

1 Tuesday, 23 October 2018

2 (10.00 am)

3 Opening statement by LADY SMITH

4 LADY SMITH: Good morning. For those of you who don't
5 know, I am Lady Smith, and I am chair of this inquiry.
6 If you haven't been here before, I hope you've been able
7 to find your way around the hearing suite and make
8 yourselves comfortable.

9 There are always members of the inquiry team present
10 to provide assistance if required, so if you have any
11 questions or problems, please don't hesitate to ask one
12 of them; they'll be only too glad to try and help you.

13 Today we move to the next case study in phase 3 of
14 our public hearings. In this phase we are examining
15 evidence that we've ingathered, researched and analysed
16 relating to certain residential establishments for the
17 care of children that were run by voluntary
18 organisations.

19 The case study will focus on the provision for
20 residential care of children in Scotland by three
21 particular organisations: Quarriers Homes, Aberlour
22 Child Care Trust, and Barnardo's Homes. The case study
23 is due to run from today until early February next year.

24 Before we move to hearing the evidence of witnesses,
25 and indeed, in advance of that, the opening statements

1 from counsel to the inquiry and those who represent
2 various parties with an interest in the inquiry, there
3 are some important matters I want to explain to you.

4 As with earlier case studies, much of the evidence
5 will come from applicants or will be a response to what
6 applicants say. An applicant is a person who has come
7 forward to the inquiry and has told us about being
8 abused whilst in residential care as a child.

9 There is a very important aspect to the evidence
10 we're going to hear from applicants that I want to
11 explain. I'm aware that these people will often be
12 describing things that are deeply personal and that they
13 find deeply upsetting.

14 For some, they have not shared their accounts of
15 their childhood with anyone before coming forward to the
16 inquiry, not even with members of their own family or,
17 if they have, they have not shared it in the detail and
18 with the attention that they have done now.

19 For many, they would find it even more upsetting and
20 distressing if their identities became known and it's
21 only fair and reasonable that I do what I can to protect
22 against that.

23 So it is that, under an order called a general
24 restriction order, I have directed that, other than in
25 the case of some specific exceptions, the identities of

1 applicants must not be disclosed or published without
2 the consent of the particular applicant concerned. And
3 by that, I mean any type of disclosure or publication of
4 any type, including disclosure on social media.

5 So during this case study, where applicants have
6 expressed the wish to remain anonymous, with their
7 identities protected, as they are entitled to do, those
8 wishes will be respected. Their names or other evidence
9 that could identify them must not be disclosed unless
10 the individual applicant has consented to that
11 happening. These individuals will be given a pseudonym
12 when giving their evidence or when their evidence is
13 being read out, as will happen in some cases. As with
14 previous case studies, evidence will be presented in the
15 course of the hearing by way of a statement that has
16 been given to the inquiry and signed, being read by
17 counsel.

18 Where an applicant has anonymity, a pseudonym or
19 cipher will also be used in the transcripts so as to
20 protect their identity.

21 Under the same general restriction order, evidence
22 which in any way identifies anybody as being the subject
23 of allegations that they abused children in care must
24 not be disclosed or published prior to the publication
25 of inquiry reports. That restriction will not normally

1 apply if the evidence relates to persons who have
2 already been convicted of abusing children in care.
3 However, there are some circumstances in which there may
4 be a restriction order to protect against the
5 identification of a person as having been an abuser,
6 even if they have convictions. So if I have made
7 a specific restriction order in relation to such
8 a person, the identification of them as an abuser cannot
9 be disclosed or published even if they have previous
10 convictions.

11 Regarding the general rule about protection of the
12 identities of those against whom allegations have been
13 made, I do appreciate that members of the public may
14 question this decision. It is, though, important to
15 appreciate that this is a public inquiry and its terms
16 of reference require me to investigate the nature and
17 extent of the abuse of children in care. My task is not
18 to make findings about whether any particular individual
19 was guilty of or responsible for the abuse of children.
20 I am not only not required to determine whether
21 a particular individual abused a particular child, the
22 legal rules that apply to this inquiry prevent me from
23 doing so.

24 Also, in many cases, it would not be fair to name
25 them, nor would it be fair to their families. For

1 example, a number of them are now dead or otherwise
2 unable to answer the allegations.

3 When I say the identities of those against whom
4 allegations have been made and possibly also the
5 identities of some who have previous convictions for
6 child abuse must not be disclosed or published, I am
7 again referring to any type of publication or
8 disclosure, including by means of social media.

9 So during this case study you will find that,
10 in addition to applicants, there are some other
11 witnesses who will be given a pseudonym when giving
12 evidence and ciphers and pseudonyms will be used
13 in relation to them in the transcripts.

14 Applicants and other witnesses will be giving
15 evidence about abuse and about people they encountered
16 in the homes. It is inevitable that at times these
17 witnesses, in the flow of their evidence, will mention
18 the names of people who they say were responsible for
19 abusing children there. As with previous case studies,
20 I have decided it is just not realistic to think that
21 that can be avoided at all times.

22 To accommodate this, whilst at the same time doing
23 all I can to protect the identities of those entitled to
24 anonymity, I will permit disclosure within the hearing
25 room of the identities of abusers, even if they are

1 protected by a restriction order. Any other course of
2 action would be bound to impair the efficient and
3 effective conduct of the hearing of this case study.
4 But the identification of these persons as abusers must
5 not be disclosed or published by anyone, by any means at
6 all, to anybody else, whoever they are, outside the
7 hearing room. This instruction applies to members of
8 the press and to anyone present. Any such disclosure
9 would be a serious breach of my restriction order.
10 In the transcripts any names spoken to in evidence in
11 this way which are in fact protected by a restriction
12 order will be protected by the use of pseudonyms or
13 ciphers.

14 I will, as we go along, remind people present of the
15 way we are implementing this, that some names that are
16 mentioned in evidence are in fact protected and are not
17 to be repeated elsewhere. Again, if anyone has any
18 doubt about this before they use the name to identify
19 somebody as being an alleged abuser outside the hearing
20 room, please do not hesitate to check. It's very
21 important that you get this right.

22 Turning to media restrictions. As we start another
23 case study in which we will again hear very personal and
24 sensitive evidence, I have decided once more to suspend
25 live social media posting from the hearing room. If

1 that changes, you'll be advised.

2 I'm going to turn now to the opening statements that
3 are to be made to the start of this phase of the inquiry
4 and I begin by inviting Mr Peoples, senior counsel to
5 the inquiry, to address us.

6 Mr Peoples.

7 Opening statement by MR PEOPLES

8 MR PEOPLES: Good morning, my Lady.

9 Before those who have been granted leave to appear
10 in this case study make their opening statements I would
11 wish to make some brief observations about the case
12 study that begins today.

13 The case study will hear evidence about residential
14 establishments for children run by organisations that
15 are now known as Quarriers, Barnardo's and the Aberlour
16 Child Care Trust. For convenience, I will refer to the
17 Aberlour Child Care Trust simply as "Aberlour". The
18 great majority, but not all, of the establishments about
19 which evidence will be heard are no longer operational
20 in Scotland.

21 The intention is to begin with evidence of
22 applicants and other persons who, as children, were
23 residents in the care of establishments run by
24 Quarriers. That evidence will be then followed by
25 evidence from persons who worked at Quarrier's Village

1 in various capacities and, in some cases, in other
2 residential establishments for children run by
3 Quarriers.

4 There will also be evidence as part of this case
5 study provided by former employees of Quarriers who held
6 senior management positions within the organisation.
7 In addition, the intention is to have evidence about
8 police investigations into allegations of abuse of
9 children at Quarriers, including a major investigation
10 during the period from around 1998 until 2004, which
11 resulted in the conviction of a number of former staff
12 employed by Quarriers.

13 It is anticipated that this chapter of evidence will
14 occupy the first four weeks of the case study. At the
15 end of week 4, that's Friday, 16 November, there will be
16 a break of one week and the case study will resume on
17 Tuesday, 27 November and will then continue until
18 Wednesday, 19 December.

19 Between 27 November and 19 December, the intention
20 is to hear evidence provided by persons who were, as
21 children, residents in establishments run by Barnardo's
22 and Aberlour. There will also be evidence during this
23 period provided by former employees of those
24 organisations.

25 This is perhaps a suitable point at which to say

1 that not everyone who provides a written statement
2 relevant to this case study will attend to give evidence
3 in person during the case study. Certain parts of
4 statements where the providers of such statements do not
5 give oral evidence will or may be read into the
6 transcript. However, it is worth saying that all signed
7 statements are evidence in the inquiry.

8 There will be a break for Christmas and the case
9 study will resume on Tuesday, 8 January. The intention
10 is to complete this case study, including closing
11 submissions, no later than Tuesday, 12 February.

12 After Christmas, and probably towards the end of the
13 oral evidence that is being presented as part of the
14 case study, there will be oral evidence given by persons
15 currently employed by Quarriers, Barnardo's and
16 Aberlour, including the current chief executives. The
17 intention is to finish hearing evidence no later than
18 Friday, 1 February.

19 During this final chapter of evidence, after the
20 Christmas break, there will also be evidence about what
21 around 100 former residents in the care of Quarriers
22 told Time To Be Heard, a pilot study that preceded the
23 establishment of the National Confidential Forum.

24 The inquiry has also asked Professor Lynn Abrams to
25 look at records of Quarriers, Barnardo's and Aberlour to

1 assist the inquiry in relation to an understanding of
2 the historical systems, policies and practices in place
3 at establishments run by these organisations during the
4 period of time covered by the inquiry's terms of
5 reference. The intention is to hear from
6 Professor Abrams in January of next year.

7 There are two final points I wish to make at this
8 stage. Firstly, this is the first composite case study,
9 by which I mean a case study that is looking at more
10 than one organisation involved in the provision of
11 residential care of children in Scotland. Historically,
12 all three organisations were subject to the same legal
13 and regulatory framework so far as caring for children
14 in Scotland was concerned. This case study provides an
15 opportunity to compare and contrast the way in which
16 they operated.

17 Secondly, unlike previous case studies, the
18 organisations with which this case study is concerned
19 continue to provide children's services in Scotland,
20 including the provision of residential care. This means
21 that as part of this case study, there will be evidence
22 about current child protection arrangements and current
23 systems, policies and practice. That evidence will be
24 heard in January 2019.

25 Prior to Christmas, generally speaking, there will

1 be a focus on the past, although there will be some
2 evidence about establishments that continue to operate
3 to this day.

4 LADY SMITH: Thank you very much, Mr Peoples.

5 I would like now to turn to Mr Gale, who is here for
6 FBGA, Former Boys and Girls Abused At Quarriers, to make
7 any opening statement that he would like to make.

8 Mr Gale.

9 Opening statement by MR GALE

10 MR GALE: Thank you, my Lady.

11 David Whelan and we, as his legal team, are grateful
12 to the inquiry for granting us leave to appear in this
13 phase and we intend to do all that we can to assist the
14 inquiry in its task.

15 We wish to acknowledge at this stage the very
16 considerable work that the inquiry team has obviously
17 put into the preparation of this phase. Can I also
18 personally record my thanks to Mr Peoples, with whom
19 I had a very helpful exchange of correspondence some
20 months ago, concerning the position to be taken
21 regarding evidence where there had been convictions of
22 individuals of abuse. More recently we had a more
23 forthright exchange of views, but again can I thank him
24 for engaging in that.

25 In the period since we were last involved, my Lady,

1 two case studies have taken place. In the Daughters of
2 Charity case study, my Lady's findings were an
3 uncompromising condemnation of the regime which existed
4 in Smyllum and Bellevue over many decades and a clear
5 rejection of the denials which were maintained over that
6 time.

7 Your Ladyship concluded that the institutions were,
8 and I quote:

9 "... places of fear, coercive control, threat,
10 excessive discipline and emotional, physical and sexual
11 abuse."

12 Physical abuse, whether under the guise of
13 punishment or not, was "a normal aspect of daily life".
14 Children who wet the bed were publicly humiliated.
15 Bathing practices were degrading. My Lady particularly
16 noted that these practices could not be regarded as
17 explicable, even having regard to the historical context
18 and of the contemporary norms. They were practices and
19 conduct that were ostensibly at odds with the beliefs
20 which the order and its staff adhered to.

21 Having regard to the material which is before
22 my Lady in this case study, it is apparent that the
23 observations made by my Lady in connection with the
24 Daughters of Charity have equal application to the
25 regime which children resident in Quarriers Homes were

1 subjected to over many years. Violent beatings were
2 a regular occurrence, as were frightening punishments,
3 such as locking children in sheds and outbuildings.
4 Children had routines which consisted of repetitive
5 chores, where failure to perform to the required
6 standard was frequently met with arbitrary and excessive
7 punishments.

8 Violence was indiscriminate and inappropriate and
9 was meted out irrespective of gender. Bed-wetters were
10 humiliated. Children were demeaned and made to feel
11 both unworthy and unwanted. Siblings were separated and
12 obviously we know that sexual assaults and abuse took
13 place.

14 There are certain observations that we would make
15 that are specific to Quarriers. We begin this by saying
16 that it is recognised that Quarriers is now a different
17 organisation from that in which abuse of children was
18 allowed to occur. It is now responsible for the care of
19 a particular group of residents. Its care policies and
20 guidance are such that one would hope that abuse could
21 not now occur.

22 However, it is disclosed in part D of the response
23 and the more recent addendum that the organisation is
24 aware of the identity of eight convicted abusers, the
25 abuse having taken place at the earliest in 1951 and the

1 latest in 1981.

2 In part D, Quarriers provided to the inquiry the
3 identities of 44 known or alleged abusers, including
4 some incidents of peer abuse. In the addendum to part D
5 it provides the identities of a further 15 known or
6 alleged abusers. It is also aware of some 27 civil
7 actions or intimated claims, only one of which was in
8 fact settled.

9 It seems clear from the beginning of the period
10 that is the subject of my Lady's remit up until the
11 1980s -- although I say that that latter date has to be
12 slightly vague -- Quarriers was an institution in which
13 a regime of violence and beatings existed without proper
14 restraint. In Anna Magnusson's book, "The Quarriers
15 Story", she notes, writing about the time in the
16 immediate pre-war period, that in some cases individuals
17 treated children in their care with "unbelievable
18 cruelty". It's a quotation from page 132.

19 This inquiry has now before it what is referred to
20 as the Jan McQueenie manuscript, which we would subject
21 is a detailed, intelligent and harrowing account of her
22 time in Quarriers and which operates as a commentary on
23 the ill-treatment of others.

24 In addition, one of the first witnesses in this
25 inquiry, identified by the cipher QCC, a lady now in her

1 70s, speaks of the cruelties suffered by her mother in
2 Quarriers in the 1930s. By reasonable inference, these
3 abusive practices were a continuation of what had gone
4 before.

5 Until recently, we could not know how many witnesses
6 would come forward to the inquiry to speak of their
7 experiences in Quarriers. We now know that we will hear
8 from between 30 and 40 witnesses or applicants, either
9 directly or through read-in extracts from their
10 statements, the vast majority of which speak of
11 ill-treatment while in care.

