

Wednesday, 13 July 2022

1

2 (10.00 am)

3 LADY SMITH: Good morning. Now, we turn to the next day of
4 evidence this week and there's a witness ready, I think,
5 to give evidence; is that right, Ms Innes?

6 MS INNES: Yes, that's right, my Lady. The next witness has
7 chosen the pseudonym 'Helen'. I think special measures
8 have been granted in respect of her evidence.

9 LADY SMITH: That's right. If I can just explain, special
10 measures mean that we're going to pull the curtains so
11 that this witness has privacy, but she will be heard.
12 So if we could get the curtains ready for her coming in,
13 please, that would be very helpful. (Pause).

14 Thank you.

15 'Helen' (affirmed)

16 LADY SMITH: 'Helen', you'll see that the screens are
17 closed. In a moment I'm going to ask for the screens
18 behind the one that's nearest you to be opened so that
19 I can still see what's happening in the hearing room and
20 people can see me, but when those screens are open, it
21 will remain that the only people that can see you are
22 me, the stenographers, our member of the witness support
23 team and the lawyers and technical people who are
24 sitting over to my left, and you will not be able to be
25 viewed by members of the public or any legal

1 representatives that are in the room.

2 A. (Witness nods).

3 LADY SMITH: I hope that makes sense to you.

4 A. Yes.

5 LADY SMITH: But also before I ask for the screens to be
6 opened, a couple of practicalities.

7 The red folder has your written statement in it that
8 you signed and you'll be taken to that shortly. We'll
9 also bring your statement up on the screen. You might
10 find it helpful to see that as we go through your
11 evidence. You don't have to use it, but if it helps,
12 it's there for you.

13 I see you have your own notes. That's absolutely
14 fine. And if it helps you to refer to those, please do
15 do so.

16 But 'Helen', other than that, thank you very much
17 for engaging with the Inquiry. Can I just say that
18 coming to give evidence here in public regarding the
19 highly sensitive matters we're dealing with here is
20 something that I know is not easy.

21 A. Okay.

22 LADY SMITH: So let me know if there is anything we can do
23 to help you give the best evidence that you can. If
24 that means you want a break at any time, whether out of
25 the room or just pausing where you are, that's fine, but

1 equally if there's anything else you want me to take
2 account of, do please speak up, would you?

3 A. Yes. Thank you.

4 LADY SMITH: Right. If you're ready, we'll now get the
5 curtains at the back opened, please. (Pause).

6 I'll hand over to Ms Innes and she'll take it from
7 there. Ms Innes.

8 MS INNES: Thank you, my Lady.

9 Questions from Ms Innes

10 MS INNES: Now, 'Helen', we understand that you were born in
11 1978; is that right?

12 A. Yes.

13 Q. First of all, if I can look at the statement that you've
14 given to the Inquiry, we give it the reference
15 WIT-1-000001007.

16 If we can go to the last page of that at page 37, at
17 paragraph 158 we see that it says there:

18 "I have no objection to my witness statement being
19 published as part of the evidence to the Inquiry.

20 I believe the facts stated in this witness statement are
21 true."

22 And I think you signed that statement on 1 June of
23 this year, 2022; is that correct?

24 A. Yes, that's correct.

25 Q. Thank you. If we can go back to the beginning of your

1 statement, I think in your statement you tell us that
2 you are a qualified social worker; is that right?
3 A. Yes.
4 Q. And you were also a foster carer for a period of time?
5 A. Yes, I was.
6 Q. You also tell us I think in your statement that as
7 a child you also experienced being in care?
8 A. Yes.
9 Q. Okay. Can I take you to your statement, and at the
10 beginning you tell us that you initially I think did
11 some qualifications in social care; is that right?
12 A. Yes.
13 Q. If we go to page 2 at paragraph 5, you tell us about
14 some of the courses that you have undertaken.
15 A. (Witness nods).
16 Q. I think initially in social care and then moving on to
17 your qualification in social work; is that right?
18 A. Yes.
19 Q. Am I right in saying that you qualified approximately
20 15 years ago as a social worker?
21 A. That's right.
22 Q. In paragraph 7 you tell us about the BA Honours in
23 social work and the type of course content, and you talk
24 at paragraph 7 about theoretical work and also some
25 assessed placements that you had to do during your

1 degree?

2 A. Yes.

3 Q. And then at paragraph 8 you say that when you qualified,
4 social work training involved working in two placements.
5 That's now changed to three.

6 A. Mm-hmm.

7 Q. And you talk about the placements are across a mixture
8 of voluntary and statutory settings, and you say:
9 "The majority of my placements were in statutory
10 settings with children."
11 Now, are you meaning there your placements when you
12 were at university as well as post qualification? Or
13 which placements are you talking about?

14 A. I was meaning as part of my social work degree.

15 Q. As part of your degree, okay. And what do you mean by
16 statutory settings?

17 A. I mean Local Government Children and Families social
18 work settings.

19 Q. Okay. If we go on over the next page, at paragraph 9
20 you talk about three placements. Was that during
21 university?

22 A. Yes.

23 Q. And you talk about one placement which was in fact in
24 an education setting.

25 A. It was.

1 Q. Which you say was quite different, the approach of
2 teachers is very different to a social worker's
3 perspective?

4 A. Yes. It was part of a new integrated plan at the time
5 where social workers would be set in school settings,
6 but it was still as part of the local Children and
7 Families social work team, but the people overseeing my
8 placement were essentially teachers, senior teachers,
9 guidance teachers.

10 Q. And you say that teachers' roles, views and vision is
11 very different from social workers?

12 A. Yes.

13 Q. Can you explain that a little bit more?

14 A. I think teachers, or the teachers who were around at
15 that time, felt that the boundary to education was at
16 the school gates, whereas, as a social worker, I would
17 see it as part of my everyday job to go into -- to
18 within the homes of the children to find out what their
19 family life was like and not just see the behaviour of
20 the children within the school setting as the presenting
21 issue. There was usually something else behind that,
22 and I think that there was a tension there of --
23 teachers are very confident that they know their
24 children well, but what I was seeing in the home was
25 something very different to how the children would

1 present on the surface at school. There was always more
2 to it. There was poverty, there was parental drug or
3 alcohol use, there was parental mental health issues,
4 poor housing, you know, overcrowding, younger children
5 who were taking priority and the older children had been
6 put to one side essentially by their parents.

7 So I found that tension very difficult and I think
8 the teachers who were overseeing my placement found my
9 energy, my youth, my exuberance and wish to help other
10 people probably slightly problematic.

11 Q. You go on later in your statement to talk about working
12 with other disciplines, so health, education, police,
13 for example.

14 A. Yes.

15 Q. Is that sort of tension, that might not be the right
16 word, is that sort of difference in approach between
17 education and social work still apparent?

18 A. No. I think that all changed with the introduction of
19 the GIRFEC model. I think at first professions stuck to
20 their own previous values, but very, very quickly,
21 working relationships were built up and I would say that
22 the multi-agency work that I'm involved with, with
23 police, health, education and social workers from
24 different Local Authorities, from different backgrounds,
25 for instance criminal justice or adult care, are now

1 very good at working together.

2 The process is so enshrined that it's seen as
3 an acceptable forum for people to put forward their own
4 views and to challenge each other without -- without
5 people taking that personally.

6 Q. Okay, thank you.

7 At the end of this paragraph, paragraph 9, you say
8 when you were at university:

9 "It felt like sink or swim. Social work is like
10 that."

11 Can you explain that, please?

12 A. The university that I went to was renowned amongst the
13 students there for trying to break down your
14 preconceptions about social work. Quite rightly so, in
15 part, but there were a lot of students on my course who
16 either failed, who didn't come back, who had mental
17 health issues, and I felt when I had had to take the
18 time off -- when my first placement had gone so badly
19 I appealed and I didn't get the appeal and I wondered
20 what to do with my time, I didn't necessarily want to
21 repeat a year, so I took a year out just to reconsider
22 my options, but that year was very much led by me. My
23 approach to the university to continue was very much led
24 by me. There wasn't the student support, I think, that
25 was required. It was very much: you've come to

1 university, you're going to learn how to do social work
2 our way. If that doesn't fit, then tough.

3 It's interesting you ask about my placements because
4 I was put forward -- although I had three placements,
5 all three of them were statutory, they were Local
6 Authority Children and Families placements and I think,
7 you know, other students might have ended up working in
8 the third sector for voluntary organisations, had found
9 their feet in different parts of social work, but
10 I think my placements were always found within local
11 government and I don't know if that was a help or
12 a hindrance.

13 I enjoy being in local government now, but at the
14 time I found that particularly overwhelming.

15 LADY SMITH: 'Helen', it's interesting to hear your view on
16 the university approach at the time you were there.

17 What years roughly were you at university?

18 A. I was there between 2004 and 2008.

19 LADY SMITH: Thank you.

20 MS INNES: You tell us at paragraph 10 about the year that
21 you took to review what to do. You say there that your
22 interest always came back to Children and Families
23 social work at that time.

24 A. (Witness nods).

25 Q. You then returned, I think, to university to the next

1 placements.

2 A. (Witness nods).

3 Q. Now, in terms of the placements and doing the course in
4 general, given that you had care experience, did that
5 present some challenges?

6 A. It certainly did. During the year that I had off, my
7 mental health was not great. I'd failed a placement.
8 I had no confidence that I would achieve, you know, my
9 degree at the end of my university. I had questions
10 about my past, about my identity, about my time in care,
11 and so to return to Children and Families was a really
12 really difficult decision. I had to weigh up whether or
13 not I was willing to continually expose myself to the
14 possibility of further vicarious trauma, of triggers for
15 my own issues. But I felt so strongly that I could help
16 the children who I was working with, I thought: no, I'm
17 going to do this. I'm going to be quite determined
18 about my work with children and families.

19 The placements that were offered were tricky because
20 I went to university in the Central Belt of Scotland.
21 I was in Local Authority care in the Central Belt of
22 Scotland. So some of the suggested placements were
23 actually services that I had used, so there was
24 a homeless unit that I had been in when I was 18 was
25 suggested, and of course I had to turn that down. There

1 was a youth service support -- youth support service
2 that was offered that I had accessed as well, so I had
3 to turn that down.

4 So I had to go further afield outwith the Central
5 Belt generally speaking to find further placements.

6 Q. You then go on to tell us about your first job as
7 a social worker at paragraph 12.

8 A. Yes.

9 Q. You say that your first job was in a team which was
10 mature and experienced and you say:

11 "I now know that is unusual in social work."

12 Can you explain that a little bit further?

13 A. I think there's quite a bit of turnover, particularly in
14 the last couple of years with Covid, with social
15 workers. And when I went to that team, it was again
16 a distance from where I'd grown up and I felt very
17 comfortable that nobody would identify my background,
18 you know, I could share what I liked, but was comforted
19 by a group of social workers in their 50s who had been
20 involved in the progression of social work over the
21 1980s and 1990s and were very invested in creative
22 social work and in family-based, community-based social
23 work. I really enjoyed that.

24 What I'm noticing, certainly when I moved around to
25 different Local Authorities, is the age of many of the

1 social workers. There are social workers who have
2 qualified at 21 and actually haven't necessarily
3 experienced the adversity or life issues that I might
4 have expected for somebody to go into social work.

5 We've also had the difficulty over the last two
6 years with Covid, is we see a lot of well-qualified,
7 well-experienced social workers saying, "I'm done, this
8 is not for me any more", and we also have in parallel to
9 that newly qualified social workers coming forward who
10 haven't had the full four years of training at
11 university, so have missed a year of in-house training,
12 you know, at university in class, but have also missed
13 the learning that that's required on a placement. So
14 they're coming as newly qualified social workers with
15 only two years' training instead of four years' training
16 to replace somebody who maybe has 15 or 20 years
17 experience and it's a real problem at the moment across
18 the sector.

19 Q. You go on in the next page to talk about -- in your
20 first year you say you had a practice teacher who
21 supported newly qualified social workers. Is that
22 a social worker within the team or --

23 A. That was a -- an assigned practice teacher within the
24 Local Authority. There was a practice teaching team in
25 my first Local Authority.

1 Q. Is that something that still happens?

2 A. Yes.

3 Q. So a newly qualified social worker would always need to
4 have a practice teacher?

5 A. Not necessarily a practice teacher, but possibly
6 somebody who had trained as a practice teacher as
7 a mentor, as a supervisor.

8 Q. I see.

9 A. They have various PRTL, post-registration training and
10 learning fulfilments which are required by the SSSC over
11 the course of their first year and it's really important
12 that we help them to fulfil that.

13 Q. So somebody would be overseeing that?

14 A. Yes.

15 Q. At paragraph 14 you tell us that you love the job that
16 you do.

17 A. I do.

18 Q. Can you tell us why?

19 A. I like the problem-solving aspect of it. I like that
20 there's a legal and political framework. There's local
21 governance and guidance and policy there to refer to,
22 national as well. But I like the freedom. Once you
23 have that framework in your head, there's a little bit
24 of freedom and creativity about how you actually deliver
25 that with families, about -- you know, the degree of

1 oversight or empowerment that's involved in a particular
2 family. I like the freedoms within the framework.

3 Q. I was going to ask you about that because at
4 paragraph 15 you talk about the statutory laws,
5 guidelines, national guidance, the things that you need
6 to know about. You need to know about significant case
7 reviews and other things.

8 A. (Witness nods).

9 Q. How do you manage to assimilate all of that regulation
10 and then put it into practice?

11 A. I think it's a real skill and it's something that gave
12 me confidence, as my career was progressing, because it
13 wasn't all about me and what I could deliver to
14 families. It's all about what the state can and should
15 be delivering, the nuances within that, the new learning
16 when there is a significant case review or a new piece
17 of legislation or policy, but also having professional
18 judgement to make decisions within that. I am going to
19 do this because I have considered all of these aspects
20 and this decision is accountable, is justifiable and
21 defensible, and it's doing the best for the children and
22 the families that we're working with.

23 So I love seeing a route through the chaos. I love
24 seeing the possibilities and being quite creative in how
25 we can make best use of the system to get the best

1 outcome for a family.

2 Q. In the next paragraph you talk about giving children
3 a voice and you say:

4 "That is not necessarily by sending out social
5 workers who are strangers to many children. Instead,
6 that is by finding people who are close to the child to
7 find out if the child is okay. If the child is not
8 okay, then we find out how we can help them."

9 Can you tell us a bit more about that, please?

10 A. Social workers generally are strangers to families,
11 unless they are allocated social workers, the child is
12 on an order or is in a foster care placement, has
13 a longstanding social worker. But many families also
14 will warn their children the dangers of social workers,
15 that social workers are only there to take them away and
16 not to speak to social workers.

17 So very often we'll make use of a universal contact.
18 So if it's zero to five pre-school, it would be the
19 health visitor. It would be, at primary school or
20 secondary school, either the depute head or the child
21 protection officer within the school or the school
22 health nurse.

23 So often children will have day-to-day contact with
24 a teacher who they see as supportive and I think that
25 connection is much more important than a stranger

1 tapping at the door and a parent telling a child not to
2 say anything to them. I think we can help children in
3 that situation, but I don't think we're often the first
4 point of contact for children who have worries.

5 Q. Okay. Then you tell us that after the first role that
6 you worked in, you were an agency social worker for
7 a while.

8 A. Mm-hmm.

9 Q. Over the page at paragraph 18 you tell us that this
10 meant that you worked in various Children and Family
11 teams in various Local Authority areas. You say:

12 "The teams did things according to the same laws and
13 statutory guidance as the authority where I had had my
14 first job but they did things very differently. It was
15 an eye-opener."

16 In terms of these differences, do you have any
17 observations as to why that was, whether they were
18 positive or negative differences?

19 A. I would say there were no differences between the child
20 protection procedures. I'm pretty confident about that.
21 If a child was at risk, the same processes were
22 followed.

23 What I did find a difference in was things like
24 referrals to the children's reporter. There's the
25 section 67 guidance about the basis of -- the grounds of

1 referrals to the children's reporter and those were
2 interpreted slightly differently for each Local
3 Authority.

4 The first Local Authority I worked with religiously
5 referred children if those grounds were met. Other
6 Local Authorities that I worked with were probably more
7 creative with when they referred children to the
8 children's reporter.

9 There's always a principle of minimal intervention
10 within the Children (Scotland) Act and I think that was
11 sometimes used to mask budgetary issues or resource
12 issues.

13 Q. Can you explain that a bit more?

14 A. It's tricky without speaking about particular Local
15 Authorities.

16 Q. Okay. So you say there's obviously the minimal
17 intervention principle, and are you saying that
18 sometimes -- so minimal intervention would mean let's
19 not intervene unless we have to?

20 A. Yes.

21 Q. But are you saying some would say, well, we don't
22 actually have the resources to intervene so we're not
23 going to intervene?

24 A. On occasions, yes.

25 Q. Okay. And those resources might be budgetary

1 constraints: we don't have the money to intervene?

2 A. Budgetary constraints and resources in terms of foster
3 care placements and the like.

4 Q. Okay. So you were an agency social worker for a while
5 and you say that you learned so much while you were
6 doing that. Is that from seeing the different
7 authorities and the way that they worked?

8 A. I think it is. I think whenever you have what might be
9 considered as a static framework, you know, there's the
10 legal guidance, the policies, all of that, and you're
11 seeing the different ways in which it's implemented, it
12 gives you a new perspective on: well, that works and
13 that doesn't work, I think that's questionable and
14 I think that's really positive. You know, there's
15 different -- it's that band of professional judgement
16 that changed according to the culture of various
17 different Local Authorities.

18 Q. When you say according to the culture of different Local
19 Authorities, what do you mean by that?

20 A. So, again, some Local Authorities were very, very
21 willing to put in all the resources that they had to
22 help a family. Other Local Authorities were
23 particularly cautious, again because they might not have
24 the budget or the resources available.

25 Q. And how is that culture set? Does it come from above,

1 as it were?

2 A. Generally speaking, yes, it would come from management.

3 Q. You then go on to talk about your current role. At
4 paragraph 20 you say:

5 "Theoretically it's 9 to 5, but it's flexible
6 depending on the needs of children and their families."

7 A. Yes.

8 Q. Can you explain that a bit more?

9 A. I think a Children and Families team operating from 9 to
10 5 is very much a business model. It's not when families
11 are generally in the most crisis. So evenings and
12 weekends tend to be the crisis points. Services aren't
13 often around at that time, so it would fall to the next
14 day before there's any intervention. There's very
15 rarely immediate intervention evenings and weekends.

