms of feeling
20 able to speak to people about what was going on at home?
21 A. Just keep everything inside as much as is possible.
22 Learn to not trust people.
23 Q. Then you say that you weren't able to tell the social
24 worker because the interviews were conducted in
25 Mr FKZ [REDACTED] presence --

1 A. Yes.

2 Q. -- and you've told us about your other interviews. And

3 you never reported the abuse to the police?

4 A. No.

5 Q. Okay.

6 You then tell us that you left the FKX-FKZ when

7 you were about 18?

8 A. Yeah, I had just turned 18.

9 Q. Okay.

10 A. I don't think I would have even been aware that you

11 could report those sorts of abuse to the police.

12 I didn't realise a teacher or anyone in a position of

13 authority was able to help you, and I thought that if

14 you said anything to anyone, you would be going straight

15 back there, so I didn't think there would be any benefit

16 in doing so.

17 When I left the house aged 18, again like

18 I mentioned as I got older I was challenging things

19 a bit more. There were a number of arguments about, you

20 know, again dig money, that sort of thing. There was

21 just a background swell of noise. But unsurprisingly

22 that would coincide with the point in time that it would

23 be approaching them possibly no longer receiving sort

24 of -- you know, funds for looking after me.

25 So on the Sunday evening that I'd come back from my

1 regular sort of week out Sunday visit with my parents,
2 Mr FKZ was at the door and told my dad that
3 I wasn't welcome and that I had to leave. He in fact
4 actually called me a "walking abortion", Mr FKZ,
5 and basically told me, "Good riddance", and they then
6 went out on their usual Sunday evening to the miners'
7 club and whilst they were out I just packed my bags and
8 had to leave.

9 Q. Okay. Was there any sign that this was coming, that
10 Mr FKZ was going to say to your dad that you had to
11 leave --

12 A. No.

13 Q. -- or did it just happen --

14 A. It just happened.

15 Q. Okay. Where did you go?

16 A. There was a bit of fuss about that, because I had
17 assumed that in my naivety that I would be sort of
18 skipping off into the sunset with my parents who, for
19 whatever reason, had not been allowed to have me and had
20 put up this campaign to sort of get me back, which was
21 I guess in my mind how I'd created it, but in actual
22 fact both my parents were, I think, shocked and they
23 were sort of -- I think they were panicking as to, you
24 know, well, she can't come and live with me, because my
25 parents didn't live together. My father lived with --

1 in his own house, I think his mother had passed away at
2 that point in time, I didn't know her. And my mother,
3 she lived and cared for her own mother in a house in
4 Edinburgh. I just assumed that I would have gone to
5 live with either of those people but instead, after
6 a period of not having any contact with [REDACTED] since she
7 had left the house, I had had no contact with her, by
8 complete chance I had re-established contact with her,
9 unbeknown to the [REDACTED] FKX-FKZ, shortly before my 18th
10 birthday and she took me in because similarly she had
11 found herself homeless and she was kind and she actually
12 gave me a place.

13 Q. Okay. And you stayed with her, I think, until you went
14 to university?

15 A. Yeah.

16 Q. You were due to start university after that.

17 You then tell us at paragraph 67 that you started
18 your degree and you tell us at the top of page 16 that
19 you can remember going to the social work department to
20 try to get your records.

21 A. That wasn't the primary purpose of my visit.

22 Q. Okay.

23 A. The primary purpose of my visit was to seek advice and
24 guidance essentially, because whilst I was in the
25 Pollock Halls, you were only allowed there for term

1 time. Outwith term time you were expected to take all
2 of your belongings, which was quite a task, and go
3 elsewhere. I had no elsewhere. I was homeless. But
4 I think because my childhood experience had, I guess,
5 maybe helped me develop a thick skin, I wasn't
6 overwhelmed by that. I just kind of went into survival
7 mode. I'd go to friends or go back to my sister's.

8 I almost felt -- I felt aggrieved. I felt like,
9 "Wait a minute, there should be someone here to help me,
10 I shouldn't be in this situation". But I was equally
11 really embarrassed and ashamed about my situation. So
12 I would never have shared that with my peers at
13 university who all had, you know -- the people that
14 I knew anyway seemed to have home lives and places to go
15 and people that cared for them.

16 So when I went to Victoria Street I was primarily
17 looking for some sort of acknowledgement that they had
18 failed me and support. And I was also wanting to
19 understand why I was in care, which was the point about
20 the records, and to understand, you know, why I had been
21 left languishing there, having gone as a baby on what
22 I understand to be a temporary emergency placement, how
23 does a child, a small baby, end up living in that
24 environment for her entire life without any checks or
25 like intervention to try and find that child the

1 appropriate stable permanent home? None of that had
2 happened for me and I was really quite -- quite upset.

3 The social worker I spoke with, he asked me what
4 I wanted to know. But you don't know what you don't
5 know, so how on earth could I ask? I said, "Well, could
6 you find out some of these answers to these questions?"

7 He went off for a short period of time and he came
8 back into the room and he said, that there wasn't really
9 much to share and that really I was doing really well
10 for myself and, you know, I was really obviously
11 excelling and at uni so, you know, off you trot,
12 essentially, and that was -- in my mind that was the
13 last interaction I had with the social work department.

14 Q. Okay. You said in your evidence a moment ago that your
15 understanding was that this placement was to be short
16 term/temporary, where did you get that understanding
17 from?

18 A. That came from FKX. She explained that
19 I came late at night, I had very little with me in terms
20 by way of clothes or nappies, that sort of thing, so she
21 would retell the story frequently again about a bit of
22 a fuss they had to make about getting provisions for me.

23 I also know anecdotally through discussions that
24 she'd also said that, "She's never going to go", as in
25 terms of this baby's never going to leave, but given

1 that you've got a woman who's suffered from what
2 I understand a lot of loss in terms of miscarriages and
3 late-term miscarriages, then I question her stability
4 and she obviously was latching onto me as one of her own
5 and trying to create me into what she was needing.

6 Q. Okay. I would like to refer to your records in relation
7 to this interaction with the social work department that
8 you've mentioned. It's at EDI-000000803, page 2.

9 It says in the first substantial entry there,
10 1 December 1992 and it says there that you came into the
11 office wishing to see your file:

12 "Advised her that she would have to make
13 an appointment to see file. Gave an appointment for
14 10.15 am on 12 December 1992. She should also be sent
15 an open access form, requesting access to file. None
16 were available in office. She is presently staying at
17 Pollock Halls in Dalkeith Road, but can be contacted at
18 [another address] in Dalkeith."

19 Before we move on, can you remember any discussion
20 about filling in forms or --

21 A. (Witness shakes head)

22 Q. -- having to come back to the office again?

23 A. No mention was made of a form and there was no
24 suggestion to come back to the office.

25 LADY SMITH: I was just looking at the date, 'Anna',

1 December 1992. You would be at the end of your first
2 term at university then, is that right?
3 A. Yeah.
4 LADY SMITH: This was your first experience of finding
5 yourself with, what, a four-week vacation and no
6 accommodation at Pollock?
7 A. Yes, possibly going on to six weeks, I think it was the
8 middle of January, from memory, that we went back.
9 LADY SMITH: Thank you.
10 MS INNES: Then we see in this that it says:
11 "She wished to also make a complaint to the social
12 work department re her foster parents. I advised her to
13 contact Shrubhill for this purpose."
14 A. That's not correct.
15 Q. What's not correct about it?
16 A. I was not advised to contact anyone to make a complaint.
17 Q. Can you remember part of the discussion with the social
18 worker or this contact that you had with the social work
19 department being about complaining about your
20 experiences in foster care?
21 A. I do, yeah. That was primarily what I was wanting to
22 talk about, was how the social work department had
23 failed me and explaining to them that how had -- what
24 had happened to me in care and how had that system
25 allowed that to happen?

1 Q. Okay. Then it says here:

2 "Discussed with duty senior. Decided that client
3 should be allocated to prepare the file for viewing.
4 I also advised her we may need to have to change her
5 appointment time, depending on how long it takes to
6 organise her file."

7 Then it says at the bottom of the page:

8 "Appointment made."

9 Then there seems to be an entry then,
10 14 January 1992 and there's a suggestion that you failed
11 to keep the appointment:

12 "Have sent her a letter to contact me re above
13 issues."

14 Can you --

15 A. I would wholeheartedly dispute that whole paragraph.
16 I was not offered to revisit with any records. In that
17 first visit that I had, it was closure. It was very
18 much wrapping up to say that I was in a good place and
19 that, really, I should look to move forward with my
20 life.

21 Q. Then if we go over the page to 16 February 1993, so this
22 says:

23 "Met with 'Anna' to discuss the issues around her
24 file and if she required to make a formal complaint
25 against her foster carers.

1 "I explained to 'Anna' that she has access to her
2 personal file only and as the files date back some time
3 it needed some time to put the relevant material in
4 order for her to read."

5 Can you remember having that sense that people were
6 going to go away and look at your file and organise it
7 and speak to you?

8 A. Not at all. So it was only in that visit where the --
9 sorry, where the social worker left the room to review
10 the records that were available to them on that occasion
11 and he came back and verbally gave me a bit of a summary
12 update that, you know, there was really nothing much to
13 tell.

14 Q. It then says:

15 "'Anna' expressed her resentment towards her foster
16 carers, saying she had been mistreated badly by them and
17 that the social work system failed to identify this."

18 A. Yes.

19 Q. So that's correct in terms of what you were saying?

20 A. (Witness nods)

21 Q. You were talking about failures --

22 A. Yes.

23 Q. -- and why you'd been left with them. It then says:

24 "She did not wish to take this any further and hopes
25 that future foster carers are monitored better than hers

1 were."

2 Can you remember --

3 A. By not taking it any further, I had no wish to make
4 a police complaint. I was a vulnerable, homeless
5 18-year-old child who had enough issues to deal with.
6 I was reaching out for support and nothing was
7 forthcoming.

8 Q. Okay. Then it says:

9 "Arranged to see 'Anna' in a few weeks' time."

10 Then the next entry on the file, 2 March 1993, it
11 says:

12 "I managed to pull out some items in 'Anna's' file
13 for her to read but as there is three files on this
14 client, her parents and foster carers, more time is
15 required to go through them. 'Anna' seemed quite happy
16 about this ..."

17 It's not clear whether there was any contact with
18 you, whether by telephone or at the office?

19 A. I didn't have a phone. I didn't have access to a phone.
20 So there wouldn't have been any telephone contact.
21 There was no letters or -- I do not recall any contact
22 whatsoever. I challenge this whole statement.

23 Q. Okay:

24 "'Anna' seemed quite happy about this and explained
25 to me that she was constantly in touch with her natural

1 parents who have informed her of various past events.
2 There was part of her life story book which she
3 remembered completing but she does not have the rest of
4 it, she thinks her foster carers still have it.
5 I agreed to check the files and arranged to have the
6 material in order for her next visit."