12 In addition, the inquiry has received a number of
13 other witness statements where the witnesses will not be
14 giving evidence but who also speak of abuse. Witnesses
15 regularly speak not merely of the abuse that they
16 personally suffered but also their witnessing of abuse
17 suffered by others.

18 Can we therefore, my Lady, make two observations
19 about the numbers who have come forward. Firstly, the
20 fact that these applicants have come forward in these
21 numbers is something of which we would say this inquiry,
22 its processes and personnel, should be justly pleased
23 and very proud. Secondly, we would suggest that for all
24 that the applicants who have come forward, their
25 evidence suggests very strongly that untold others were

1 the subject of abuse and that their direct accounts
2 remain unheard.

3 A question frequently asked in the context of
4 historic abuse is why those who suffered abuse did not
5 make contemporaneous complaints. The answer is we say
6 very obvious, but it is interesting to look at this
7 in the context of Quarriers. Standing orders and the
8 staff guide, versions of which appear to have been
9 current during the period during which we know abuse
10 took place, provide that a complaint of "any sort"
11 should be made to the superintendent.

12 The suggestion by Quarriers appears to be that
13 in the event of a child having a complaint, whether real
14 or imagined, there should have been a readily open door
15 and a sympathetic hearing over a cup of tea for any
16 child during this period. What is interesting is that
17 there is a notable paucity of recorded contemporaneous
18 complaints by children. We note only 14 instances of
19 such complaints over this period. This paucity reflects
20 the evidence of many witnesses that complaining was not
21 for them an option, through fear of repercussion and the
22 knowledge that they would simply not be believed. The
23 evidence of QCC, which my Lady will hear shortly, at
24 paragraph 24 makes that clear.

25 A few weeks ago, Mr Whelan drew my attention to an

1 article in the Herald newspaper of 8 September 2001 in
2 which a former resident of Quarriers was prompted to
3 relate his experiences following upon conviction of one
4 of the named abusers. He is recorded as saying this:

5 "That there was no one to turn to, and also at 7 how
6 do you say that you have been sexually abused and want
7 to see the superintendent? At 7 how do you report that
8 you were thrashed by a house father?"

9 He ended that quotation by saying, "We just
10 survived".

11 The idea that there was a complaints procedure which
12 was effective and available to the children is simply
13 not borne out by the available evidence. Indeed, there
14 is evidence that children who did complain were in fact
15 removed from Quarriers.

16 These observations, my Lady, lead on to two other
17 matters which we would wish to make some brief
18 observations about at this stage. Firstly, much has
19 been made about the independence of Quarriers as an
20 organisation and, within it, the independence afforded
21 to the individual cottages. The available evidence
22 tends to suggest that many children within Quarriers
23 over the relevant period felt isolated from the outside
24 world and indeed from children in other cottages. It is
25 of note that a number of witnesses observe in their

1 statements that in certain cottages they were treated
2 well, yet when moved to others, the regimes were
3 entirely different and abuse was prevalent. This is
4 mentioned again in Ms Magnusson's book at pages 134 to
5 135.

6 This inconsistency demonstrates, we suggest,
7 a systemic failure on the part of Quarriers' governance
8 to have in place adequate procedures to ensure that
9 individual cottages did not operate in different ways
10 and to entirely different standards.

11 Secondly, my Lady, it has been a recurring theme,
12 both in this inquiry and in the IICSA inquiry south of
13 the border, that a culture of undue deference appears to
14 have existed in institutions and with a reticence to
15 believe that persons suspected of abuse were in fact
16 abusers as they were -- and I put this as a quote --
17 "not the sort of persons who would have done that".

18 A starting point, and while accepting it is
19 a document of its time, is the uncritical tone of the
20 letter of 22 September 1939 from the chairman to the
21 fathers of boys' homes. Certain members of staff
22 appeared to delight in denigrating and demeaning
23 children by emphasising that they were unwanted by their
24 families and that they came from circumstances of social
25 deprivation. Other members of staff, particularly

1 house parents, occupied positions where they could
2 emphasise their perceived class superiority over the
3 children. And we would remind my Lady of what
4 Lord Hardy said when sentencing the abuser of
5 David Whelan and another boy:

6 "There could be no doubt that you presented a face
7 of respectability. It is clear from the discerning
8 verdict of the jury that between 1969 and 1977 you had
9 a more sinister side to your character."

10 In our earlier submissions to the inquiry, my Lady,
11 we raised the question of how abuse could take place
12 over many decades in an organisation which was subject
13 to both external regulation, in the form of legislation
14 and national guidance, and internal regulation in the
15 form of its own standing orders and staff guidance.
16 That question remains but now has to be addressed having
17 regard to the scale of abuse.

18 The scale of the abuse militates against the
19 protestation that acts committed clandestinely by
20 persons adept at securing the silence of victims could
21 not be reasonably detected by those in a position of
22 authority. It is time, in our submission, for Quarriers
23 to accept that wholesale and inexcusable abuse occurred
24 in their institutions.

25 My Lady, that completes what I have to say. I'm

1 obliged.

2 LADY SMITH: Thank you very much, Mr Gale.

3 I would now particular to turn to Mr Scott who
4 represents INCAS and invite him to make any opening
5 statement he has to offer.

6 Mr Scott.

7 Opening statement by MR SCOTT

8 MR SCOTT: Thank you, my Lady.

9 On behalf of INCAS I would like to start this
10 morning by welcoming the recent publication of the
11 inquiry's findings from the first case study in relation
12 to the Daughters of Charity. Survivors who gave
13 evidence in person or in their detailed statements can
14 now see that their impressions of being heard and
15 listened to by the inquiry have been vindicated.

16 For many survivors who have been accused of lying,
17 for reasons of misdirected anger or perhaps even for
18 money, they now have official confirmation of the fact
19 of serious abuse which they can show to anyone who seeks
20 to doubt them. Survivors have found validation of their
21 experience and testimony as promised in the terms of
22 reference for the inquiry.

23 The considerable publicity around the publication of
24 the findings has also contributed to the overall aim and
25 purpose of the inquiry in relation to raising public

1 awareness of the abuse of children in care, particularly
2 during the period covered by the inquiry. In terms of
3 publicity, it is perhaps worth briefly mentioning the
4 excellent ongoing coverage of the work of the inquiry by
5 the Daily Mail and also the very powerful article by
6 Dr Andrew Tickell in last week's national newspaper.
7 This reporting of the work of the inquiry is crucial to
8 the overall aim and purpose.

9 It remains a matter of regret that, as an
10 organisation, the Daughters of Charity chose to abdicate
11 to your Ladyship all responsibility for establishing and
12 accepting the fact of abuse. It is to be hoped that
13 other organisations will learn from such misjudgements
14 and try to avoid the further hurt and harm caused by an
15 overly legalistic and grudging approach to acceptance,
16 acknowledgement and apology.

17 Similar lessons can be concerned from the second
18 case study and the approach of the Sisters of Nazareth
19 which was also rather grudging at times, albeit
20 ultimately more open to acknowledging abuse, at least in
21 part no doubt informed by the regular attendance at the
22 hearings of senior members of the order.

23 The approach of organisations and institutions
24 requires great care and constant review, lest it cause
25 the further damage that some survivors have experienced,

1 in some of the evidence to date, both in hearings and in
2 witness statements. As the legal team for INCAS, we
3 wish to be of as much assistance as we can to the work
4 of the inquiry and we will continue to read the
5 considerable amounts of disclosure and continue to
6 submit questions for consideration and use, as seen fit
7 by counsel to the inquiry.

8 Our ongoing dialogue with various members of the
9 inquiry team, including at technical levels, can assist
10 in highlighting the occasional issue with disclosure
11 resulting in a response and improvement, which benefits
12 us all. And I should mention a relatively recent
13 meeting with Mr Peoples also, which continues the sort
14 of discussions which previously had been had with
15 Mr MacAulay.

16 There was considerable additional disclosure last
17 week which we are still working through. Some helpful
18 suggestions have been made as to material which may be
19 less critical, but we do consider it important for us to
20 have as full an understanding as possible of everything
21 that the inquiry is considering. It can be difficult to
22 engage as fully as we would wish if substantial
23 disclosure comes to us rather close in time to the
24 hearings. But we understand that the process of
25 gathering evidence is an ongoing one with witnesses

1 coming forward all the time, and complications arising
2 from that fact as well as the very complicated redaction
3 process. I simply ask that all necessary disclosure be
4 made as fully and as soon as possible.

5 Following some evidence in previous case studies,
6 discussions are ongoing elsewhere about concerns on the
7 part of some survivors about the extent of publication
8 of their testimony, especially where unwanted and even
9 criminal attention has come to them, apparently at least
10 in their impression, in response to their contribution
11 to the inquiry. No doubt such matters will be taken
12 into account by the appropriate authorities at the
13 appropriate time.

14 Fresh criminal proceedings and civil claims are
15 a welcome by-product of this inquiry and related
16 investigations, going a little way to deal with some
17 questions of accountability and redress. But we
18 appreciate that an already challenging and sensitive
19 inquiry becomes more complicated when such proceedings
20 are a very real possibility for individuals and
21 organisations.

22 Despite this, we urge all establishments and
23 organisations who will answer to the inquiry in this
24 case study and subsequent ones to do so as fully and
25 openly as possible, engaging with the inquiry in its

1 role to establish the truth.

2 Turning to the three organisations which are to be
3 the subject of this case study, there are considerations
4 mentioned by Mr Peoples which have not featured so far,
5 and that is particularly so because of the ongoing
6 involvement in the care and services for children and
7 young people.

8 It will be all the more important, therefore, for
9 the current representatives of these organisations to
10 demonstrate that they have changed, the organisations
11 have changed from the time within living memory when
12 some of their predecessors in the same organisations
13 allowed abuse to happen, whether negligently or
14 knowingly, or even having carried out abuse.
15 Hard-earned trust may have to be earned again.

16 Of concern to survivors among other matters is the
17 extent to which what happened involved systemic abuse as
18 opposed to several isolated abusers. The few bad apples
19 theory has been floated at other such inquiries and,
20 despite being rejected repeatedly, it keeps resurfacing,
21 relying as it does on coincidence which defies belief,
22 it can no doubt be addressed once more if required.

23 Another concern which may feature over the next few
24 months is survivors' impression of the extent to which
25 these three organisations offered support to abusers

1 when allegations surfaced as well as the possible
2 implications of such support. While owing and
3 fulfilling a duty to staff, survivors feel that
4 a greater duty was owed to them, which has been
5 addressed in a manner considered by many to be too late
6 and too little.

7 On that point I wish to address briefly one specific
8 matter which is likely to be mentioned in more detail on
9 behalf of Quarriers. Reference has been made, and will
10 no doubt be made again, to their restorative measures
11 meetings where some survivors were met by the
12 chief executive officer of Quarriers to discuss abuse
13 and also to receive personal apologies. While all
14 sincere apologies are welcome, it is worth observing
15 that these meetings involved, as I understand it, only
16 about 1% of those who took part in the Time To Be Heard
17 project, where abuse in Quarriers was discussed. So
18 these meetings, while important for those involved,
19 cannot be considered sufficient by way of address or
20 restorative practice. Much more must be done to reach
21 out to all survivors and to properly address the
22 question of redress.

23 On the matter of redress, while it is outwith the
24 terms of reference for the inquiry, INCAS await with
25 anticipation what the government has to say on redress,

1 perhaps even as early as today, following detailed
2 discussions in which INCAS members have, amongst other,
3 taken part over the last few months and, in particular,
4 survivors are looking to hear news of interim payments
5 as one form of tangible redress.

6 As before, my Lady, in the next few months,
7 survivors are listening keenly to ensure that
8 acceptance, acknowledgement and apology is not
9 restricted to what has been proved beyond a reasonable
10 doubt in the Criminal Courts. We know that convictions
11 will stand as facts for the purposes of the inquiry and
12 not as opportunities for reheating rejected claims of
13 innocence and thereby causing further damage to
14 survivors -- and there was an example in the last case
15 study where that was addressed and addressed very
16 clearly and firmly by your Ladyship in particular.

17 INCAS and its members remain committed to the work
18 of the inquiry. As before, they wish to encourage any
19 and all survivors who have not yet come forward to do
20 so. Those who do will find people within the inquiry
21 who have been well trained and now, on top of the
22 training, well experienced in listening to and recording
23 what they have to say in as much detail as they wish,
24 and in the inquiry's findings they may find some of the
25 answers which have eluded them over many years.

1 Thank you, my Lady.

2 LADY SMITH: Thank you, Mr Scott.

3 Before I invite the next opening statement, I just
4 want to say something about documents and dealing with
5 the number of documents that have been released in the
6 bundles for this case study.

7 I'm well aware that they are very substantial and
8 more substantial than they have been for previous case
9 studies. I want to say I do recognise that it can feel
10 very difficult to receive documents quite close to the
11 hearings. In an ideal world, you would get them much
12 earlier. It is not because we are holding on to the
13 bundles and not letting you have them until the last
14 minute. Very briefly, and I'm sure you appreciate it's
15 a lot more complex than this, we do release them as soon
16 as we possibly can. There's a process, if it's
17 institutional documents, that begins with very detailed,
18 formal orders going to the institutions and
19 organisations from the inquiry, long before the date of
20 the hearing.

21 We cannot know at that stage whether individual
22 institutions have justification for coming back to us
23 and asking for more time, and a number of them do and
24 they give a perfectly reasonable explanation as to why
25 they can't meet the deadline that we have given them.

1 You've already alluded, Mr Scott, to recognising
2 that some witnesses come forward late in the day and
3 anyone who has given even a cursory glance at the
4 explanation of our private session procedure for
5 gathering the evidence from individuals will understand
6 that that is not a process that can properly be rushed
7 either.

8 Once we have all the documents in, there have to be
9 selections made from what has been produced. They have
10 to be analysed, they have to be put on to our electronic
11 system. We have a big team working on that. Then
12 appropriate redactions have to be made, and I'm sure you
13 understand how important that is. Again, that's
14 something that has to be done very carefully and checked
15 before they can go into the bundle and be ready for
16 release.

17 I am also aware that counsel have sought to direct
18 representatives to which parts of the document bundles
19 they think are likely to be of most interest to legal
20 representatives, and they will keep doing that, and the
21 document management team will keep organising the
22 documents into the areas that they have done so that
23 Barnardo's should be able to find theirs easily.
24 Aberlour and Quarriers and INCAS and Mr Whelan will know
25 where those documents are organised.

1 The other thing I would say from my understanding
2 is that I think most of the recent bundle, which is,
3 I know, a substantial one, does relate to evidence which
4 won't be heard for many weeks and much of it is for
5 early 2019.

6 I suppose what I'm saying is two things. One is an
7 apology, I wish you could have them sooner, you would if
8 it was possible. But also a reassurance that you're not
9 expected to be up to speed on absolutely everything
10 that's in every document at the beginning of the case
11 study, and of course if any of you have any difficulties
12 in accommodating what's there or understanding what
13 we're doing with them, I know that counsel want to keep
14 engaging with you.