16 If something came up during the day, for instance,
17 if a child had said at school that they were afraid to
18 go home and that the risk was deemed to be too high to
19 go home at the end of the school day, then, yeah, we
20 would stay, and at times that's been until 11 or 12 at
21 night.

22 Q. So in your experience, how are those out of hours times
23 generally covered?

24 A. The goodwill of staff. The goodwill of social workers.

25 Q. In addition to that, is there an emergency cover

1 overnight or at weekends?

2 A. There is, but they too vary from Local Authority to
3 Local Authority. Some have a skeleton cover, where they
4 will take referrals and take calls and log them for the
5 next day. Others have fairly intense schedules of home
6 visits that very large teams will do overnight and over
7 the course of weekends to make sure the children are
8 safe.

9 Q. You go on at paragraph 21 to talk about your approach
10 and something you have read that has influenced you.

11 You say:

12 "I once read that in Scotland only one in every ten
13 children who needs to be protected is ever known to
14 services."

15 A. Yes.

16 Q. How has that influenced your approach?

17 A. I think every referral that comes in we assume is
18 a child protection referral until it's ruled out. So
19 any hint after risk to a child is fully and quite
20 thoroughly followed up until we're confident that
21 they're safe.

22 Q. If we move on, please, to page 6 and paragraph 23,
23 you're talking there about child protection and the way
24 in which Local Authorities deal with the procedures and
25 policies and you say:

1 "It is a warm and professional working environment.
2 The people who know the children best undoubtedly make
3 the best contributions. It's not about people's
4 experience in dealing with the system but what they can
5 bring to the table in terms of their knowledge of the
6 particular child and their particular circumstances."

7 A. (Witness nods).

8 Q. So when you're talking about the "warm and professional
9 working environment", is that generally in social work
10 or are you speaking specifically about child protection,
11 multi-agency working?

12 A. I think generally in social work you build up links
13 pretty quickly with health visitors, with
14 schoolteachers, with wider agencies as well such as
15 Home-Start or Barnardo's, anybody who's helping the
16 family.

17 Local Authorities are very small areas in terms of
18 social work. You can build up a network pretty quickly.
19 And when somebody called you with a concern for a child,
20 there's a lot of detailed understanding of the child's
21 circumstances that's conveyed to social work and they're
22 always involved, then, if there's a child protection
23 investigation on the back of that, then all the people
24 who are involved with the child are involved with that.

25 Q. At paragraph 24 you say:

1 "I'm confident in my ability to do the job, but how
2 my job affects me and how I affect others is always
3 a grey area."

4 Can you explain what you mean by that?

5 A. I think I'm always aware of my care experience and my
6 experience with social work from when I was a child. It
7 is something that I've never quite worked through, and
8 it affects me differently at different times of my life.
9 But what I'm really confident about is dealing with
10 managing, helping families with children in my
11 professional life. It's something that I find a very
12 intense role, but I very rewarding role.

13 I have a good team of people around me who
14 I absolutely trust. I think that's crucial. And I feel
15 safe working within social work. It's more about, you
16 know, if something touches a raw nerve once I've gone
17 home, I think: my goodness, that's a little bit close to
18 the bone. Or if I haven't been able to achieve
19 something for a child that I think should be obvious to
20 everybody around, then that can be tricky, that can be
21 hard.

22 Q. Okay. You say:

23 "My experience is not the experience of other
24 people ..."

25 A. That's right.

1 Q. " ... I wouldn't assess circumstances based on my own
2 experiences."

3 A. No.

4 Q. So you wouldn't be bringing that up at work?

5 A. No. No.

6 Q. In the context of dealing with children or with
7 colleagues?

8 A. No, I think my experience is very private. There are
9 a few friends who are aware purely that I spend a period
10 of time in care, but no. I think if you continually
11 share the details of things then you never get to move
12 on. I made that decision when I was quite young.

13 Q. Okay. At paragraph 25 you say:

14 "There are statistics and calculations to work out
15 how many social workers are required in a team."

16 Do you mean generally or does that vary?

17 A. I think that's general, based on the number of referrals
18 that you receive. I've never been involved in that
19 process, but I understand that that's something that
20 happens at a higher management level.

21 Q. You go on from there to talk about the CPD that's
22 required and you mention at paragraph 26 the study
23 that's required in the first year post qualification.

24 A. (Witness nods).

25 Q. Over the page at the top of page 7, paragraph 27, you

1 say:

2 "There is a lot of professional training available
3 in Children and Families social work. There is a lot of
4 child protection training."

5 Is there a certain amount of CPD that you have to
6 complete each year?

7 A. Yes, there is, but I can't tell you off the top of my
8 head what that is.

9 Q. That's okay. You say that there is plenty material or
10 training available for you to be able to access
11 training.

12 A. Yes.

13 Q. Okay. If we move down to the next section where you're
14 talking about review of decisions, at paragraph 28 you
15 say:

16 "All of the decisions made by social workers are
17 reviewed by managers."

18 A. Yes.

19 Q. Can you explain how that works?

20 A. So there's a kind of dual process in that social workers
21 will have what's referred to as supervision with social
22 work, a one-to-one meeting with their managers to find
23 out both about their welfare and about the children who
24 are in their case loads, what risks are apparent and
25 what tasks are still outstanding. It's a good

1 opportunity both to regularly review what's going on in
2 a child's situation but also keep things moving so that
3 they don't become stale.

4 Q. Okay.

5 A. Also, when a case is recommended for closure by a social
6 worker, it is ratified by a manager who looks at all the
7 information, how the referral came in, what actions have
8 been taken, whether they're proportionate, whether or
9 not there's any risk still outstanding, and then
10 a closure is authorised.

11 Q. Would a manager have their own case load as well as
12 supervising social workers in the team or would they
13 tend just to have a role of supervising?

14 A. I think ideally it would be just a role of supervising,
15 but with staff absences and shortages, sometimes the
16 managers can have a limited case load -- limited
17 oversight of a particular number of children.

18 LADY SMITH: 'Helen', when you said in your statement "all
19 decisions made by social workers are reviewed by
20 managers", that's at paragraph 28, do you literally mean
21 all decisions?

22 A. No.

23 LADY SMITH: They must have the ability to make some
24 decisions without being reviewed.

25 A. Absolutely. Social workers have the ability to use

1 their profession discretion, but there are plenty phone
2 calls backwards and forwards, "Can I just run this past
3 you?", during the working day. I think any decisions
4 that are going to have a major impact on a child's life,
5 so anything about moving the child, about moving from
6 perhaps a child protection process to a looked-after
7 process, changes in status, changes in family
8 circumstances are always run past managers.

9 MS INNES: In terms of the supervision sessions, can you
10 maybe give us an insight into how that works? Does the
11 manager go and read the file themselves to update
12 themselves on what's been happening or do they just go
13 to a meeting with the social worker and have
14 a discussion?

15 A. There's a mixture of lots of things, because, as you'll
16 appreciate, not every child on a social worker's case
17 load has significant input. So there's a variety of
18 children who are looked after, children who are on
19 compulsory orders, children who may be on the child
20 protection register or being assessed for any one of
21 those, but also there are the lower tariff family
22 circumstances. There's the mums who just need help
23 because they're single parents and referrals to
24 Home-Start and things. There's the lower kind of
25 welfare needs input. I don't think a manager would

1 necessarily have the overview of those particular cases.
2 It's the higher tariff in the legal framework or child
3 protection or high risk cases would be overseen by
4 managers.

5 LADY SMITH: 'Helen', I can see entirely that some children
6 may require more social work input than others, although
7 they are on the books, if I can use that colloquialism.
8 How do you as a manager avoid overloading a particular
9 social worker? You may have two social workers with
10 exactly the same number of children on their books, but
11 one group of the same number of children may require
12 a lot more input than the other and you may not know
13 that when you first put a child with that particular
14 social worker. How do you deal with that as a manager?

15 A. I think it's always -- it's an oversight as a team as
16 well as from just a management perspective. So I will
17 always know how many reports a worker has to write, how
18 many child protection cases they have in their case
19 load.

20 LADY SMITH: Okay.

21 A. We'll also discuss as a team about, right, let's get
22 everything on the table here. Who has what, who needs
23 to deal with what, can we reallocate things, can we go
24 out on joint visits and then pass things over to
25 somebody else or -- there's always ways to manage.

1 I think one of the key things in social work is
2 managing people's stress levels, which generally are not
3 in relation to their workload. They're generally in
4 relation to the family circumstances that they're
5 seeing, and the difficulty in putting in place sometimes
6 idealistic interventions.

7 LADY SMITH: Thank you.

8 MS INNES: You say at the next paragraph that each Local
9 Authority follows roughly the same model, and you say
10 that there are locality social work teams accessible to
11 different communities.

12 A. Yes.

13 Q. Am I right in thinking those would be based in
14 a specific area, as the name suggests, local to the
15 community?

16 A. Generally speaking, although there can be a disparity
17 between the population densities that require more
18 social work intervention and the rural areas. In every
19 Local Authority I've worked in, rural areas have been
20 less well served.

21 Q. Why have they been less well served?

22 A. I mean geographically. It would be quite a distance
23 before they'd be able to access their local office.

24 Q. I see. You then move on to talk about complaints
25 against social workers and references for social

1 workers. I'm going to pass over those to the section on
2 page 8 where you have a section, "Working with foster
3 carers". You say there at paragraph 33:

4 "The team works with foster carers with whom
5 children have been placed in an emergency, respite or
6 long-term placement. We do not manage foster carers."

7 A. (Witness nods).

8 Q. So am I right in understanding from this that your team
9 is responsible for the children --

10 A. Yes.

11 Q. -- who might be placed in foster care, and then there
12 would be a separate Fostering and Adoption team?

13 A. Yes, and that has been my experience in every Local
14 Authority.

15 Q. Okay. And you talk about the different circumstances in
16 which placements might be required and you say at the
17 end of paragraph 33:

18 "There are a limited number of foster carers
19 available at any time."

20 And you then go on to speak about that a bit more at
21 paragraph 33. So when a placement is required, your
22 team would go to the Fostering and Adoption team and see
23 what resource they have?

24 A. Yes.

25 Q. And you say:

1 "Sometimes only one name is provided and that's
2 that."

3 A. Yes.

4 Q. "Sometimes your toes curl."

5 A. Yes.

6 Q. Why?

7 A. I think ideally any child would be matched with any
8 foster carer -- I mean, that's the basis of assessment
9 in family work with GIRFEC is that the particular
10 child's needs need to be met by a particular parent's
11 abilities and it's that balance that's really key, but
12 sometimes when, for instance, after 5 o'clock when the
13 Fostering and Adoption team have gone home and it's
14 emerging that we need a placement for a child, it's
15 really a case of whoever is available on the out of
16 hours list. And whoever is available is not always
17 assessed as being able to match a particular age group,
18 for instance. Not all foster carers are approved for
19 teenagers, and if you have a teenager but they're the
20 only foster carer available, then you have to go with
21 that. You have nowhere else to put them, nowhere else
22 to keep them.

23 Q. You say at paragraph 35 that ideally there should be
24 a process for matching with a person who's available,
25 who has been approved to accommodate a certain age

1 group. And, I suppose, more than that, that they match
2 with that specific child.

3 A. Yes.

4 Q. And can meet that child's needs. You say:

5 "That can cause a conflict between social worker's
6 values and expectations and the resources available."

7 A. Yes.

8 Q. Over the page on page 9, paragraph 36, you say:

9 "The team have on occasion highlighted a poor match
10 but those times are few and far between."

11 Why is it that those times are few and far between?

12 A. It's -- mismatches are highlighted. It's very often
13 that we don't have the power to do anything about them.
14 There have been -- the times that have been few and far
15 between are times where we will confidently challenge
16 the placement that has been offered.

17 Q. You say:

18 "Within Local Authorities there can be a hierarchy,
19 social workers can't just say they want a different
20 foster carer."

21 A. Yes.

22 Q. To what extent do you think the hierarchy affects
23 a social worker's ability to challenge a placement?

24 A. I think it affects how the challenge is made, not
25 necessarily that they have the ability to challenge. So

1 in Local Authorities it does have to go up the tiers and
2 then across the tiers and down, and that requires people
3 to not be on holiday or, you know, people who are
4 working in their absence to know a little bit about the
5 scenario. So it can delay things. Local Authorities
6 are inherently bureaucratic and there can be a delay.

7 Q. You say in this paragraph that:

8 "There is usually good will and diplomacy and
9 managers will listen to you and take your views into
10 account."

11 A. Yes.

12 Q. At paragraph 37 you talk about different types of foster
13 carers that there are and you say in the middle of this
14 paragraph:

15 "Some foster carers are nurturing and some have
16 a reputation for being distant and cold."

17 A. Yes.

18 Q. How does it come about that people who are distant and
19 cold are foster carers?

20 A. I can only speculate that because they are available and
21 they've been available long term for what can be
22 described as a placement. There are some foster carers
23 who will refuse to provide transport for a child to go
24 and see their family or to go to various meetings, so
25 the child has to be provided with a taxi, which is just

1 outrageous in my view. There are also foster carers who
2 will agree to take a child on for a particular period of
3 time and then say, "Well, I have to go on holiday now
4 and I won't be taking the child with me so you'll need
5 to find somewhere else for the child to go".

6 It's almost as if -- and I've referred to placement
7 and I realise that that language is quite outdated now
8 since the Promise, but it's almost as if the child
9 becomes just a placement within the foster care system
10 rather than getting the nurture, the therapeutic support
11 that they need, having been through something really
12 really difficult and traumatic, often having been
13 removed from their family against their will and been
14 provided with a resource that is described openly as
15 "cold" amongst social workers when we know we've got
16 that placement is really awful.

17 You can speak to managers and you can speak to the
18 Fostering and Adoption team about that, but actually
19 there's just a general acknowledgement that, yeah, we
20 know it's not good enough, but it's available.

21 Q. You say in the next section at paragraph 38, again about
22 challenging and that foster carers are reviewed and such
23 like, and you say at the end of this paragraph:

24 "I know that issues are discussed, but they might
25 not necessarily be resolved."

1 What do you mean by that?

2 A. I think that's it's my view that foster carer reviews
3 are in-house. They're held within the same Local
4 Authority with the same oversight within the Local
5 Authority. There's no independence there.

6 Q. What does that impact on?

7 A. I think it's accepted that there are some foster carers
8 who might be available for a child at short notice.
9 It's not ideal, but it's the best that we can do.

10 Q. Is there pressure again coming from the fact that there
11 aren't sufficient available resources and we need to
12 place a child, there are budgetary constraints,
13 et cetera?

14 A. Uh-huh.

15 Q. Does that have an influence?

16 A. I think various Local Authorities have in-house policies
17 that children should not be placed in residential care
18 unless it's absolutely necessary, and that no placements
19 outwith the Local Authority placements should be sought
20 because independent placements provided by the third
21 sector are notoriously expensive. It takes a child away
22 from their local community. They're actively
23 discouraged. The difficulty we have is when literally
24 there's nowhere for a child to go.

25 Q. Okay. At paragraph 39 you talk about the way in which

1 a child is moved into a foster placement and perhaps
2 maybe moved from one foster placement to another. You
3 talk about:

4 "With older children, personal belongings and
5 important things to the child go to the placement."

6 A. Yes.

7 Q. We've heard some evidence in the course of hearings that
8 in the past, certainly, the experience of some
9 applicants has been that their things have been put into
10 a black bag --

11 A. Yes.

12 Q. -- that they haven't had personal belongings, they
13 haven't had photographs, they haven't had memories. Has
14 that changed? How are memories preserved?

15 A. I've certainly heard of tales like that in the past and
16 I remember a drive in the middle of the 2000s to make
17 sure that every looked-after child had a suitcase,
18 a really basic thing, although that does suggest a move
19 at some point.

20 I think a lot of care is taken to move items of
21 importance, toys, blankets, and providing for the child
22 well into whatever it is that they're going so that they
23 can settle.

24 So having their own clothes. I still see children
25 wearing other children's clothes. Having the right size

1 nappies. Having the transport in place to go to school
2 the next day. That's really important. I would hope to
3 goodness that children aren't still moving around with
4 black bags, but that's certainly not my experience.

5 Q. We'll come to it in a moment, but just over the page you
6 do speak about situations where children have been
7 dropped off -- it's at paragraph 42:

8 "I have known situations in the past where children
9 have been dropped off at a foster placement and the
10 previous foster child's stuff has still been there."

11 A. (Witness nods). Again, that was at a previous Local
12 Authority, but the foster carer ran a notoriously dirty
13 home and wasn't attentive to the individual children's
14 needs. It was just another child, another child,
15 another child. And that was back in the day before
16 there were restrictions on multiple placements, for
17 instance, so you would have a home with half a dozen
18 unrelated children moving in and out of this home
19 without the care and attention that was needed, given
20 again that these are the most vulnerable children at the
21 most vulnerable time in their life and it filled social
22 workers with horror when they arrived and saw the
23 bedroom and there were still belongings from another
24 child in the wardrobe.

25 Q. If we just go back up to the top of this page, please,

1 where you talk about the removal of a child from the
2 family home, so at that point where the child is moving
3 away from the parent, and you say there:

4 "It is good to be able to reassure the parent that
5 the child will be well looked after and there will be
6 lots of contact facilitated by social work. It's
7 a horrible sense of responsibility if that doesn't
8 happen for some reason."

9 I wasn't sure whether you're referring to the issue
10 of ongoing contact with the parent or communication with
11 the parent.

12 A. Both. Both, in all aspects of that.

13 Removing a child is a really emotional experience
14 for everybody involved. Either you have an order in
15 your hand because a risk has been determined to be so
16 great, or it's after, you know, two or three hours of
17 intense negotiation with a parent to sign a section 25
18 agreement where you're providing the reassurance that
19 this will be as quick as possible, we'll get the support
20 that you need and then we'll get them returned to your
21 care. You'll have lots of family time with your child.

22 And the child goes to a placement that you --
23 a foster carer that you see is not going to be focused
24 on them, will not facilitate the contact that you're
25 looking for, and I think social workers often go above

1 and beyond trying to fulfil that role.

2 I've known social workers drive children to school
3 every day because they've been in a different respite
4 foster placement to now allow their foster carers to go
5 on holiday, and you know the education service won't
6 provide a taxi for them because it's not their usual
7 address and you just think oh my goodness, this is not
8 good enough, this is not coordinated, and my sense is it
9 generally falls to the goodwill of the social workers to
10 fill in the gaps to provide for the services, to take
11 kids out for trips, to -- I have difficulties with the
12 service that foster care provides, not just individual
13 foster carers but the framework, the way that they are
14 put forward by the state, by the local government as the
15 solution, when in actual fact very often they're
16 creating further issues for that child rather than
17 resolving them, rather than the healing, rather than the
18 stability that children need.