7 Can you remember this issue about a life story book?

8 A. Again, I have to assume that that was all part of the
9 conversation on that first and only visit that I made,
10 and on that visit I did mention that I still had contact
11 with my birth parents, which I did, and again very
12 bizarrely, it still maintained as a Sunday afternoon
13 that I would still visit them or they would come and
14 pick me up from wherever I was, and I must have made
15 mention as well that there was a book but that was
16 a book that was made around about the time when
17 obviously there was this talk about potential adoption.
18 I do not specifically recall talking about that a lot
19 with the social worker. I didn't have any of it. It
20 was all in this one book and that one book, as
21 I mentioned earlier, was with the [FKX-FKZ] and it
22 stayed in [FKX] bedroom.

23 Q. Okay. Then there's reference to a date of 23 March 1993
24 and it says you failed to keep your appointment:

25 "Letter forwarded for her to contact me re further

1 appointment."

2 If we go to the top of the next page it says,

3 26 April 1993:

4 "No contact from 'Anna'. Recommend: close case."

5 Then the file was closed again, I think.

6 So you don't have a recollection of more than one

7 meeting with the social worker?

8 A. That's correct, only the one meeting.

9 Q. Okay. Do you recall getting letters asking you to make

10 another appointment so you could go and see your files?

11 A. No. And if there had been such an offer, then those

12 would have been sent to my foster sister's address and

13 she would have absolutely have notified me of that, and

14 that wasn't the case.

15 Q. Okay.

16 LADY SMITH: That's the Dalkeith address that you gave them,

17 is it?

18 A. Yes.

19 MS INNES: Right.

20 If we can move on, please, to page 19. At

21 paragraph 83 you talk again about trying to see your

22 records when you were 18, but you say:

23 "All I left with was a verbal summary of my time in

24 care and practically no information."

25 At the time that you signed your statement, you said

1 you thought about contacting the social work department
2 to see your files but you didn't feel strong enough to
3 do so at that point.

4 A. (Witness nods)

5 Q. Have you since tried to get your files or not?

6 A. No, I haven't.

7 Q. Okay.

8 Then you go on to lessons learned. At paragraph 84
9 you set out some questions that you have about your time
10 in care and you talk about the **FKX-FKZ** being able to
11 create an image to the social work department of happy
12 families.

13 A. Yeah.

14 Q. Does that go back to some of the things that you
15 mentioned about the way in which the **FKX-FKZ** portrayed
16 themselves to the social workers --

17 A. (Witness nods)

18 Q. -- who came?

19 A. Yeah, very much so. I think Mr **FKZ** saw himself as
20 a pillar of the community. He was on the committee at
21 the labour club and then latterly was actually
22 the president of that labour club, so he was quite
23 self-important. And yes, he had an image to portray.

24 Q. Then you talk about some issues about -- you feel that
25 they failed to follow up on the placement and that they

1 didn't ask about your experiences. So is that to do
2 with the lack of contact that you say that you had with
3 the social workers?

4 A. Yeah. I don't see -- in all of my experiences over
5 nearly 17 of my 18 years of life, where was the duty of
6 care? Where was there any sort of independent
7 opportunity for the social work department to even
8 establish a relationship? There was no continuity.
9 I have no names. I don't recollect any names of anyone
10 of any importance. Yeah, so there was no opportunity to
11 sort of share in a safe space or to be aware that there
12 were safe spaces to go if you had any concerns.

13 Q. Then you talk about them not doing unannounced visits --

14 A. Yeah.

15 Q. -- that you always knew that they were coming?

16 A. Always orchestrated, always planned, and it was always
17 a performance.

18 Q. Then you talk about there being no scrutiny or due
19 diligence. Is that in the same vein, that they weren't
20 speaking to you separately and visiting more often
21 and --

22 A. Yeah, precisely.

23 Q. Okay. At the top of page 20, you say:

24 "Why were the social workers not looking for
25 evidence to corroborate with the school?"

1 What do you mean there?

2 A. Well, in that sense that surely they should be checking
3 with school. You spend a lot of your formative years in
4 school, so should they not be checking in with school,
5 not just to see how you are performing academically but
6 even the school environment being a safe space, coming
7 into the school to see the child in the school where the
8 child could then potentially sort of maybe feel more
9 confident to open up.

10 Q. At paragraph 85 you talk about the need for there to be
11 a consistent approach in providing every child in foster
12 care with a trusted person.

13 A. Exactly that. So there's continuity and that there's
14 through care and that all of the agencies involved are
15 interconnected.

16 So as an example, if there were any issues or alarms
17 raised about my care, then issues and alarms may also be
18 raised about other children in the same care placement.
19 So if they might explain away for one instance, then if
20 there's a pattern across the other children that are
21 being cared for, then it draws more of a picture. It's
22 more safeguarding, more opportunities to catch things.

23 Q. Then you talk about:

24 "People who are brought up in a loving family are
25 praised, nurtured and supported by default. Children in

1 foster care deserve to have the same opportunity to
2 succeed in life. Luck should not be a factor in whether
3 a foster care becomes a well-rounded adult."

4 What are you talking about there? Is it to do with
5 placing a child with the right foster carers or is it
6 about the way that a social worker should behave towards
7 a child?

8 A. Both, the system in totality. So the whole system
9 should be set up to not just care for unwanted children
10 or problem children or whatever the term is, because
11 children in care, there's a stigma attached to being in
12 care, and there should be a level playing field and
13 every opportunity provided for every child to fulfil
14 their potential, and I believe that what I've achieved
15 in my life is in spite of, and for many people, they're
16 not as fortunate.

17 Q. Okay. What are your thoughts on how a level playing
18 field could be achieved?

19 A. That through care, so having sort of a known person
20 almost with that child and that the care doesn't just
21 stop and that there is actually a transition. So even
22 as young adults we don't just go off into the world and
23 then have nobody to advise us or seek counsel that's got
24 experience. As a child who's come through the system,
25 you have to by luck and chance navigate your way and

1 obviously you're vulnerable, you're going to be
2 exploited or more opportunity to be exploited, and
3 certainly as a young adult things like that have
4 happened to me too.

5 So it's just more nurture and more safeguarding
6 around about that child throughout their life.

7 Q. Okay. You say at paragraph 86:

8 "Nowadays, it appears that it is very difficult to
9 be considered for foster parenting."

10 A. I just know that anecdotally, yes, I know there's a lot
11 more hoops people have to jump through. I think I've
12 taken more time to select what I'm having for lunch than
13 was possibly taken to consider who I was placed with for
14 my entire childhood.

15 Q. You say:

16 "Children in care need a life-long advocate."

17 A. (Witness nods)

18 Q. You mentioned having a trusted person during childhood,
19 having somebody to help that transition and through
20 care, but here you're talking about a lifelong advocate.
21 What do you mean?

22 A. So services that are available. Because I think that if
23 you invest in that, then you're going to have less
24 numbers of people that fall into sort of, you know,
25 criminal activity, drug-taking, all sorts of other

1 pressures on other services with, you know, addiction,
2 et cetera. So the more you invest in that, and then
3 society all round would be a better place. It's no
4 surprise to me that, you know, quite a significant
5 proportion of young people that do end up in young
6 offenders institutions and go off the rail have been
7 through the care system. It's everything's stacked
8 against you.

9 Q. You say you would consider becoming a mentor because you
10 feel that you can show you've come out the other side?

11 A. When you've gone through care, you're othered from
12 day 1. And when you're othered, you have just
13 a suspicion of everyone else, because you do not see
14 yourself in others and you don't see yourself in people
15 who have got a comfortable life, who have, you know,
16 succeeded. So if you have someone who has experienced
17 that directly and you can almost show by example that
18 there are opportunities and that you can achieve,
19 I think that's really like a valuable thing to be able
20 to -- as part of a rounded service -- provide to
21 children.

22 Q. Then at paragraph 87 you say that you've never
23 considered legal action. You say:

24 "I just wish someone from social work would sit down
25 with me and explain what they did and for what reasons."

1 A. (Witness nods)

2 Q. Then you say:

3 "They fundamentally failed me."

4 A. (Witness nods)

5 Q. Are you just able to spell out what you think the

6 failures were? I'm sure you've highlighted some of them

7 in your evidence already, but if you'd just like to

8 highlight the way in which you feel that the Local

9 Authority failed you?

10 A. They failed me in terms of the initial placement,

11 following up to sort of do a formal review and agree on

12 a permanent placement. I don't believe their decisions

13 were child-centred. It's very questionable, looking at

14 everything that has happened to me as to whose best

15 interests they were serving. Certainly not mine. There

16 was no -- as I've mentioned, there was no opportunities

17 for me to speak safely. There was no information shared

18 with me. If I needed almost to highlight that there was

19 any problems, you didn't know where to go.

20 I was failed at the end of my care because there was

21 no follow through when I was putting my hands up to say

22 I was homeless and that all of these issues had

23 occurred. Even then -- and it's in black and white for

24 everyone to read -- there was no interest. They were

25 fundamentally failing in what that service is there to

1 sort of deliver.

2 Q. As I mentioned, you say in this sentence that you wish
3 somebody from social work would sit down with you and
4 explain what happened and for what reasons.

5 A. (Witness nods)

6 Q. Is that or any other type of acknowledgement or apology
7 something that you think would make any difference to
8 you?

9 A. Oh, very much so. It would.

10 Q. So the City of Edinburgh Council, would you be looking
11 for them to explain to you specifically what they did
12 and the reasons for that in your case?

13 A. Yeah, and then more generally to sort of give that
14 confirmation that things have changed, that they've got
15 appropriate checks and balances in place and that
16 everything that they're doing is child-centred moving
17 forwards.

18 Q. Then in terms of acknowledgement and apology to you for
19 what you went through when you were a child, would that
20 make a difference to you?

21 A. It would. It would feel like there was a sense of
22 redress because it was -- it would vindicate exactly
23 what it is that I'm saying. Even this Inquiry in itself
24 has been really cathartic, having the opportunity to
25 come into a forum and to be heard.

1 MS INNES: Okay. I don't have any more questions for you,
2 'Anna', and there are no applications, my Lady.
3 LADY SMITH: Any outstanding applications for questions?
4 'Anna', that does complete the questions --
5 A. Thank you.
6 LADY SMITH: -- we have for you.
7 Thank you so much for engaging with us, both by
8 giving us your written statement and by coming here
9 today for what's turned out to be longer than we hoped
10 we'd detain you. It's been so helpful and I've learned
11 so much from what you've told me.
12 A. Thank you.
13 LADY SMITH: I'm now able to let you go and I hope you can
14 now relax for the rest of the day. Thank you.
15 A. Thank you very much.
16 (The witness withdrew)
17 LADY SMITH: Ms Innes.
18 MS INNES: My Lady, I think it might be appropriate to take
19 the afternoon break now. We do have quite a lengthy
20 read-in to deal with.
21 LADY SMITH: Very well. We'll have the short break now and
22 then we'll get on to the read-in. Thank you very much.
23 Oh, just before I do that I should mention, in case
24 you don't all come back, the FKX-FKZ names of course
25 are covered by my general restriction order, as are the

1 names of their other foster children that were mentioned
2 and indeed at one time the witness 'Anna' used her own
3 first name, I think. Those can't be repeated outside
4 this room.