15 I hope that helps.

16 Now, let me turn to Mr Richardson, who I see is here
17 for the Lord Advocate.

18 Opening statement by MR RICHARDSON

19 MR RICHARDSON: Thank you, my Lady.

20 I address the inquiry on behalf of the
21 Lord Advocate. The Lord Advocate's interest in this
22 phase of the inquiry, as with previous phases, stems
23 from his responsibility as head of the system of
24 prosecution in Scotland and his responsibility in that
25 regard for Scotland's prosecution service, the Crown

1 Office and Procurator Fiscal Service, often known as
2 COPFS.

3 The Lord Advocate exercises his functions as head of
4 the system of prosecution in Scotland independently of
5 any other person. COPFS has an important role to play
6 in relation to allegations of criminal conduct involving
7 the abuse of children in care in Scotland.

8 Reports about alleged child abuse have been and will
9 continue to be received from the police. Now, COPFS has
10 a dedicated team of prosecutors who, where appropriate,
11 consider the content of these reports.

12 Prosecutors have the responsibility for deciding
13 whether there is sufficient evidence to prosecute in the
14 public interest. Prior to reaching this decision,
15 prosecutors can instruct the police to conduct further
16 enquiries. Once investigations are complete, a decision
17 must be made both as to whether there is sufficient
18 evidence of a crime and whether action is in the public
19 interest.

20 It is in the public interest that, when making such
21 decisions, prosecutors act independently, robustly,
22 forensically and objectively on the whole evidence
23 available. In this particular phase of the inquiry,
24 evidence will be heard about how the system of
25 investigation and prosecution operated in the past

1 in relation to allegations of child abuse concerning the
2 childcare establishments run by Quarriers.

3 The evidence will describe how initial police
4 investigations developed into a large scale police
5 operation known as Operation Orbona. This operation ran
6 from early 2002 until 2004. Throughout that time, the
7 Principal Procurator Fiscal Depute, who was responsible
8 for the investigation, worked closely with the police.
9 As a result, 16 individuals were prosecuted, of whom 10
10 were convicted. One individual was subsequently
11 acquitted on appeal.

12 Finally, and in conclusion, as the inquiry embarks
13 on its third case study, may I repeat the
14 Lord Advocate's public commitment, first to support the
15 inquiry's work and, where possible, to contribute
16 positively to that work, and secondly, to the effective,
17 rigorous and fair prosecution of crime in the public
18 interest, consistently for all, including the most
19 vulnerable in our society.

20 Thank you, my Lady.

21 LADY SMITH: Thank you, Mr Richardson. Let me now turn to
22 the representation for Police Scotland. Ms Van Der
23 Westhuizen.

24 Opening statement by MS van der WESTHUIZEN

25 MS VAN DER WESTHUIZEN: I am grateful to make this opening

1 statement on behalf of Police Scotland.

2 Firstly, on behalf of Police Scotland I would like
3 to express continued sympathy to the numerous survivors
4 who suffered abuse after being placed in care across
5 Scotland. Police Scotland continues to be committed to
6 supporting the work of the inquiry and to collating the
7 information regarding previous investigations, practice
8 and policies in relation to reports of abuse in care and
9 how these practices have evolved over time to enable the
10 inquiry to fulfil its remit. So far, my Lady, in excess
11 of 270,000 investigative files have been reviewed and
12 that work is ongoing.

13 In relation to Police Scotland's role and interest
14 in this phase of the inquiry, internal research has
15 found that police investigations have been undertaken
16 in relation to reported abuse within Quarriers Homes,
17 the Aberlour Child Care Trust and Barnardo's dating back
18 to 1934.

19 To date, Police Scotland has recovered records of
20 complaints received from 366 former residents against
21 388 persons. These investigations have led to a number
22 of convictions for sexual and physical abuse perpetrated
23 against child residents.

24 During this case study, my Lady, Police Scotland
25 will further assist the inquiry by delivering

1 a presentation surrounding police investigations into
2 Quarriers Homes, most notably Operation Orbona, which
3 was a significant investigation undertaken between 2002
4 and 2004 into the abuse of children within
5 Quarrier's Village at Bridge of Weir.

6 Police Scotland continues to build on its engagement
7 with adult survivors of childhood abuse, proactively
8 engaging with survivors, support services and statutory
9 partners in an effort to raise public confidence and
10 enhance service provision to adult survivors.

11 During this case study, there may be instances where
12 survivors provide testimony or where review highlights
13 cases where the child protection response or the
14 investigatory standard was not to the best practice
15 standards that are recognised and applied today.

16 Police Scotland remains committed to making
17 a positive and substantial contribution to child
18 protection improvement across Scotland and recognises
19 the importance of organisational learning and
20 development to ensure its staff have the capabilities,
21 skills and competence to drive continuous improvement.

22 Police Scotland will take into account any lessons
23 to be learned that may be identified during this case
24 study as part of its commitment to developing and
25 improving its policies, practices and service provision

1 to the people of Scotland.

2 My Lady, unless I can be of further assistance,
3 that's the opening statement on behalf of
4 Police Scotland.

5 LADY SMITH: Thank you very much.

6 I would like to turn to the Scottish Government, and
7 I think Miss Charteris you are here to make an opening
8 statement on their behalf.

9 Opening statement by MS CHARTERIS

10 MS CHARTERIS: Thank you, my Lady, I appear on behalf of
11 Scottish Ministers. As the inquiry is aware, I also
12 appear on behalf of those executive agencies which form
13 part of the Scottish Government and for which the
14 Scottish Ministers are directly responsible, including
15 in the context of this inquiry, Education Scotland,
16 Disclosure Scotland and the Scottish Prison Service.
17 I do not represent the Lord Advocate in relation to his
18 prosecutorial functions and in this respect the
19 Lord Advocate is represented separately by
20 Mr Richardson QC and Ms Leigh Lawrie, advocate.

21 The Scottish Ministers' involvement in this new
22 phase of the inquiry is, as it has been in earlier
23 phases, as a core participant with a direct interest in
24 all of the issues being raised by witnesses, in
25 particular how the responsibilities of the state

1 in relation to the inspection and regulation of the
2 establishments which are the subject of case studies
3 during this phase were discharged.

4 Evidence has been submitted by the
5 Scottish Ministers, including Education Scotland,
6 in relation to establishments operated by Quarriers, the
7 Aberlour Child Care Trust and Barnardo's following the
8 service of Section 21 notices by the inquiry. The
9 Scottish Ministers will continue to ensure that the
10 inquiry has access to evidence held by the Scottish
11 Government, and its response unit continue to provide
12 information and reports to inform the work of the
13 inquiry.

14 The evidence of witnesses given during hearings will
15 continue to be listened to carefully by the
16 Scottish Ministers. Equal regard is being given to the
17 written evidence of those who have not given oral
18 evidence to the inquiry.

19 The Scottish Ministers wish to acknowledge the
20 publication by the inquiry chair of her findings on case
21 study number 1 concerning residential care provided by
22 the Daughters of Charity of St Vincent de Paul. Those
23 findings record dispassionately, emphatically and in
24 detail the extent and range of the terrible abuse
25 suffered by children in the care of that order. In

1 doing so, they fulfil a number of elements of the
2 inquiry's terms of reference, including the task of
3 creating a national public record on abuse of children
4 in care in Scotland during the relevant time frame.

5 Whilst given their nature, it is difficult to
6 describe the findings as welcome, it is clear that for
7 those who endured abuse, these findings are rightly
8 a vindication. The Scottish Government wish to formally
9 record its thanks that the findings have been published
10 and would welcome the publication in due course of
11 findings in relation to subsequent case studies.

12 It is anticipated that the chair will invite
13 submissions at a later stage on what recommendations
14 ought to be made in light of these and other findings
15 and it would therefore be inappropriate to say more at
16 this time.

17 Finally, we wish to update the inquiry regarding
18 a statement which is to be made by the Deputy
19 First Minister, Mr Swinney, in the Scottish Parliament
20 this afternoon concerning the Scottish Government's
21 response to the recommendation for redress of survivors
22 of abuse. The transcript of this statement will be
23 available to access on the Scottish Parliament website
24 thereafter.

25 The Scottish Ministers will continue to cooperate

1 and engage fully with the inquiry to ensure lessons are
2 learned to better protect children in care and to
3 support survivors.

4 Thank you, my Lady.

5 LADY SMITH: One question, Ms Charteris: do you have a time
6 for the statement in the Parliament this afternoon so
7 that if people want to access the website, they'll know
8 when they have to wait until?

9 MS CHARTERIS: My Lady, I'm advised that the statement is
10 expected to be made around 2.20 this afternoon.

11 LADY SMITH: So by late afternoon, one would hope it's up on
12 the website by then. Thank you very much.

13 Now, let me turn to representation for Quarriers,
14 Ms Dowdalls.

15 Opening statement by MS DOWDALLS

16 MS DOWDALLS: I'm obliged, my Lady.

17 On behalf of Quarriers I'm instructed first to
18 reiterate the unreserved apology that was offered to
19 survivors of abuse on 31 May last year at the outset of
20 hearings during phase 1 of this inquiry.

21 Quarriers acknowledges that children were subjected
22 to physical, sexual and emotional abuse while in their
23 care. It is acknowledged that abuse occurred across
24 generations at Quarrier's Village. Quarriers
25 acknowledges that there were shortcomings in its

1 historical policies and practices, which did not prevent
2 abuse from occurring.

3 I will say some more about the general themes of
4 abuse and where practices didn't work later in this
5 submission.

6 If I may, my Lady, I'd say a little first about the
7 history of Quarriers. Since it was formed in 1871, the
8 organisation now known as Quarriers has provided
9 residential care for over 30,000 children. The
10 objective of the founder, William Quarrier, was to
11 provide a better life for children who were destitute or
12 alone. The organisation provided homes and education
13 for children, originally for orphans, but then for any
14 child in need of care.

15 The majority of children were compared for in
16 cottages at Quarrier's Village near Bridge of Weir,
17 Renfrewshire. The village officially opened in 1878.
18 William Quarrier's village was intended to provide
19 childcare in an environment designed to replicate, as
20 far as possible, normal family life. Children lived in
21 groups in large houses, known as cottages, where they
22 were looked after by a married couple or by a single
23 house mother and an assistant.

24 Quarrier's Village played a significant role in
25 childcare in Scotland during the 20th century. It was

1 a large establishment intended to recreate an actual
2 village with 43 cottages, a school, a church and
3 a hospital, amongst other buildings, in a 40-acre rural
4 location. The site was extended around the turn of the
5 19th century and, in a documentary from the 1970s, it's
6 described as the largest children's home in
7 Western Europe.

8 The number of children requiring caring of the sort
9 provided at Quarrier's Village reduced over time.
10 In the 1980s, the number of children cared for at
11 Quarrier's Village rapidly diminished until, in 1989,
12 there was only one child remaining.

13 Since 1990, Quarriers has provided care and support
14 services to both adults and children at
15 Quarrier's Village and elsewhere through more
16 specialised services.

17 Although most of the children in Quarriers' care
18 were looked after within Quarrier's Village, the
19 organisation also ran other residential childcare
20 services, and this case study will also consider the
21 services at Overbridge, Southannan School and
22 Seafield School, and I'll briefly describe those
23 establishments now.

24 Overbridge in Glasgow was a hostel for working young
25 men between 1938 and 1965. It also acted as an

1 administrative centre for the receiving of children
2 being admitted into Quarriers' care. Between 1965 and
3 1985, it operated as a children's home.

4 A child of former house parents has been conflicted
5 of offences against other children which were committed
6 when he was a child and his parents were employed at
7 Overbridge. Quarriers extends an unequivocal apology to
8 the survivors of that abuse.

9 In the 1970s, Quarriers began to diversify the
10 services that it provided. In 1978, Quarriers opened
11 the Southannan School in Fairlie, Largs. That was
12 a residential school providing for specialised education
13 and care to children who were not considered to be
14 adequately catered for in the mainstream education and
15 care systems.

16 The project which was begun at Southannan then moved
17 to Seafield School, Ardrossan, in 1996, and the school
18 closed in June 2014.

19 The processes and procedures in place at these
20 establishments will also be scrutinised during this case
21 study and Quarriers welcomes the opportunity to assist
22 in that process.

23 In its opening statement last May, Quarriers pledged
24 to participate fully in the inquiry process. Quarriers
25 welcomes the opportunity afforded by the inquiry to

1 investigate what shortcomings or flaws in its historical
2 policies and practices might have contributed to the
3 creation of an environment where vulnerable children
4 were subjected to abuse by the people responsible for
5 caring for them. In its closing statement during that
6 phase of the inquiry, Quarriers undertook to carry out
7 work which had by then already begun on the
8 identification, recovery, collation and review of its
9 own historical records with a view to filling in gaps
10 and information and assisting the inquiry with its work.

11 Since then, a team has been recruited by Quarriers
12 to work on the identification and recovery of archived
13 material, including children's records. Amongst other
14 documentation, several hundred sets of children's
15 records have been reviewed and complaints and
16 allegations of abuse recorded within them have been
17 identified and notified to this inquiry.

18 In addition, material has been recovered that gives
19 some better insight into the standards of care provided
20 to children, the policies and procedures adopted by
21 Quarriers and the flaws and failures in its past
22 processes and practices.

23 Documents have been provided to the inquiry as
24 requested and every possible step has been taken to
25 respond quickly and fully to requests for information.

1 Quarriers has welcomed the opportunity to help the
2 inquiry with its work and continues to do so. So far as
3 possible no stone has been left unturned in looking for
4 missing records.

5 Despite the extensive searches already carried out,
6 there are a number of documents which Quarriers simply
7 has not been able to find. Those include the punishment
8 books or logs which were maintained by house parents and
9 individual cottages and other documents of an
10 organisational nature, which Quarriers no longer has.

11 The Quarriers team was, however, able to recover
12 documents from the Scottish National Archives relating
13 to inspections of Quarrier's Village from 1961 onwards,
14 which have been provided to the inquiry and which
15 Quarriers hopes will help to inform the work of this
16 inquiry in relation to Quarriers.

17 On the information presently available to Quarriers,
18 it's acknowledged that seven former employees of
19 Quarriers have been convicted of offences relating to
20 the sexual, physical and emotional abuse of 23 children
21 while those children were in the care of Quarriers
22 between 1955 and 1981. One further employee was
23 convicted and his conviction was overturned on appeal.
24 As I mentioned earlier, one child of house parents was
25 convicted of abuse of other children at Overbridge.

1 Many others have reported that abuse took place.

2 The findings on the nature and extent of abuse which
3 occurred at Quarriers will, of course, be a matter for
4 the inquiry chair. It is likely that during this case
5 study, evidence will be heard and records will be
6 considered from which there will emerge a number of
7 recurring themes.