19 Q. Okay. How could that be achieved? If it's not being
20 achieved by putting a child into foster care? Are you
21 talking about additional support being given to foster
22 carers?

23 A. I just think that foster care needs to look differently.
24 I don't think it's meeting the children's needs.
25 I don't have the solutions, I don't have all the ideas,

1 but I see, for instance, a contrast between workers in
2 a residential care setting for children who have to have
3 an SVQ2 or 3, who have to have really up-to-date
4 training in child protection, and you're taking --
5 you're putting the same vulnerable children in a private
6 setting where foster carers don't necessarily have that
7 training or experience, they don't necessarily know what
8 risks or harms to look out for. You can see, I have
9 seen children being scapegoated over the years: they're
10 just bad, that's just their bad behaviour, when in
11 actual fact there's often more to it than that.
12 Children express things with their behaviour.

13 I don't think social workers have the time or the
14 resources to be that special trusted adult with
15 children. So if there's an issue with the foster
16 carers, then who does that child speak to? I think they
17 can become lost in that system somewhere.

18 Q. Okay.

19 At paragraph 41 you talk about the difficulties with
20 matching and where there's limited options available and
21 where social workers are placed in a difficult position
22 where they feel that a child has been placed somewhere
23 that's not good enough but it's the best that they can
24 do in the time available.

25 A. (Witness nods).

1 Q. At the bottom of this page at paragraph 43 you talk
2 there about the 28-day notice period. I think this
3 refers back to something that you talked about a moment
4 ago when we were talking about some foster carers being
5 cold and saying, "I'm going on holiday now, take the
6 child back", but here you're speaking about where
7 I think foster carers have the ability to give 28 days'
8 notice that they want a child to be removed from their
9 care?

10 A. I can think of a number of children over the years who
11 have been in a very similar scenario where they have
12 been technically formally criminally abandoned by their
13 parents, the parents have faced charges for that, and
14 they've been taken into foster care and possibly the
15 original foster carer, "Well, I can only manage
16 a weekend", so they'll go there first and then that
17 comes to an end. And then the next foster carer -- you
18 know, either there's a mismatch with the child, it
19 doesn't work out so then they say, "Well, I'm not taking
20 them back after school", and then they're in the third
21 placement and you think, "Hang on a second, you've been
22 in foster care for two months, a short period like that,
23 and you've had three different foster care experiences
24 on top of the abandonment that you've experienced by
25 your parents", and I think the message that we send out

1 to children is that they do not matter.

2 I also think it's interesting that parents will be
3 charged with abandonment if they abandon their child,
4 and yet it's perfectly acceptable within a state
5 setting, within a local government setting, for them to
6 say, "I'm just not having you any more".

7 Q. You also say here that:

8 "Foster carers sometimes do not understand the
9 child's needs and abandon them when the therapeutic
10 process hasn't even started."

11 A. Mm.

12 Q. So are you talking there about additional support for
13 the child?

14 A. Yeah. It's my view that foster care should be the
15 moment at which we have a child safe, and if they're not
16 going home for whatever reason, if that's a decision
17 that has been made, then we have that period of whenever
18 they come into foster care until they decide to leave to
19 work with them to try and resolve some of the trauma and
20 the hurt that they've experienced and try and turn round
21 some of their views.

22 Children who come into foster care are often bitter
23 and angry and -- because of their experiences, and we
24 have quite a limited period of time in terms of life
25 stage to turn that around, to get them thinking

1 positively again about the future. I don't always think
2 that that therapeutic view is shared among foster
3 carers. It feels like room and board a lot. It feels
4 like: well, I have a child, I have a bed, we can keep
5 them safe and warm and provide for their basic needs.
6 But there isn't necessarily that therapeutic involvement
7 that I would expect with such vulnerable children.

8 LADY SMITH: Are you also saying that there isn't
9 necessarily a commitment to that child?

10 A. I would say from foster carers, yes.

11 LADY SMITH: You've given me a number of examples that show
12 what can go badly wrong with foster care, what could be
13 potentially harmful to the children in foster care.

14 A. (Witness nods).

15 LADY SMITH: Would I be right to conclude that as a form of
16 care of vulnerable children, children in need of
17 protection, it might just be the one where there's the
18 highest risk of causing further harm to the children?

19 A. I see your view and I'm certainly speaking as
20 an individual rather than as a professional in fostering
21 and adoption, because I don't know the frameworks and
22 I don't know the system well enough, I only know what
23 I see. But actually, children in residential care,
24 while there's no attachment there particularly, they're
25 seen, they're monitored, there's a team of workers

1 involved with that child who can each use a bit of their
2 energy to maybe make some change.

3 In foster care, if you don't have the attachment --
4 and that's the crucial thing. If a foster carer links
5 in with a child and they feel the attachment, they feel
6 the nurture, that it's productive, then it's the most
7 valuable and wonderful experience ever, but I don't see
8 that very often. And actually what you have then is
9 a child who's in a setting that it'll do, but it's not
10 being overseen or monitored as closely as maybe other
11 settings.

12 Obviously there's kinship care and there's various
13 models of that. There's models where I've heard, and
14 I come to it later in the statement actually, about
15 lifelong links, which is instead of having a carer who
16 is a familial carer, who is a family member, it happens
17 to be somebody that the child has already engaged with,
18 has already got a nurturing relationship. So it could
19 be their pal's dad or it could be somebody in the street
20 that's always kept a wee look out for them. So it's
21 where there's that link and then you work backwards
22 again to say how could we make that work? What support
23 could we put in place? Because it's once you've got
24 a child's ... once they've got a vision of something
25 different, that you can actually work with that and

1 steer them on.

2 LADY SMITH: Thank you.

3 MS INNES: If we go over the page to page 11 and
4 paragraph 45, I think you talk there about what you
5 mentioned in your evidence earlier about refusing to
6 drive a child to contact.

7 A. Yes.

8 Q. The child needs to get a taxi. You say:

9 "From my own experience, little has changed in the
10 last 30 years."

11 What do you mean by that?

12 A. I think I reflect on that in terms of my own experience
13 of foster care, is that as a child, as a teenager, I was
14 desperate to form a link with somebody, to form
15 a relationship with somebody. I had a few good women as
16 I grew up, I had a teacher and I had -- you know,
17 a friend's mum who took me in once, who I had that
18 relationship with. And in foster care all the while
19 I was looking -- I had a consistent foster carer while
20 I was in care, but there was no investment there. There
21 was no investment by my social worker, and I felt that
22 it was just a counting down the days until I was 16,
23 until I was free to go and do my own thing.

24 And I genuinely felt that I did not matter, and that
25 wasn't a self-pity. That was a genuine belief that

1 I don't mean anything to any of these people. So why
2 should I mean anything to myself? And that had a huge
3 impact for years, for years afterwards.

4 I think foster carers have got a real opportunity to
5 turn a vulnerable child's life around, and we know the
6 outcomes for foster care children -- or children in care
7 in general are poor, they're not what you would want,
8 and for local government, for the state to be
9 responsible for that, I think is a failing.

10 Q. Okay. You say at paragraph 46 that many of the issues
11 that you've mentioned have been identified and explored
12 as part of the Independent Care Review.

13 A. Yes.

14 Q. And so I assume that you have looked at the outcome of
15 that and the Promise and how that might --

16 A. Yes. There's been lots of work on making sure that the
17 wider workforce are aware of the Promise, not just
18 social work but education and health and family support
19 workers and police. I'm fairly confident that everybody
20 is on board. There have been a few snags, a few
21 teachers or health visitors who are saying, "You must
22 take this child into care", when actually we can see
23 a different way if we put the supports in place in the
24 home for a short period of time, we can maintain a child
25 at home.

1 There are still times when a child will need to be
2 received into care because it's safer there, there's too
3 much of a degree of risk at home.

4 I'm interested to see how the Promise unfolds.
5 I was interested to see that it was 2020 when the
6 recommendations were made and we're in 2022 now and
7 they're just beginning to be implemented.

8 I also found it useful just looking over the past
9 history of foster care, there's been various foster care
10 reviews highlighting similar issues and it feels like
11 we're no further forward. It feels like there's a great
12 degree of motivation to change things, but the actual
13 reality is you have the same foster carers who have been
14 fostering for the same 20-year period who have the
15 culture and the behaviour and the views from 20 years
16 ago and how you challenge that I think is going to be
17 tricky.

18 Q. I think you mention in your statement that there's
19 always struggles with recruitment of foster carers?

20 A. Yes.

21 Q. And Local Authorities do try to recruit foster carers
22 but there's always a cohort of people who have been
23 there for a long time, and I suppose experience can work
24 positively and negatively.

25 A. Yes.

1 Q. So it might be good to be extremely experienced and have
2 dealt with many children, or people might be set in
3 their ways.

4 A. Set in their ways, yes.

5 LADY SMITH: 'Helen', you may be interested to know that
6 I have heard from quite a number of applicants who have
7 come to the Inquiry who have given evidence about some
8 deeply negative experiences of foster care, have
9 referred to their foster carers being old, and from the
10 description -- people typically as children are not very
11 good at identifying age, but from the descriptions
12 a number of them have given of the foster carers, it
13 sounds as though they're probably right about that.

14 A. Yes.

15 MS INNES: Now, 'Helen', I'm going to move on to the next
16 part of your statement in which you tell us about your
17 decision to become a foster carer.

18 Before I do that, is there anything that we've not
19 covered when talking about social work that you wanted
20 to highlight? I know you have your own notes.

21 A. I think it's just important to say that we're here
22 discussing the issues with foster care. There are some
23 marvellous foster carers there. There's some punching
24 the air moments when you realise that your kid is
25 getting matched with that foster carer and you know that

1 they'll do well. So I don't really want to set out
2 a scene that everything is negative. Just that for many
3 children it's not good enough.

4 Q. Okay. You tell us that you and your partner decided to
5 become foster carers. What motivated you to do that?

6 A. It was interesting because we've been together for
7 a very long time and made a conscious decision not to
8 have children of our own as part of our lifestyle
9 choice, but it was seeing lots of children who are just
10 wee toots, wee things, who were in the wrong place and
11 who weren't being helped. And I had from before I was
12 a social worker, working in residential care, it was a
13 unit for children with autism and there was a child
14 there who didn't have an autistic spectrum disorder, he
15 had attachment issues, but that was the only placement
16 that could be found by that particular Local Authority
17 and so he was completely mismatched with his
18 surroundings and I would cry on the way home. I would
19 pull over and just have a wee tear and go home again.

20 And then there were other children that I saw just
21 through the course of social work who were being dropped
22 off at the dirty houses, for instance, and I formed
23 a view really quite early on that I felt the state
24 should be doing more for these vulnerable children, and
25 after a number of conversations, you know, my partner's

1 really quite positive and motivated, and he kept saying,
2 "Well, surely we should be doing something", you know,
3 it gained more momentum after a couple of years and we
4 thought, "Yeah, I think we can do this".

5 We were aware of our own limitation, we didn't want
6 to take two or three children for the next 20 years,
7 that wasn't what we had hoped for with our life, so we
8 wanted to be respite and emergency carers. We wanted to
9 be that front face when a child first comes into foster
10 care, we could put them at ease, we could get them into
11 routines quite quickly, we could get them to see the
12 positive side of foster care, that we still linked in
13 with their families, that they would still get to do
14 things that they previously did. That was really quite
15 important to us.

16 Q. If we go on over the page to page 12 and paragraph 49,
17 you say that you decided to become foster carers in the
18 early 2000s and you were foster carers for several
19 years. So I think you would have been in your 20s,
20 early 30s by the time that you were a foster carer?

21 A. Yes, I was.

22 Q. You say that the application process took between nine
23 months and a year.

24 A. Yes.

25 Q. How did you find the application process?

1 A. I found it fairly in-depth. It took a longer period of
2 time because we moved house -- our house was too small
3 when we first applied, we knew that, and we would need
4 a bigger house, but we didn't want to move until it
5 looked like we were going to be approved as foster
6 carers, so that had extended the period.

7 It was fairly in-depth. There was lots of
8 discussion about adult attachment styles, for instance,
9 about my own experience having been in foster care and
10 what I would bring then to the -- being a foster carer.
11 It was a lengthy report at the end, but I felt it served
12 us well, I felt it did us justice.

13 Q. You talk at the bottom of this page about the assessment
14 process at paragraph 51, that there was a social worker
15 who took about eight sessions, two or three weeks apart.
16 Was that with you individually or with your partner
17 or both?

18 A. It was a mixture of both. Sometimes we would speak
19 together, but then individually as well.

20 Q. And then you say there were background checks at
21 paragraph 52, four references each.

22 A. Yeah.

23 Q. And you say that your partner's ex-wife was interviewed?

24 A. Yes.

25 Q. And how did you feel about that or how did your partner

1 feel about that?

2 A. I think we fully accepted it. We had absolutely nothing
3 to hide and they had -- it hadn't been an acrimonious
4 separation. They had got married very, very young,
5 they'd had no children, and we were quite happy for the
6 foster care team to speak to her about that. And I know
7 that that's commonplace. I have friends who have
8 fostered as well and their experience of interviewing
9 the ex-wife hasn't necessarily been as positive, but
10 yes, I had no concerns about that.

11 Q. At the top of page 13, the next page, you say:

12 "It wasn't just your allies who were interviewed but
13 anyone with any insight into your life."

14 So are you referring there to the ex-wife or --

15 A. Yes.

16 Q. -- were other people interviewed who you've not
17 suggested?

18 A. No, it was in relation to ex-partners.

19 Q. Okay. Then you talk at paragraph 53 about the risk
20 assessment done in our own home.

21 A. Yes.

22 Q. You then say:

23 "We didn't have to give any information about who
24 would be visiting our home."

25 A. No, not to our recollection.

1 Q. What are your reflections on that?

2 A. I think it was presumed that we would gate-keep our own
3 home and I suppose make sure that children were never
4 left unsupervised with any adults that they didn't know,
5 that we didn't know.

6 It does strike me as surprising now, given some of
7 the other instructions that we were provided with whilst
8 we had the foster children in our care.

9 Q. What sort of instructions do you mean?

10 A. I think I go on to say a wee bit later, you know, when
11 there was a couple of children who had -- and young
12 adults who had stayed out late, the automatic response
13 was to contact police because they were a foster child
14 and they could be at risk. There was any never middle
15 ground about were they at a party? One child was 17,
16 for instance, so should have been free to do what
17 17-year-olds sometimes will do, but the police had to be
18 involved with that and they had to be returned home.

19 Q. You're saying in contrast, you didn't have to tell the
20 Local Authority who was visiting your home?

21 A. No.

22 Q. Nobody needed to be checked out at the time that you
23 applied, certainly, to be a foster carer?

24 A. No.

25 Q. At the next section at the bottom of this page,

1 paragraph 55, you talk about the type of training that
2 you had to undertake.

3 A. (Witness nods).

4 Q. You talk at paragraph 55 about there being group
5 training --

6 A. Yes.

7 Q. -- facilitated by social workers in the Fostering and
8 Adoption team, between eight and 12 sessions, each
9 around two and a half hours long. Was this
10 pre-approval?

11 A. Yes.

12 Q. And group training with other prospective foster carers
13 there as well?

14 A. Yes.

15 Q. Did that form part of the assessment process?

16 A. It did. There was a mixture of abilities and
17 experiences. Some adults had been parents, some couples
18 hadn't been able to have children of their own but were
19 looking to foster, looking to contribute to another
20 child's life. There was a retired woman, I remember,
21 who was looking to provide lodgings for older children.
22 There was a range.

23 Q. I think you go on over the page to talk about some of
24 the issues that were raised. For example, at
25 paragraph 59, you say there:

1 "There was ongoing assessment in the group training
2 setting."

3 And then where something was said that was perhaps
4 thought to be inappropriate, people were challenged?

5 A. Yes. Yes, they were.

6 Q. Was that being challenged by the other carers in the
7 group or prospective carers?

8 A. It was being challenged by the people facilitating the
9 group.

10 Q. At paragraph 60 you say that there were also
11 presentations from foster carers and from children who
12 had experienced foster care.

13 A. Yes.

14 Q. If we go on to the bottom of this page, you talk about
15 approval as a foster career and you say then it went to
16 the fostering and adoption panel.

17 A. Yes.

18 Q. How did you feel about that process? What was that
19 process like to experience?

20 A. I think I had confidence that our assessing social
21 worker who was assessing us with foster care had
22 included us in the process to such an extent. We'd had
23 sight of her report, of her recommendations, of the age
24 range of children that were being recommended. We'd
25 been familiarised, I would suppose, with the nature of

1 the panel, with how it would be run, with when we would
2 attend, when we would sit outside and wait.

3 So we knew that we were being recommended at that
4 point, so it was a formality, it was a formality, but
5 both my partner and I are used to speaking to panels in
6 various ways. It went according to plan. It went as we
7 expected.

8 Q. You say that your approval was not for newborns
9 because --

10 A. That's right.

11 Q. -- you didn't have any experience of newborns.

12 A. (Witness nods).

13 Q. And over the page, at the top of page 15, you say that
14 you were asked questions at the first half of the
15 panel -- sorry, page 15.

16 A. Yes.

17 Q. At the top of the page. You were asked questions about
18 what you intended to provide for the foster children and
19 how you would do that, particularly because you didn't
20 have children.

21 A. Yes.

22 Q. You felt like it was a robust system?

23 A. We did.

24 Q. And your approval was for respite and emergency care for
25 children aged two years upwards.

1 A. Yes.

2 Q. From that approval, did you have a concept of how long
3 children might be with you? What did that mean?

4 A. Yes. The respite placements would generally be for
5 a holiday, so either regular respite at weekends,
6 repeated fortnightly, monthly weekends, or for periods
7 of maybe up to two weeks in holiday times.

8 Also emergency placements. We were very flexible.
9 We knew that we couldn't keep children longer term, or
10 that was certainly the plan, anyway, but we were fairly
11 flexible in what we could provide.

12 I work weekdays. My partner's at home during the
13 day, during the week, he works at weekends. So we knew
14 that between us, flexibly we would be able to manage.