5 Thank you.

6 (3.02 pm)

7 (A short break)

8 (3.17 pm)

9 LADY SMITH: Ms Rattray.

10 MS RATTRAY: Thank you, my Lady.

11 'Lauren' (read)

12 MS RATTRAY: My Lady, this is a statement of an applicant
13 who wishes to remain anonymous and has chosen the
14 pseudonym 'Lauren'. Her statement is at
15 WIT.001.002.6126.

16 'Lauren' was placed in the care of Strathclyde
17 Regional Council. The main foster care placement about
18 which she speaks was with PBG-SPO in Beith
19 from 1985 to 1991. The successor
20 authority is North Ayrshire Council.

21 My Lady, 'Lauren' was due to give oral evidence
22 today, but unfortunately she's unable to attend
23 following a medical emergency.

24 "My name is 'Lauren'. I was known by my foster
25 carers' surname after I went into foster care in 1985.

1 I was born in 1977. My contact details are known to the
2 Inquiry.

3 I was born in Ayr and lived there with my family
4 before I was taken into care. I have one brother and
5 two sisters. My brother is the eldest. He is about
6 four years older than me. My sisters are two years
7 older and two years younger than me. I have no memories
8 of my mum living in the family home. I only remember my
9 dad."

10 From paragraphs 3 to 5 'Lauren' speaks of the few
11 memories she has of her life before care. Her parents
12 separated and she lived with her dad, who couldn't cope.
13 She says that it's always the traumatic things that she
14 remembers. She recalls that she and her siblings were
15 left alone in the house for three days and surviving on
16 cold water, a used teabag and sugar.

17 From paragraphs 6 to 27, 'Lauren' speaks of her
18 experiences in Burnside Children's Home in Irvine.

19 Moving now to paragraph 28 on page 6:

20 "A foster placement was found for me and my older
21 sister and we were told that they'd got us a family.
22 I think it would have been the unit staff who spoke to
23 us about it. The original plan was that the foster
24 carers would adopt us.

25 I remember the foster parents came to visit us in

1 the unit and then they came with their two sons.
2 I think we had a couple of overnights with them as well.
3 I just wanted somebody to love me at that time so I was
4 excited and would have accepted anybody, and I accepted
5 that social work wanted the best for me and this was
6 supposed to be it.

7 I think they had a wee party in the unit for us when
8 we were leaving because we'd been there for such a long
9 time. I wasn't sad to leave. We were so excited that
10 there were people who wanted us, so it was a positive
11 thing.

12 We left Burnside in 1985, before my eighth birthday.
13 A key worker, Maureen, took us to the foster carers'
14 house. We had our typical 'in-care suitcase', which is
15 a black bin bag. The journey from Irvine to Beith takes
16 about half an hour, but we got lost and it seemed like
17 a lifetime that night.

18 I remember feeling so welcomed and I felt we fitted
19 in. PBG and sons lived in the family home and
20 PBG had another son who lived across the road with
21 her mum. I think he was about 17. One of the younger
22 sons was about 14 or 15 and then the other son [and this
23 son, my Lady, has the pseudonym 'David'] was about 13.

24 I think PBG must be in her 70s now, she didn't
25 work. worked a lot of different shifts as a baggage

1 handler at the airport.

2 Their house was a typical semi-detached house, the
3 sitting room was to the left as you went in, the kitchen
4 was straight ahead, the bathroom was downstairs and
5 there were three bedrooms upstairs.

6 I was known by their surname as soon as I went into
7 foster care. My name wasn't formally changed but I was
8 registered at the school and the doctor's under that
9 surname. I started school after the Christmas holidays
10 and was immediately known by their surname. My first
11 passport was under that name and I had to get a letter
12 from the social work explaining the circumstances so
13 that I could change it later. I have looked through my
14 records to see whose decision it was to change my name
15 but there's no information.

16 We called PBG and "mum" and "dad". I think
17 we did that because it was basically sold to us by
18 social work and the unit staff that we were going to
19 live with this family and they were going to be our new
20 mum and dad. PBG and wanted us to call them that
21 as well. I was fine with it. I was just so excited to
22 have a family and to belong to someone.

23 I slept in a bedroom with my sister. The two sons
24 shared a room and the foster parents were in the other
25 room. Our room wasn't really done up for girls.

1 Nothing had been done to make it homely. It was just
2 a basic room and we weren't allowed to put posters up or
3 do anything to make it our own.

4 Life in the foster home was very regimental. PBG
5 woke us up about 8 o'clock. We'd have breakfast, get
6 ready for school, go to school, come back, do homework,
7 have dinner at the same time every day and then go out
8 to play before bed.

9 We didn't get tucked in at night. It was just
10 a case of going up to bed at night on our own. We were
11 never allowed to read a book in bed. My sister and
12 I went to bed as soon as we came in from playing outside
13 and the sons stayed up for hours.

14 We sat at the dining table in the kitchen for meals.
15 We got cereal for breakfast. It was disgusting and we
16 never got a choice. PBG put it out and that was it,
17 take it or leave it. I can't even look at cereal now.

18 We weren't allowed a drink. She'd tell us there was
19 no time for a drink and I think this was to stop us
20 wetting the bed and control our fluid intake. If you
21 didn't eat the cereal it would be put down to you again
22 for lunch or dinner.

23 We would go home for lunch some days at primary
24 school. It was a ten-minute run to get home. We'd get
25 a sandwich for lunch. In secondary school, lunch was

1 a chopped pork sandwich and either diluting juice or
2 milk in a plastic green wine bottle, the same kind you
3 would get on a flight. By the time it came to lunchtime
4 the milk was warm and there was no way I would drink it.
5 I used to just pour it out. We had no money to buy any
6 other drinks or anything else. My friends at school
7 were going to the canteen or the local shop for a pizza.
8 We were never allowed snacks or fizzy juice. We did get
9 treats but only when PBG decided we could. We were
10 treated totally different from their sons. They could
11 take what they wanted when they wanted and they got
12 Chinese takeaways but we were never allowed anything
13 like that.

14 My sister and I sat in the kitchen for our evening
15 meal and they all ate theirs in the living room. The
16 boys got whatever they liked. I can't fault PBG in
17 terms of nutrition, though. She did give us wholesome
18 meals.

19 If you didn't like the food you just had to eat it.
20 PBG bought a whole cow's tongue one time and boiled
21 it and peeled it in front of us. This was quite
22 traumatic to watch. I was about 10 at the time. She
23 put it down for us for lunch and I couldn't eat it.
24 I was gagging. I put it in the bin when she wasn't
25 looking. She found it in the bin and then served it up

1 to me again for breakfast, lunch and dinner. I was
2 supposed to be going to Inveraray with a wee friend from
3 school and I wasn't allowed to go as a punishment for
4 putting it in the bin.

5 There was never any affection from PBG. We were
6 never told that we were loved, we were never hugged, and
7 if we hurt ourselves, we just had to get up and get on
8 with it. I was absolutely petrified of her. Her tone,
9 her look, her posture, everything about her was
10 threatening. She constantly shouted. She never spoke,
11 it was just pure aggression from her all the time.

12 I can't say anything bad about . He was probably
13 the warmest person in the house. I think he was
14 controlled by PBG. I don't think he was aware of the
15 abuse. He worked all sorts of shifts and wasn't really
16 around that much. He never had a say, so he was never
17 involved in any decisions. I feel his life would have
18 been hell if he had disagreed. They would go lengthy
19 periods of time not speaking, not a single word, and the
20 atmosphere was black. I was always anxious, worried and
21 scared.

22 I moved school again and went to Beith Primary
23 School. I got on fine at school. I moved on to
24 secondary school. I liked English, maths, biology and
25 history. I got good reports from school. I didn't get

1 any encouragement from the foster carers to do well at
2 school. It was my own choice to sit and do my homework
3 at night. I was never allowed to do my homework in my
4 room. I could only do it at the dining table and
5 I couldn't ask for help because PBG would make me
6 feel like an absolute idiot.

7 We had to wear their sons' hand-me-down clothes. We
8 were dressed in boys' clothes and we got sent to
9 a barber for a £2 haircut. Other kids used to laugh at
10 us. When I read my files, I saw that PBG got money
11 for absolutely everything for us, clothes, bedding,
12 furniture, and we didn't even get pocket money. These
13 people were supposed to be adopting us, but I think she
14 was getting too much money fostering us and that's why
15 the adoption didn't go ahead.

16 We got a bath every second or third night. PBG
17 sometimes put the son 'David' in the bath with me and
18 the other son with my sister. The boys wore their
19 swimming trunks and we were naked. We never had any
20 privacy in the bathroom. Even as a teenager, we could
21 close the door over but we were never allowed to lock
22 it. The bathroom door was all glass and see through,
23 with just a net curtain, which was gathered in the
24 middle. This meant that when the light was on, you
25 could see right into the bathroom. Anyone on the

1 stairs, in the living room, coming out of the kitchen or
2 at the front door could clearly see into the bathroom.

3 I came home from school one day when I was 11 and
4 told PBG that I was bleeding down below. She told me
5 not to be so 'fucking disgusting' and to go and clean
6 myself up. I didn't have a clue what I was doing.
7 I spoke to my sister, but she didn't really know either.
8 After that, there was a supply of sanitary products, but
9 you always felt embarrassed about using them. It was as
10 if you weren't really allowed to use them. I didn't
11 know how to dispose of the used towels, so I hid them in
12 my bedroom drawers.

13 PBG got me and my sister up every Saturday
14 morning at about 8 o'clock and we had to scrub the
15 kitchen and bathroom from top to bottom and clean the
16 living room. I understand the need for kids to do
17 chores, but this was on a totally different level.
18 Their sons were allowed to stay in bed and they didn't
19 have to do anything.

20 We went to the doctor for a yearly check and got our
21 wee book filled in. I wasn't really an unwell child, so
22 I didn't need to see a doctor very often. I went for
23 things like a sore throat and sore ear. I remember
24 I got an ear infection one time and needed antibiotics.
25 PBG came and got me from school and then I was sent

1 up to my bed when I got home. I was left in my room on
2 my own with no communication from anybody. I think
3 I got shouted down for some soup but that was it.
4 I wasn't looked after the way you would expect a sick
5 child to be. It felt more like I had done something bad
6 and was being disciplined.

7 We saw a dentist every six months but we weren't
8 encouraged at home to brush our teeth. PBG had false
9 teeth so she didn't care. She didn't even wear her
10 false teeth.

11 We went to family holidays every year to places like
12 London and Scarborough. I went abroad with them when
13 I was older and had my own daughter.

14 If it was a nice day, we'd go on trips to places
15 like Largs, but we didn't have any hobbies. We didn't
16 get taken out to the cinema or the swimming baths.

17 I was usually always outside playing. I didn't
18 really have toys to play with inside, but I had bikes
19 and scooters, all the stuff for playing outside. PBG
20 didn't really want us in her house, so any time we could
21 be out, we'd be out. If I had to be indoors because it
22 was wet outside, I would sometimes sit in my room and
23 write out a book just to pass the time and practice my
24 handwriting.

25 All the after school activities we had gone to

1 within the unit had stopped. My impression of this was
2 that her boys didn't do any of those things, so we
3 weren't allowed luxuries. Also, there would have been
4 financial implications.