8 The chair and others who have been closing following
9 the progress of this inquiry may recognise certain
10 themes already identified in the evidence heard by the
11 inquiry in relation to other establishments. They
12 include accounts of physical abuse, including
13 disproportionate or unjustified physical punishment and
14 physical assault, sexual abuse, peer abuse, responding
15 to bed-wetting with punishment or humiliation,
16 force-feeding and emotional abuse, including being
17 demeaned, belittled, depersonalised and isolated.

18 From the records and other documents that have been
19 reviewed as part of this process and which will form
20 part of the evidence, it is already apparent to present
21 day Quarriers that in many respects the processes and
22 procedures adopted by the organisation during the period
23 from the 1930s to the 1980s simply were not good enough.

24 There will be evidence that, from the 1990s,
25 policies, practices and procedures improved. The

1 policies, practices and services provided by present day
2 Quarriers now bear little resemblance to those that
3 existed during the era of Quarrier's Village.

4 Quarriers apologises in relation to any deficiencies
5 in its historic practices and procedures that
6 contributed to children in care suffering abuse.

7 A number of deficiencies in relation to historic
8 practices and procedures have been identified during the
9 process of gathering information to assist this inquiry.
10 Those will be addressed in more detail in evidence by
11 organisational witnesses from present day Quarriers as
12 well as in closing submissions once all of the evidence
13 has been considered.

14 This case study will also consider Quarriers'
15 response, from about 2000 onwards, to allegations of
16 non-recent abuse. It is acknowledged that this is
17 a matter of particular interest to some survivors.
18 During this case study, the inquiry will hear evidence
19 that will provide an explanation of the context in which
20 Quarriers was operating at that time and the reasons why
21 the public apology issued in 2004 was framed as it was.

22 During this case study, the inquiry will hear
23 evidence from many witnesses including survivors, former
24 employees and current staff, Quarriers' current CEO and
25 a previous CEO.

1 It's not the intention of Quarriers to challenge
2 directly the detail of the evidence of any witnesses
3 through cross-examination of them, but it may seek the
4 assistance from time to time of inquiry counsel, as
5 during the evidence of previous witnesses, where there
6 is a need to check, clarify or test evidence and will
7 comment on evidence in final submissions.

8 The final analysis of the evidence is, of course,
9 a matter for the inquiry chair.

10 Quarriers remains committed to assisting the inquiry
11 with its work and welcomes the opportunity to hear the
12 evidence of survivors and others. The present day
13 Quarriers organisation remains committed to providing
14 the highest possible standards of care and support to
15 the vulnerable adults, children and young people who
16 benefit from its services.

17 LADY SMITH: Thank you very much.

18 I would now like to turn to the representation for
19 Barnardo's, and that's Mr Jackson.

20 Opening statement by MR JACKSON

21 MR JACKSON: These opening remarks are not a response to
22 issues to be investigated, that will come later, but are
23 really an affirmation of Barnardo's commitment to
24 assisting the inquiry with the process of gathering
25 evidence throughout the public hearings in an open and

1 transparent manner.

2 Barnardo's is committed to learning from the past
3 and participating fully in any process which improves
4 the provision of protection and care to children.

5 Many will be familiar with Barnardo's as
6 a contemporary children's organisation, providing
7 services to some of the most vulnerable children in
8 Scotland and indeed across the UK. It is a registered
9 charity committed to transforming the lives of the
10 abused, the forgotten, the neglected and campaigning for
11 better policy on the care of children and championing
12 the rights of every child.

13 In Scotland alone, Barnardo's delivers 130 services,
14 including family support, safeguarding, employment
15 training schemes, youth support, fostering, adoption,
16 and work in prisons. Barnardo's is also an organisation
17 that has, in the past, delivered residential care over
18 a long period.

19 Barnardo's has been working in Scotland since 1940
20 when the first evacuation centre opened to provide
21 children, living mostly in England, with a safe haven
22 away from the bombing then taking place.

23 As an organisation, Barnardo's has a strong sense of
24 responsibility for those who have been under its care.
25 This includes the direct experience of listening to,

1 working with, and supporting victims of historical
2 abuse. Barnardo's continues to make provision for those
3 who were historically in their care. The Barnardo's
4 service called "Making Connections" provides a national
5 and international service for adults, providing access
6 to care and adoption records, support and counselling.

7 Barnardo's retains an archive of records about
8 children previously in their care and the making
9 connections team is staffed by experienced social
10 workers and researchers. It is already a matter of
11 public record that Barnardo's welcomes the objectives of
12 this inquiry, both from the perspective of an
13 organisation with a commitment to the safeguarding of
14 children today and also as an organisation which has
15 a continuing responsibility to former residents.

16 From the onset through phase 1 in 2017 to this stage
17 of the public hearing, Barnardo's has adopted an open
18 and cooperative stance with the inquiry. Barnardo's has
19 complied with requests from the inquiry for disclosure
20 of information and will continue to assist with queries
21 which arise from the evidence of applicants.

22 We understand it is essential that the inquiry
23 thoroughly and comprehensively considers the relevant
24 evidence so that that distilled knowledge can be made
25 available for wider learning and policy making in the

1 future care of children.

2 Barnardo's recognises the scope, complexity and
3 sensitivity of the task before the inquiry and stands
4 committed to assist, ready to participate fully in this
5 process and prepared to learn from the past to ensure
6 that the current and future needs of the most vulnerable
7 are met.

8 Thank you.

9 LADY SMITH: Thank you very much, Mr Jackson.

10 Finally, the representation for Aberlour, Mr Love.

11 Opening statement by MR LOVE

12 MR LOVE: Thank you, my Lady.

13 Aberlour Child Care Trust, whom I represent, is
14 a Scottish children's charity. It is engaged in looking
15 after and helping children throughout Scotland.
16 Aberlour's activities include residential and fostering
17 care, working with children with disabilities and
18 helping families with problems, including drug and
19 alcohol-related difficulties.

20 Aberlour considers the issues under scrutiny by the
21 inquiry to be of the utmost importance to those who have
22 provided and who continue to provide care and support to
23 children in Scotland. It welcomes the opportunity to
24 fully participate in its work and will continue to offer
25 every assistance to the inquiry in its commendable

1 objectives.

2 To those who suffered abuse while in its care,
3 Aberlour offers an unreserved apology. It is hoped that
4 any defects of practice that might be identified in any
5 of the organisations involved in the inquiry will inform
6 the policy and practice of childcare in the future.

7 Aberlour welcomes the opportunity afforded by the
8 inquiry to investigate the flaws in its historical
9 procedures and practices and which have allowed abusers
10 to behave as they did towards children in its care.

11 In terms of its history, Aberlour has been working
12 with children in Scotland for more than 140 years. In
13 1875, with the assistance of Canon Charles Jupp,
14 Miss Macpherson Grant of Aberlour funded the
15 construction of an orphanage with a church rectory and
16 school. The Aberlour orphanage was expanded in the
17 early years of the 20th century and Canon Jupp continued
18 to dedicate himself to its works until his death in
19 1911.

20 In the late 1950s and early 1960s, developments
21 in relation to residential childcare prompted a change
22 in direction. Aberlour began to develop group homes,
23 being smaller houses in the main cities of Scotland.
24 These group homes allowed children to live in a less
25 institutional and more homely environment and atmosphere

1 and in closer contact with their communities. As
2 a result of this policy shift, Aberlour orphanage closed
3 its doors in 1967.

4 Aberlour was newly constituted as a trust and moved
5 its headquarters to Stirling in 1969. In 1978 the
6 Aberlour Child Care Trust came into being under
7 a further new constitution.

8 During the 1980s, public policy in relation to
9 childcare underwent a further significant change. There
10 was a move away from accommodating children in group
11 homes and towards fostering and similar services.
12 During this period, Aberlour's services diversified and
13 the group homes were either wound down or their purposes
14 changed to meet new needs. By 1987, only one group
15 home, a home in Aberdeenshire, remained in existence and
16 operation.

17 Residential care still formed part of Aberlour's
18 work. Its purposes, however, became more focused,
19 including respite care or care for children with
20 disabilities or severe behavioural problems.

21 In 2002, Aberlour opened its first fostering
22 service, approving foster carers to provide regular
23 respite breaks for children and young people up to the
24 age of 18. Fostering was linked to the work carried out
25 by the Sycamore Residential Services.

1 Today, Aberlour operates to fulfil its belief that
2 all children deserve to flourish. This is the same
3 belief that moved Canon Jupp to help found the orphanage
4 in 1875. Aberlour works for children, young people and
5 families across Scotland and aims to transform lives for
6 the better. It operates as a trust with a board of
7 trustees. It has a chief executive, SallyAnn Kelly,
8 from whom evidence was heard in phase 1 and from whom
9 it is anticipated that further evidence will be heard
10 in the course of the organisational phase of this case
11 study.

12 Reporting to the chief executive is a director of
13 children and families, who in turn is responsible for
14 the assistant directors in relation to the various
15 services and establishments. Also reporting to the
16 chief executive are a variety of organisational support
17 functions, and, in particular, a quality and
18 safeguarding manager who has responsibility for the
19 oversight and monitoring of professional practice and
20 welfare of children who are in contact with Aberlour.

21 Since it was formed in 1875, the organisation now
22 known as Aberlour Child Care Trust has provided
23 residential care for around 6,000 children. Aberlour is
24 not and never has been an organisation tied to or run
25 under the direction of any religious body. It has,

1 however, had close links with the Scottish Episcopalian
2 Church, particularly in the early years.

3 Aberlour was informed on 25 January 2017 that the
4 inquiry would be investigating certain of its
5 establishments and was then served with a notice
6 requiring evidence to be submitted to the inquiry
7 in relation to its organisational history and operation
8 of various services.

9 This focused on three establishments there
10 identified, namely the Aberlour orphanage, Quarryhill
11 and the Sycamore Cluster of group homes. Aberlour
12 engaged the services of a full-time legally qualified
13 researcher, who examined historical records, minute
14 books and, where relevant, individual children's files,
15 and spoke to former and current employees in order to be
16 able to present as full a picture as possible of the
17 organisation's makeup and history. Her research enabled
18 Aberlour to submit what it believes is a thorough and
19 helpful response to the notice served on it by the
20 inquiry.

21 The initial response submitted by Aberlour included,
22 as required by the inquiry, information in relation to
23 any cases of abuse as defined by the inquiry and any
24 allegations or complaints of abuse of which Aberlour was
25 aware. A thorough search of minutes and other

1 historical records was undertaken in order to ensure
2 that this response was as comprehensive as is
3 practicable. Where particular allegations or complaints
4 have been identified by the inquiry, it has been
5 possible to look at individual children's records in
6 order to find out more about these matters and how they
7 were dealt with.

8 After the completion of phase 1, the inquiry
9 required a similar response in relation to a fourth
10 establishment, the Dowans. Aberlour secured the return
11 of the same legally qualified researcher and, following
12 similarly exacting researches, an equivalent response
13 addressing the same issues was furnished for that
14 additional establishment as at 31 May 2018.

15 In the period since the close of phase 1, Aberlour
16 has engaged fully and conscientiously with more than ten
17 further Section 21 notices. Significant time has been
18 allocated to compiling and reviewing the data requested
19 by the inquiry and every attempt has been made to
20 release this data in as constructive and usable manner
21 as possible. For example, notes of key matters raised
22 in documents have been provided along with those
23 documents with a view to assisting the inquiry to
24 identify the data which is of greatest interest or use.

25 Aberlour understands that it may not yet be in

1 receipt of full disclosure of applicants' statements,
2 but those which have been received have been closely and
3 carefully considered. The same close and careful
4 attention will be paid to any further disclosure of
5 applicants' statements if and when they're made
6 available. Supporting documentary evidence was last
7 disclosed by the inquiry on 16 October and is currently
8 under review.

9 The instances of abuse or complaints of allegations
10 of abuse identified by applicants within the statements
11 so far intimated by the inquiry to Aberlour range from
12 complaints about excessive corporal punishment going
13 back to the orphanage years to individual allegations of
14 physical or sexual abuse up to about the mid-1990s.

15 Like any organisation seeking to promote the welfare
16 of children, Aberlour considers the abuse of children to
17 be abhorrent. During the period under consideration by
18 the inquiry, many thousands of children have been looked
19 after by Aberlour or have been able to access its
20 services. Aberlour accepts that there have been
21 occasions where abuse occurred and the responses sent to
22 the inquiry have, for each and all of the now four
23 establishments under consideration, identified all of
24 those occasions which are known to Aberlour.

25 As was explicitly expressed at the very start of

1 phase 1 and at the outset of this submission,
2 in relation to any children who suffered abuse while in
3 its care, Aberlour recognises that this should not have
4 happened. It welcomes this opportunity to reiterate an
5 unreserved apology to those who were abused and to their
6 families.

7 Aberlour remains hopeful that the independent
8 scrutiny by the inquiry will establish an accurate
9 picture of what may have occurred in the establishments
10 in question. It is hoped that this will benefit anyone
11 who is still looking for resolution in relation to their
12 time in care at any Aberlour establishment.

13 Aberlour recognises the value and importance of the
14 work of the inquiry and undertakes to give the fullest
15 assistance that it can to that work.

16 That completes what I have to say, my Lady.

17 LADY SMITH: Thank you very much, Mr Love.

18 Mr Peoples, I think that the plan is to move to some
19 evidence, but we need to have a break at this stage, so
20 I need to know from you when you think we'll be ready to
21 hear the evidence that's to be presented today.

22 MR PEOPLES: My Lady, I wonder if we could perhaps have
23 a break and resume at 11.45. I think the indication, if
24 I can just indicate, is that Ms Rattray will read out
25 a statement from one former resident at Quarriers in one

1 of the earlier years. Thereafter, the plan is to have
2 one further witness giving oral evidence today, who is
3 the daughter of a former resident who is now deceased.
4 That's the programme for today.

5 LADY SMITH: That's the witness that was referred to in
6 Mr Gale's opening statement?

7 MR PEOPLES: Yes.

8 LADY SMITH: I think Mr Gale referred to both --

9 MR PEOPLES: I think he did, actually, but the other
10 witness, I think, has -- he is not -- has waived
11 anonymity, the one whose evidence will be read in after
12 the break.

13 LADY SMITH: We'll take the break now and hope that we'll be
14 ready to move to evidence at 11.45.

15 (11.22 am)

16 (A short break)

17 (11.48 am)

18 LADY SMITH: Yes, Mr Peoples.

19 MR PEOPLES: My Lady, the first witness to give oral
20 evidence in this case study wishes to remain anonymous
21 and has chosen the pseudonym "Ann". Can I also say,
22 just at this stage, that she, as I said this morning, is
23 the daughter of a former resident in Quarriers who is
24 now deceased. For the purposes of giving evidence, her
25 mother will be referred to as "Irene".

1 LADY SMITH: Thank you.

2 "ANN" (affirmed)

3 LADY SMITH: Please sit down and make yourself comfortable.

4 Mr Peoples will explain to you when he wants you to
5 look at the red file. You'll see the -- don't worry if
6 you want it open, that's okay.