15 Q. Then you say that the recommendation is made by the
16 panel, ratified by the Chief Social Work Officer.

17 A. Yes.

18 Q. And you knew that day that the recommendation was that
19 you were approved.

20 A. (Witness nods).

21 Q. So you were told the outcome of the panel the day that
22 it happened?

23 A. Yes. We were told verbally. It took some time for the
24 formal approval to come through in written form.

25 Q. Okay. Then you go on in the next paragraph,

1 paragraph 63, to talk about how things developed as you
2 started taking children into your care. You say that
3 you found very quickly that it was very intense for
4 children who were coming to stay with you.

5 A. Yes. I think -- we weren't naive, but we were possibly
6 a little bit idealistic. The first child who came to us
7 clearly had attachment issues with his mother and social
8 work were trying to broaden his horizons and give him
9 experience of other ways of living and other wee bits of
10 life, but actually all he wanted to be was home.
11 Whenever he came to us, he just wanted to be home. It
12 felt like it was too intense.

13 We lived rurally, so there was just the two of us
14 and this child, and I think the child found that very
15 intense. There were no other children to play with.
16 There was little free play time because it seemed to be
17 quite organised because of our own inexperience.

18 But we realised that pretty quickly. You know, it
19 was just a couple of days in that we thought, oh, we
20 hadn't considered that this might ever be an issue, but
21 it is an issue, so let's try and figure out a way to
22 resolve it.

23 Q. Then you say that as a result of this experience,
24 I think you asked specifically to be approved to have
25 mixed groups of children --

1 A. Yes.

2 Q. -- so to have unrelated children in the house.

3 A. Yes.

4 Q. How did that work in terms of approval?

5 A. I can't remember if it went back to panel or not,
6 I really can't recall, but it was approved. It was
7 approved by our supervising social worker. And because
8 most of the children that we took was on planned
9 residential respite, we were able to consider the needs
10 of each of the -- we had three children at most who were
11 unrelated, and both ourselves and the social workers of
12 the children and the families of the children were
13 involved in making sure that that was all okay with
14 them.

15 There was a particularly good match between three
16 children who used to come regularly, so that was much
17 more easy to manage.

18 The crisis placements, the emergency placements that
19 we had generally were of the same family. There was no
20 mixture between those circumstances. Or if there was,
21 it was because the children already knew each other.

22 Q. Did you ever have sibling groups?

23 A. Yes.

24 Q. You mentioned that you had up to three unrelated
25 children.

1 A. Yes.

2 Q. Did you have to have three separate rooms for them?

3 A. Yes. Yes, we had for them.

4 Q. At paragraph 65 you talk about you and your partner's
5 working arrangements and you say that sometimes you had
6 to turn down placements due to your availability.

7 A. Yes.

8 Q. Can you explain that?

9 A. I think that foster carers are few and far between and
10 my understanding from both sides of things is that when
11 a child needs to be placed urgently there's a list of
12 telephone numbers, there's a list of people who might
13 have space and there are calls round all of those
14 people. So occasionally that would happen.

15 But we were very clear about our capabilities but
16 also our boundaries. We did stretch on a couple of
17 occasions, but only when it was supposed to be for
18 a short period of time. We were very clear on our
19 boundaries.

20 Q. And when you say you stretched on a couple of occasions,
21 what were you stretching?

22 A. Stretching periods of time. For instance, I go on to
23 speak about a child [REDACTED] who was supposed to with be us
24 for a period of two weeks and then that stretched to
25 four weeks and then that stretched to almost a year, and

1 that tested our capabilities. But the Fostering and
2 Adoption team could see that he was well matched where
3 he was and wanted to extend that for as long as possible
4 until he could find what's referred to as his forever
5 family.

6 Q. Okay. You say that you did your best to maintain
7 separation of your roles as a social worker and as
8 a foster carer.

9 A. Yes.

10 Q. Did you find that challenging?

11 A. It could be very challenging because very often
12 I already had an awareness of a particular child through
13 my professional work or -- yeah. And then I would hear
14 that that child was being received into care and was
15 looking for somewhere to stay. Very often that gave me
16 a bit of insight actually into whether we would manage,
17 what the requirements would be, and it helped us at
18 times to make good decisions, but I don't think all
19 foster carers would have access to that kind of
20 information.

21 Q. And in terms of the interaction with the child, would
22 you say that you were going into sort of social worker
23 mode with the child or not?

24 A. No. Never. Never. It was really nice actually being
25 the foster carer rather than the social worker. You got

1 to do all the fun things that I suppose you never do get
2 to do as a professional social worker. It's often the
3 impetus, it's often the reason for going into social
4 work is because you want to work directly with people,
5 but you don't necessarily get the opportunity. But it
6 was great to develop links with these children and
7 provide the care that they so desperately needed, and to
8 have confidence actually because of my training that we
9 were doing it to a good standard.

10 MS INNES: Right, I'm going to move on to the next
11 section of your statement but I wonder if now might be
12 a good time for the break, my Lady.

13 LADY SMITH: 'Helen', I usually take a mid-morning break
14 about now. If it would work for you --

15 A. Yes.

16 LADY SMITH: -- we'll do it and give you a breather as well.

17 Could we just pull the curtains to allow 'Helen' to
18 leave. (Pause).

19 Very well. Perhaps, 'Helen', you leave before me
20 and then you can get ahead. It might be helpful.

21 (11.29 am)

22 (A short break)

23 (11.53 am)

24 LADY SMITH: Could we have the back curtains open again.

25 Thank you.

1 'Helen', are you ready for us to carry on with your
2 evidence?

3 A. Yes, I am.

4 LADY SMITH: Thank you very much.

5 Ms Innes.

6 MS INNES: Thank you, my Lady.

7 At page 15 of your statement at paragraph 66, you
8 talk there about the support that you and your partner
9 had as a foster carer and you felt that you had good
10 support.

11 A. (Witness nods).

12 Q. Is that from the social work department?

13 A. Yes.

14 Q. And you would have had your own designated social worker
15 from the Fostering and Adoption team?

16 A. Yes, we did.

17 Q. If we go on over the page to page 16, you talk at
18 paragraph 67 about asking a child's social worker who
19 they could visit.

20 A. Yes.

21 Q. Was that information that you had to ask for or were you
22 given it?

23 A. I think I would always just like to clarify the
24 position, depending on the means by which the child had
25 come into foster care. Sometimes there were care plans,

1 sometimes there were the child's own wishes in terms of
2 what they would like to happen. Other times children
3 turned up in their pyjamas and nothing else. So I would
4 always want to be clear about what the acceptable
5 arrangements were. You know, was it okay for me to make
6 decisions over the course of a weekend when there was
7 nobody else available? Or were there stipulations that
8 the social worker wanted us to stick to?

9 Q. You've told us already about the matters that you
10 referred to in paragraph 68 and 69 --

11 A. Yes.

12 Q. -- where the advice that you were given if a child who
13 was in your care went to stay with a friend and didn't
14 come back when she was supposed to, the advice was to
15 phone the police.

16 A. Yes.

17 Q. Did you follow that advice?

18 A. Yes, I would, I would, and it caused great upset and
19 discomfort, particularly with older teenagers. As
20 I mentioned, one young woman who stayed with us was 17
21 and she felt that she should have the freedom to make
22 a choice over whether she wanted to stay over with
23 a friend without consulting with social work foster
24 care.

25 LADY SMITH: 'Helen', did you warn her in advance that you

1 would be obliged to tell the police if she didn't return
2 when she was due to return?

3 A. No, but there was a discussion about, "You're going out,
4 you're going to be out late, you're 17, it's a party
5 that you're going to, what are the arrangements for you
6 getting home, what is the plan B in case all those
7 arrangements fall through?" And it was only when she
8 didn't come home and you start to drum your fingers and
9 think, okay, I need to take some advice here. And
10 because it was out of hours social work who we
11 contacted, who didn't know the child, who didn't know
12 the care plan, who didn't know who the people were that
13 she was visiting, the advice was: you must phone the
14 police and she must be returned to your care.

15 LADY SMITH: So in fact your first port of call was out of
16 hours social work?

17 A. Yes. They were the service that were available to us.

18 LADY SMITH: Right. So you couldn't have said to the girl
19 in advance, "If you're not back by whatever, 1 am,
20 stretch it to 1.30, stretch it to 2 o'clock, I'll have
21 to call the police", because actually what you'd do
22 first is speak to the social workers?

23 A. I'd spoken with her over text and asked her where she
24 was, but there was no response by text. But it was over
25 the course of a weekend so it wasn't a case of speaking

1 to the social worker who would have known her better and
2 who would have had the information. It was a shot in
3 the dark arbitrary decision that she must return. And
4 she was warned about that over the course of the night
5 while she was away, but then didn't return.

6 LADY SMITH: Thank you. That's helpful.

7 MS INNES: You say in paragraph 69 that you felt that it was
8 something different to what you would do if you were
9 a parent.

10 A. Absolutely.

11 Q. You wouldn't call the police.

12 A. Yes. I mean, if you had a missing teenager I'm sure
13 you'd be jumping in the car and going to where they were
14 last seen and trying to encourage them to come home. It
15 was very much an arm's length situation. It was a,
16 well, you can't go out there in case there's too big
17 a risk, in case -- you know, we need police to manage
18 this situation because it could potentially be
19 dangerous, was the message we were being given.

20 Q. You talk there about contacting the emergency duty team.

21 A. Yes.

22 Q. And you say at paragraph 70 that quite often, because of
23 the nature of the foster care that you were undertaking,
24 you were doing most of the fostering at the weekend.

25 A. Yes.

1 Q. And that's when the child's social worker wasn't
2 available?

3 A. Yes.

4 Q. And therefore the only people that you could contact if
5 an issue arose was the emergency duty team?

6 A. Yes. I mean, I'm a social worker, I would always try
7 and come up with what I felt was a reasonable,
8 an accountable decision given the circumstances.
9 I think that's one time I would bring in my professional
10 training to foster caring, but of course the ultimate
11 decision in that situation is not mine so I would need
12 to have that decision ratified by somebody. So I would
13 come up with my own plan about I think it's reasonable
14 that we do such and such and the emergency duty team
15 would generally say, "Well, we don't have any other
16 information and your plan sounds reasonable, so crack
17 on".

18 I'm not sure that if I hadn't been a social worker
19 I would have had as confident a decision-making process.

20 Q. Okay. At paragraph 71 you say that there was informal
21 foster carer support through foster carer forums. How
22 did you find these?

23 A. I was told about them. They were suggested to me by the
24 supervising social worker and I was encouraged to go
25 along. They were held within a local council building.

1 Both my partner and I were invited, but we'd been
2 advised that it was generally older female foster carers
3 and my partner had said, "Well, I'll leave that up to
4 you then", so I went along for a few sessions.

5 I'm always keen to learn, I'm always keen to broaden
6 my horizons and understanding of a particular situation
7 and I thought it might be helpful to build up networks
8 with other foster carers and understand what they'd
9 found beneficial, how they had got the best service, for
10 instance, out of the social workers supporting them, but
11 what I found was very different.

12 They might have a speaker every few meetings or so,
13 but otherwise it tended to be just a catch-up about the
14 flaws with the social work.

15 Q. You say that, I think, in your statement, and also at
16 the top of the next page, that the forum could be a bit
17 cliquey?

18 A. Yes.

19 Q. You then deal with financial support and you say at
20 paragraph 72:

21 "We didn't go into fostering for the money and
22 I don't think anybody would."

23 Why?

24 A. Certainly at that time we'd gone into foster care, we'd
25 put ourselves forward for assessment and it was a bit

1 later on that we'd found out how much the recompense for
2 that was. At that time, it was £20 per child per day
3 for the fee and £20 per day for expenses, so any kind of
4 trips to various different places. And we felt that you
5 couldn't possibly fund and feed and care for a child for
6 the £20 a day expenses.

7 I don't know if it's different now. I have friends
8 who have been in foster care more recently who have been
9 paid a salary, but certainly at the time it was a bit of
10 a pittance.

11 LADY SMITH: 'Helen', can I ask you this about payments.

12 I have heard from quite a number of people the strong
13 view that the fosters they went to were just in it for
14 the money and when they discovered they were being paid,
15 it had a very negative affect on them, if I can just put
16 that broadly.

17 Of course people need help with the cost of taking
18 on --

19 A. Yes.

20 LADY SMITH: -- a child who needs to be with them for foster
21 care. What do you do to reassure the foster child,
22 "This isn't about the money for us, this is about doing
23 the right thing for you"?

24 A. I think children are clever. They've often been in
25 circumstances where they've had to become hyper-aware,

1 hyper-vigilant of the adults around them and their
2 motivations and how safe they feel. Kids are very good
3 at protecting themselves. A child knows if you're
4 invested in them. I think if you're invested in them,
5 then it doesn't matter if there's some expenses being
6 paid.

7 I understand the argument or the view of children
8 that you're just here because you're paid to be here,
9 but actually if there's the nurture that they need,
10 I would find that less of an issue for children.

11 LADY SMITH: Would things such as, if a particular clothing
12 allowance is paid, once a child is old enough to
13 understand money, talking to the child about how much
14 money they've got, whether the child wants to go with
15 the foster parent to choose the clothes and what would
16 work for them and involve the child in spending the
17 money that has come in to be spent on them?

18 A. To be honest, I don't have the experience of that
19 because we tended to work with --

20 LADY SMITH: Of course, yes.

21 A. -- children in respite care and with emergency
22 placement. I think what you're referring to would
23 probably happen in longer term placements with longer
24 term foster carers.

25 LADY SMITH: Thank you.

1 MS INNES: If we move down to the bottom of this page, at
2 paragraph 76 you talk about how you viewed your role as
3 a foster carer.

4 A. (Witness nods).

5 Q. You say:

6 "Our role as foster carers was never a role as
7 a parent."

8 A. No.

9 Q. Why do you say that?

10 A. Because children generally have parents. You know, they
11 might have not met the child's needs or exposed them to
12 risk in some way, but no parent wants their child to be
13 accommodated. It's the ultimate negative consequence of
14 whatever has happened within the household. And we
15 never wanted to take away from the relationships that
16 children had with their parents. We had children whose
17 mothers quite often, as they're often left to the single
18 parent in these situations, had significant mental
19 health issues and the children might also have been
20 stigmatised because of neighbours shouting things at
21 families or social workers writing, quite rightly, in
22 assessment reports their view of the parent and the
23 child has had to see.

24 But actually, children do best when they have
25 an attachment with somebody, a parent, with a -- you

1 know, they have a nurturing relationship with them, and
2 I think no matter how dangerous a position a child has
3 been in, there is often a way to continue the
4 relationship with the family, with their kin, that can
5 be beneficial long term.

6 I was aware of that and we didn't want to disrupt
7 any of that. We were quite considered in the way that
8 we would encourage that to happen. For instance, if
9 a child wanted to make a phone call to a parent who
10 could be a bit chaotic and that was agreed as acceptable
11 with the social worker, then that would be monitored,
12 that would be on speaker phone just to make sure that
13 there was nothing being said that could further harm
14 them. But it's really important to maintain those
15 relationships.

16 Q. You mentioned the boy who was with you for almost
17 a year.

18 A. Yes.

19 Q. And you describe your role in relation to him as being
20 guardians and mentors.

21 A. Absolutely.

22 Q. Why do you describe it in that way?

23 A. I think we saw it as our role, it was an enormous
24 responsibility, an enormous privilege, actually, to have
25 had a child for that period of time, but he was very

1 receptive. He came to stay with us at a time where he
2 was quite open-eyed and looking for support. He was
3 a boy that we advocated on his behalf quite a lot,
4 particularly with education, who had written him off,
5 who had said that he was troubled, that he was no good,
6 that he would amount to nothing, his path was down
7 a criminal route.

8 It took quite a bit -- my partner was responsible
9 for much of that during the day -- to reeducate
10 education about why this child was like that and we
11 felt -- we knew that we were only going to have
12 a limited time with this child. What can we do to the
13 best of our abilities within that time that will have
14 the biggest impact on his future?

15 And it was about changing the views of the people
16 around him to understand him better. About giving him
17 a degree of self-worth and of pride in who he was
18 instead of him seeing himself as the bad boy. And it
19 was a very emotional time, we knew it was going to come
20 to an end and both us as foster carers and he as the
21 child in our care knew that that was coming to an end,
22 which was always hard, but in that time he just thrived.
23 And I know that his subsequent journey in care has been
24 really, really positive. He did find his forever
25 family. He did well with education. He stayed on and

1 goes to university. It's not a measure of how
2 successful somebody's life is, but the ability or the
3 outcome that he experienced was stable, when actually
4 everything he'd experienced up to probably about age
5 nine or ten was chaos.

6 Q. And you go on to talk a bit more about your role as
7 a foster carer and issues such as physical touch and
8 managing --

9 A. Yes.

10 Q. -- issues like that on the next page.

11 A. Yes.

12 Q. If I can move on to page 19, you talk about the foster
13 home and you say the children had access to the whole
14 house.

15 A. Yes.

16 Q. So they could go to their own rooms or go to the living
17 room and such like?

18 A. Yes, absolutely.

19 Q. Okay. You then talk about the different children who
20 came into your care. If we move to paragraph 83, you
21 say that over the time that you fostered, you had
22 19 children in your care.

23 A. Yes.

24 Q. Were they all of different ages and stages?

25 A. From all ages from I would say two up until 17.

1 Q. Apart from the little boy that you've mentioned, the
2 others were all there on respite or short break --
3 A. Yes.
4 Q. -- or emergency placements?
5 A. We had one other child, a boy, for I think a period of
6 three or four years. He was with us every second
7 weekend.
8 Q. Right.
9 A. He was a child that I had known since he was in nursery,
10 when he was just a little boy, two or three, and then
11 I'd met him again as a foster carer. So we already had
12 an established positive relationships that I was able to
13 make use of when he came to us for the respite.
14 Q. If we move on to the next page, again you talk about
15 your experience with [REDACTED] who you've mentioned.
16 A. Mm.
17 Q. If we go to the bottom of page 20, you talk there about
18 placement preparation, and you say that you were given
19 information about a child who would be coming to stay
20 with you, both verbally and in writing.
21 A. Yes.
22 Q. And you refer to a locked box which was given to you at
23 that time when you were fostering?
24 A. Yes.
25 Q. What was in the locked box?

1 A. I think it was essentially a filing box with a lock on
2 it that you kept all the private child's information.
3 So things like if they had come with a care plan, if
4 they had come with a likes and dislikes sheet, for
5 instance. Anything else that was potentially
6 confidential or sensitive was in the locked box.