5 I had good friends but I was only allowed to play
6 with them in the street. I wasn't allowed to go to
7 their houses and no one was ever allowed in ours.
8 No one was allowed to phone us either. The phone would
9 go all day for their sons and we were never allowed to
10 answer it. In hindsight I think this was all about
11 PBG totally controlling everything because she was
12 worried that we would open up to people.

13 I didn't have a TV in my room and I wasn't allowed
14 to watch it in the living room. Their sons could watch
15 whatever they wanted.

16 [REDACTED] was Catholic but he didn't practice. We
17 sometimes went to Sunday school. It wasn't a regular
18 thing. It was just something we did when PBG wanted
19 rid of us.

20 I've got to say that PBG did keep my birthday

21 [REDACTED]

22 [REDACTED]

23 [REDACTED] She always got a birthday cake made
24 for me as well.

25 She overcompensated at Christmas and bought us loads

1 of presents. We all had our own seats where our
2 presents were put out for us on Christmas morning. We
3 got lots, but the boys always got more. One year we
4 opened loads of wee presents and then PBG asked me
5 and my sister to go into the kitchen to get something
6 for her and there were bikes in there for both of us.
7 We got surprise presents every Christmas.

8 I never saw or spoke to my dad. I once got a letter
9 from my younger sister saying that she wanted to see us
10 but we were never taken to meet her. Contact with her
11 wasn't really encouraged by social workers either.

12 After my older sister left PBG-SPO, PBG
13 would sneakily have her visit when I wasn't in the
14 house. She never came when I was there so I never saw
15 her.

16 I got in contact with my paternal gran about 12
17 years ago and she said that she wrote all the time and
18 sent birthday and Christmas cards but we never got
19 anything from her.

20 PBG mum was my nana, she was a really loving
21 wee woman. I used to do her shopping for her and go to
22 the library for her on a Friday night.

23 PBG older son moved in with his nana when he
24 was about 15 or 16. I'd see him at my nana's but he was
25 a lot older and worked away a lot. I don't know what

1 happened, but he hated his mum at that time. I was very
2 close to him in later life. I looked upon him as my
3 brother. He knew exactly what his mum was like. He
4 totally accepted that I was telling the truth when
5 I disclosed the abuse years later. He passed away ten
6 years ago. He was my kids' uncle. My oldest daughter
7 adored her uncle.

8 The foster parents weren't close to their siblings
9 but we always knew that we had aunts and uncles and we
10 would go to family occasions like weddings and that sort
11 of thing. We were accepted, but we weren't close.

12 I ran away shortly before I left the foster
13 placement. It was a Thursday night and I kidded on that
14 I was going to the library for my nana a night early.
15 I had a wee yellow backpack. My plan was to sleep in
16 a wee bit under the library. I changed my mind because
17 it was too cold. One of PBG brothers and his wife
18 had adopted two boys and I went to their house in Beith
19 and said that I couldn't go back home. I think that's
20 all I said, that I just couldn't go back there.

21 PBG brother phoned social work standby.
22 There's a written referral in my records relating to
23 this. It mentions something along the lines of me
24 getting into trouble for something silly and says that
25 PBG brother phoned them and told them that I didn't

1 want to go back to PBG. Whoever answered the phone
2 asked him questions and he told them that he was aware
3 of emotional and physical abuse, but he wasn't sure if
4 there was sexual abuse. I hadn't told him any of this.
5 He had probably witnessed it. According to the written
6 referral, the standby worker spoke to me and basically
7 said that I was being pathetic and that I had to go
8 back. I think I just walked back to PBG after
9 that. I don't remember having the conversation with the
10 standby worker, but I do remember making the plan to
11 sleep at the library and then changing my mind and going
12 to PBG brother's house instead.

13 PBG used to foster babies on a short-term basis.
14 The oldest was about two, and she had a couple from
15 birth. I remember a wee girl who was with her until she
16 was about three. PBG tried to adopt her but they
17 wouldn't let her because of her age. That really upset
18 us all because that wee girl was like my wee sister.
19 She had lived with us from when she was only three days
20 old. It felt to me like she had died. There was no
21 consideration given as to how I might feel about her
22 leaving. Nobody ever asked how I felt about it. It was
23 heartbreaking and traumatic.

24 She also fostered a wee boy. She had him from about
25 the age of one. I was there when he arrived. PBG

1 went on to adopt him but I had left by then. I think
2 PBG behaved worse towards me and my sister because
3 she was angry at herself and her anger was shown towards
4 us rather than any of the boys because we were female.
5 She later adopted another wee girl who is only a year
6 younger than my daughter.

7 The contact with social work was mainly through
8 phone calls to PBG. They'd phone her and she would
9 say everything was fine. I went through my records and
10 did a chronological timeline which showed that 18 months
11 passed with no actual contact with us in person, and
12 only three phone calls to PBG from social work. On
13 some occasions, social work would come to the house and
14 we were put outside or put out of the room. Again this
15 shows that only the foster carers really mattered and we
16 weren't worth listening to.

17 The social workers changed frequently. I remember
18 being taken out by them a couple of times but PBG
19 very much dictated what was said. It was drummed into
20 us that we were not to say anything outside of the
21 house. She was so controlling. We were terrified to
22 say anything as we knew we would end up back in
23 a children's home. At that time I just wanted to be in
24 a family and have somebody to love me. We didn't know
25 the social workers anyway and when they did see them

1 they took us to places like Nardini's for an ice cream.
2 How appropriate is it to talk about abuse in a busy
3 café?

4 I still went to children's panels once a year.
5 Again it was just a case of three people sitting across
6 a table, asking your name and address and then making
7 the decision to keep the supervision order in place for
8 another year.

9 My experience in this foster care placement is the
10 worst I had in my whole time in care. I got battered by
11 PBG for little things like coming home from school
12 with dirty socks. It wouldn't just be one slap, she'd
13 slap you repeatedly on the body and head. I was
14 terrified to even breathe. You'd be left with bruises
15 quite often, but you would hide them. There was never
16 any major injury. I can see now as an adult that PBG
17 was very aware of what she was doing.

18 I ran away and hid behind a tree round the corner
19 from the house one time and PBG beat me with a Boys'
20 Brigade belt when I came back. I don't remember why
21 I ran away. I remember the buckle skelping me on the
22 back. I had marks on my back but I never showed them to
23 anybody.

24 I had problems with bed-wetting. PBG would make
25 me change my sheets when I got up in the morning and

1 she'd laugh at me and ridicule me. She would be really
2 nasty and make me feel horrible. The emotional abuse
3 was unreal. She would say I was 'boggin' and disgusting
4 and that I should have got up to go to the toilet. We
5 were not actually allowed to get out of bed until she
6 said we could. I was terrified to get out of bed.
7 I was actually violently sick one time in my bed and
8 I had to stay there for hours until she came.
9 I wouldn't even have dared to alert her to the fact
10 I had been sick; the risk of being battered was too
11 huge.

12 When I was about 10, PBG put a terry towelling
13 nappy on me because I had wet the bed and sent me to
14 Sunday school in it. I remember I had a wee skirt on
15 and I had to try and hide it from the other children.

16 My sister got battered more than me because she used
17 to steal. I would laugh because I was glad it wasn't
18 me. It was terrifying to see this, but I was also
19 relieved it wasn't me. PBG didn't hit her sons.
20 They were often present when we were being beaten.

21 It's in my files that my sister disclosed at school
22 that PBG battered her. If I remember correctly, my
23 sister had gone to school and said that PBG had
24 walked in when one of the sons was trying to put his
25 hand up my sister's school skirt and my sister got

1 battered for it. PBG said my sister was a compulsive
2 liar, but I think PBG eventually admitted that she
3 assaulted my sister. My sister was then removed from
4 their care and I was left. I think I was about 10 or
5 11. I just accepted it at the time. Everybody else had
6 walked out of my life, so that was the norm for me.

7 I was sexually abused by the son 'David' and then
8 also by the other son after my sister left. I remember
9 the first time it happened. I don't know the precise
10 date, but I know where this can be found. PBG used
11 to keep a wee blue book in a drawer where she noted the
12 details of the babies she fostered. I told the police
13 about it later [REDACTED]

14 [REDACTED]
15 The first time it happened was the same day the
16 foster parents went to Largs to pick up a baby whose dad
17 had been stabbed. The oldest son came over that day
18 with my nana to watch us. My sister and I were in our
19 room. I was on the top bunk and she was on the bottom.
20 'David' came up onto the top bunk with me and the other
21 son went to the bottom with my sister. I remember I had
22 a purple teddy and a pink toy dog on my bed. My sister
23 and I were sexually abused at the exact same time that
24 day.

25 I don't ever recall it happening again to my sister

1 and me at the same time. The other son abused my sister
2 and 'David' abused me until my sister left and then both
3 of them abused me. My sister and I never discussed it
4 but we both knew it was happening to each other.

5 I am not going to go into full details because
6 I don't think the Inquiry needs that. The abuse started
7 with them putting their hands up my nightie and getting
8 me to suck them, and then when I got older it was full
9 sex. I remember sitting in the bath when I was about 11
10 and I thought I was pregnant because I had this wee pot
11 belly. I was obviously aware of pregnancy at that time.

12 I was sexually abused on holiday as well.
13 I remember we went to London to visit the foster
14 father's relative and we went out with the sons one day
15 and ended up walking around an industrial estate. It
16 was quite isolated and 'David' took me to one bit and
17 the other son went off with my sister. It was
18 a roasting hot day and I know exactly what I was
19 wearing. I had on a blue and white bikini and the wee
20 straps kept coming loose. I was about nine at the time.
21 It happened another time in Scarborough when I was about
22 10. 'David' was constantly touching me inappropriately
23 when we were in the swimming pool.

24 I remember another time I was abused by 'David' on
25 the stairs in the house. PBG and [REDACTED] were at

1 a wedding during the day and us kids were to go to the
2 reception at night. PGB best friend was popping in
3 and out of the house and helping us to get ready. As
4 I said, you don't remember these events in a way where
5 you can say, 'On such-and-such a date this precise thing
6 happened'. I know it was a Friday. I know whose
7 wedding it was. I remember what I was wearing and
8 I remember the colour of the curtains and the carpets.

9 I would say the sexual abuse happened at least twice
10 a week. It happened on the upstairs landing, on the
11 stairs, in the bath, when PGB put 'David' into the
12 bath with me, and in my room when I couldn't get out to
13 play because it was wet outside.

14 As far as I'm concerned, there is no way in this
15 world that PGB didn't hear what was going on. She
16 wasn't in the house the first time it happened, but she
17 was downstairs at other times when it was happening on
18 the landing, the stairs or in my bedroom. You could
19 hear every single creak in the living room below. She
20 had three older brothers and I believe that she was
21 abused herself and therefore thought it was acceptable.

22 When I first met the Inquiry team I said, 'I didn't
23 have a lot of anger towards her because I understood the
24 reason why she thought that. I don't accept it and
25 never will, but if that's what happened to her, it's

1 probably all she's ever known'. However, on reviewing
2 my statement my views have changed. I'm angry now and
3 I believe that PGB needs to be held responsible for
4 her actions and her lack of actions to protect me as
5 a child. Regardless of what may or may not have
6 happened to her in her childhood, that doesn't make her
7 behaviour acceptable. I didn't become a perpetrator of
8 abuse despite what I suffered. If she genuinely cared
9 for young people, no one would have even suffered verbal
10 abuse, never mind sexual abuse in her care.