7 You'll see the microphone is now switched on. It
8 should really help you to be heard, so if you get into
9 a position where it's really easy to speak and
10 everybody, even at the back of the room, can hear you,
11 that'll be very helpful. I'll tell you if we think it's
12 not picking up.

13 The other thing to understand is that there are
14 stenographers here who are recording all the evidence
15 and you will see one of them has headphones on and the
16 other has buds in his ears. They're listening to the
17 evidence through the sound system and that's why it's
18 also very important that we can hear you properly.

19 Now, Mr Peoples.

20 Questions from MR PEOPLES

21 MR PEOPLES: Good morning, Ann.

22 Can I begin by asking you to confirm that you were
23 born in the year 1947? I don't need the exact date.

24 A. Yes.

25 Q. I think that you have provided a statement to the

1 inquiry in relation to your late mother, who we're
2 referring to today as "Irene"; is that correct?

3 A. Yes.

4 Q. Can I just, for the sake of the transcript, give the
5 reference of that statement, which is WIT.001.001.0853.

6 I think you've got a copy of the statement in the
7 red folder in front of you, if you wish to refer to it.
8 I may refer to different parts of it which will appear
9 on the screen, which I think you can see, and there's
10 one behind you as well.

11 So far as that statement is concerned, could I ask
12 you just initially to turn to the final page of the
13 statement, on page 0872. Can you confirm for me that
14 you've signed that statement?

15 A. Yes.

16 Q. And that you have, on that page, indicated that you have
17 no objection to your statement being published as part
18 of the evidence to the inquiry.

19 A. Yes.

20 Q. You've also said, I think, in your signed statement at
21 paragraph 85:

22 "I believe the facts stated in this witness
23 statement are true."

24 A. Yes.

25 Q. Before I ask you some questions about some of the

1 matters that you deal with in your statement, can
2 I perhaps just take some general information about your
3 late mother Irene at this stage. I think your mother
4 died in 1996?

5 A. Yes.

6 Q. And that as a child, she was a resident at
7 Quarrier's Village in Bridge of Weir?

8 A. Yes.

9 Q. So far as the records relating to your mother that
10 we have seen, I think they show that she was admitted to
11 Quarriers in 1933, when she was 10 years of age.

12 A. Yes.

13 Q. And that she left in 1942 when she was around the age of
14 19?

15 A. Yes.

16 Q. So far as her admission is concerned, I think that she
17 was admitted in 1933 and I think at the same time
18 Irene's half-brother was also placed in Quarriers;
19 is that correct?

20 A. Yes.

21 Q. So far as your evidence is concerned, you are really
22 here today, as it were, as your mother's voice.

23 A. Yes.

24 Q. And so far as your mother's time in care is concerned,
25 can I just be clear on this, that to an extent the

1 information that you've learned about that period has
2 been gathered firstly from some records that you
3 obtained from Quarriers relating to your mother?

4 A. Yes.

5 Q. And also from your mother herself when you were growing
6 up in conversations and from time to time when she spoke
7 about her time in Quarriers?

8 A. Yes.

9 Q. Is that correct?

10 A. Yes.

11 Q. I think that one of the matters that you learned from
12 the records, and I think it's contained at paragraph 15
13 of your statement, is that your mother was admitted to
14 cottage number 5 or home number 5.

15 A. Yes.

16 Q. But I don't think you've got any information as to who
17 was the house parent of that cottage or house parents of
18 that cottage?

19 A. No.

20 Q. Today, I would like to focus on what Irene herself told
21 you and what, to your knowledge, she told any other
22 members of your family because I think you have siblings
23 as well.

24 A. Yes.

25 Q. And I think she spoke to them and you have gained some

1 information through them --

2 A. Yes.

3 Q. -- as well as through your mother directly; is that
4 correct?

5 A. Yes.

6 Q. Before I look at particular paragraphs in your
7 statement, can I just take from you, I think, that the
8 background to your mother's admission into care, which
9 you've set out -- and I'm not intending to go through
10 that in detail at this stage, but it's there for us to
11 read -- the background was that your granny, your
12 mother's mother, was in employment at the time that your
13 mother Irene went into care.

14 A. Yes.

15 Q. And I think another feature of your mother's case
16 is that your grandmother was unmarried when she had
17 Irene and indeed when she had Irene's half-brother.

18 A. Yes.

19 Q. The other matter which I just want to be clear about at
20 this stage is that when she was admitted in the 1930s,
21 she was put into care under what appears to have been,
22 I think, according to the records, a private paying
23 arrangement, if you like, where her family contributed
24 towards the cost of her care at Quarriers; is that
25 correct?

1 A. It would seem that by the records, yes.

2 LADY SMITH: Is that because of what your mother told you or
3 what you've seen in the records or both?

4 A. It was letters that I got from Quarriers -- payments and
5 receipts from my mother and my aunt.

6 MR PEOPLES: Yes. I think I can tell you, without having to
7 go through details of this, that we do see in records
8 that the inquiry has seen that payments would be made
9 from time to time by members of the family towards the
10 cost of your mother's care.

11 A. Yes.

12 Q. And I think also the admission details that you have
13 seen indicate that the arrangement was made without any
14 intervention by a local authority, a formal intervention
15 if you like.

16 LADY SMITH: Ann, can you move a little further forward?

17 A. I was gathering information for the family tree to give
18 my mother as a gift for Mother's Day; that's why I asked
19 for information.

20 MR PEOPLES: And I think part of the information you sought
21 when you were doing this exercise of getting a family
22 tree together for your mother was to ask Quarriers to
23 provide some records relating to your mother's time in
24 care.

25 A. Yes.

1 Q. Some of that would be the admission information and
2 other material that they held in the files?

3 A. Yes, it was to try and find out about my mother's father
4 and things for her to have some knowledge.

5 Q. Can you just tell me at this stage at what point did you
6 do this exercise to gather this information and obtain
7 these records? Your mother died in 1996, I think you
8 confirmed.

9 A. It'd probably be about 1994/1995. It was only about
10 a year and a half before she died.

11 Q. So shortly before her death, although you didn't know at
12 that stage it was going to happen, you embarked on this
13 exercise of trying to find out a bit more about her
14 childhood and her background and family?

15 A. Yes, because she always felt she didn't have anybody, so
16 I wanted to let her see she did.

17 LADY SMITH: Did you pick up any information about how easy
18 or difficult it was to get your child admitted to
19 Quarriers at that time?

20 A. Not ... The only letter that I saw was that they felt
21 that they hadn't provided enough information to warrant
22 her being accepted into Quarriers, but there was no
23 other letters that told me anything else.

24 LADY SMITH: Okay. So you say "to warrant her being
25 accepted", they seemed to be looking for some

1 justification?

2 A. Yes. I think there was a ... a formality, I think,
3 about what children would be accepted into Quarriers.
4 I think not just if they were able to pay but the
5 reasons behind it, there had to be more information.
6 I didn't see any of that.

7 MR PEOPLES: Perhaps I can then at this stage, just on that
8 point, look at a couple of documents with you, if I may.

9 The first is an extract from what's known as an
10 admission form that was completed by persons who wanted
11 to have their children admitted to Quarriers. Can I put
12 before you the reference QAR.001.007.7466.

13 That is the final page of what I think bears to be
14 a standard admission form at that time, which is in the
15 early 1930s, and can I just take from you that -- do we
16 see -- and it's not maybe that easy to work out -- the
17 date on which the application was submitted on behalf of
18 Irene was [REDACTED] 1932? Do you see that?

19 A. Oh yes.

20 Q. And I think, as you confirmed earlier, your mother in
21 fact wasn't admitted until almost a year later.

22 A. Right. I didn't ...

23 Q. Obviously, we can see from part of that form -- and I'm
24 not going to go through the details -- at part (vi) on
25 page 7466, do we see that there's information about the

1 background to the application for admission, setting out
2 various pieces of information about the children that
3 are to be admitted and also about some family
4 background? Do you see that?

5 A. Yes.

6 Q. Indeed, one of the matters that in fact is raised
7 is that there seems to be some concern within the form
8 as to the suitability of the person with whom the
9 children are at present residing. Have we lost the --
10 I'm just looking at the screen, my Lady.

11 LADY SMITH: There we are.

12 MR PEOPLES: It's back on.

13 Do you see the paragraph? Just above the word
14 "agreement", there's a sentence to do with a person with
15 whom the children are at present residing. It gives
16 their faith and --

17 A. It's not there.

18 Q. Can you see it?

19 A. No. Not there.

20 LADY SMITH: Have you not got on the document on the screen?

21 MR PEOPLES: In front of you on the television screen? Can
22 you see that?

23 LADY SMITH: There's a paragraph that starts, "Both
24 children".

25 A. Yes, I've got that.

1 LADY SMITH: If you go down to the last two lines of that
2 paragraph, "Mrs [blank]". That's the sentence that
3 Mr Peoples is referring you to.

4 A. Ah right.

5 MR PEOPLES: I think they've tried to highlight it for your
6 benefit.

7 A. "I further agree to leave said child in the care ..."

8 Is that the part?

9 Q. No ...

10 A. That's the bottom two lines.

11 LADY SMITH: Go up. Go up from there and you will see
12 "agreement" -- halfway down the page the word
13 "agreement" is in capital letters. Go to the paragraph
14 just above that -- thank you very much.

15 (Pause)

16 A. Yes, I see it now.

17 LADY SMITH: You've got that sentence. And Mr Peoples was
18 asking you about that. What did you take "RC" to refer
19 to?

20 A. Roman Catholic.

21 LADY SMITH: Were your family Roman Catholic?

22 A. No.

23 LADY SMITH: Mr Peoples.

24 MR PEOPLES: So we see that information is being provided as
25 part of the application, and just continuing on this

1 page, while we it in front of you, when we look below
2 the word "agreement", do we see -- and I think this is
3 an agreement that Irene's mother would have signed --

4 A. Yes.

5 Q. -- to apply to have her daughter, who was then aged 10,
6 received into the care of Quarriers Homes. That's what
7 the document sets out, does it not?

8 A. Yes.

9 Q. It goes on:

10 "... with a view to being maintained and educated
11 and thereafter discharged as the executive committee of
12 the homes may decide."

13 Do you see that?

14 A. I can see that, yes.

15 Q. In bold there's the further sentence:

16 "I further agree to leave said child under the care
17 of the homes until he [I think it should be 'she']
18 attains the age of 16 years."

19 A. I can see that.

20 Q. So she's signing an application that sets out the terms
21 on which Quarriers will take, if the application is
22 successful, the child. It's then signed by the
23 applicant, in this case Irene's mother, and there's
24 a witness as well. Do we see that?

25 A. Yes.

1 Q. So if I can leave that page for the moment --

2 LADY SMITH: From your discussions with your mother, do you
3 remember her having any inkling of your grandmother, her
4 mother, having committed to her staying in the homes
5 until she was 16?

6 A. My mother said the first time she knew she was in was
7 when a car came in and took her there. She had no
8 knowledge of it, no.

9 LADY SMITH: Had she any knowledge of that being the
10 beginning of a commitment by her mother that she would
11 stay there until she was 16?

12 A. I don't know.

13 LADY SMITH: She never mentioned that?

14 A. No, she didn't mention that.

15 LADY SMITH: Maybe she didn't know.

16 Mr Peoples.

17 MR PEOPLES: Just to ask you, just at this stage, to look at
18 another document briefly. I don't want to go through
19 the details, but I think it's as well to have it
20 referred to. It's at QAR.001.007.7469.

21 I don't know if that's a document you've ever seen
22 before. I think you obtained some records, but I don't
23 know if you've seen this record before.

24 A. No, never seen that one, no.

25 Q. What I can tell you is that it's described as a

1 "memorandum of interview", and my understanding is that
2 this is a memorandum prepared to record an interview
3 that took place between Irene's mother and
4 a representative of Quarriers Homes in relation to her
5 application for the admission of Irene and her
6 half-brother to Quarriers.

7 A. No, I have not seen that.

8 Q. You won't have seen it, but I'm trying to show you that,
9 so far as the records go, apart from the application
10 form that we've seen part of just a moment ago, there
11 seems to be this further document, which tells us that
12 there was some form of interview that Irene's mother had
13 to attend with someone from Quarriers at which, and I'm
14 not going through the detail of this, information about
15 the family background was obtained and recorded.

16 A. Right.

17 Q. Take your time. I don't need to go through the detail,
18 but I think we can see, from a quick look at the
19 content, it's all information about the family. It may
20 not be information which you've seen before though.

21 A. No.

22 Q. Do you see that?

23 A. Yes.

24 (Pause)

25 Q. You've had a quick look at that document, I think, that

1 shows some information, and I don't want to go through
2 the detail, but are you able to tell me, without going
3 through the specifics -- do you think your mother, until
4 you obtained any records about her time in Quarriers,
5 knew about all of this information about her
6 half-brother and her mother and --

7 A. She told me she had [REDACTED]. She didn't tell me anything
8 about -- no, she didn't tell me anything about this.

9 Q. Because there's some information about Irene's father in
10 this document.

11 A. Yes.

12 Q. And there's some information, I think, about another
13 individual, who I think was Irene's brother's --
14 half-brother's father.

15 A. Mm-hm.

16 Q. All as part of the background information that seems to
17 have been sought --

18 A. Yes.

19 Q. -- at this interview.

20 Thereafter, it would appear, as we've discussed,
21 that your mother was admitted along with her
22 half-brother in 1933. Now, if I could take you to some
23 of the specific paragraphs in your statement and
24 essentially to look at the matters which I think are
25 matters that you really derived or obtained from

1 discussions with your mother or which your mother at
2 least had informed your family about.

3 Can I start by looking at paragraph 16 of your
4 statement. It's at WIT.001.001.0856. Do you have that
5 in front of you?

6 A. Yes.

7 Q. I think there, you describe what you know about your
8 mother's journey to the orphanage; is that right?

9 A. Yes.

10 Q. And I think you mentioned earlier, maybe just in
11 passing, about a car.

12 A. Yes.

13 Q. Tell me about that. What did your mother tell you about
14 going to Quarriers?

15 A. She told me that it was dark and the people came and
16 took her and [REDACTED] away, and when she arrived at the
17 door of a big house, that was what she told me.

18 Q. This was her describing her journey to Quarriers?

19 A. Yes.

20 Q. Did she make any comment on this particular part of the
21 process? Did she describe her feelings at the time?

22 A. Frightened. She was frightened. She didn't know
23 what was going on.

24 Q. That's what I wanted to perhaps clarify, whether she
25 indicated she had any real understanding of what was

1 happening to her.

2 A. No.

3 Q. If I could move on in that page to the next paragraph,
4 paragraph 17. You mention there that the house that she
5 was put into or cottage -- I think they're terms that
6 are used interchangeably at times -- that a house mother
7 and house father ran the house. Is that something you
8 learned from your mother?

9 A. Yes.

10 Q. But she wasn't able to tell you the names of the
11 individuals were?

12 A. No, she didn't know.

13 Q. She didn't know or she couldn't remember?

14 A. Well, I don't know; she never told me.

15 Q. Okay. One point you make in that paragraph is that you
16 say that you think your mother said the house mother
17 could be kind, but the house father was awful.