7 Q. Over the top of the next page at paragraph 89, you say
8 that you think you were given enough information about
9 the children. You were often in a privileged position,
10 you say, being a social worker:

11 "There were times when I was given a little bit more
12 information than a foster carer would usually get in
13 conversation with the child's social worker."

14 A. Yes.

15 Q. Can you explain that a bit further?

16 A. It would be commonplace, I would say, between the foster
17 carer and the social worker of the child to have a bit
18 of a discussion prior to them coming to you about, you
19 know, the main things. Are the children on any
20 particular medication, are there any behavioural issues,
21 are there any obvious and clear risks, for instance
22 where there had previously been sexual abuse, what kind
23 of behaviour to look out for? What are the triggers for
24 a child that you had to avoid? What were the
25 indications that their behaviour was escalating?

1 Warning signs, I would say. There would be a discussion
2 in relation to how to keep the child safe and well,
3 short term, but with little notice.

4 Q. Why is it that you say that you think you were in
5 a privileged position being a social worker?

6 A. I think there was more information shared with me -- and
7 it would be me, it wouldn't be me and my partner --
8 about the background history of the family. Sometimes
9 that was really helpful but sometimes I hadn't needed to
10 know the information in order to keep the child safe,
11 particularly with older teenagers where there was no
12 risk from their behaviour, where it was agreed that we
13 were only having them for two or three days, I didn't
14 need to know a lot of the background history that was
15 provided to us -- to me.

16 Q. You say that there is a balance to be struck between the
17 child's need for confidentiality --

18 A. Yes.

19 Q. -- and the need for the foster carer to have
20 information.

21 A. Yes.

22 Q. At the bottom of this page at paragraph 92, you say:
23 "In an ideal world, a care plan would have been
24 prepared."

25 A. Yes.

1 Q. Can you explain that, please?

2 A. There are often that there are names(?) and various
3 things, there's care plans, there's placement
4 requirement forms, there's all these different things
5 that if you had time, if a child has been accommodated
6 in a planned way, it would be good to go through all the
7 needs of the child to provide the foster carers with
8 that information before the child's arrival.

9 In reality, that's often just not possible. When
10 children are being accommodated on an emergency basis,
11 very often we are seeking the permission, the consents
12 only, from parents, if that's the case, or the orders,
13 and then we're retrospectively going back in the calm of
14 the daytime and going through what does this child need,
15 what is the child allergic to, what's the child's sleep
16 pattern, all the basic care things are then done
17 retrospectively, but very often a child will have been
18 in a placement for a period of time before that takes
19 place.

20 Q. Would that sort of information, for example you
21 mentioned allergies, would that information have been
22 shared with the foster carer in another form?

23 A. It would have been shared verbally, all the emergency
24 information would be shared verbally.

25 Q. If we go on over the page, please, you talk there about

1 a placement that you had which you considered not to be
2 an appropriate match?

3 A. Yes.

4 Q. You tell us why in your statement. You also say at
5 paragraph 94, at the end:

6 "The social worker did not visit her in the time she
7 was with us and I found that very difficult to come to
8 terms with."

9 A. I did, yes.

10 Q. Can you explain that?

11 A. I was coincidentally working in the same team as the
12 social worker at that time. I had faith and trust in
13 him and he appeared to be competent as a social worker
14 in all other ways, but while we accommodated that
15 girl -- and it was for an extended period of time -- he
16 made no contact with her at our home. He did not come
17 out to see how she was. And I could never figure out
18 whether he expected me, because I was a social worker,
19 if there were any issues I would just feed back to him
20 because he was essentially in my team, but I was very
21 delineated about my roles and boundaries. We were
22 managing her care in a very difficult situation, and
23 while she hadn't -- I've reasoned, I've tossed and
24 considered all different possible reasons that they
25 didn't come out and see her. I -- I just -- I haven't

1 come up with a reasonable conclusion as yet.

2 Q. You say, I think, at paragraph 93 that she was with you
3 for about six weeks?

4 A. Yes, she was.

5 Q. Did you feed back to your own social worker that there
6 were no visits or there were issues with the placement?

7 A. Yes. Yes. Quite rightly, I never heard how that went,
8 though.

9 Q. You then talk a bit more about the routines that you had
10 in place and if we go on over the page to page 23 and
11 paragraph 98, you say there that it was important that
12 your partner and you were as predictable as possible in
13 your routines without being regimented.

14 A. Yes.

15 Q. Can you explain a bit more of what you were trying to do
16 there?

17 A. I think in terms of our approach to foster care was from
18 an attachment perspective and what children need in
19 difficult circumstances and in ordinary life is
20 predictability and the ability to model what life is
21 like for them on a day-to-day basis. And given that
22 these children were coming to us from chaotic
23 backgrounds, often, and had been accommodated in
24 unpredictable ways, we wanted to be as predictable and
25 as -- not boring, but just we wanted the children to

1 know what was happening and when and why and to buy into
2 that. We didn't want anything to be enforced on them.
3 There were no hard and fast rules about what happened in
4 the house other than this is how we function, this is
5 how we're going to run our household. We'd like you to
6 join in, but if you don't want to or can't for any other
7 reason, then that's okay too.

8 Q. Okay. If we go on over the page to page 24 and
9 paragraph 102, you talk about meal times. Did you all
10 have meals together or --

11 A. We had dinner together. We would have breakfast at the
12 table and then, depending on what people were doing over
13 lunchtimes, if they were out doing activities then that
14 would be fine, and then we'd come back together for
15 dinner every night.

16 Q. You mentioned earlier about people visiting your home.
17 Did you have any other friends or family members
18 visiting you at mealtimes when you had the children with
19 you?

20 A. Sometimes my mum would be there. I remember my mum
21 visiting once. Not frequently, no. We tended to keep
22 the time with the children for them.

23 Q. You say at paragraph 103 that children could help
24 themselves to food within reason.

25 A. Yes.

1 Q. So --

2 A. So, you know, if they were hungry, as kids are between
3 mealtimes, then yeah, they would be able to pick
4 something up. But it would need to be acceptable. They
5 wouldn't be having big bags of sweets or things. We
6 were fairly responsible in that regard.

7 Q. Then in terms of leisure time, you deal with this at
8 paragraphs 104 to 106, and I think you say that there
9 was a mix of activities, so structured activities and
10 downtime.

11 A. Yes.

12 Q. And that would be dependent on the age of the child and
13 what they wanted to do.

14 A. Yes.

15 Q. If we go over the page to page 26 and paragraph 110, you
16 talk there about chores. You say there was
17 an expectation that they would tidy their rooms or their
18 rooms would be kept tidy?

19 A. Yes, uh-huh.

20 Q. Other than that, did they have to do any other tasks or
21 cleaning or anything in the house?

22 A. No, I mean, we would have a -- I refer to this in the
23 statement. We'd have a Friday tidy where they'd be sort
24 of running about and plumping cushions and putting shoes
25 away and things. Sometimes we -- children hadn't had

1 a great week at school, then they could be a little
2 reluctant to participate. That was absolutely fine.
3 The tidying up was generally in the morning before we
4 went to do an activity. So the room could be
5 an absolute bomb site from the night before, but it was
6 an expectation that at least there was some order before
7 we left for an activity, and I think having it in that
8 sequence seemed to work quite well because they were
9 keen to go swimming, they were keen to do whatever we
10 were doing that day, and there was a bit of fun about
11 the tidying up and who would get theirs done first and
12 there were silly standards, non-existent standards about
13 how neat is your bed, how neat are your shoes in the
14 corner and have you organised your stuff well?

15 The kids bought into that. My partner has the
16 amazing ability for somebody who isn't a parent to tune
17 into children and make things just naturally fun.

18 Q. You then talk about contact with birth family?

19 A. Yes.

20 Q. And I think you've covered that already in your
21 evidence.

22 If we can move on to page 27 and paragraph 114, you
23 say there about the children's social worker coming to
24 visit. So sometimes the social work visits would be at
25 your house?

1 A. Yes.

2 Q. Would you always be there when the social worker was
3 speaking to the child or not?

4 A. No, we wouldn't be. We'd welcome them to the house and
5 then have a cup of tea and let them go and speak to the
6 child in their own space. So whether that was up in
7 their room or that was in a designated games playroom
8 that they had with the sofas and things. So there was
9 always a comfortable place for them to go and we would
10 give them their full privacy. That was a really
11 important relationship.

12 Q. You say sometimes the social worker would take the child
13 out for trips.

14 A. Yes.

15 Q. Or take them out for their tea, for example.

16 A. Yes.

17 Q. And you found that the social workers that you dealt
18 with were attuned to the children?

19 A. Absolutely.

20 Q. At paragraph 116 you say that you were also inspected by
21 your own supervising social worker?

22 A. Yes, we were.

23 Q. And some of those were announced visits?

24 A. Yes, they were.

25 Q. And some were unannounced?

1 A. (Witness nods).

2 Q. When would the unannounced visits take place?

3 A. The unannounced visits often came at breakfast time, so
4 this was generally when we had children staying with us
5 for longer periods, so there might be the carnage of
6 trying to get kids up and ready for school in the
7 morning and, you know, cleaning up breakfast after we'd
8 sat at the table, but it was fine, you know, it was
9 always -- I knew the process. I was always happy to
10 have the social worker visit. It was always a positive
11 thing.

12 Q. You say on one occasion it was reported that you had
13 dishes on the draining board that could have been --

14 A. I was a little disappointed with that comment.

15 LADY SMITH: That does at least indicate they had been
16 washed.

17 A. Yes.

18 MS INNES: You describe the relationship between the foster
19 carer's supervising social worker and the child's social
20 worker. How would you describe that relationship?

21 A. I think it was effective. I think there's a lot of good
22 communication within social work and across multi-agency
23 teams as well. People spoke the same language, they use
24 the same terminology and it was largely understood
25 between the child's social worker what their needs were

1 and from the supervising social worker and what we were
2 able to provide.

3 Q. Did you find that communication between them was
4 effective?

5 A. Most of the time.

6 Q. Then you talk about the review of the placement and you
7 talk about the review after a child has been taken into
8 care on an emergency basis?

9 A. Yes.

10 Q. And at a Children's Hearing. And then at the top of
11 page 28 the different types of reviews there can be.

12 A. (Witness nods).

13 Q. You say:

14 "The framework is heavily legal and sometimes it
15 would be difficult as a layperson to know what is being
16 asked of you."

17 A. I think that was in particular in relation to the
18 Children's Hearings.

19 Q. Right. In what way?

20 A. Because it's a legal setting and because legal decisions
21 can be made. I don't think people -- I include social
22 workers in that -- always have the greatest
23 understanding of what decisions can be made, what
24 influences those decisions and what can be done about it
25 if there's disagreement about those decisions.

1 I think often -- I identify my partner as a perfect
2 example -- would have been turning up and sitting in the
3 hearing centre just going along with what was being
4 advised without any understanding of his role possibly
5 as an advocate -- and I say that with a small A -- about
6 feeding back the relevant -- what's relevant to feed
7 back about how the placement's gone, what's relevant to
8 feed back about some of the challenges that the child is
9 experiencing and what might be in the child's best
10 interests.

11 I think social workers will have a view of what's in
12 the child's best interests, but foster carers have
13 a unique insight into the child's daily functioning,
14 into how they react after they've been for a contact
15 session with a parent, you know, how many days it takes
16 to get them back on track again and up and running. And
17 I think without briefing -- I think briefing can be
18 pretty good, but I know that my partner wouldn't have
19 stood a chance in a setting like that. He just didn't
20 have the technical knowledge of what it was that they
21 were looking for.

22 Q. So that could be challenging for --

23 A. Yes.

24 Q. -- a foster carer who doesn't have your background?

25 A. Oh, absolutely. I know social workers who find it

1 challenging.

2 Q. So that's the hearing setting. What about the reviews
3 that are held by the Local Authority?

4 A. The reviews were much less formal and he did well.
5 He -- you know, we would have a discussion beforehand
6 about what information he was presenting to them about
7 the child and their stay with us, and he always -- he
8 did his best and he enjoyed them. And because it was
9 more about the social workers and the school and the
10 foster carers, who knew the child well, and it was
11 generally in-house, there was less pressure to make
12 really important decisions about the child's future.

13 I think that's the thing about the Children's
14 Hearing, is it makes crucial decisions about the
15 direction of a child's life, fundamentally.

16 Q. And that was your perspective of the reviews in-house.
17 Do you think the perspective of you and your partner
18 would be shared by foster carers who didn't have your
19 insights?

20 A. I would guess so.

21 Q. What about the child? So if we think about the child's
22 perspective of -- first of all, dealing with the
23 Children's Hearings. Did you have or do you have
24 experience of children going to Children's Hearings?

25 A. Absolutely. And I -- the social worker would have

1 briefed them beforehand. We might have added a thing or
2 two, you know, about being sure to say what they felt
3 was important. But I found even the waiting rooms for
4 Children's Hearings to be quite confusing for children.
5 I remember one, it's in an old building, I think they're
6 generally more child-friendly these days, but there was
7 just one waiting room for everybody and so the child was
8 there with their parent and us and had a real conflict
9 about, well, who do I sit next to here? Had wanted to
10 cuddle into my partner but the mum was saying, "Come on,
11 come over here", and I think that put a lot of pressure
12 on that child then to go into the Children's Hearing and
13 to say what they wanted to say while they felt so
14 conflicted with a parent being there.

15 Q. I think you say -- I think this is possibly referring to
16 Children's Hearings -- that sometimes there would be a
17 cast of thousands.

18 A. Yes.

19 Q. This is at paragraph 120. And sometimes there could be
20 legal representatives obviously at a Children's Hearing.

21 A. Yes.

22 Q. From again the perspective of the child when they
23 actually went into the hearing, did you get any insight
24 into how they felt about being in that setting?

25 A. I think very intimidated. As I say, there have been

1 changes more recently to make the setting much more
2 child-friendly, but Children's Hearings were very
3 austere, they were very formal. They usually sat around
4 a table with lots of grown ups that they had no idea who
5 they were. Legal representation. The panel themselves.
6 The children's reporter in the same room. And all
7 speaking about such intimate parts of their lives.

8 I think these days more arrangements are made for
9 the child just to come in for a section of the
10 Children's Hearing and to have support in another room,
11 but that that's really been in the last, I don't
12 know, five, six, seven years.

13 Q. In terms of the Local Authority reviews and children's
14 involvement in that, again what did you feel about those
15 from a child's perspective?

16 A. That's an area where I see a difference between Local
17 Authorities. In some Local Authorities, children are
18 very much involved in a looked-after review. They have
19 the option of whether or not to attend, just for a small
20 section even, just to give their views and then go back
21 out again. In others Local Authorities, they are
22 adult-only professional-only events, with parents there
23 if they're able to make it.

24 Their views would be sought beforehand and presented
25 verbally.

1 Q. You've talked about children going in for a little bit
2 of time. Presumably children know that they're being
3 talked about?

4 A. Yes.

5 Q. That people are making decisions about them. Did you
6 get any insight into how they reacted to that?

7 A. I think children generally gave their views -- and it's
8 difficult because I'm speaking as a social worker and
9 a foster carer here. But children generally gave their
10 views when they knew that there was a meeting about
11 them. So there is a meeting about you, it is about
12 such-and-such, it is about your time at home or your
13 time in foster care. What do you think are the
14 important things for us to say? And they're usually
15 quite insightful. You know, they might not have the
16 language or the understanding of the concepts, very
17 adult concepts going on around them, but they generally
18 know how they feel. Older children, at least. Younger
19 children, it's much more problematic.

20 Q. Okay. At the bottom of this page at paragraph 122 you
21 talk about explanations being given as to why the child
22 had been taken into care being given to the child in
23 a child-friendly way. Would discussions about what was
24 happening and information being shared with the child,
25 would that be the responsibility of the child's social

1 worker or would the foster carer have that

2 responsibility or would there have to be consistency?

3 A. Absolute consistency. It's the responsibility of
4 everybody who's involved with the child, and that would
5 be agreed with the parent, largely. So often in
6 discussion about mummy's not well or mummy's tired, for
7 instance. Also not promising you'll be home in a very
8 short time. Trying to keep that as open-ended as
9 possible. But that would be agreed between the parent
10 and the team around the child.

11 Q. Okay. Now, over the page you talk about discipline, and
12 at the end of paragraph 123 you say that over the time
13 that you had children with you, there was nothing you
14 had to intervene in beyond providing guidance.

15 A. Yeah. I would say there was no -- there was no badness.
16 There was no deliberate harm. There was no children
17 hurting other children. It was generally things that
18 had gone -- gone further than should have done, which is
19 commonplace for children. So there'd be kids playing
20 wrestling on a trampoline and as soon as you saw that
21 happening, no, no, no, no, no, you'd need to separate
22 them because anybody with an understanding of children
23 is that things get out of hand.

24 So there was never any formal discipline, there were
25 never any stop and think times or sitting on stairs with

1 time out and things. It was more natural consequences.
2 It was more cutting short social trips if they weren't
3 able to behave in a socially acceptable way.

4 But it was with children's age and stage of
5 behaviour always at the fore. So if you knew that you
6 had a three-year-old who couldn't cope in a particular
7 place without having a meltdown, then you would just
8 divert them from that particular place rather than set
9 up the situation for that to happen.

10 So there was a lot of planning and thought went into
11 the various activities that we did and we kept a good
12 eye, particularly in the free play time, leisure time,
13 either in the garden or out at the park or what not. We
14 kept a good eye and we were able to predict situations
15 as they were emerging. And thankfully there was nothing
16 of huge note that we had to intervene in.

17 Q. At paragraph 125 you talk about records.

18 A. Mm-hmm.

19 Q. You say that you and your partner didn't take records as
20 a matter of course and there were certain instances
21 where you had to keep a record book and obviously you
22 had to provide information for reviews and such like.
23 Am I right in understanding that you didn't have to
24 complete a diary or logbook?

25 A. Not for every child, no. We would give a general

1 feedback of what they'd done over the course of
2 a weekend.

3 Q. Do you think completing a daily log or diary would have
4 been a hindrance or a help?

5 A. I can see both sides of the argument. I can see that
6 providing details about behaviour, for instance, would
7 have been important. Generally that information was fed
8 back verbally, either to the social worker or at
9 a review. But otherwise? I think children in care have
10 so many records and notes written about them
11 unnecessarily. It's not a usual experience of a child.
12 I appreciate that it's helpful when they as adults might
13 wish to access their notes. I'm in two minds about
14 that.