11 I went to school and phoned social work from
12 a public phone box the day after I ran away to PGB
13 brother's house. I spoke to my social worker Bob Jess
14 and said that I wasn't going back. I didn't tell him
15 why. I was around 13 at the time.

16 I think Bob picked me up at the school and we went
17 to the house to get my things and then I was taken to
18 Dalrymple Place. PGB was the only one in the house.
19 She showed no emotion. I was quite upset, and I was
20 saying that I had maybe made the wrong decision, even
21 though I knew in my heart it was the right decision.
22 Despite what happened, they were the only family I ever
23 knew so I was upset at leaving. I still kept in contact
24 after I left and I used to go and stay with them at the
25 weekend. As far as I was concerned, they were very much

1 still my family.

2 I remember sitting outside the headmaster's room at
3 school and then being called in and asked about the
4 incident when PGB battered my sister. The police and
5 social workers were there. I hadn't witnessed it so
6 I didn't know what they were talking about and had
7 nothing to say. Nobody asked me how things were at home
8 generally. To be honest, I probably wouldn't have
9 disclosed the abuse anyway because I just accepted it.
10 That's what I put up with to be in a family, rather than
11 just another number in a children's unit.

12 PGB accepted that she physically assaulted my
13 sister but nothing was done regarding the son because
14 I think my sister was just dismissed as a compulsive
15 liar."

16 From paragraph 92 to 105, 'Lauren' describes her
17 life in Dalrymple Place children's unit in Irvine.

18 Moving now to paragraph 106 on page 24:

19 "I had no contact with my own family, but I still
20 saw PBG-SPO. I would go there for overnight stays.
21 I was never allowed back in my bedroom after I left.
22 I slept in the living room on a sofa bed behind the
23 couch. It was as if I was never to be made comfortable
24 in that family environment again. They got an allowance
25 for every overnight I spent there. The routine was

1 still the same and the sexual abuse continued, but with
2 greater force. On reflection, I think the bedroom
3 situation was to make me more accessible to the boys.
4 I believe I was not allowed back in my bedroom as it was
5 easier for PBG to deny any knowledge of the abuse
6 taking place or that she colluded in it when I was
7 sleeping downstairs and her bedroom was upstairs.

8 Because I was in the children's unit, there was very
9 little social worker involvement. The unit staff tended
10 to deal with everything. The unit staff kept daily logs
11 so the social worker would just phone the unit and get
12 an update. You'd maybe see a social worker once a year.

13 The usual thing happened at the children's panels.
14 You would just go in and say your name and address, they
15 would basically say that the order was to be continued
16 and away you went. My life seemed pretty normal to
17 everybody. Nobody knew about the abuse and nobody asked
18 the type of questions that would lead to me disclosing
19 what was happening.

20 The charity Who Cares? wasn't as active back then as
21 it is now. There wasn't the same encouragement to speak
22 to them like there is now. You knew you could phone
23 them, but they didn't really come to the unit so you
24 didn't know them. We used to get paid to go to their
25 conferences so some of us would go along for the money.

1 We'd go along and listen to talks and get £50 for it.
2 My impression at the time was that it was just people
3 speaking rubbish. That happened a lot going through the
4 care system, people just talked rubbish to me."

5 Now to paragraph 111 on page 25:

6 "I had only been in Dalrymple for about eight months
7 and then I was told I was going into foster care and
8 I didn't want to go. I think the decision was made at
9 a review or children's panel and I had no option.
10 I think I had a couple of overnights with the foster
11 carer and I knew that I didn't fit in there. I thought
12 she was crazy. I remember faking illnesses and trying
13 to stall it for a while. I don't remember the day
14 I left Dalrymple.

15 I called the foster carer by her first name. One of
16 her daughters lived in the house. She was about ten
17 years older than me. Her house was a typical
18 semi-detached house, which was really dirty inside. It
19 was the dirtiest place I had ever seen, apart from my
20 family home. The carpets were stained and the furniture
21 was really old. It never felt homely. I moved the
22 living room furniture about loads of times just to try
23 and make it homely. I had my own bedroom but it was
24 just a basic room with an old bed. A few weeks before
25 I left, she bought a pink carpet for my bedroom.

1 I stayed in this placement for about seven or eight
2 months.

3 FVQ the foster mother, didn't care for me at all.
4 There was no structure and I could basically do what
5 I wanted. She was a cleaner and went out to work early
6 in the morning. She bought frozen food and I just had
7 to help myself to whatever was in the freezer. She was
8 a heavy drinker and used to go round to her ex husband's
9 in the evening and drink with him. I remember waking up
10 one night and the ex husband was urinating on the floor
11 beside my bed. I just shut my eyes. I didn't say
12 anything about it to anybody the next day. I think he
13 was that drunk he thought he was in the toilet. He was
14 actually fine. He was always good to his daughters.

15 I used to just sit in the house on my own. FVQ
16 didn't take me out or do anything with me. There was
17 an old black and white TV that I'd sit and watch.
18 I didn't have any friends when I was there. I wasn't
19 going to school so I didn't socialise much. I would
20 take myself into Kilmarnock town centre at the weekends
21 go about on my own. Her daughter was around sometimes
22 and we would sit in her room some nights and listen to
23 her record player.

24 I was supposed to go to school but I rarely went.
25 This is the only time in my education that I refused to

1 go to school. I don't know if the school tried to speak
2 to FVQ about it. I don't think she was that bothered.
3 Her daughter was more concerned about it. I remember
4 lying in my bed one day and she was trying to persuade
5 me to go. I was saying that I couldn't go. I remember
6 feeling that I'd just had enough and I was close to
7 telling her about the sexual abuse. When I reflect on
8 how I was feeling while I was living at FVQ, I think
9 in some way I was missing the abuse because that was the
10 only form of affection I had been getting. I wasn't
11 getting any affection at FVQ and I think that's why my
12 emotions were all over the place. I didn't know where
13 to go, what to do or who to speak to.

14 FVQ cleaned a hotel and I got a job collecting the
15 coats in the nightclub on Thursdays, Fridays and
16 Saturdays from 11 pm to 3 am, then I'd walk home on my
17 own. I was about 14 at the time. I sometimes worked in
18 the restaurant during the day as well. That was the
19 only money I got. I never saw any of the money FVQ got
20 for me from the Local Authority. I took the job to give
21 me something to do and to get me out of the house.

22 I didn't carry on going to the PBG-SPO at the
23 weekends when I was at FVQ out of a kind of loyalty to
24 FVQ. She used to give me a hard time because I still
25 felt connected to the PBG-SPO. I don't remember what

1 she used to say but I remember me saying, 'But they're
2 my mum and dad'.

3 I vaguely remember one official visit at FVQ .
4 I don't think it was a social work visit. I think it
5 was Norma, my key worker from the unit. I don't know
6 whether I specifically said to Norma how I felt about
7 living there, but they knew from the outset that
8 I didn't want to be there and that it just didn't feel
9 right to me.

10 My younger sister contacted me and came to stay
11 overnight once. FVQ showed her so much more affection
12 than she showed me. I remember I was working in the
13 restaurant during the day and FVQ took her into town for
14 lunch. She had never done that with me the whole time
15 I was there. That was another reason I decided I'd had
16 enough of living there.

17 My placement came to an end shortly after Christmas.
18 This was around the time my younger sister had come for
19 the overnight. Christmas Day was hell. There was no
20 tree, there wasn't even a Christmas dinner. FVQ gave me
21 one wee present, a make-up box, and nothing else. [REDACTED]

22 [REDACTED]
23 [REDACTED]. I am not materialistic, but it was obvious
24 that no thought or emotion had gone into my gift, which
25 just reinforced the feeling that she didn't care about

1 me at all.

2 I phoned PBG that day and I was hysterical.

3 I think she actually came and picked me up from FVQ.

4 I spent Christmas Day with the PBG-SPO and then a couple
5 of weeks after that I went back to Burnside Children's
6 Home.

7 I think I called the social worker and said that
8 I couldn't stay at FVQ any longer and I asked them to
9 come and get me. They didn't ask me why. They would
10 have had breakdown placement meetings to discuss what
11 was going on, but you don't get to go to them. I don't
12 think I was going to children's panels at the time. The
13 Local Authority had parental responsibility for me from
14 about the age of 12 or 13. I vaguely remember leaving
15 FVQ. I felt no connection to her at all. I was just
16 like, 'Take me back home'. I never saw FVQ again after
17 I left.

18 FVQ never fostered again. I had been her second
19 foster child. I think the first one moved on for
20 similar reasons to me. I still see Norma Grier now and
21 she has said to me that I should never have been placed
22 there. She was my key worker and she knew that it was
23 the wrong choice for me but she was just a unit worker
24 and it was not her decision to make. I think the
25 decision had been made because in those days they

1 thought it was better for people to be in a family
2 setting rather than a children's unit. That certainly
3 wasn't my experience. My most positive memories from
4 childhood are from the children's homes rather than
5 foster care."

6 Now to paragraph 129 on page 29:

7 "While living at Burnside I started to stay with the
8 PBG-SPO at the weekend and 'David' continued to sexually
9 abused me. The other son had moved out by then.

10 'David' was older and used to go out drinking. I would
11 be sleeping in the living room in the fold-down bed or
12 sofa and he would come in when he got home. I could
13 smell the alcohol before I could even see or hear him."

14 From paragraphs 130 to 145, 'Lauren' describes her
15 life in both Burnside Children's Home and Dalrymple
16 Place children's unit, Irvine. When she was 16, she
17 moved to live with her mum and her mum's husband at
18 an army base in Germany. 'Lauren' left after six weeks
19 because they felt strangers to her. She returned to
20 Dalrymple Place and moved to a tenancy when she was 17.
21 She became pregnant at 18 but her child's father was
22 violent. She returned to Dalrymple Place where she had
23 her daughter.

24 Moving now to paragraph 146 on page 33:

25 "I was still in contact with PBG-SPO and PBG

1 told me that she would have no contact with me again if
2 I didn't stop seeing my daughter's father. She didn't
3 know that he had been violent, she just wanted to
4 control things. She instructed me to move back to Beith
5 and said that she would support me to look after my
6 child. PBG actually phoned me the day I was having
7 my daughter to tell me that they had found me a house in
8 Beith, but it took me three months to move because
9 I didn't really want to go."

10 Now to paragraph 149:

11 "I moved into my own house in Beith in 1997
12 but PBG totally controlled me. I had to be at her
13 house every day. She used to take over the care of my
14 daughter and I couldn't do anything right according to
15 her. She would totally belittle me. My self-esteem was
16 so low. I couldn't tell her when I had friends at my
17 house at the weekend. If she phoned my house and
18 I wasn't in, she would question where I had been. Once
19 I started work, she used to phone me every day to make
20 sure I was there. The sons had moved out by this time,
21 but they still came in and out of the house. To the
22 outside world, they were my brothers and they were my
23 daughter's uncles.