18 A. Mm-hm.

19 Q. Did she ever explain to you what she meant by awful?

20 A. No.

21 Q. That was just all she said on the matter?

22 A. Mm-hm.

23 Q. Can I ask you to go to page 0857 of your statement and
24 to paragraph 20. If you could have a look at that. If
25 we could have that on screen.

1 That paragraph is one where you are giving us some
2 information about the routine at the orphanage. It's
3 under a section headed "Routine". In the first sentence
4 you start:

5 "Although the orphanage was in some ways more stable
6 than what my mum was used to, the children were treated
7 cruelly and there was never any affection."

8 Did your mother tell you that?

9 A. She told me that there was never any affection.

10 LADY SMITH: Tell us what you remember of some of the
11 examples she explained, which showed there was no
12 affection.

13 A. She said no one ever hugged or cuddled her or gave her
14 any sense that she was worth anything.

15 LADY SMITH: What did they say to her?

16 A. I don't know the exact words.

17 LADY SMITH: I think when you gave your statement you
18 remembered some things. Tell us about that.

19 A. She was useless and worthless and that nobody really
20 cared about her.

21 MR PEOPLES: So she was telling you that these were the
22 things she was being told when she was in the
23 orphanage --

24 A. Yes.

25 Q. -- in Quarriers, that she was being told she was

1 useless, worthless, as you've mentioned in your
2 statement, and that her own mother didn't want her?

3 A. Yes.

4 Q. These were the sorts of things she divulged?

5 A. Yes.

6 Q. You mention that she told you that she had to go, at
7 paragraph 22 on that page, to the Zion Church three
8 times every Sunday.

9 A. Mm-hm.

10 Q. I think that had an effect on your mother, did it not?
11 Can you just explain what the significance of telling
12 you about that was in terms of her later life and her
13 views on various -- on Christianity and Christians and
14 so forth?

15 A. I think it was my faith that sparked it off. We would
16 go to Sunday school, but I was the only one of my family
17 who continued to and became an involved Christian and
18 still am. I don't know -- it would only be me
19 surmising, that this ... What my mum would say if
20 I would say anything about Christians would be, "Well,
21 they don't act out, they're supposed to be goody-goody,
22 but they don't act out, if that's an example of what
23 I suffered, then I don't want to know". But she swung
24 from that to, later on in life, having a sort of faith.
25 But she didn't like church, she didn't like church

1 people. She felt suspicious and kind of -- you could
2 see by her manner that she felt less than. She didn't
3 feel she could fit in and sit in.

4 Q. And did you sense that she related that back to having
5 to or being required to go to church three times --

6 A. Oh, absolutely.

7 Q. And what she experienced on these occasions?

8 A. Because what she heard in church was not reflected
9 in the care she got in the home and that puzzled her.

10 Q. And that stayed with her?

11 A. I would say so.

12 Q. In the next paragraph you touch upon, I suppose, two
13 matters. One is, I suppose, could be described as
14 chores that children were asked to do at that time, and
15 also the matter of punishment. You're linking the two.
16 That's based, I think, on something your mother told you
17 about what happened --

18 A. Mm-hm.

19 Q. -- when chores were done and not perhaps deemed to have
20 been done correctly.

21 A. Yes.

22 Q. Can you help me with that and tell me what your mother
23 told you about that? I think paragraph 23 would
24 probably --

25 A. Yes, I've got it here. She also told my sister this

1 story and my sister-in-law, because it really impacted
2 on her, that the punishment for missing some of the
3 shoes was that they made her dress completely in
4 black -- she used the word "shrouded in black" and being
5 put to the end of the line of the children that were
6 going to church on a Sunday, and she wasn't allowed to
7 eat anything all day. That was her punishment.

8 Q. How were the other children dressed, did she tell you?

9 A. Well, my sister told me, she told her the children were
10 all dressed in white on Sundays.

11 Q. So she'd be quite conspicuous at the back of the line?

12 A. Absolutely.

13 Q. You're describing something that could be thought of as
14 a walk of shame.

15 A. Yes. That was also a word that my sister-in-law used.

16 Q. Which word?

17 A. A walk of shame.

18 Q. So she characterised it in that way as well --

19 A. She characterised it that way as well.

20 Q. -- based on how your mother described the episode?

21 A. Yes, yes.

22 Q. In the next paragraph, you state that:

23 "The children never complained about anything
24 because that would have been deemed ungrateful and would
25 have induced punishment. That meant that they didn't

1 dare tell anybody what was happening to them. They
2 always knew that they were not to speak about anything
3 that went on in the home."

4 Was that based on what your mother described as to
5 the attitude to people speaking up or --

6 A. That was in relation to what she said were important
7 people that came now and again.

8 Q. Right.

9 A. And when these important people came, they were to act
10 happy.

11 Q. She told you that?

12 A. Yes.

13 Q. And not to say anything or to act happy --

14 A. It was to act happy.

15 Q. That's the expression she used?

16 A. Yes.

17 Q. Just on that matter of acting happy, can I take you on
18 that topic to another page in your statement at 0859, if
19 we could put that on screen. It's paragraph 29 I have
20 in mind, just when you mentioned about acting happy.

21 You refer there to something which I think your
22 mother told you about. Was it an open day --

23 A. Mm-hm.

24 Q. -- when people were invited to the orphanage.

25 A. Mm-hm.

1 Q. And you've been told about children being given an iced
2 bun that day.

3 A. Yes.

4 Q. Can you tell me about that and what your mother told you
5 about that?

6 A. She just said it was so good to get an iced bun. They
7 never got iced buns normally.

8 Q. You say in your statement, in paragraph 29, they made
9 out it wasn't an unusual thing. Was that something that
10 she conveyed to you?

11 A. Mm-hm. She got the impression that this would convey to
12 people that were coming that this was the way the
13 children were treated and she said it wasn't. The words
14 she would say was "putting on a show", that would be her
15 description of it.

16 Q. That was her description of days like the open day?

17 A. Yes. They had to be very well mannered and ... They
18 were probably -- they were told that they were to behave
19 and just be very well mannered.

20 Q. Just while we're on that paragraph, you also raise
21 something about types of punishment.

22 A. Yes.

23 Q. And you say there that:

24 "One of the ways in which children were punished was
25 to put them in isolation. They had cellars round the

1 back of the house and they locked the children in there
2 for up to two days sometimes. The children lived in
3 fear of getting locked in there."

4 Is that something that your mother spoke to you
5 about?

6 A. It's something she did say, that sometimes children were
7 put in isolation.

8 Q. Did she ever indicate to you at any stage that she was
9 one of those children?

10 A. No.

11 Q. But she made you aware that children were locked --

12 A. Yes.

13 Q. Can I just go back to the page we'd previously been
14 looking at, 0858, the previous page, just to pick up
15 something there. Can we maybe look at paragraph 25.

16 I think that you there capture what you learned about
17 your mother's first day at the orphanage. Can you tell
18 us in your own words what she told you about that day?

19 A. They had to wear a hanky in their pinafore. I think it
20 was like a triangle and they had to put the hanky in and
21 they had to line up and get checked that they had done
22 everything right, and she forgot her hanky.

23 Q. What happened to her?

24 A. She got hit -- I use the word belted, but I'm not
25 implying it was a belt, I think I meant belted.

1 Q. She was struck or slapped --

2 A. Yes.

3 Q. -- for not having a hanky sticking out of her pocket on
4 her first day at an orphanage?

5 A. Yes. She said, and I thought it was quite funny, when
6 she forgot it later on she pulled the under-pinafore
7 through the pocket to make it look like one to avoid
8 more trouble.

9 Q. You also mention just in that paragraph at the end
10 something about the adequacy of the clothing that she
11 was given. You mention situations where your mother
12 would arrive at school wet and freezing. Is that
13 something she told you about?

14 A. Yes. She said she had icicles in her nose. I don't
15 know, but that's what she said to me.

16 Q. Just on the matter of punishment, you tell us a bit more
17 about that in paragraph 26. You begin by saying:

18 "My mum was hit very often and really hard. They
19 really slapped her about the head."

20 A. Yes.

21 Q. And she was slapped when she didn't call her
22 house mother "mummy"?

23 A. Yes.

24 Q. So that was something that she told you about?

25 A. Yes. She was quite proud of that; I think she was maybe

1 a wee bit rebellious.

2 Q. But I suppose if you go into an orphanage or a home
3 at the age of 10, and you know you have a mummy already,
4 it might be quite difficult to call someone else mummy.

5 A. Yes, probably. I just think she was quite -- despite
6 everything that happened to her, I was quite surprised
7 because it just -- she was quite feisty.

8 Q. But for her feistiness, she got punished?

9 A. Yes.

10 Q. I'm just going to touch upon the matter you mention in
11 paragraph 27. I think you very fairly say that this
12 matter really was never elaborated on, but I can touch
13 on with it you. You say:

14 "Although she never came out with it, my mother
15 hinted about people coming into the girls' rooms at
16 night. She said that she would lie there waiting but
17 she never elaborated on it."

18 I know you make some -- you have some views as to
19 what might have prompted that state of affairs, but
20 basically, what did she tell you in fact about
21 night-time?

22 A. It was just that she was scared about people coming
23 in the room.

24 Q. Scared because of people coming in or --

25 A. She was just scared. She just told me she was scared.

1 I said I got the feeling. That's only me. I got the
2 feeling; she never said.

3 Q. You had a feeling that that was due to something she was
4 concerned about?

5 A. I had the feeling and that's only my feelings.

6 Q. And I think the concern was that there might have been
7 some form of interference?

8 A. I thought it could be that, but that's only what
9 I thought.

10 Q. Did you ever raise it with her?

11 A. I did once try and ask her, but she wouldn't answer me.

12 Q. Do you know why that was? Why she reacted in that way?

13 A. I don't know. She would be the one that would come out
14 with things. She never, ever just sat down and said,
15 "I'm going to tell you a story", it wasn't like that.
16 It was in relation to things that happened throughout
17 life and maybe her own children growing up and being at
18 different ages and stages and she would comment on
19 something.

20 Q. By reference to what had happened in her childhood?

21 A. Or even to me. "You think you're hard done to, have
22 a look at this", you know. Some of that feelings that
23 I had were probably that -- I'm retired now, but some of
24 the feelings were probably from the work that I did and
25 I was just -- it was going on in my head. So I couldn't

1 in all fairness say anything happened there.

2 Q. What you can say, I think, is that you were told a bit
3 more detail about something else that happened when your
4 mother had a bout of gastroenteritis, and I think you
5 deal with that in paragraph 28 of your statement.

6 A. Absolutely.

7 Q. What happened then? What did your mother tell you about
8 that?

9 A. She said that when children wet their bed, they had to
10 wear the wet sheet and walk and let everyone know they'd
11 wet their bed, so it was another walk of shame.

12 But what she particularly remembers is standing
13 naked at a sink, which was outside, and it was freezing
14 cold and she was trying to wash the diarrhoea off her
15 own sheets because she had gastroenteritis. She didn't
16 normally do that, so she must have been ill. And they
17 wrapped the sheets round their heads and their mouth and
18 took them down the stairs and made them stand naked --
19 oh, that's when she had icicles in her nose. That's
20 when she said she was freezing. That was that time.

21 I get mixed up sometimes. Yes, very definitely.

22 Q. So she told you about that particular occasion?

23 A. Absolutely, every word of that.

24 Q. And the term you use about how she was taken from
25 presumably her bedroom or dormitory to the outhouse was

1 that she was dragged?

2 A. Pulled.

3 Q. I think the term you use in the statement is dragged.

4 I'm trying to get the words she might have used.

5 A. She said dragged.

6 Q. I'm happy to -- I want to clarify whether that word was

7 used by her.

8 A. Yes.

9 Q. You said there, and just so I'm clear, leaving aside
10 this particular episode that she told you about, did you
11 say and did I understand you right, that more generally
12 about bed-wetting, what did she tell you about that,
13 people who wet the bed?

14 A. Their beds were checked every -- and I think that might
15 have been the fear about people coming into the room at
16 night because I remember her saying the toilets got
17 looked at night, but then -- the children got woken up
18 and taken to the toilet at around 8 o'clock and then the
19 toilets got locked. So she was frightened she would wet
20 her bed. She must have wet her bed quite a lot.

21 Q. What precisely did she tell you about people who did wet
22 the bed?

23 A. They got the sheets put over their heads and they were
24 shamed in front of everyone else.

25 Q. If I can go on to page 0859 again to pick up another

1 matter that you deal with in your statement. At
2 paragraph 30, you deal with the matter of food and what
3 you learned from your mother about the situation with
4 food. You start by saying:

5 "The food was awful."

6 Was that your mother's description?

7 A. Yes.

8 Q. And she said she was always hungry.

9 A. Yes.

10 Q. Did she elaborate on what she meant by awful in terms of
11 the food?

12 A. She didn't. She just said it was awful.

13 Q. Did you ever learn why she was hungry or constantly
14 hungry? Did that ever become apparent?

15 A. It could be because she thought the food was awful.

16 Q. Well, did she say that?

17 A. She said the food was awful and she said that she was
18 always hungry.

19 Q. So you'd be inferring that if it was awful, she didn't
20 want to eat it and she went hungry?

21 A. It might have been that.

22 Q. What you do say in the context of food -- and this is
23 more to do with punishment than food -- is one of the
24 things that was done as a punishment was to put loads of
25 salt in the children's porridge. You go on to say the

1 children were hungry so they would eat it and then they
2 would vomit. Is that something that she spoke to you
3 about?

4 A. Yes. I think that was with reference to -- I wanted
5 sugar in porridge and she told me that salt was better
6 in porridge, but then that's what I mean by her coming
7 up with things throughout, you know, and she said, oh,
8 they used to put loads of salt in the porridge in the
9 orphanage if people had been bad and that would make
10 them sick. So she did tell me that, yes.

11 Q. This is how these revelations might come out, that you'd
12 be doing something and it would trigger her to say
13 something about her own experience as a child?

14 A. Yes, that was the way it was with my mother, yes.

15 Q. In paragraph 31 you mention something different and you
16 say there:

17 "My mum saw girls being dragged down the stairs by
18 their ankles for having marks on their underwear."

19 Is that something she told you about?

20 A. Yes, she told me their underwear was inspected. Again
21 I think it was for soiling -- or wet, being wet.

22 Q. What would happen if underwear was soiled or wet?

23 A. Again, it was shaming and being made to wash them.

24 Q. You say there in your statement that they would get
25 punished:

1 "If there were marks on their underwear, they would
2 pull them down the stairs by the ankles so their heads
3 and backs would hit off the stairs all the way down."

4 Is that again something that you learned?

5 A. She said she saw that.

6 Q. She saw that?

7 A. It didn't happen to her; she said she saw that.

8 Q. So that's something she witnessed?

9 A. Yes.

10 Q. If I could move on to page 0860, if I may. I want to
11 ask you about -- there's a part of your statement that
12 deals with the topic of contact with siblings. In other
13 words, we know already that your mother had
14 a half-brother who was also in Quarriers at the same
15 time. You say at paragraph 36:

16 "My mum and her half brother were in Quarriers but
17 they never saw each other there."