15 Q. I suppose if you were recording and they could then
16 access their notes in the future, you would always need
17 to be aware about what you were writing?

18 A. Absolutely, yes.

19 Q. The future impact of that.

20 A. Mm-hmm.

21 Q. Then you talk about moving placement and making
22 memories, and you've talked about this generally.

23 A. Yes.

24 Q. But in your particular circumstances as a foster carer,
25 what sort of things did you do to ensure that a child

1 could preserve memories from the time that they'd had
2 with you?

3 A. We kept lots of things. We kept photographs, we kept
4 drawings. You know, we would go over memories in the
5 run up to a move. "Do you remember the time when we did
6 such-and-such?" and kind of reinforced some of that more
7 than you might do with a mainstream child.

8 We also did a lot of preparation so that when any
9 move was put forward to the child they felt as protected
10 and safe in that as possible. So we might go and visit
11 the future place or have a discussion about various
12 different possibilities, et cetera, so that you could
13 almost have the child's mind moving on to where they
14 were going to be. Once a placement had been decided and
15 agreed between all the adults and all the little bits
16 and details had been sorted out, then the child would be
17 introduced to somebody quite gradually so that they had
18 processing time. So that they could come to terms. If
19 they had questions, they could ask the questions. They
20 could figure every out. It was done in a very
21 child-friendly way.

22 Q. On page 30 at the top of the page at paragraphs 127 and
23 128 you talk in particular about ■ who you've already
24 mentioned.

25 A. Yes.

1 Q. That you were involved in the matching process, which
2 you say is unusual for a foster carer.

3 A. Never heard of it before or after. It was a very
4 privileged process and actually I was probably
5 overstepping my boundaries, but because I was being
6 supported to do that by the Local Authority, I felt it
7 was a really crucial and privileged position to be in.
8 And it's -- it demonstrates to me the difficulties with
9 the matching process. He was a child I absolutely
10 championed. He was never going to be with us forever
11 and he always knew he was going to be moving on to his
12 forever family, as it's always referred to. Sometimes
13 the forever family tag helpful is unhelpful; I had
14 a child who moved into a forever family that lasted for
15 three weeks, that was devastating for him.

16 But the child [REDACTED] the supervising social worker and
17 I travelled around Scotland and actually went to meet
18 three different families who were potentially going to
19 be caring for him. They had been matched to him. On
20 a meeting -- three different couples that had been
21 matched to them.

22 On meeting them, this boy was wily. He had had
23 quite an upbringing. He had had to learn to deal with
24 adult mental health, with substance misuse. He could
25 read an eyebrow across the room. A very, very clever

1 and astute boy. And some of these foster carers you
2 could see were absolutely ill prepared. This was their
3 first foster care placement. They had wanted to have
4 a forever child. They were very naive and idealistic
5 about what that might look like, and the first three
6 were disregarded, I have to say on my recommendation,
7 which felt like a very powerful position.

8 But when we went to visit the fourth potential
9 forever family for him, we just knew. They had the --
10 they had the understanding of children who'd been
11 through traumatic experiences. They'd managed to raise
12 another couple of children to adulthood to see them
13 through. They had an understanding of the difficulties,
14 of the challenges. Their approach to foster care was
15 just spot on in terms of meeting this boy's needs.

16 And when that was all agreed and he was introduced
17 to them, he knew he would be safe. He felt safe. And
18 he stayed with them until adulthood.

19 Q. You say on the basis of your experience, you think it
20 would be a good thing for foster carers to be involved
21 in the matching process, so if somebody is going on to
22 a long-term foster placement, for example.

23 A. I do. I think foster carers know children really well.
24 Often as closely, sometimes more so, than a parent.
25 They know where the challenges are. They know where the

1 difficult times ahead might be, they know what the
2 triggers are for poor behaviour, challenging behaviour.
3 I think it's really crucial, because you can't convey
4 all of that in a written report or a verbal report at
5 a LAC Review, and actually being able to go and see
6 these families and see -- they were very lovely, very
7 committed, very motivated couples and families, but just
8 didn't have the particular skills to deal with this
9 particular child.

10 Q. Okay. Now, in the next part of your statement you refer
11 to complaints by children. In your own experience you
12 tell us that you and your partner were never the subject
13 of a complaint, but you tell us about an enquiry that
14 was made.

15 A. Yes.

16 Q. So page 31, paragraph 132. You tell us about the
17 circumstances of that enquiry.

18 A. Yes.

19 Q. It was raised with you after, am I right in thinking,
20 the children had left your care?

21 A. It was raised about a year and a half afterwards, and
22 I have to say as part of my professional career I have
23 learned about different circumstances that have resulted
24 in being abusive. I've read reports about abuse within
25 both mainstream homes, kinship care, foster care. And

1 I've had that level of detail that I think other foster
2 carers might be slightly naive to. I don't know, I may
3 be judging them poorly there.

4 But it led me to understand that children,
5 particularly from different backgrounds, unrelated
6 children, need to be supervised. Children are naturally
7 exploratory, and I didn't always fear the worst, but
8 I was always aware of things that might have happened
9 behind closed doors. All the doors during the day were
10 open, you know, there was never any closed bedroom doors
11 unless somebody was in there by themselves, and this one
12 particular day I was in the room next to a bedroom,
13 I was in the kitchen next to the bedroom, and there were
14 two unrelated children, a girl and a boy, who were
15 playing in there and making dens and it went quiet and
16 I know from experience that, you know, children going
17 quiet usually means that they're up to something and
18 that had been that, you know, they were both fully
19 clothed, there was nothing there, I'd asked them for
20 a drink, they were distracted, they came back through to
21 the kitchen.

22 But it was a year and a half later when the
23 supervising social worker had gotten in touch and had
24 said there's been an allegation made by that child and
25 the other child who was there, did something happen?

1 And because I remembered the day and I was able to
2 provide the information, "Well, I don't know if that did
3 happen or not but I can tell you what I saw and I can
4 tell you how limited that had been if something did
5 happen in that room that day", but children do need
6 adequate supervision.

7 I've come across over the years various allegations
8 made by children in foster care against other children
9 as well as other adults in multiple Local Authorities.
10 I think children need to be supervised.

11 Q. Then you tell us that you and your partner, I think,
12 stopped being foster carers.

13 A. Yes.

14 Q. If we go to the top of page 32. You say that being
15 a foster carer was always going to be something time
16 limited for you and your partner and you stopped when it
17 felt right to the two of you.

18 A. Yes.

19 Q. Now, I want to move on to various things that you
20 comment on in relation to foster care and things that we
21 might learn from your experience. At paragraph 138, you
22 say that you couldn't have been a foster carer if you
23 hadn't had a background as a social worker.

24 A. No.

25 Q. Why do you say that?

1 A. Because I think my training and my experience as
2 a social worker has led me to understand the
3 vulnerability of the children who are within the care
4 system. They are not the same as mainstream children.
5 They're damaged children. They're children with poor
6 opportunities, potentially poor outcomes. And I think
7 just to parent those children in a usual parenting way
8 isn't enough. What you need to do is understand where
9 they're coming from, go into where they are and bring
10 them out into something else so that they've got half
11 a chance as adults of succeeding.

12 I had no parenting -- I still have no parenting
13 existence other than having these foster children with
14 us for such a period of time, but I was never a parent
15 in those circumstances. And I think to respond to
16 things emotionally or intuitively the way that parents
17 do is a completely different role from being essentially
18 a state-sponsored foster carer to help out these really
19 vulnerable children. There's not a chance I could have
20 done that without my social work training.

21 I know my partner struggled with some of the more
22 formal aspects of children being looked after and the
23 requirements of that, and would often say, "Can I just
24 run this past you?" and that was fine, I was able to
25 help him out where I could. But we didn't have that

1 degree -- we didn't have enough communication with
2 our support worker -- we felt very supported, but
3 I think we felt very supported because I had a lot of
4 knowledge and we really just had to consult with
5 decision making and with plans and things. I already
6 kind of knew what would be expected within the system,
7 within foster care, and largely fell back on that.

8 I don't know how people who don't have that insight
9 would be able to provide adequate foster care.

10 Q. You say at paragraph 139, at the end of that:

11 "To take only your own experience of parenting your
12 own children and transfer that over would not be
13 successful."

14 A. Absolutely.

15 Q. So it's your view that you can't just say, "Well, I've
16 had children"?

17 A. I just go back to my view that to work in any kind of
18 care role, you need at least an SVQ2 or 3, and yet
19 foster carers go through their basic training and
20 they're well-meaning and they're well-intentioned and
21 they're hoping for the best and largely that's driven by
22 wanting to help children, and the children who are in
23 the system are complex, they're damaged, they're
24 fundamentally different children. They often behave as
25 if they don't want to be helped. They often are

1 confrontational, testing. Particularly when they know
2 that they've had so many previous placements that have
3 broken down, they're thinking: right, what's going to
4 get you to reject me on this occasion? Let's push your
5 buttons. And I think there's a mismatch there.

6 Q. We've heard a bit about what might be called the
7 increasing professionalisation of foster care and you
8 mentioned a moment ago friends that were paid a salary
9 for fostering.

10 A. Yes.

11 Q. So you mentioned basic level training and I assume you
12 know that some Local Authorities have different levels
13 of training --

14 A. Of course.

15 Q. -- where people have to acquire certain knowledge and
16 experience and skills and they also get paid more.

17 A. Yes.

18 Q. What's your view of that?

19 A. My view is not in relation to the structure of that. My
20 view is in relation to anecdotal information and how
21 that actually works in practice. So what my
22 understanding is that if there is enhanced foster care
23 on a salary, then the pressure is on that placement to
24 provide for whoever needs a placement at any particular
25 time, and I've known children who have been in enhanced

1 foster care placements temporarily, who have been really
2 well matched to that foster carer, the foster carer has
3 been invested in them. The child has been hooked in.
4 And yet the child has then been removed and put
5 somewhere else because that placement was intended for
6 somebody else.

7 And actually what you end up then with is two failed
8 placements, two children who haven't had the commitment
9 and the nurture that they've needed.

10 And I know lots of foster carers who have been in
11 that position as enhanced foster carers who no longer
12 foster for that reason.

13 Q. Does that come back again to issues to do with matching?

14 A. I think matching, but the -- the emotion -- I think
15 there's lots of discussion, as you say, about the
16 professionalisation of foster care and people going into
17 it meaning well, but you need an emotional connection.
18 You need a spark there in order to take the child
19 through the difficulties that they have faced and the
20 adversity that they will face as a result of having been
21 in the care system. There has to be a spark there.
22 There has to be a passion.

23 LADY SMITH: Can I just get this right, 'Helen'. You're
24 telling me from your experience you've seen foster
25 carers who have got let's just call them the enhanced

1 skills, approvals, they're paid at a higher rate, at
2 times being used for children who don't have the
3 additional needs for their skills and then that child
4 may be removed because a child comes along that does
5 need that special skill?

6 A. I think to clarify, it's not in relation to the degree
7 of the needs of the child, because both children had
8 an enhanced level of need. It's in relation to their
9 circumstances. So one child was already within the
10 Local Authority. The second child was outwith the Local
11 Authority, so the plan was to bring them back home,
12 essentially. So the first child was moved to allow the
13 second child to take up that enhanced foster care
14 placement when actually the first child had already
15 formed the relationships with the foster carer and they
16 had with them.

17 LADY SMITH: I don't follow that, if the first child needed
18 the enhanced skills in the same way as the second child
19 did.

20 A. It's difficult to follow.

21 LADY SMITH: Mm. Thank you.

22 MS INNES: If we go on over the page, please, to page 33 and
23 paragraph 140, you say that you think that the training
24 and support given to foster carers is basic:

25 "I think the training and support should have

1 an individual element ..."

2 Can you explain that, please?

3 A. I think it's about mapping people's skills and learning
4 needs. We often do with parents who are struggling
5 a parenting capacity assessment. That's about mapping
6 where the gaps are. It's quite an intensive piece of
7 work. It's about their own history of parenting, of
8 discipline, of their own expectations of the world.

9 I don't see that as having been undertaken with
10 foster carers and I think it would be a really helpful
11 thing because people have strengths and capacities and
12 capabilities and it's the same with social work as well.
13 We all know which age group of children, with what
14 sector of families we work best with. So some social
15 workers are absolutely useless with teenagers and
16 they're very open about it, they just don't have the
17 skill to enable them to thrive. Others are fantastic at
18 that. So you match even in terms of children who are
19 working with particular social workers: you map parents'
20 abilities and you plug the gaps.

21 With foster carers, they tend to go through the same
22 prescribed training: you've passed your basic training,
23 here you go. And I think sometimes skills
24 identification would be really useful. And motivations,
25 different motivations.

1 Q. In the next section you talk about child protection
2 procedures, and you talk at paragraph 142 about
3 decisions being accountable, they must be justified.
4 A child looking back on their records will have
5 a justification for why things did or didn't happen.

6 A. Yes.

7 Q. So I assume you're saying it would be important there to
8 record --

9 A. Absolutely.

10 Q. -- clearly the outcome of any child protection referral.

11 A. Yes. And that's -- you know, it's referred to as
12 a decision rationale. Very often in multi-agency
13 meetings where you'll have the views of the different
14 provisions coming forward, there'll be a decision
15 rationale, whether that's collective or a note made of
16 any differences in views about how things are taken
17 forward.

18 Q. Then in the next paragraph, 143, you say that:

19 "There are two aspects to protecting children in
20 foster care."

21 And I think you say there has to be a framework, but
22 then there's also the question of implementing that
23 framework effectively. Is that the two things that you
24 mean or is there something different?

25 A. It's interesting because this is -- this is the part of

1 my statement I've highlighted as probably the most
2 important. The two aspects are the recruitment and
3 vetting process. You know, Local Authorities and wider
4 foster care agencies must do their absolute best to make
5 sure that the people who are in that role are
6 appropriately placed with such a heavy responsibility,
7 but what I'm guessing is in my 15 years of social work,
8 the number of times I have investigated a foster carer
9 are minimal, but actually the number of children who
10 have been in foster care who have later come out to
11 report that they have been abused, it doesn't match, it
12 doesn't correlate between the two.

13 So I think that it's really important that the
14 children who are and have been in foster care have
15 a trusted person -- and I don't think that always is
16 social work. You know, if a social worker is seeing
17 a child once a month, they're never going to be that
18 trusted person. I don't know if it's somebody within
19 the universal services, whether it's a teacher
20 identified who checks in with all children who are
21 looked after on a regular basis so that they can get
22 an understanding of what's really going on.

23 Foster care is really quite private, and if carers
24 don't want to report behaviours that might indicate that
25 some sort of abuse is going on, they don't have to.

1 There's nothing to compel them to do that. So you need
2 an independent, a separate person to have enough of
3 an understanding of a child, enough of a relationship
4 with them to spot when things are going wrong.

5 I think there also has to be an understanding that
6 just because you ask a kid once, "Is everything okay?"
7 and they say, "Yeah", it doesn't mean that everything's
8 okay. So it's unpicking that and for the child to build
9 enough trust in that adult to disclose something that's
10 going on.

11 I think there's not the engagement there that
12 I would like to see. I think there's lots of adults
13 interested in the child, but not really working on the
14 child's wavelength, so that if there is a disclosure
15 just waiting to happen, that there's that opportunity to
16 make it and to feel safe, for the child to feel safe and
17 contained when they're making it, to know what might
18 happen hypothetically. If I tell you something that's
19 really sensitive about my life and really scary, because
20 it probably means I'm getting shifted again, can I trust
21 you to take that forward? Can I trust you to continue
22 to hold me, to make sure I'm safe?

23 It's a huge investment for a kid, and that doesn't
24 happen with a -- it doesn't happen unless you've got
25 a fantastic relationship with a kid.

1 Q. Okay. And you highlight that again I think at
2 paragraph 144 where you're talking about foster children
3 needing key relationships.

4 A. Yeah.

5 Q. That's what you're covering there.

6 If we go on over the page to paragraph 145, you say
7 there:

8 "There are many barriers to hearing the voices of
9 children in foster care."

10 Can you explain that, please?

11 A. Children are very little, little children are very
12 little, and some of them don't have the understanding,
13 I think I've mentioned there, the comprehension or the
14 vocabulary to report that something isn't right. And
15 very often when children are coming from traumatic or
16 abusive backgrounds, any unusual behaviour is blamed on
17 that, is attributed to that. Oh, that's just them,
18 that's what they do because they were sexually abused
19 when they were little, or what not.

20 Children under eight -- that's a very arbitrary
21 figure, but -- generally don't have the brain
22 development to understand when something is okay and not
23 okay, particularly when there's complex relationships,
24 particularly when they've been harmed in some kind of
25 way but you love this person. And children can love

1 foster carers. There can be really great relationships
2 there, but that doesn't mean to say that those are not
3 abusive relationships in other ways.

4 Children, and children with disabilities, I have to
5 add as well, it's very, very difficult for them to find
6 a voice. It's very difficult with reports of any kind
7 of child abuse to find the corroboration that is
8 required to prosecute an adult.

9 I'm aware as well of children who have made
10 allegations against foster carers, you know, the foster
11 care team have asked for the investigation to be
12 concluded quite quickly because they need to make use of
13 that placement again.

14 So there's a lot of -- there's a lot of tensions,
15 and I think the focus is not always on the child.
16 I think foster carers are seen as resources, as valuable
17 resources at times, possibly more so than the child
18 would report.

19 Q. You mention at paragraph 146 about issues about lack of
20 corroboration.

21 A. (Witness nods).

22 Q. You talk about where there's an allegation against
23 a foster carer, the evidence would go to a Fostering and
24 Adoption Panel.

25 A. Yes.

1 Q. And that panel would then have to decide on whether the
2 carers should continue.

3 A. Yes.

4 Q. And you say that's an important decision to make on
5 minimal information.

6 A. At times, yes. I mean, children's vocabulary isn't
7 broad enough. Their sense of what's appropriate isn't
8 broad enough often to provide a description of whatever
9 has happened that is sufficient to cross a threshold.
10 There might be more than one child who's made a similar
11 allegation and they can pull that information together.
12 There might be informal questioning of other children
13 who have been in the care of those particular foster
14 carers. But very often you just don't have enough. You
15 don't have enough to de-register a foster carer.

16 Q. At the end of the next section you're talking about the
17 Children's Hearing at paragraph 147 and at the end of
18 that paragraph you say that you think there should be
19 more training in the area of informing children of their
20 right to advocacy.