24 I started working in the council in November 1997.
25 I didn't want to live as a single mum spending my days

1 around PBG-SPO all the time. I used to take my
2 daughter to PBG in the morning before work and she
3 would watch her. She got paid for watching her. The
4 social work paid about £50 a day when I first started
5 working and I had to pay her £50 a night if I wanted
6 a night out. I did a training course before I started
7 working, just to get me back into work, and I think
8 PBG got about £180 a week to watch my daughter for
9 two or three days.

10 Before starting work I volunteered a wee bit with
11 Throughcare, doing their admin and that kind of thing.
12 I always knew that I wanted a better life for me and my
13 daughter and sitting getting a giro every week wasn't
14 for me. I had to have a purpose in life. PBG had
15 always drummed into me that I was nothing, that nobody
16 loved me and that my children would end up the same as
17 me, so I don't know how I got the strength and
18 determination to change that.

19 PBG had adopted the little boy by this point and
20 also the little girl, who was a year younger than my
21 eldest daughter. I remember PBG slapping the little
22 boy across the face because he spilt some milk on the
23 worktop one morning. I was in her house dropping my
24 daughter off before I went to work. I shouted at PBG
25 and was really going nuts at her for hitting him. It

1 was the first time I'd answered her back and she
2 couldn't cope with it. The little boy had learning
3 difficulties and was still at primary school at the
4 time, this would have been around 2002. I remember
5 I went to work that day and I was going to a meeting
6 with a senior manager and was close to telling her.
7 I didn't say anything because I was concerned about the
8 impact it might have on me and my daughter.

9 It wasn't until my daughter got to about five that
10 I decided I couldn't live that way any more. I told the
11 oldest son how I felt and he advised me to get a tenancy
12 swap and said he would help me move. So that's what
13 I did and I moved away. I didn't let PBG see my
14 daughter again.

15 Moving away was a massive decision for me. This was
16 my daughter's family from birth, she believed that they
17 were her grandparents and uncles. Not only had she lost
18 her natural father but I was ditching a full family
19 network, which I felt I had to do to protect my child
20 and myself."

21 Now to paragraph 156:

22 "I kept in touch with the older son until he died
23 ten years ago. He was my children's uncle. He believed
24 me when I told him about the sexual abuse

25 He challenged them and he never spoke to

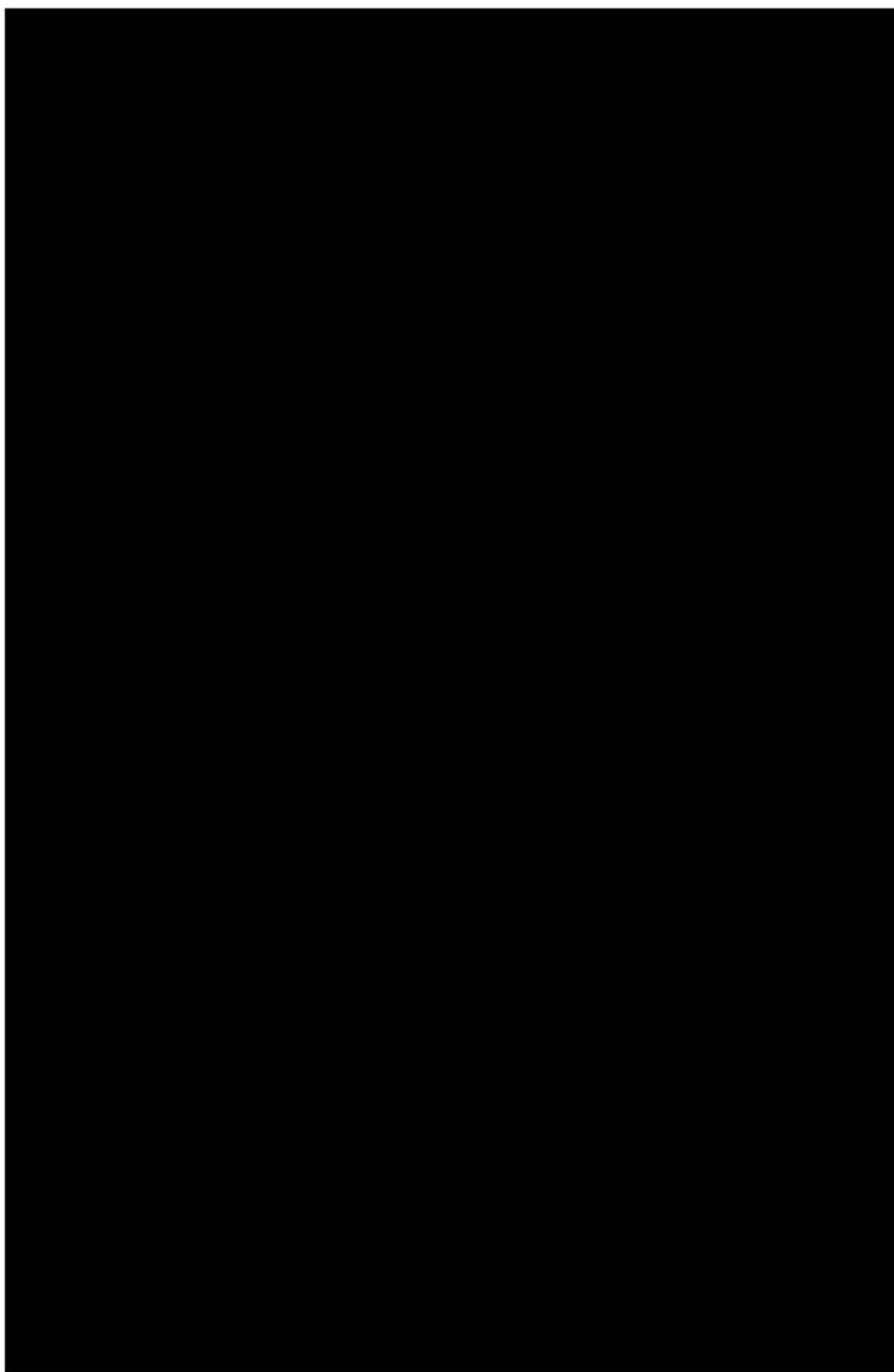
1 any of them again after that. PBG turned up at his
2 funeral even though she wasn't invited. That was the
3 last time I saw her.

4 When my oldest daughter reached the age of eight,
5 I couldn't even look at her because all I could see was
6 the child that I had been at that age. I eventually
7 messaged my sister saying that I needed to go to the
8 police about what had happened to us. This was in 2004
9 or 2005. People will find this hard to believe, but my
10 sister and I had never discussed the sexual abuse. She
11 came back saying that she wasn't sure she was ready, but
12 I should go ahead and do it if that's what I wanted to
13 do.

14 I phoned [REDACTED] at Throughcare after I mentioned
15 my sister and told her that I needed to go to the
16 police. She was in my house within ten minutes, and she
17 phoned the women and children's unit at Ayr police
18 station. The police came to my house and took
19 a statement from me. I only reported the sexual abuse.

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24 MS RATTRAY: From paragraphs 163 to 183, 'Lauren' gives
25 a detailed description of the impact of her childhood

1 experiences on her and the treatment and support she has
2 received. Many parts of her adult life were adversely
3 affected. These include her mental and physical health,
4 her sense of self and self-worth, her ability to trust
5 people, her parenting and ability to show affection, her
6 education, her relationship with her siblings and her
7 employment and work life. I will read some of what she
8 says from paragraphs 163:

9 "I have now been diagnosed with complex
10 post-traumatic stress disorder that needed intense
11 ongoing therapy and support since the age of 16 due to
12 the psychological distress and trauma the care
13 experience has left me with.

14 I feel as though I have lost out on so much in terms
15 of my adulthood, not my childhood. It is only in the
16 last year that I have actually started to appreciate who
17 I am. I have always felt that I am not worthy and have
18 been a people pleaser. My husband abused alcohol and
19 drugs and I put up with it because I didn't think
20 I deserved any better. My thinking was that I was only
21 ever worthy of abuse, so why would anything different
22 come my way.

23 I have always analysed and questioned everything and
24 thought that the world was against me.

25 It's also affected my ability to trust people.

1 I question everything people say to me.

2 I tend to reject people before they get the chance
3 to reject me. I've ruined relationships because of
4 this. Some people think that I'm really confident but
5 it's a front.

6 I never got any affection in care and it kills me
7 today that I didn't show my kids affection when they
8 were growing up. All I ever wanted was to be loved and
9 I wasn't, so I didn't know how to show love. My kids
10 would cuddle me and I would cuddle them back but I would
11 be cringing inside. I wasn't like a mum. The first
12 time I felt real emotion was when my daughter was really
13 ill when pregnant and she was rushed to hospital.
14 I hadn't had flashbacks for years and I was waking up
15 all the time with PBG voice in my head. Her
16 voice was going right through my head telling me how
17 much of a failure I was and how my daughter was the way
18 she was because that's what I deserved.

19 Fortunately, I can now cuddle my granddaughter and
20 actually appreciate her wee smell."

21 Now to paragraph 171 on page 39:

22 "Not being allowed to go to the toilet during the
23 night when I was in foster care also still impacts on me
24 now. I don't go to the toilet when I need and I hold it
25 in for hours, resulting in recurring UTIs and kidney

1 infections."

2 Now to paragraph 174 on page 40:

3 "Whenever I smell stale beer or anything similar, it
4 takes me right back to the PBG-SPO living room and
5 being sexually abused by 'David'."

6 Moving now to paragraph 184 on page 42:

7 "I got my case files about a year and a half ago.
8 I made a subject access request and passed it to my
9 manager. When the director was handing them over, she
10 said that PBG was 'one ferocious woman'.
11 A similar comment had been made to me by Bob Jess when
12 I started working in the Local Authority. He said she
13 was 'an evil, manipulative woman'. That's what they
14 thought about her, yet I was put into her care. He also
15 said that he felt that things weren't right, and that
16 the boys had the best of everything, they had good
17 trainers and we had black sandshoes but to social work
18 it seemed the best option at the time.

19 I went back to my desk with a stack of files and
20 then I spent about two weeks reading them at night,
21 taking photos and writing bits out. It was really quite
22 traumatic. What I found hard to accept is that social
23 work are involved only when significant negative events
24 occur. There are no positive events recorded in my
25 files. The first thing I should have been able to see

1 when I opened my files was my birth certificate or even
2 a photograph of when I won a colouring-in competition
3 when I was in P1. There is no evidence of these happy
4 events. The first few pages were all about how my dad
5 couldn't cope, how I was wearing ill-fitting shoes and
6 how unkempt the house was. All the significant events
7 seem to be negative events. There are no school report
8 cards saying how great I did, not one mention of them.

9 I couldn't read through all the records. I looked
10 out particular bits because I knew the periods I was
11 looking for. I don't want to look at them now because
12 it reinforces how negative my life was. I was going to
13 go through them with Dr Connor, my psychotherapist, but
14 he said I didn't need to do it because I remember so
15 much anyway.

16 One of the reasons I got my records was to reinforce
17 my belief that I gave signs and clues that I was being
18 abused and these were not picked up. It was clear when
19 I read my files that I was right. I went through them
20 and was able to identify all the opportunities there
21 were to find out about the abuse.