18 And I think you tell us that, in fact, her
19 half-brother was put in a different house, and I think
20 we probably know that at that time that was not an
21 uncommon practice for boys and girls to be in separate
22 accommodation.

23 But you do say they never saw each other. Was that
24 something your mother disclosed to you, that there was
25 no contact?

1 A. Yes. She never saw him again. That's what she said.
2 My sister-in-law said that she asked to see [REDACTED], she
3 told her she'd asked to see [REDACTED]. My mother asked to
4 see [REDACTED].

5 Q. So your mother asked to see him? And did --

6 A. No, she wasn't allowed to.

7 Q. Did you ever -- were you ever given any indication why
8 she was not allowed to see him?

9 A. No.

10 Q. But the fact was she asked and was denied?

11 A. Yes.

12 Q. On a different matter but related to this matter of
13 contact, you also deal with the issue of contact with
14 other family members. If I can take you to page 0861.
15 You there say that your mother was very rarely allowed
16 to see her own mother and her auntie. Just to pick up
17 on that, because I think what you have seen, I think,
18 when you obtained records, I think you've seen various
19 pieces of correspondence; is that correct?

20 A. Yes.

21 Q. Which came from family members such as your mother and
22 indeed her sister -- sorry, your mother's mother and her
23 sister making requests to see Irene. Is that right,
24 you've seen some correspondence on that matter?

25 A. Yes.

1 Q. I think you deal with that in your statement in
2 paragraphs 38 and beyond; is that correct?

3 A. Yes.

4 Q. You've seen various letters?

5 A. Yes.

6 Q. I think the gist of what -- we'll maybe look at these in
7 a moment. The gist of what you're saying there is
8 you have seen a number of letters which satisfy you that
9 efforts were being made by Irene's mother and her aunt
10 to try and see --

11 A. More her aunt.

12 Q. But at least there were efforts on behalf of a family
13 member?

14 A. Yes.

15 Q. And for one reason or another they were being told that
16 proposed dates for visiting were unsuitable. That was
17 the general response?

18 A. Yes.

19 Q. You give examples of the types of reasons that were
20 advanced and I'll come back to that when I look at maybe
21 a couple of documents with you.

22 If I take you to paragraph 41 at the foot of that
23 page, I think that's a conclusion you're drawing from
24 the correspondence you've seen -- is it very much
25 that -- you say:

1 "[You] can see from the letters [you say] that
2 Quarriers didn't want to encourage any relationship
3 between my mum, her mother and her aunt."

4 That's the conclusion you drew --

5 A. Yes.

6 Q. -- from the ways in which these requests were responded
7 to?

8 A. Yes.

9 Q. Maybe at this point then, just on that subject, we could
10 look at a few documents that have been obtained from
11 Quarriers. Can I start with QAR .001.007.7467.

12 What we see there is a letter to the superintendent
13 from -- I think in this case it's your mother's aunt --

14 A. Yes.

15 Q. -- on 15 July 1941. We see in the first paragraph --
16 and this deals with a point, I think, that her Ladyship
17 raised this morning. The first paragraph:

18 "Please find enclosed official receipt for
19 contribution towards the maintenance of ..."

20 And this is the children. So we see that the family
21 were paying --

22 A. Yes.

23 Q. -- for the children to be cared for, at least paying
24 a contribution. But it's the second paragraph that
25 I perhaps I could just refer you to. It appears there

1 that the background to this letter is a request by your
2 mother's aunt to have your mother with her for
3 a holiday. I think that's clear from the context of the
4 reply. Then we get the response:

5 "But I regret this is not possible as it is contrary
6 to our rules here."

7 So that's the statement by the superintendent of the
8 day --

9 A. Yes.

10 Q. -- in 1941? He goes on to write:

11 "We never permit our children to remain away
12 overnight. I am sure you will appreciate the fact that
13 where there are so many children we cannot let one have
14 a privilege that cannot be given to others."

15 A. Yes.

16 Q. Can I direct you to another document --

17 LADY SMITH: Just before we leave that, your mother was born
18 in 1923?

19 A. Yes.

20 LADY SMITH: So by 1941, she was 17 or 18?

21 A. Yes. That just occurred to me in a letter that I hadn't
22 seen previously that came up on the screen when it said
23 that they would have been there until they were 16 and
24 it suddenly occurred to me that when my aunt was going
25 to take her for a holiday, she would have been nearly

1 18.

2 MR PEOPLES: In fact perhaps I can do better than that
3 without revealing any specific information. I think she
4 would have been -- she would just ...

5 LADY SMITH: She would have been 18.

6 MR PEOPLES: She had just turned 18 and she was -- your aunt
7 was seeking to have her to her home for a holiday or to
8 take her on a holiday.

9 A. Yes, so that seems strange to me after seeing the letter
10 that I didn't see before, which -- because I always
11 wondered was there some sort of -- you know, when she
12 was admitted did they know what they were doing? It
13 seems they did.

14 Q. I suppose the point might be made, though, leaving aside
15 the age of Irene at the time of the letter, presumably
16 if Irene had been 10 at that time, the reply would have
17 been the same, that the rules don't permit this type of
18 visit or outing.

19 A. Mm-hm.

20 Q. Because it doesn't appear to be specific to Irene, does
21 it? It's a statement of the rules.

22 A. It's a policy of the rules at that time, yes.

23 Q. Because it's couched in those terms.

24 A. Yes. I'm just a bit confused now about the ages, but
25 yeah, that must have been the policy, but I'm surprised

1 that my aunt would have asked if she knew the policy.

2 Maybe she didn't know it.

3 LADY SMITH: I think you discovered, and we know from the
4 dates, that your mother in fact remained at Quarriers
5 beyond the age of 16.

6 A. Yes.

7 LADY SMITH: And we know from earlier it was up to the age
8 of 16 that her mother had committed to her staying at
9 Quarriers. But by this stage, she was beyond the time
10 of that commitment made by her mother.

11 A. Ah, she was granted a privilege to go -- to stay on at
12 school, yes. There's a letter about that somewhere.

13 MR PEOPLES: I think you're telling us, because I think you
14 mention this to some extent in your statement, that your
15 mother was quite successful at school and I think she
16 stayed on perhaps beyond the time a lot of the --

17 A. She was dux at Dunfermline Academy.

18 Q. And we know for a fact, I think from the records and
19 from your knowledge, that she stayed in Quarriers at
20 least until 1942 --

21 A. Yes.

22 Q. -- by which time she was over 18. I'm not going to take
23 you to the detail, but you have learned that for some of
24 that time she spent a period of -- it was maybe
25 described as training -- in a Quarriers unit called

1 Campbell Maltman, which was for babies.

2 A. Yes.

3 Q. So before she embarked in the wide world and other work
4 and adulthood, she had a spell working in
5 Campbell Maltman for Quarriers?

6 A. Yes.

7 Q. But eventually, I think she -- or during that spell she
8 decided that she wanted to leave Quarriers and do
9 something outwith Quarriers; is that the broad story?

10 A. I don't know about that. Again, the letter to my aunt
11 was that she was being released to my aunt, so that's
12 all I know.

13 Q. So the term "released" --

14 A. That's in one of the letters.

15 Q. Okay. Well, perhaps I can just turn to another letter,
16 just while we're looking at some of the material we do
17 have. QAR.001.007.7471.

18 It's a bit difficult to be clear about the exact
19 date, but it looks as if this was some time in the 1930s
20 and possibly not that long after your mother moved to
21 Quarriers. Be that as it may, can we just look at the
22 letter itself, which is addressed to your mother's
23 mother. It says from the superintendent:

24 "Dear madam. I am sorry Tuesday is too early for
25 visiting. I explained to you when the child came that

1 we might arrange for an occasional Tuesday. Saturday
2 next is visiting day and your friends might come then.
3 About the second week in December we might arrange for
4 you to visit but you must give us longer notice."

5 I think all indications are this was shortly after
6 Irene was put into care and her mother was looking to
7 visit on a Tuesday. Can you explain why the Tuesday
8 might have been a suitable day for her mother?

9 A. That was the only day she had off work.

10 Q. She was working and that was her only day off?

11 A. Yes.

12 Q. This was the response that she was getting shortly after
13 she had placed her child in the care of Quarriers?

14 A. Yes.

15 Q. Okay. Then if we look at another document, it's
16 QAR.001.007.7472.

17 Again, the date's not very clear but I think,
18 regardless of its exact date, this is again another
19 letter that the superintendent of the day is writing to
20 your mother on the issue of visiting. It reads:

21 "Dear madam. In reply to your letter of 18th
22 instant I am sorry we cannot give permission for you to
23 visit the children on Monday. We allow no visiting on
24 a Glasgow holiday."

25 I suppose it might be said that that was a good day

1 for people to visit if it's a holiday because they might
2 have time off work.

3 A. Yes. I see, uh-huh.

4 Q. But it appears that looks as if it's a bit of a policy
5 again, is it?

6 "We allow no visiting on a Glasgow holiday."

7 A. I don't know.

8 Q. That's how it reads.

9 A. That's how it looks, mm-hm. Because sometimes she would
10 send -- her mother's mother would send somebody else
11 instead of herself to visit, like a friend.

12 Q. A family friend?

13 A. Yes.

14 Q. Just on the same theme, I can maybe put another letter
15 before you. QAR.001.007.7473. This is another reply
16 to, on this occasion, your mother's mother on
17 5 December, some time in the 1930s. The superintendent
18 is writing on this occasion:

19 "We have your letter of 3rd instant regarding
20 visiting. As Mrs [and I think this is a family friend
21 that's being referred to here] was here on Saturday, we
22 do not think there is any need for a special visiting
23 day to be arranged this side of New Year. Tuesday and
24 Wednesday 2 and 3 January are visiting days and I trust
25 you will find it convenient to come on either of these

1 days. We cannot allow anyone else to visit on any day
2 but the ordinary visiting day. Yours faithfully ..."

3 And it is signed by the superintendent.

4 I think we get an insight into how the policy on
5 visiting was being operated and applied in these
6 exchanges; is that correct?

7 A. Yes.

8 Q. Can I move on just briefly to another matter which is
9 maybe still a bit of a mystery, which is -- if I could
10 turn to your statement again at WIT.001.001.0862.

11 In paragraph 42 of your statement, you make
12 reference to a letter in the Quarriers records which you
13 received -- to a letter from a man to Quarriers. You
14 know, I think, from information either in the letter or
15 otherwise that that man was your mother's grandfather.

16 A. Mm-hm.

17 Q. He wrote a letter to Quarriers during the time your
18 mother was staying at Quarrier's Village. Can we just
19 maybe look at that letter briefly. It's at
20 QAR.001.007.7484.

21 It's a letter, handwritten letter, dated
22 29 January 1942. So it's quite late in your mother's
23 period of stay at Quarriers.

24 LADY SMITH: So by that time, she will be 18, she would have
25 been -- 18/19. Some time in that year she would have

1 become 19. Being January it might have been she was
2 still only 18.

3 MR PEOPLES: I think she was probably only 18 from the
4 information that we have. This is a letter from Irene's
5 grandfather to Hector Munro, the superintendent. I'll
6 try and read it. It's not always easy to make out:

7 "I beg to acknowledge receipt of your letter of 27th
8 instant with my letter and ..."

9 LADY SMITH: It might be "my letter and a postal order
10 enclosed".

11 MR PEOPLES: I think I had better start with another letter
12 because I think I jumped the gun here. If I can ask you
13 to look at another document before I turn to this.
14 Maybe it would be convenient to do that -- I see the
15 time is 1 o'clock. I don't think I'm going to finish
16 entirely.

17 LADY SMITH: We could break now for lunch and you can check
18 the order of these letters, Mr Peoples.

19 Ann, we stop now for the lunch break and we'll sit
20 again at about 2 o'clock, provided you're ready by then.

21 (1.00 pm)

22 (The lunch adjournment)

23 (2.00 pm)

24 LADY SMITH: Good afternoon. Are you ready to carry on
25 answering questions? Thank you, Ann.

1 Mr Peoples, when you're ready.

2 MR PEOPLES: Good afternoon.

3 Before lunch, we were going to look at some
4 correspondence that was in the file that we've been
5 looking at. Can I ask you to have a look at
6 QAR.001.007.7483.

7 There we see a letter written on 27 January 1942 --
8 I think that was the year that Irene left Quarriers.
9 It's written by the superintendent to Irene's
10 grandfather. I think that's what we understand.

11 A. Mm-hm.

12 Q. The letter indicates, firstly, that the superintendent's
13 returning -- he says:

14 "I return to you your letter and postal order sent
15 to [Irene]."

16 I think that's who a letter and postal order was
17 sent to.

18 Then there follows:

19 "Such remarks as you make in ..."

20 It looks like "that letter", it's difficult to tell.
21 It looks like it's a copy. I think in those days it was
22 a carbon copy or something, but I think it was "that
23 letter":

24 "... in [that letter] are totally uncalled for [do
25 you see?] and are very much resented by those here who

1 have tried to do so much for your granddaughter."

2 And then he goes on to say:

3 "As you know [and this is a reference to Irene and
4 her stepbrother] have been with us for eight years and
5 Irene has had the privilege of attending high school in
6 Paisley ..."

7 I think it's Paisley she attended, not Dunfermline.

8 It makes more sense.

9 A. I think so, I get mixed up.

10 Q. Don't worry -- these things happen:

11 "... a privilege only given to a very few."

12 So we learn she did go to an outside school.

13 A. Yes.

14 Q. The letter ends:

15 "Unless you can write in a different tone, we cannot
16 allow you to communicate with [Irene]."

17 So that's the letter from the superintendent.

18 That's a letter, I think you may have seen, is it?

19 A. Yes.

20 Q. Then if we look at the response to that letter by

21 Irene's grandfather, QAR .001.007.7484. That's

22 a handwritten letter to Mr Hector Munro, who was the

23 then superintendent of Quarriers Homes, and the letter

24 is dated 29 January 1942. It's a response to the letter

25 we've just looked at, and trying to read the relevant

1 parts:

2 "I beg to acknowledge receipt of your letter of 27th
3 with my letter and postal order enclosed that I sent to
4 Irene whom I understand is under your supervision.
5 Given ..."

6 (Pause)

7 LADY SMITH: I think it's "you state".

8 MR PEOPLES: "Given you state that certain remarks in my
9 letter are uncalled for and that I should write in
10 a different manner."

11 And something along the lines of:

12 "Otherwise I cannot be allowed to communicate with
13 [Irene]."

14 And then I think this is the response to that
15 communication:

16 "In the first place I would like you to state the
17 remarks you take offence at contained in my letter.
18 Secondly, I made no statement whatever in regards to her
19 life in Clydebanks [I think that's obviously before she
20 went into care] due to the fact that I knew nothing
21 about her until I heard from her a few days prior to
22 writing her or even to challenge what had been done for
23 her. And you talk as if I knew that she had been with
24 you for eight years and had the privilege of attending
25 Paisley High School, a privilege only given to a few."