21 A. I think that's something that's fairly recently been
22 implemented. Children are generally more aware of their
23 rights. There's various different contacts within
24 a Local Authority who will advocate on their behalf.
25 Children, they just seem to be lost in an adult

1 system, though.

2 Q. At paragraph 148, you talk about indicators of abuse,
3 which you've mentioned I think already in your evidence.

4 A. Yes.

5 Q. And you think there should be better understanding of
6 those and you don't think that foster care training is
7 adequate in that respect.

8 A. No, I don't. And I think the assumption of foster
9 carers or part of a foster care couple might be to look
10 for indicators of previous abuse. I don't think there's
11 ever the recognition that abuse also happens within
12 foster care placements. And I think to have greater
13 information of that, given that they spend most of the
14 time with the child, is really crucial.

15 Q. You also say that social workers are trained in relation
16 to understanding indicators of abuse.

17 A. Yes.

18 Q. And your view is that training is adequate.

19 A. Yes.

20 Q. And I think you describe over the page at paragraph 150
21 the reason why you have confidence that that is the
22 case, that you feel that that training is adequate at
23 present for social workers.

24 A. Yes.

25 Q. If you then go on to paragraph 151, you talk about

1 therapeutic support being required and you say that
2 children who have come from traumatic backgrounds should
3 be given therapeutic support to process that.

4 A. Yes.

5 Q. Is that something that's not in existence at the moment
6 or --

7 A. It depends on which Local Authority you're in. Some
8 Local Authorities have in-house play therapy and
9 therapeutic consultations. Other Local Authorities
10 don't. But I think it would be helpful to have that as
11 standard. It's standard for any child who's
12 accommodated to be offered a looked-after medical, so
13 all of their top-to-toe medical needs are identified.
14 Any need for dentistry, ophthalmology highlighted, and
15 I think it would be helpful at that point also to have
16 an emotional check-in: how's the child doing, what's the
17 plan to meet this child's needs longer term?

18 I think that tends to fall to social workers and
19 foster carers, when actually that could be quite clearly
20 established.

21 Q. Okay. At paragraph 152 you talk about the importance of
22 the relationship with the family of origin and you spoke
23 about that earlier --

24 A. Yes.

25 Q. -- in your evidence. At the bottom of this page,

1 paragraph 153, you say that anecdotally you understand
2 that some foster carers are disappointed that they can't
3 fix children, and you think that there's an assumption
4 that by giving the child a different middle class home
5 that all of their issues will be resolved, and then you
6 talk again about matching. Can you tell us what your
7 thoughts are in relation to that point that you're
8 making there?

9 A. I've heard of both professionally and personally, both
10 foster care and adoption breakdowns where it's
11 indicated, either directly or indirectly, that the child
12 that they did so much more was largely ungrateful and
13 that they were no good. You know, we're being cast
14 adrift, that they'd tried their absolute best, they
15 hadn't responded to that and it wasn't their fault,
16 they'd done everything that they possibly could within
17 their capability, but were unable to recognise that the
18 behaviour of a child often is about distress and the
19 pushing away is often about insecure attachments, and
20 understanding the developmental needs behind behaviour
21 rather than as being an attack on them personally.

22 Q. Over the page at page 36 you talk at paragraph 154 and
23 155 about the importance of the wider family, so not
24 just the parents, and at paragraph 155, the project
25 about lifelong links that you've spoken about, so having

1 somebody that the child had has a connection with that
2 connects to their life --

3 A. Yes.

4 Q. -- throughout its course, as it were, as opposed to
5 going to somewhere completely new.

6 A. Yes. I think there's great improvements scheduled to
7 take place within the Promise about sibling contact, for
8 instance, which includes half siblings and making sure
9 that those links are retained.

10 I was particularly interested in the lifelong links,
11 though, because it made such sense. These were natural
12 relationships. They weren't provided by the Local
13 Authority. They were supported by the Local Authority.
14 You've made a naturally attachment and a natural
15 relationship with somebody who is willing to see you
16 through, and I think that's just wonderful and I think
17 I would like to see that most widely implemented.

18 Q. At paragraph 156, you talk there about the financial
19 issues that foster carers aren't valued financially,
20 their skill development is not at the professional level
21 that it requires to be, and you've mentioned that
22 already. You then say:

23 "I don't think that foster carers should be seen as
24 professionals by children."

25 A. Again, it's about that link, it's about the attachment,

1 it's about whether children can tell if somebody is
2 invested in them, emotionally invested in them.

3 Q. Then at paragraph 157, you talk about the standards of
4 foster care, and again it touches on some of the things
5 that you've said already, although you also say that
6 there are some magical foster carers who have lots of
7 experience raising their own children and then they go
8 on to provide a nurturing experience for foster
9 children.

10 A. And I appreciate that. I appreciate that there are some
11 wonderful foster carers out there who bring all the
12 children into their bosom and they feel all lovely and
13 warm and they go on to do great things, but my issue is
14 that that is not freely available, that is not available
15 for every child. It can be hit or miss whether you get
16 one of these foster carers who will take you under their
17 wing and see you all right until you're 25, or whether
18 you get a cold foster carer who won't enable you to see
19 your family and talks negatively about them and that is
20 not acceptable. That's a lottery. That's a what day
21 did I come into foster care on, who was available on the
22 list? And that's not acceptable.

23 Q. You say at the bottom of this page and then on to
24 page 37:

25 "There are not enough foster carers. Social work

1 should have links nationally and there should be more
2 access to appropriate care."

3 What do you mean by "social work should have
4 national links"?

5 A. It just seems to be that any time a child is placed
6 outwith the Local Authority, the cost of that is
7 multiplied so many times. And while it's ideal to keep
8 a child at home, to keep them within their local
9 community, I would rather a child went to somewhere just
10 over the border because we knew that a different Local
11 Authority had a really lovely foster carer than ended up
12 with a rotten foster care placement that made their
13 outcomes really poor, you know.

14 I think it's the warmth -- I keep going back, I'm
15 repeating myself. It's the investment in the children,
16 the attunement with the particular children, the
17 understanding of some of the circumstances that they've
18 been through and the things that they've seen and their
19 attitudes towards the world that need to be prioritised,
20 not necessarily keeping things within a tight budget in
21 the local area.

22 Q. And when you say nationally, I mean what about
23 a national register of foster carers?

24 A. I've certainly heard that being spoken about in many
25 previous reviews and I'm aware that that's been rejected

1 for various reasons. I don't know enough about that to
2 be able to comment further.

3 Q. Okay. I'm at the end of my questions for you, 'Helen',
4 but I know that you brought some notes so is there
5 anything that we've not covered in your evidence that
6 you wanted to make sure that you said?

7 A. I've covered everything.

8 MS INNES: Okay, thank you.

9 There are no applications, my Lady.

10 LADY SMITH: Are there any outstanding applications for
11 questions of 'Helen'?

12 'Helen', that completes all we have to ask you this
13 morning but I don't want to let you go without thanking
14 you so much for all the work you've put into your
15 engagement with us. The wealth and breadth of your
16 experience is quite unique, and the way in which you
17 have presented your evidence to us both in writing and
18 in the way you've explained your answers today has been
19 of just the most enormous value. There is so much to
20 reflect on. You've certainly enriched my learning and
21 understanding and I'm deeply grateful to you for that.

22 So we'll close the outer curtains and we'll be able
23 to let you go then and draw breath and I hope you don't
24 have to rush straight back to work this afternoon
25 because you've earned a rest.

1 Whenever you're ready, feel free to go. (Pause).

2 We'll take the lunch break now and sit again at
3 about 2 o'clock. Thank you.

4 (The witness withdrew)

5 (1.13 pm)

6 (The luncheon adjournment)

7 (2.00 pm)

8 (Proceedings delayed)

9 (2.12 pm)

10 LADY SMITH: Good afternoon. We return to oral evidence and
11 we have another witness ready, I think; is that right?

12 MS INNES: We do, my Lady.

13 The next witness is using the pseudonym 'Brian'.
14 'Brian''s mother was a foster carer for Edinburgh
15 Corporation and after that Lothian Regional Council. In
16 his statement, he indicates that she was a foster carer
17 from about 1964 until about 1979. In particular, she
18 fostered two children who are applicants,
19 Shirley Caffell, who waived anonymity, and an applicant
20 using the pseudonym 'Cameron'.

21 Both of those applicants gave evidence to the
22 Inquiry on Day 296 on 15 June this year. They were
23 placed with 'Brian''s mother on [REDACTED] 1965 and removed
24 on [REDACTED] 1968. The City of Edinburgh Council is the
25 relevant successor.

1 LADY SMITH: There are no special measures for this witness.

2 'Brian' (sworn)

3 A. Hello?

4 LADY SMITH: That's very helpful, 'Brian', yes, we do need
5 to hear you through the sound system. Apart from
6 anything else, the stenographers work through the sound
7 system and they are making the transcript as we go
8 along.

9 That red folder has your statement in it and you'll
10 be taken to that in a moment or two. We'll also bring
11 it up on screen and you'll be able to see it there if
12 you find that helpful.

13 A. Yeah.

14 LADY SMITH: We'll go to particular paragraphs of it as we
15 go through your evidence.

16 But, 'Brian', can I just indicate I do know that
17 it's not easy coming into public to talk about things
18 that happened so long ago in your own life and that it
19 can be stressful. If you need a break at any time,
20 whether sitting where you are or leaving the room,
21 please do let me know.

22 A. Okay.

23 LADY SMITH: Because we want to do what we can to help the
24 occasion be as -- well, as unstressful, if I can put it
25 that way, as it can.

1 A. Okay.

2 LADY SMITH: So you keep in touch with me. If you have any
3 questions at all or any queries, don't hesitate to ask.

4 A. Okay.

5 LADY SMITH: Before I hand over to Ms Innes, though, there's
6 something else I want to say to you. You're here to
7 give evidence at a public inquiry. This isn't a hearing
8 in a courtroom, as I hope you understand, but you are
9 giving evidence in public. A transcript is being made
10 of your evidence. It will be available on our website,
11 for example, after the hearing today. And it's
12 important you understand that your evidence could be
13 relied on outwith the Inquiry.

14 In these circumstances, I need to warn you that if
15 you are asked any questions the answers to which could
16 incriminate you, you're not obliged to answer them. Do
17 you understand that?

18 A. Yeah, I believe so.

19 LADY SMITH: As I've already said, as we go through your
20 evidence, if you have any doubts or queries whether
21 about that or anything else, please don't hesitate to
22 speak up.

23 A. Okay.

24 LADY SMITH: If you're ready, I'll hand over to Ms Innes and
25 she'll take it from here.

1 A. Thank you.

2 LADY SMITH: Thank you. Ms Innes.

3 MS INNES: Thank you, my Lady.

4 Questions from Ms Innes

5 MS INNES: Now, 'Brian', we understand that you were born in
6 1949; is that right?

7 A. Correct.

8 Q. If I might refer to your statement, we give it the
9 reference WIT-1-000001003, and if we go to the final
10 page of this, page 19, and the bottom of the page, at
11 paragraph 80 we see that it says there:

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

16 And I understand that you signed that statement on
17 6 June of this year, 2022.

18 A. That's correct.

19 Q. If we go to the start of your statement and paragraph 4,
20 please, you tell us there a bit about your early life
21 and you tell us that in your early teens, you are family
22 moved to Portobello.

23 A. Yes.

24 Q. You moved there, I think, with your parents?

25 A. Yes.

1 Q. And you tell us that your mum was a stay-at-home mother?

2 A. Yes.

3 Q. And your dad at that time was a labourer?

4 A. Yes.


5 Q. At paragraph 5 -- sorry, if we just go back to


6 paragraph 4, you say that you think your parents were in


7 their early 50s around the time that you moved to


8 Portobello?


9 A. Correct.


10 Q. 


11 A. 


12 Q. 


13 


14 A. 

15 Q. 


16 A. 

17 Q. 

18 

19 A. 

20 Q. You say that when you moved to Portobello, Thomas was

21 still living 

22 A. Correct.

23 Q. I think we know from your statement, 'Brian', if we go

24 over the page to page 2 and paragraph 5, that --

25 A. I've not got 5. 6?

1 Q. Sorry, to page 2, paragraph 6, yes, you see that it says
2 there that -- you're talking about who was living in the
3 house.
4 A. Yeah.
5 Q. At the end of this paragraph you refer there -- it's
6 blanked out on the screen but it's Thomas that you're
7 referring to.
8 A. Yeah.
9 Q. And you say that he was living in the house with his
10 wife and their son?
11 A. Yes.
12 Q. So for the whole time that you were in Portobello, was
13 Thomas married and there with his wife and son? Or did
14 he get married when you were living in Portobello?
15 A. I believe he got married when we stayed in Portobello,
16 and then moved out.
17 Q. Okay.
18 A. After a couple of years.
19 Q. Okay. You also say that there was an old guy --
20 A. Yeah.
21 Q. -- who had stayed with you -- did he stay with you
22 before you moved to Portobello?
23 A. Yes.
24 Q. And he moved with you to Portobello?
25 A. Yes.

1 Q. Was he related to your family at all?

2 A. No.

3 Q. Was he a lodger?

4 A. Yes.

5 Q. Did he pay to stay with your parents, do you know?

6 A. Oh, I would think so.

7 Q. Okay.

8 A. He wasn't capable of work.

9 Q. Right, I see. I see, okay. You tell us a little bit
10 about the house in Portobello and I wonder if you can
11 just describe it in your own words just now. What was
12 the house like? What was the accommodation in it?

13 A. From the outside, it was like a two-windowed cottage.
14 A front garden. You went in through the main door, you
15 walked into a vestibule first, then from the vestibule
16 there was a room on the right, room on the right, room
17 on the left, another room on the right, another room on
18 the left. You could then go upstairs to two further
19 rooms.

20 Q. Okay.

21 A. If you come back down onto the ground floor, there was
22 a toilet, a bathroom. You went downstairs to --
23 I suppose it was like a living room, the kitchen off,
24 like a scullery -- do you know what a scullery is?

25 Q. Mm-hmm.

1 A. There was a glasshouse to the right. There was
2 an outside toilet. And there was a large back garden.
3 Q. Okay. If we can --
4 A. Sorry, there was a chalet in the back garden, and that's
5 where old [REDACTED] stayed.
6 Q. Okay. If I can just break that down a little bit. So
7 you said you went into the house, and from what you're
8 describing, it looks as though it was sort of initially
9 it was on one floor, it looked as though it was one
10 floor from the front?
11 A. Yes.
12 Q. But then at the back of the house there were two floors?
13 A. Yes.
14 Q. Okay. So you mentioned rooms on the right and the left
15 when you went into the house. So if we think about the
16 rooms on the right, what was the first room on the
17 right?
18 A. Like a large living room.
19 Q. Okay. And then the next room on the right, what was
20 that?
21 A. That was a bedroom.
22 Q. Okay. And who used that bedroom?
23 A. Myself and one of the [REDACTED] that was there.
24 Q. Okay. And then on the left, what was the first room on
25 the left?

1 A. First room on the left is where my mother slept.

2 Q. Your mother slept in the first room on the left?

3 A. Yeah, and it was like a living room/bedroom.

4 Q. Okay. And then the next room on the left, what was

5 that?

6 A. That's where my father slept during the week.

7 Q. Right.

8 A. And [REDACTED] stayed in that room.

9 Q. Okay. And where did your father sleep at the weekends?

10 A. In my mother's room.

11 Q. Okay. So if we carry on through the house and you said

12 you could go upstairs and were there bedrooms upstairs?

13 A. Yes. At the top of the stairs there was one room with

14 another room off.

15 Q. Okay, and the first room that you came to, what kind of

16 room was that? Was it a bedroom?

17 A. Yeah.

18 Q. And who stayed in that room, can you remember?

19 A. I believe the -- the two girls that are mentioned, they

20 stayed in there.

21 Q. Okay. You then mentioned there was -- so you were in

22 this room and then there was another room through from

23 that?

24 A. Yes.

25 Q. Who stayed in that room?

1 A. From 19 -- just trying to get my memory right. From
2 1964, [REDACTED] his wife and their baby
3 stayed in there.

4 Q. Okay. And they stayed there until they moved out to
5 their own house?

6 A. A council house, yes.

7 Q. Did you ever sleep in that upstairs area, can you
8 remember?

9 A. When I got married, yes.

10 Q. When was it that you got married?

11 A. [REDACTED] 1968.

12 Q. Did you ever stay there when the two girls that you
13 mentioned --

14 A. No.

15 Q. -- lived there? Okay. So if we've heard evidence from
16 them that at some point you had a bed behind a partition
17 in that area, you don't remember that?

18 A. No, and I don't remember a partition either.

19 Q. Right. Then you said I think that back down the stairs,
20 there was an inside toilet --

21 A. Yes.

22 Q. -- round about the landing area perhaps?

23 A. Yes, on the main floor.

24 Q. Okay, and then you went downstairs and there was the
25 kitchen and --

1 A. Well, it was like a living room and then the kitchen
2 came off that.

3 Q. Okay. I think we know that your mother sometimes had
4 bed and breakfast guests; is that right?

5 A. Very seldom, yeah.

6 Q. When you say very seldom, what do you mean?

7 A. It would be the Glasgow fair.

8 Q. So once a year or more than that?

9 A. I can't really recall.

10 Q. Okay. And what room did the guests use?

11 A. The -- the room on the right when you came in.

12 Q. So that first room --

13 A. First room on the right.

14 Q. -- that you described as a living room?

15 A. Yeah. That was a very big room.

16 Q. That was used for guests --

17 A. Yes.

18 Q. -- when she had people there for bed and breakfast?

19 A. Yes.

20 Q. Did she only ever use that room for bed and breakfast or
21 can you remember guesting elsewhere in the house or not?

22 A. Can't remember if anybody stayed anywhere else.

23 Q. Right, so if we go back downstairs again, back to the
24 kitchen, there's a living room down there, you then
25 mentioned a glasshouse?

1 A. Yes.

2 Q. Do you mean a conservatory --

3 A. Yes.

4 Q. -- so something that's linked to the house?

5 A. Yes.

6 Q. What was that used for?

7 A. My mother was a keen gardener, so flower pots, plants,

8 general storage.

9 Q. Okay. And was it kind of part of the main house or was

10 it separate?

11 A. It was attached to it.

12 Q. Right.

13 A. You had a door from the downstairs living and the two --

14 there was two doors. You could go through one door then

15 another door, which took you outside, or you could go in

16 the first door, to a sharp left and that was you in the

17 conservatory bit.