22 [REDACTED] was reading my records with me and within about
23 an hour and with no explanation as to why, she told me
24 she had to go. A day later she messaged me to apologise
25 and said that what she read in my records was horrific.

1 She said as a qualified social worker she saw so many
2 failings and she couldn't look at the records again.

3 Also in my records is an entry which shows that
4 a social worker, who was my worker for a short period of
5 time, expressed concerns to a senior, Mae Henderson,
6 about PBG and the care that I was receiving. She
7 recorded that her senior said that it wasn't ideal but
8 it was the best option they had available.

9 I only learned that the original plan was for PBG
10 and to adopt me when I read my records. Nobody had
11 ever discussed that with me.

12 The Local Authority should have been more vigorous
13 in their checks when I was in foster care. They
14 shouldn't just leave a child in a foster placement and
15 assume that everything is all right because the carer
16 tells you so. When they did meet me, they should have
17 spoken to me as an individual and asked appropriate
18 questions that would have led me to opening up. Had
19 someone done that with me, I probably would have
20 disclosed the abuse.

21 I think it would be good to have something in place
22 to allow young people to speak to someone who is not
23 their normal social worker and they should be able to
24 meet with that person outwith their care environment in
25 a place where they feel comfortable.

1 I think one of the biggest lessons to be learned is
2 that staff should remember when they are documenting
3 something that it is someone's life that they are
4 writing about and they need to consider the impact that
5 their words will have on that person when they read them
6 in the future. Also, they should record things other
7 than negative events or reactions. A child's file
8 should contain things like report cards, swimming badges
9 and copies of dance certificates, because as you move
10 from place to place you have nothing. I have no wee
11 memories of my childhood or photographs of me as a child
12 to compare with my daughters or grandchild.

13 I hope that children are listened to in the future
14 and that they don't get pushed into placements that they
15 themselves know are not right for them. I was pushed
16 into that second foster care placement when it was clear
17 that the foster carer was only in it for the money.
18 Anybody who isn't even specialised in childcare could
19 pick up my file and see that. It is always going to be
20 difficult to get people who are genuinely in it for the
21 right reasons, but serious efforts need to be made to
22 make sure this happens.

23 I don't think anybody can stop abuse, but if I can
24 help to stop at least one person suffering the way
25 I have suffered, I'll feel that I have done my job and

1 my pain has been worth it.

2 I have no objection to my witness statement being
3 published as part of the evidence to the Inquiry.

4 I believe the facts stated in this witness statement are
5 true."

6 'Lauren' signed her statement on 22 May 2019.

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12 My Lady, I am conscious of the time. I think had

13 'Lauren' been giving oral evidence we would have put
14 certain records to her. I don't know whether --

15 LADY SMITH: Well, I think we probably ought to look at
16 extracts unless it's going to take an awfully long time.

17 MS RATTRAY: I'll try and be more focused. Suffice to say
18 that obviously all these records are available to those
19 who have leave to appear.

20 LADY SMITH: Of course.

21 MS RATTRAY: The records I'm referring to are all in the
22 bundle and therefore everyone can --

23 LADY SMITH: She has made reference to them in her
24 statement, so if we can show the essence of them in the
25 public hearing room, I think we should.

1 MS RATTRAY: Yes. Indeed I think some of the records she
2 specifically refers to in statements are actually
3 probably records which relate to her time in Burnside
4 and Dalrymple Place.

5 LADY SMITH: Yes.

6 MS RATTRAY: They are in relation to comments that have been
7 made in that setting.

8 The records that I was going to look at, the first
9 one I wish to look at is at NAC-000000359. What this
10 is, my Lady, is this is a document of 18 July 1985 and
11 it's a minute of a proposed linking meeting. It's
12 really just to make the point this is when PBG-SPO
13 were being identified as foster carers for 'Lauren' and
14 her sister.

15 Apologies, it's page 2 of this document. That
16 memorandum is a different document. If we move to the
17 foot of the page, the point I wish to draw from this
18 particular document is the foot of the page and the last
19 few sentences:

20 "PBG-SPO who since they were accepted as
21 permanent foster parents have helped us out twice taking
22 on four young children on a temporary basis. It was
23 felt that this couple, who have two sons living with
24 them, have been through the mill before with
25 Mrs PBG eldest son and her niece and would possibly

1 be able to cope better with the problems that [the two
2 girls] would bring than someone who had never
3 experienced that."

4 We have a reference to being through the mill, which
5 rather indicates some issues that they had.

6 Then if we move to page 13 on this document,
7 NAC-000000359, this just confirms that this is a report
8 for the Children's Hearing and the date is at the foot
9 of the page: 14 November 1985.

10 It's really to move to the second page of this
11 report, which is at page 14 and the final paragraph at
12 the foot of the page, which says:

13 "A family was sought who were prepared to take more
14 than one child, but who could also cope with children
15 who were emotionally damaged by their past experiences.

16 PBG-SPO were put forward as being a family who
17 met this criteria, they are a couple with a family of
18 their own, slightly older than the girls and they have
19 a great deal of experience in fostering children."

20 That essentially is all the information in the
21 report about this family that went to the children's
22 hearing --

23 LADY SMITH: Doesn't really tell us very much, does it?

24 MS RATTRAY: It doesn't tell us much and it certainly
25 doesn't mention them having been through the mill with

1 perhaps challenges of their own in relation to their own
2 child or a niece.

3 LADY SMITH: Neither this nor the previous document tell me
4 anything about what were perceived to be the challenges
5 that had been met and would need to be met in the
6 future.

7 MS RATTRAY: Yes, my Lady.

8 The next document I want to look at is
9 NAC-000000355. This document is essentially case notes
10 that cover the period from 1985 onwards, in fact go all
11 the way to 1988 and the breakdown of the placement. So
12 I'm going to pick out various things to take from this.

13 The first is at page 2. It's about halfway down
14 page 2 and it's an entry of 20 October 1986 and
15 essentially it's an entry in relation to bed-wetting and
16 'Lauren' has said that she wet the bed and it says:

17 "Phoned Mrs PGB and asked how the girls were.
18 The sister has still been stealing small items, not from
19 shops but from friends. 'Lauren' was discovered lying
20 woken but wetting the bed 'because it was too cold to go
21 to the bathroom'. Mrs PGB dealt with this by making
22 'Lauren' help to change and remake the bed and put the
23 wet sheets in the washing machine. This made 'Lauren'
24 late for school (which she hates) and she hasn't wet the
25 bed since."

1 Just by way of background, it's very clear before
2 these girls came to the foster placement, because of
3 their background and their experiences, there was
4 a propensity for the sister to steal and to take things,
5 and there was a propensity for 'Lauren' to wet the bed.
6 So this was all known prior. And although 'Lauren'
7 makes reference to how she was treated in relation to
8 bed-wetting. And suffice to say that the bed-wetting
9 continued, notwithstanding this response by Mrs PGB .

10 There are various reports and I won't go to them in
11 detail of the sister stealing and being hauled over the
12 coals by the school, police and Mrs PGB and still
13 waiting to face Mr [REDACTED] when he comes in from work,
14 but there is a very particular entry on page 3 in
15 relation to the sister. It's an entry of 23 March 1987,
16 at the top of the page:

17 "A phone call from Mae Henderson [who's the social
18 worker] -- on Friday after I spoke to Mrs PBG the
19 sister had not come home from school. From 4 pm until 8
20 she played games with the family, hiding in the area
21 then running away when anyone approached her. The
22 result was that when she did return home, Mrs PBG was
23 so uptight with the day's events that she took her shoe
24 and hit the sister once across the buttocks.

25 "Mrs PBG phoned the social worker and reported

1 the incident. The social worker interviewed Mrs PBG
2 who was full of remorse about the incident, she does not
3 approve of hitting children and her actions were totally
4 out of character. The sister had no marks on her body
5 but is very unhappy and told the social worker she would
6 rather be back in Burnside Children's Home."

7 What I can tell generally from the records is that
8 that incident gave rise to a review hearing and at the
9 review hearing it was concluded that the placement was
10 still an appropriate one, that the incident of
11 chastisement was minor and it wasn't part of the normal
12 control parenting pattern and highlighted the stress and
13 anxiety being generated by the child's behaviour and
14 they said that extra support should be put in place, so
15 basically there should be another social worker
16 available to answer the foster carer's call in a crisis,
17 and that's how that particular --

18 LADY SMITH: Thank you.

19 MS RATTRAY: -- event was dealt with.

20 I don't necessarily need to go to these entries
21 specifically, but I would make reference that there's
22 a suggestion on 31 July 1987 that Mrs PBG would like
23 to foster another baby. The social worker makes
24 reference to she's got enough to cope with, she's got
25 two foster children and one of her own sons is in

1 trouble with the children's hearing. We know from the
2 records that he ultimately went to Newfield Assessment
3 Centre for several weeks in relation to that.

4 And yet that's July 1987, but by later in the year,
5 by [REDACTED] 1987, a baby is placed with the PBG-SPO
6 and that is then described as being possibly beneficial
7 for everyone because it will take the spotlight off the
8 foster girls and create a different focus for all the
9 family.

10 What we also have in the records, my Lady, it's
11 repeated incidents where the social workers are advising
12 Mrs PBG [REDACTED] about the children's behaviour, which
13 Mrs PBG [REDACTED] finds difficult and unusual but the social
14 workers are saying this is normal for a child in care
15 and it's normal for a child with a background of trauma.

16 One of those, for example, is on page 8 and it's the
17 entry at the second half of the page of 16 October 1987
18 and this is Mrs PBG [REDACTED] complaining again that the sister
19 is still stealing and possibly smoking:

20 "I advised Mrs PBG [REDACTED] not to raise her hopes of
21 Mr Docherty [who seems to be a child psychologist] of
22 waving the magic wand and making the problems disappear.
23 These will only go with time and the child feeling
24 secure and wanted. We spoke about the child stealing
25 food and I told Mrs PBG [REDACTED] that this is a well-known

1 pattern of behaviour in children who are disturbed
2 (especially children who go to foster placements and
3 children's homes). There are numerous books that
4 confirm this. The sister is not odd in what she does.
5 Experience has shown that children like the girls take
6 quite a long time to put down roots and feel that they
7 belong -- two years is not an unreasonable time -- and
8 during this period they will test foster parents and
9 push the limits."

10 My Lady, there are various examples in the records
11 of reactions or responses of the social worker
12 throughout these notes, which causes them concern, and
13 once again if we move to page 10 in relation to repeated
14 advice being given, what we have further down the bottom
15 half of page 10 is an entry of 26 February 1988 now,
16 which says:

17 "Home visit. Mrs PBG doing a bit of moaning
18 about the sister -- but nothing we haven't been over
19 a dozen times before -- again I advised her not to take
20 too much of these incidents as I feel they are
21 self-perpetuating, ie she doesn't show trust to the
22 sister who then feels insecure and takes food for
23 attention. I suggested that as an experiment why didn't
24 she allow her to take an extra biscuit or fruit if she
25 wants them. (I used the words take not steal) but

1 Mrs PBG obviously thought this a bad idea saying,
2 'That's exactly what the sister wants, she's an actress,
3 I have to be firm with her'. I asked her to think about
4 it, maybe try it and just see if it makes any
5 difference."