1 So he's narrating, I think, what was written:

2 "Let me add that if your education finishes
3 accordingly then you have my sympathy or even consider
4 such sufficient."

5 I'm not entirely sure quite what point -- I'll maybe
6 go on because at least we get the flavour of how he is
7 responding:

8 "Thirdly, I really believe the law of our country
9 says that a boy or girl of 17 years are quite capable of
10 knowing right from wrong, or at least should be able to
11 judge for themselves at such age, and if it be a crime
12 for me to advise her against the forces [I think] then
13 I should be condemned."

14 This is wartime, so it may be there's some
15 suggestion that she wants to do something in connection
16 with the forces:

17 "On the other hand, you seem to think that unless
18 a person thinks in terms other than you, that you shall
19 say whether I shall write Irene according to your
20 dictation. Let me say frankly that there were no
21 statements in the letter that I need be ashamed of and
22 that my name isn't [he says what it's not] and you can
23 rest assured that unless I hear from you within a few
24 days' time with a retraction and apology, allowing any
25 letter I may write Irene to be delivered to her, I shall

1 be forced to take legal proceedings accordingly, for
2 I fear you have exceeded your duty by far."

3 And then he signs off.

4 So clearly, he's unhappy about the response and
5 unhappy that perhaps -- about the degree of control and
6 authority that the superintendent appears to be
7 exercising over --

8 A. It would seem that way.

9 Q. -- over Irene --

10 A. Yes.

11 Q. -- and any correspondence that was sent to her.

12 A. Yes.

13 Q. I suppose I was going to make the point that we don't
14 have the original letter, but I think it's clear that
15 what the superintendent did was to send the original
16 letter back.

17 A. My mother said she had no knowledge of that letter.

18 Q. I was going to come to that, yes. So she didn't know
19 about any of this?

20 A. No.

21 Q. And she was, at that stage, over 18?

22 A. Mm-hm.

23 Q. And yet there was some attempt perhaps to prevent her
24 getting communications addressed to her.

25 A. Yes.

1 Q. That appears to be the situation.

2 A. Yes. That would appear that way.

3 Q. And that her grandfather is to some extent taking the
4 matter up and is threatening legal action --

5 A. It looks like that, yes.

6 Q. -- if he doesn't get an apology and some kind of
7 confirmation she will receive letters. That seems to be
8 the gist of it.

9 A. Yes, that's the way I read it. I think it says there
10 "joining the forces".

11 Q. Yes. Because I think we -- this morning I think you
12 agreed that there was a period when she was working for
13 Quarriers at Campbell Maltman.

14 A. Yes.

15 Q. But then she did leave.

16 A. She was released to her aunt from the baby home.

17 Q. And indeed, if I could maybe finish that chapter, if we
18 go to your statement again at page 0862, that's
19 WIT.001.001.0862, if we can pick up this matter again,
20 if we look at paragraph 44, I think you state there what
21 you've just said, that your mum wasn't aware of any of
22 this correspondence at the time and only found out when
23 you obtained her records.

24 A. Yes.

25 Q. Can you just describe her reaction when she found out

1 about these letters that we've looked at this morning
2 and this afternoon?

3 A. She was very distressed. My sister was angry with me
4 because she thought I'd upset my mum by digging all this
5 up. I actually thought I was giving mum a gift. But
6 apparently, she was probably angry -- well, she was
7 angry and distressed because she said that she had
8 thought no one had ever cared about her and here was
9 evidence that somebody had cared about her. I don't
10 understand when it says that he said she contacted him,
11 I can't see that because she didn't know of his
12 existence. So I don't know if that's true that he wrote
13 that in the letter, but I don't think she could have
14 because she told me she didn't know who he was, so I'm
15 really confused.

16 Q. I suppose what we do have here is that it sounds like
17 Irene's grandfather was saying that he hadn't had any
18 real contact with Irene for the period she was in care
19 and he didn't know the matters about how she was getting
20 on in care --

21 A. No.

22 Q. -- and he was taking exception to the way the
23 superintendent had replied to his letter.

24 A. I can see that, but I -- she didn't know.

25 Q. There is another point, perhaps, that emerges from this

1 correspondence: the letter that was returned with the
2 postal order was for Irene, not for the superintendent.

3 A. Yes.

4 Q. But the only way he could have worked out what was
5 in the letter was by seeing it.

6 A. Absolutely. Mm-hm. Yes.

7 Q. Do you say that Irene wasn't aware that a letter had
8 been sent to her?

9 A. She wasn't -- didn't even know who this man was.

10 Q. So would it follow that if that's what your mother told
11 you that the superintendent must have opened the letter,
12 read it, disliked the content, and replied
13 accordingly --

14 A. That's what it looks like to me.

15 Q. -- although Irene by this stage was a young woman who
16 was over 18?

17 A. Yes.

18 Q. Just to finish this matter off, I think you tell us --
19 and can we perhaps look at the next page of your
20 statement, 0863 at paragraph 46. I think we learn from
21 that paragraph that your mother joined the Auxiliary
22 Territorial Service, where she was a plane spotter
23 during the war; is that right?

24 A. Yes.

25 Q. If I could move on in your statement, you deal with the

1 impact of your mother's experiences as a child,
2 including in Quarriers, and I think you told us a bit
3 about that this morning. Maybe you could just summarise
4 what you consider she believed to be the impact of those
5 experiences.

6 A. On my mum?

7 Q. What she considered to be the impact of the experiences,
8 if you're able to help us from your discussions with
9 her.

10 A. She was sad. I think she fought constantly to feel good
11 about herself. That was my -- that's what I saw. She
12 didn't talk much about feelings. I don't think she
13 could. I really -- I don't have any recollection of her
14 saying, "This is how I felt". The most expression of
15 upset and anger was over that letter that I ever saw.

16 Q. I think at one point, I may be wrong, but I think you
17 maybe described her whole attitude to the situation as
18 stoic.

19 A. She was stoic, she felt she had to be stoic, but she
20 felt a tremendous amount of shame. The shame covered
21 her whole family. It was something that wasn't to be
22 told to anybody.

23 Q. Is that something she made clear to you?

24 A. Yes.

25 Q. That you weren't to mention --

1 A. Not to discuss it outside the family.

2 Q. That she'd been in Quarriers?

3 A. Yes.

4 Q. In your statement, you also deal with a related matter,
5 which is the impact on Irene's family of her upbringing
6 and experiences as a child. Can you just tell us about
7 that? What impact has it had as Irene's daughter and
8 a member of Irene's family, these experiences that your
9 mother disclosed to you and to other members of the
10 family? What impact has it had on the family as
11 a whole?

12 A. I felt shame. Other girls could talk about their
13 families and ... I always had to be careful. I felt --
14 I can't understand how I felt -- it was my fault. Maybe
15 it was just what a child thinks, because she didn't have
16 a good life then I had no right to have one then. So it
17 was -- feeling like I felt guilty for being happy
18 because she had such a bad life and I couldn't make it
19 better for her -- and I tried so hard because I wanted
20 her to be happy. I couldn't ...

21 Q. I think you maybe capture it very neatly in paragraph 64
22 on page 0867, if we could go there. I think you say:

23 "The legacy of the things that happen in care go
24 beyond the children who suffered the abuse."

25 A. The fact that we weren't even allowed to call --

1 I remember I got into serious trouble because I sent my
2 grandmother a grandmother's card when she was supposed
3 to be my aunt, and I suppose I had a bit of that in --
4 my mother had in me too, I just wanted to send her
5 a grandmother's card. It was very difficult to know
6 that she was my mother's mother but we weren't allowed
7 to call her that, so the shame was there as well.
8 I couldn't understand how she would be called an aunt
9 when she was actually my grandmother. I couldn't work
10 that out as a child.

11 She wasn't a very nice person, but I know that's not
12 part of the inquiry. She would tell me my father was no
13 good and she tried to destroy things. That's what she
14 did.

15 Q. Well, I think you make the point perhaps about that. If
16 I maybe ask you to look at paragraph 61 on page 0866.
17 In that paragraph, you start by saying:

18 "I don't entirely blame Quarriers."

19 But you say:

20 "[Your] mum was already damaged; the treatment she
21 got in there certainly didn't help though."

22 Just help us with that. What were you trying to
23 convey in that statement?

24 A. Well, because I didn't have that letter and I was
25 discussing it with my husband and I suddenly thought --

1 you know, when I wrote that, this is what I've been
2 thinking. How could a children of 10 deal with the
3 person that was in her house, a suicide, and her being
4 taken away, obviously by my aunt, to Clydebank to be put
5 out in care to people that my aunt obviously paid to
6 look after her. I thought how could a child of 10 --
7 and you know what made me think about it, I have a wee
8 grandson who's nine and a half and I look at him and
9 I think: that was the age my mother was when all this
10 happened.

11 She was looked after by her grandmother until she
12 was 5 and she speaks of that as being -- she loved her
13 and she looked after her. There's a picture of her with
14 my mum in her arms and after 5 she died and everything
15 went obviously haywire. But I can't blame everything
16 that my mum was as a result of Quarriers.

17 Q. But I suppose you're not absolving them from blame for
18 some of it?

19 A. No. To do that to an already damaged child is really
20 bad because, as far as I know -- yes, I do ... Another
21 member of the family said that they thought that
22 Quarriers was the place to be, it was almost revered, it
23 was a good place for children to go, and maybe they
24 thought that was a really good place for them to go, but
25 that's not a good way to treat children, if that's the

1 case.

2 Q. Can I just pick up a little bit in your statement about
3 the evidence you give about the records and the
4 significance of records. If I could ask you to turn to
5 paragraph 72 at WIT.001.001.0869. It's the passage
6 in that paragraph where you say:

7 "I think giving my mum the family tree and records
8 helped her with her identity; it gave her a past and
9 hope. She learned that people did actually care about
10 her and that they were kept away from her, as opposed to
11 it being a choice they made. That was important for her
12 to know that."

13 Did she convey that to you?

14 A. Yes.

15 Q. And that was really about a year before she died?

16 A. Yes.

17 Q. And she was into her 70s before she was able to learn
18 about that?

19 A. 71.

20 Q. On the matter of records, in the closing paragraphs of
21 your statement, one thing you do make a comment upon is
22 perhaps the importance of records, not just for the
23 purpose you've explained, but you think that they do
24 have a general importance.

25 A. Yes.

1 Q. Can I take you to WIT.001.001.0870. Paragraph 78, it's
2 the one that I was interested in asking about, where you
3 tell us that you have in your working life worked with
4 children and been involved in teaching people how to
5 work with children.

6 While you, to some extent, have a grumble about
7 paperwork, you obviously have a view about the
8 importance of records. Can you just tell us what you
9 feel on that matter, what your thoughts are on that
10 matter?

11 A. Yes. My thoughts were that sometimes a lot of time is
12 being taken up on paperwork that wasn't actually working
13 with the children and sometimes the policies were being
14 made but people weren't carrying them out, so the
15 policies didn't always have validity. And I was
16 determined that the policies would match -- the policies
17 would match the people that were working, that they
18 would actually carry out the policies that were made and
19 the reasons why they were made. And that was a gap.
20 There was a gap in there because I've been retired for
21 about 10 years now. So there was a gap in there that
22 sometimes nobody was checking that the work was actually
23 being carried out that was in the policy making.

24 Q. That was in the organisation you worked for, of course.

25 A. Yes.

1 Q. We're not talking about Quarriers specifically?

2 A. No, I worked for Highland Pre-School Services.

3 Q. You're making a general point about records and --

4 A. I realise how important it was that policies were and
5 are made and are continued to be made.

6 Q. But also implemented?

7 A. But the application of them, the implementation of them
8 and the checking of them, that they are being carried
9 out, is also very important.

10 Q. Yes. I think you make the point that one main purpose
11 is that it's a way of providing accountability.

12 A. Yes.

13 Q. And although you've said that sometimes you might have
14 wished to have spent more time caring than on paperwork,
15 you can see why it's necessary to have proper records?

16 A. Yes. In the earlier years, people just did what they
17 did and they knew what they were doing. They said --
18 but later on they had to prove why they knew they were
19 doing what they were doing, so it changed, and it became
20 more important that they knew the reasons why.

21 Q. And I suppose there's another point that I think you
22 make as well at a different paragraph, which is that if
23 people want to know as adults what happened to them,
24 then one obvious way is to have proper records that will
25 give them information on that.

1 A. Yes. Absolutely. I think I said there that the
2 paperwork -- I think the paperwork should have been
3 released with the children. It was -- that the
4 children, they had that, but that was years and years
5 ago.

6 Q. The point you're making is when someone ceases to being
7 a child and moves to being an adult they should be
8 allowed to take their papers and records?

9 A. They should be to access their own records. They
10 shouldn't have to think about it years later and say,
11 "I might want to know". It should be something that's
12 given to them as they leave care that they know.

13 Q. In case of your mother, that clearly didn't happen?

14 A. No.

15 MR PEOPLES: I think that's probably all the questions that
16 I have for you today. I would simply like to close by
17 thanking you for attending.

18 My Lady, no questions have been submitted to me for
19 this witness.

20 LADY SMITH: I'll just check. Are there any outstanding
21 applications for questions of this witness?

22 Ann, that's all the questions we have for you. It
23 just remains for me to thank you both for coming forward
24 to give your statement that's provided so much detail
25 from way back when your mother first went into Quarriers

1 in 1933 and of what you learnt from what she told you.
2 It's immensely helpful to our work here. So thank you
3 for that and I'm now able to let you go.

4 A. Thank you.

5 (The witness withdrew)

6 LADY SMITH: Yes, Mr Peoples.

7 MR PEOPLES: My Lady, can I say at this point the intention
8 is, as I indicated this morning, was to also have
9 statement read in during today. Unfortunately, the
10 individual whose statement was to be read in, he had
11 wished to be here and took steps to get here today, but
12 unfortunately due to various travel difficulties he has
13 not managed to do so today. So given that he was eager
14 to be here to hear his statement being read in public,
15 I think the best course of action would be simply not to
16 do the read-in today but to find a convenient point on
17 another day.

18 LADY SMITH: I think you're right, Mr Peoples.

19 Of course, we do that for some people who, for one
20 reason or another, are not going to give oral evidence.
21 If they indicate they would like to be present when
22 their evidence is read in, we do do our best to
23 accommodate that. I heard about travel difficulties
24 today from the west. Hopefully those won't persist and
25 we can make arrangements for him to come as soon as

1 possible because, plainly, he was all ready to hear it
2 today.

3 Thank you very much. So we adjourn today and then
4 we start tomorrow morning with oral evidence?

5 MR PEOPLES: Yes, I think the plan is to have more oral
6 evidence tomorrow.

7 LADY SMITH: Very well. We'll do that. Thank you.

8 (2.33 pm)

9 (The hearing adjourned until 10.00 am
10 on Wednesday, 24 October 2018)

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