6 We see at the next paragraph she then speaks to the
7 girls and they say:

8 "Mum's not fair to us, she punishes us for things
9 when she lets the boys' away with it. I asked what they
10 meant by punish, but they were speaking about being kept
11 in."

12 My Lady, there's also, and I don't think we need to
13 go to it in detail, but suffice to say there's an entry
14 of 13 May 1988 where it transpires that Mrs PBG has
15 been threatening the girls that -- or the sister that
16 she will be sent back to Burnside Children's Home and
17 the social work advises her strongly against threats to
18 return the children to the home and it's noted that
19 Mrs PBG seems to see her role as being firm and
20 stern.

21 There's another entry in May 1988 as well, 31 May,
22 where Mrs PBG complains that the police have been
23 called because the sister had been striking matches in
24 the bathroom and telling the senior social worker that
25 she never sees the social worker, notwithstanding the

1 very many entries around this time of social work
2 visits, and it turned out the community police had been
3 there mainly about her son, who had been involved in
4 several deviant incidents recently.

5 LADY SMITH: Mm-hmm.

6 MS RATTRAY: There's another entry around this time of
7 a schoolteacher emphasising that on no account should
8 an incident of a child taking sweets from a teacher's
9 desk be punished or even discussed with the child at
10 home, it was a matter for the school.

11 We then go to another interesting entry on page 14,
12 which I think should be considered.

13 LADY SMITH: I suppose there's a practicality in that,
14 because a child may end up getting double punishment.

15 MS RATTRAY: Yes. I think we heard earlier about things
16 happening at -- the child had been hauled over the coals
17 by the police, by the social worker, by everyone, and it
18 was still waiting for Mr [REDACTED] to come back.

19 LADY SMITH: Mm.

20 MS RATTRAY: Here I'm looking for an entry of 10 June.

21 LADY SMITH: I think we have 10 June up on screen.

22 MS RATTRAY: That's right, and it's 1988 and once again it's
23 home visits with events happening and if we once again
24 most of to the second half of the page. It's really
25 just the reaction of Mrs [REDACTED] PBG, who says:

1 "She said what she the sister's been telling you and
2 launched into a verbal attack: I don't do enough,
3 I don't give the sister a row or threaten her. I don't
4 know a quarter of what the sister gets up to. She fools
5 you with her acting and her lies and you take it all in.
6 Only people living with her know how bad she is.
7 Mrs PBG said, ' wants to see you' [that's her
8 husband] and she called her husband in. Mr
9 started a bit sheepishly but his wife kept pushing him
10 on saying tell her what you said, tell her about this,
11 tell her about that, et cetera, et cetera. Mr
12 got worked up into a rage and started shouting at me,
13 I didn't attempt to stop him or argue with him as I kept
14 feeling that something quite dreadful was going to be
15 disclosed, especially when they both said that the
16 sister was man daft. When Mr eventually ran out
17 of steam, all I was left with was a rehash of the same
18 old story, that the sister can't be trusted.

19 "I discussed with them that I don't come to Beith to
20 threaten and bully the sister. That is not my role. In
21 a foster placement and as the children's link worker, my
22 role is to oversee the placement, to help deal with any
23 problems as they arise and give support if necessary."

24 She says:

25 "In normal circumstances the girls would have been

1 [if we go over the page, over the page is in fact
2 page 13, rather than 15, we should see a continuation of
3 this entry at the top of the page] adopted by this time
4 and I would not be involved at all. However, adoption
5 has never been seriously considered and maybe we should
6 be asking why. Neither PBG-SPO answered this.
7 I advised that I would be discussing the present
8 situation with my senior social worker and I would be in
9 touch.

10 "When I left, the sister, who fortunately had been
11 outside while the flak was flying, was still sitting on
12 the doorstep like orphan Annie, I felt awful leaving her
13 as the atmosphere towards her was so hostile. I came
14 away really worried -- my perception of this placement
15 is now very altered."

16 LADY SMITH: That's dreadful, that she had to leave her.

17 MS RATTRAY: Yes.

18 She goes on to say:

19 "I have always felt that PBG sometimes
20 goes over the top about fairly trivial happenings, but
21 her husband is a quiet and stable man, giving the
22 girls a firm base to grow and develop from. Tonight
23 I felt leaving that he doesn't even like the girls,
24 especially the sister."

25 Then the entries continue on 14 June:

1 "Discussed my concerns regarding this placement with
2 senior social worker, who was also concerned -- opinion
3 was that it may be more damaging to the sister to allow
4 the placement to continue, although we are aware that
5 alternatives for her are very limited.

6 "Had a long discussion with Mae Henderson, who is
7 also concerned about what I saw and heard last week".

8 I think Mae Henderson is a foster carers's social
9 worker, the link social worker:

10 "Mae was not aware of how the sister was being
11 treated, especially using 'Lauren' to spy on her sister
12 [which was something else that was going on]. This
13 really shocked her."

14 Essentially entries continue in that fashion and
15 this moves up -- obviously the sister then leaves the
16 placement, and throughout there are concerns regarding
17 the foster carers' ability to care for the children.

18 LADY SMITH: There's a paragraph against the 17th, at the
19 bottom line there's commiseration between Mae and the
20 author that all their efforts should be dismissed
21 without anyone at the review questioning somebody's
22 statement -- it may not be a name you can give me,
23 but --

24 MS RATTRAY: It's questioning the foster mother's statement.

25 LADY SMITH: Ah, right.

1 MS RATTRAY: PBG statement.

2 LADY SMITH: I wondered if it was that. So they take it at
3 face value?

4 MS RATTRAY: Yes.

5 If we move now on the same to page 11 of this entry.
6 This is an entry of 24 June.

7 If we move further down the page we also see
8 an entry of 27 June. There's all discussions going on
9 about this and they make the point she pointed out there
10 were problems with the eldest child, eldest son of
11 Mrs PBG and then later with the niece and then with
12 one of their other sons when he moved into his teens.

13 If we move further down the page to an entry of
14 26 July 1988 at a review held in Kilburnie social work
15 office:

16 "This was a very difficult meeting for everyone and
17 especially the girls, who were distressed and had to be
18 taken out of the room. Mrs PBG admitted that the
19 sister got blamed for stealing even though she might not
20 be involved. The family are constantly concerned about
21 her emerging sexuality and appear to be dealing
22 misappropriately [it says] with this subject. Mr [REDACTED]
23 stated he was not prepared to go on working with the
24 girl, but they would wish the other girl [that's
25 'Lauren'] to remain in the family. Mr and Mrs PBG-SPO

1 distressed at this. Mr [REDACTED] left the office. Later
2 meeting resumed with everyone stating they were prepared
3 to continue and try harder. Programme of joint visits
4 to discuss handling of problems with the girls to be
5 arranged."

6 Later on, on 18 August 1988, there's a visit with
7 the sister, who is noted to be very sad and has no
8 self-worth.

9 If we move to page 12, and once again towards the
10 foot of the page, we see further long discussions, it's
11 an entry of 1 September 1988, about problems of
12 communication with Mr and Mrs PBG-SPO and that they feel
13 that the family "may just find it difficult to cope with
14 adolescents, boys and girls", and:

15 "Like the sister, Mr and Mrs PBG-SPO found their
16 niece's problems too difficult to handle and eventually
17 she left the family home. Listening to Mae Henderson
18 [the foster carers' social worker] it appeared that this
19 family have not coped with family adolescent members
20 over a period of years. The older son left the family
21 to go and live with his gran. The niece left the family
22 home for a period. It appeared that the other son might
23 be put out of the house also. I asked Mae how had the
24 PBG-SPO been approved as foster/adoptive parents for
25 older children, although I recognise they are excellent

1 with young children ..."

2 And this rather goes back to the very first

3 record --

4 LADY SMITH: Yes.

5 MS RATTRAY: -- where they knew from the outset there were

6 issues, they'd been through the mill, albeit that wasn't

7 shared with the Children's Hearing, and here they're

8 really questioning whether they should have been foster

9 carers at all for older children.

10 The last record I would like to take your Ladyship

11 to is at NAC-000000344. These are also case notes and

12 this is in 1991. It's 25 January 1991 and these are the

13 case notes around the circumstances in which 'Lauren',

14 she ran away.

15 LADY SMITH: Yes.

16 MS RATTRAY: You'll see that it's a phone call and it's from

17 a person who is the aunt and uncle who she went to for

18 help.

19 LADY SMITH: The one she's very complimentary about?

20 MS RATTRAY: No, it's not that eldest son. That was the

21 eldest son.

22 LADY SMITH: Ah.

23 MS RATTRAY: I think it's the brother of the PBG-SPO --

24 LADY SMITH: Sorry.

25 MS RATTRAY: -- and his wife, who had adopted two children.

1 LADY SMITH: Yes.

2 MS RATTRAY: "'Lauren' had run off from the PBG-SPO to her
3 house the previous evening after an argument over her
4 room being untidy. As 'Lauren' had said she did not
5 want to go back, the lady [the aunt] had phoned standby,
6 who told her that she would have to return to the
7 PBG-SPO. 'Lauren' spoke with the standby social
8 worker, who appears to have told her that it was not for
9 her to decide whether she would or would not stay with
10 the PBG-SPO. 'Lauren' told me she was cheeky to the
11 woman as she was cheeky to her. She did go back to the
12 PBG-SPO and the aunt advised them to keep her off school
13 the next day, partly to avoid any likelihood of her
14 running off again, but also to allow the social worker
15 the opportunity to speak with her and them.

16 "The aunt said she was in a very awkward position in
17 relation to the situation. She evidently supported
18 'Lauren' but could not be seen to be doing so and this
19 was confirmed when I visited and was asked by 'Lauren'
20 and Mrs PBG not to mention her involvement in front
21 of Mr ."

22 Essentially what that note does is simply to confirm
23 on repeated occasions 'Lauren' is adamant she does not
24 want to go back and live there, and that brings an end
25 to her full-time placement at PBG-SPO.

1 LADY SMITH: Thank you very much, Ms Rattray.

2 MS RATTRAY: Suffice to say that all these records are in
3 the bundle and the full records relative to 'Lauren' and
4 her cypher are certainly worth reading.

5 LADY SMITH: I think it was helpful to look at those. That
6 completed the picture from the read-in evidence. I'm
7 very grateful to you, it's been a long haul.

8 We stop now until tomorrow morning.

9 MS RATTRAY: Yes, and tomorrow we return, we have two oral
10 witnesses in the morning and we will have a read-in at
11 2 o'clock.

12 LADY SMITH: Thank you very much indeed.

13 Just before I rise of course PBG-SPO names are
14 only for use within this room, PBG and because
15 they are protected by my general restriction order, as
16 are the names of any other children that were in their
17 home. There was also passing reference to another
18 foster mother by the name of FVQ Again, her name can't
19 be repeated outside this room.

20 Thank you all very much. I'll rise now and resume
21 at 10 o'clock tomorrow.

22 (4.39 pm)

23 (The Inquiry adjourned until 10.00 am on
24 Thursday, 18 August 2022)

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