18 Q. Okay, that's fine. And then out in the garden you said

19 that there was a chalet, I think you described it as.

20 A. Yes.

21 Q. And that was where the man, the lodger that stayed with

22 you, he stayed there?

23 A. Yes.

24 Q. Okay. Did he spend all of his time in the chalet or did

25 he come into the house at all?

1 A. Oh no, he was more often than not in the house.

2 Q. Okay, so you said that you got married on [REDACTED] 1968.

3 A. Yes.

4 Q. And did you carry on living in the house after you got

5 married?

6 A. Yes.

7 Q. Okay. If we move on, please, to paragraph 9 of your

8 statement, you say there that you can recall that your

9 parents became foster parents in about 1964.

10 A. Yes.

11 Q. Why do you think it was 1964?

12 A. That's the earliest memory I've got of it.

13 Q. By that time, had you moved to Portobello?

14 A. Oh yes.

15 Q. You say:

16 "I'm sure they sat me down and told me of their

17 intention to foster other kids."

18 A. Yeah.

19 Q. You have some memory of having a discussion about that?

20 A. Vague.

21 Q. What did you think about it?

22 A. Not a lot.

23 Q. Okay.

24 A. Not a lot not in a bad way.

25 Q. Okay. Did they tell you why they had decided to start

1 fostering?

2 A. No, but I think many years later I put it through my
3 head and I think myself that when I'd grown up, 15,
4 started working, I think my mother just wanted to have
5 kids around the house.

6 Q. You say that she thereafter fostered kids until she died
7 in 1969 when she was aged 65.

8 A. Yes.

9 Q. So for that whole period were there foster children in
10 the house that you can remember?

11 A. Yes.

12 Q. At paragraph 10, you say that you can't remember
13 anything about the process or training that your parents
14 got to become foster parents, you don't know anything
15 about that?

16 A. No.

17 Q. And you were asked, I think, about whether they were
18 paid for fostering. Did you know about that at the
19 time? Were you conscious of that?

20 A. No.

21 Q. Okay.

22 A. It wouldn't have been any of my business, you know.

23 Q. If we go over the page, please, to page 3 and
24 paragraph 11, you say that you can recall some
25 short-stay youngsters?

1 A. Yes.

2 Q. What do you mean by "short stay"?

3 A. They would come for a few days. I suppose it was maybe
4 emergency.

5 Q. Okay. And you say that the children ranged in age from
6 babies --

7 A. Yeah.

8 Q. -- to at least one teenager?

9 A. Yes.

10 Q. So that's somebody who came when they were a teenager?

11 A. Yes.

12 Q. Okay. Because I think we'll go on to see that there
13 were some foster children that stayed with your parents
14 for a long time?

15 A. Yes, [REDACTED]

16 Q. Okay. And you say:

17 "I couldn't exactly say how many children my mother
18 fostered, but she once got a commendation for having
19 fostered 100 kids."

20 A. Yeah, she got taken out for lunch.

21 Q. By whom, can you remember?

22 A. I suppose it would be social work.

23 Q. Right, okay. And apart from lunch, was there some kind
24 of certificate or ceremony or anything?

25 A. Oh, I don't know, I wouldn't know.

1 Q. You say that you think the maximum fostered at any one
2 time was [REDACTED]?

3 A. Yeah.

4 Q. Unless your mother took a baby in at the same time?

5 A. Yeah.

6 Q. And your understanding is that would have been in
7 an emergency?

8 A. Yeah.

9 Q. Okay. Then you mention at paragraph 12 [REDACTED]
10 were the first children that your parents fostered.

11 A. Yeah.

12 Q. And at the time that they were fostered, they were aged
13 [REDACTED]?

14 A. Yeah, approximately.

15 Q. And you say that you're still very good friends with one
16 of them?

17 A. One of them, yeah.

18 Q. Who also worked with your company for many years,
19 I think.

20 A. Yeah, 40 year.

21 Q. You say that [REDACTED] stayed with you until 1979?

22 A. Yes.

23 Q. So I think you've told us that's when your mother died,
24 1979.

25 A. Yes.

1 Q. By that stage, [REDACTED], I think, would have been in
2 their 20s?

3 A. Yes.

4 Q. Then you mention a couple of [REDACTED] who came in
5 the mid 1970s and stayed with you, you say, until 1982?

6 A. Yes.

7 Q. So they continued to live at the house after your mother
8 had died?

9 A. Well, what had happened is that I had bought the house
10 next door to my mother's.

11 Q. Okay.

12 A. Exactly the mid 1970s I think it was. I then bought --

13 LADY SMITH: 'Brian', if you just move a little bit further
14 away from the microphone.

15 A. Sorry.

16 LADY SMITH: No, no need to apologise. It's just fuzzing
17 because you're so close to it and trying to do the right
18 thing, I'm sure. Try it a little bit further back.

19 A. Okay.

20 My wife and I had bought a house in the same street,
21 maybe 60 or 70 yards up the road, and that's where we
22 stayed, and [REDACTED] that were there, the house that my
23 mother and father had was still in the family. From
24 memory, they stayed in that house, so there would be my
25 father and [REDACTED] staying there.

1 MS INNES: Okay. When you say [REDACTED] you mean the
2 [REDACTED] who were by that time in their 20s?
3 A. Yes.
4 Q. And then these [REDACTED] were they still children at
5 the time or were they grown up?
6 A. No, they were teenagers. I'm pretty sure [REDACTED]
7 working by that time.
8 Q. Okay. Now, you then refer to Shirley and the other girl
9 who stayed with you in the 1960s.
10 A. Uh-huh.
11 Q. And you weren't sure about the time that they stayed
12 with you, and I think we know from the Local Authority
13 records that they stayed with your mother from [REDACTED]
14 1965 until [REDACTED] 1968.
15 A. Okay.
16 Q. Those are the dates that we have from the Local
17 Authority. I think your memory was different, but you
18 don't take issue with what's in the Local Authority
19 records?
20 A. No, if it's in the records. I would say that maybe my
21 memory was a bit blank coming up to getting married.
22 I was just ...
23 Q. Maybe your mind was on other things?
24 A. Yes.
25 Q. Okay. If we move on, you talk about placement

1 preparation. You say you can't remember how much or you
2 don't know how much notice your parents would be given
3 about children coming, it's not something that you would
4 be involved in.

5 A. No.

6 Q. And at the bottom of this page you say:
7 "I don't know what sort of assistance they
8 received."
9 And then at the top of the next page you say:
10 "But I do remember that I got bought a new bike one
11 time."
12 A. Yeah.

13 Q. I was just wondering why you connected that happening to
14 children being fostered.

15 A. Probably because it was the only bike I was ever given.

16 Q. Right, so you have a specific memory of getting this new
17 bike?
18 A. Yeah.

19 Q. Okay. Do you know how it was connected to the children
20 coming to live with you?
21 A. (Witness shakes head).

22 Q. No?
23 A. No.

24 Q. Okay. You then go on to talk about the daily routine
25 and sleeping arrangements, and we've covered some of

1 this already.

2 At paragraph 18 you tell us there about your dad
3 sharing a room with [REDACTED] while you
4 stared a room with [REDACTED]

5 A. Yes.

6 Q. You then say:

7 "When new kids first arrived they went into the
8 bedroom on the right of the hall."

9 A. Yes.

10 Q. Is that the big room at the front that you were talking
11 about?

12 A. Yes.

13 Q. Why did they go there when they first arrived, do you
14 know?

15 A. I have no idea.

16 Q. Did they just stay there for a little while and then go
17 somewhere else in the house?

18 A. I can't recall.

19 Q. Okay.

20 A. I suppose they would, yeah. I suppose, you know, they
21 were put in one of the bedrooms.

22 Q. Okay. You say that your memory about Thomas and his
23 family, who you told us were using the upstairs furthest
24 away bedroom --

25 A. Yes.

1 Q. -- your memory is that they were there until 1967?

2 A. That's what I recall.

3 Q. You talk about Shirley and the other girl using the
4 first bedroom upstairs, as you've mentioned.

5 A. Yes.

6 Q. Can you remember Shirley or the other girl ever using
7 a bed outside?

8 A. No.

9 Q. Okay. Now, if we've heard evidence that -- so I'll just
10 quote what we've heard in evidence from Shirley. She
11 says:

12 "On the left-hand side of the pantry in the kitchen
13 and round a little ..."

14 So if you can picture where that is downstairs.

15 A. On the left-hand side.

16 Q. " ... there was a little wall. Stuff used to be stored
17 in there but [you, she says] built a clear plastic
18 corrugated sort of roof and a wall."

19 A. I don't think so.

20 Q. Okay. Can you remember any construction like that at
21 the house, in the garden?

22 A. Yes, this is -- we were speaking about the conservatory.

23 Q. Okay, so this is the conservatory or glasshouse or --

24 A. Yes.

25 Q. And while you call it a glasshouse, was it in fact

1 plastic corrugated material that was on it, can you
2 remember?

3 A. I'm sure it was glass.

4 LADY SMITH: Was it corrugated in any parts?

5 Sorry, it's the way the sound system works, 'Brian',
6 it's me that's speaking to you.

7 A. Oh.

8 LADY SMITH: Was this structure that you call the glasshouse
9 one that included corrugated material anywhere on it?

10 A. I don't recall.

11 LADY SMITH: Could it have done?

12 A. Possibly.

13 LADY SMITH: Thank you.

14 MS INNES: Shirley's evidence was that there was a bed put
15 in there for her to use.

16 A. Not that I recall.

17 Q. Okay. And I think she specifically spoke about this
18 happening at a time that she wasn't well.

19 A. I don't recall her being unwell.

20 Q. Okay, we'll come back to that again in a moment.

21 A. Okay.

22 Q. As you're aware, that's in her statement.

23 LADY SMITH: Just to be clear, 'Brian', are you saying
24 there's a time that she was not unwell or you just don't
25 have any memory of a time that she was unwell.

1 A. I don't have any memory of her being unwell.

2 LADY SMITH: Is it possible that at some point she was
3 unwell and she did sleep in this structure outside?

4 A. I can't answer that, your Honour.

5 LADY SMITH: I just wondered whether it's possible it
6 happened but you don't remember it.

7 A. I suppose it could well -- it was possible, yeah.

8 LADY SMITH: Thank you.

9 MS INNES: At paragraph 19, you talk there about the toilet
10 and you mentioned that this was on the landing on the
11 way downstairs and there was a bath, a basin and
12 a toilet.

13 A. Yes.

14 Q. You also mentioned in your evidence earlier, as you say
15 here, that there was also an outside toilet?

16 A. Yes.

17 Q. As you comment in your statement, you're aware that it's
18 been said that Shirley and the other girl who was
19 fostered were only allowed to use the bathroom on their
20 first night and then after that they had to use the
21 outside toilet.

22 A. No, I have no recollection of that.

23 Q. So again, is it possible that that happened and you just
24 can't remember it?

25 A. (Pause). Possible.

1 Q. You say here:
2 "Everybody in the house had full access to the
3 indoor toilet."
4 A. Yes.
5 Q. So it's not your understanding that anyone was prevented
6 or banned from using the inside toilet?
7 A. No, no.
8 Q. Okay. If we can move over the page to the next page,
9 please, and to a heading "Chores", and you say at
10 paragraph 22 that you don't know if the foster kids had
11 any chores to do?
12 A. No. I -- I suppose it depends on what you define as
13 "chores".
14 Q. Okay.
15 A. I suppose they would wash our dishes or -- you know.
16 Q. You refer at paragraph 23 to something that's in
17 Shirley's statement and she said various things. She
18 says:
19 "We had to change all the guests' beds, we cleaned
20 their rooms, we did the laundry and we did their
21 breakfasts in the morning. We also cleaned and set the
22 coal fires. We were basically slaves there."
23 And you say:
24 "That's not true unless my mother had a change of
25 personality during the day when I wasn't there."

1 A. Yeah.

2 Q. I wonder if you can explain what you mean by that.

3 A. I certainly never witnessed them doing beds, laundry,
4 breakfasts, setting coal fires.

5 Q. Okay.

6 LADY SMITH: Just remind me, 'Brian', how old were you at
7 the time these girls were there?

8 A. 1965, I would be 16.

9 LADY SMITH: Okay.

10 A. I was born in [REDACTED]

11 LADY SMITH: What were you doing during the day when you
12 were a 16-year-old?

13 A. Working.

14 LADY SMITH: You started work when you were?

15 A. 15.

16 LADY SMITH: 15.

17 A. Left school on the Friday, started on the Monday.

18 LADY SMITH: And you never stopped since. I think you're
19 about retired, are you?

20 A. Yeah.

21 LADY SMITH: And it was a long working day, was it?

22 A. I suppose the day started about 7 o'clock in the morning
23 and home by 5, 5.15.

24 LADY SMITH: A long hard day from the start.

25 A. Yeah.

1 LADY SMITH: Thank you.

2 MS INNES: In the next paragraph, 'Brian', you quote from
3 the other statement that you've seen and this is one of
4 the girls saying that they had to be up first each
5 morning at 5.30 am to prepare your breakfast before you
6 went to work. Can you remember that happening?

7 A. No.

8 Q. Again, is it because you can't remember it or did it not
9 happen?

10 A. It never happened.

11 Q. Who made your breakfast in the morning?

12 A. I would be up for 7 o'clock, my mother would shout at
13 me, and I'd probably be out the door by 7.10.

14 Q. Okay.

15 A. Very seldom -- it was the building trade I worked in and
16 your regular break was 9.30 in the morning. And that
17 wasn't too long to wait to get something to eat.

18 Q. At this part of the statement that's quoted here, it's
19 also mentioned that they had to take a breakfast tray in
20 to your mother. Can you remember that happening?

21 A. No.

22 Q. Is it possible that happened after you were away at
23 work?

24 A. Quite possible, yeah.

25 Q. If we can go on to the next paragraph, please, on the

1 next page, at paragraph 25, this is talking about
2 washing and bathing, and there's a quote from Shirley's
3 statement in which she says:

4 "In the summer we had to wash outside in an old
5 washing machine full of rainwater. In the winter we
6 were allowed to wash at the pantry sink."

7 And your response is:

8 "I don't see how you would have got to the toilet in
9 there as there was no room."

10 A. Uh-huh.

11 Q. I just wonder if you can explain that answer, please.

12 A. My reading of the statement by Shirley was that the
13 washing machine was inside the toilet.

14 Q. Okay, well, I don't think that was what was said in
15 evidence, so I'll tell you what she said in evidence
16 itself. She said that the washing machine was in the
17 other corner of the garden from the toilet, it collected
18 rainwater.

19 A. I've misread that then.

20 Q. Can you remember --

21 A. No.

22 Q. -- there being a washing machine or something that
23 collected rainwater in the garden?

24 A. No.

25 Q. Is it possible that it was there and you've forgotten

1 about it?

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

3 Q. Then the other thing that she says here is that:

4 "In the winter, we were allowed to wash at the

5 pantry sink."

6 A. I never seen that.

7 Q. Okay.

8 A. I don't think my mother would have let that happen.

9 Q. If we can move on to mealtimes, please, at paragraph 27,

10 you say:

11 "We ate in the kitchen downstairs ..."

12 A. Yeah.

13 Q. " ... but we never all ate together."

14 A. Yeah.

15 Q. You say that you and your dad would eat together?

16 A. Yeah.

17 Q. Can you remember ever eating with Shirley or the other

18 girl in the kitchen? Can you remember all sitting

19 around the table together or not?

20 A. No.

21 Q. Okay.

22 A. My father and I worked on the same building site so we

23 left in the morning together and came home together.

24 Q. Okay. We heard evidence from both of them that in the

25 evening they got bread, jam and a cup of tea at dinner

1 time. If you weren't eating with them, you might not
2 know what they were having for dinner, would that be
3 right?

4 A. Well, as I said, I never witnessed any of the children
5 not eating their food.

6 Q. Did you ever see what they were eating?

7 A. It would have been the same food as my dad and I got.

8 LADY SMITH: Well, 'Brian', did you ever see them having
9 their meals?

10 A. I can't specifically say that I sat and watched them
11 eating meals, but --

12 LADY SMITH: I can see what you're saying. You and your dad
13 come in from a long, hard day of doing physical work.

14 A. Yeah.

15 LADY SMITH: And you have your tea together, your meal
16 together.

17 A. Yeah.

18 LADY SMITH: And so far as memories of meals are concerned,
19 that's it.

20 A. Yeah.

21 LADY SMITH: And not the two of you and any other children
22 at all that were in the house?

23 A. As I say, I can't say specifically that I seen them
24 sitting at a meal, but what I do know is that my mother
25 always made large pots of soup and it was a different

1 pot each time.

2 LADY SMITH: Thank you.

3 A. I think what I'm trying to say, your Honour, where did
4 all that soup go?

5 LADY SMITH: Okay.

6 MS INNES: Just dealing with this now, I think you'll know
7 that Shirley said in her statement that there was
8 an occasion when the girls were made to eat bowls of
9 rice and eggs which made them sick.

10 A. I never seen that.

11 Q. Okay. And I think she also said that you would be
12 involved in punishing them if they didn't eat it.

13 A. No way.

14 Q. If we can move on now, please, to page 7, and to the
15 heading "Healthcare".

16 A. Yeah.

17 Q. There's reference here at paragraph 31 to Shirley's
18 statement where she talks about having been ill with
19 rheumatic fever. She was then diagnosed with chorea,
20 which we understand from her records developed in
21 about June 1966. We also know that she was in hospital
22 for a period from December 1966 to January 1967. From
23 what you've already said, am I right in thinking that
24 you have no recollection of her being ill at all?

25 A. Correct.

1 Q. You have no memory of her being in hospital?

2 A. Correct.

3 Q. She told us, I think, that when she came back from
4 hospital she was put into that front room that you've
5 referred to where the B&B guests would have been.

6 A. Uh-huh.

7 Q. Can you remember her being there at any point?

8 A. Not really.

9 Q. And I think she also said that she had to stay at home
10 for a period, she wasn't able to go to school and that
11 a tutor came. Do you remember anything about that?

12 A. I certainly don't recall any tutors coming.

13 Q. I guess that could have been during the day when you
14 were working.

15 A. Yeah.

16 Q. If we can move on to paragraph 34 where you speak about
17 discipline.

18 A. Uh-huh.

19 Q. You say here:

20 "I certainly didn't hand out any physical discipline
21 to any of the foster children ..."

22 Does that remain your position?

23 A. Yes.

24 Q. And you say:

25 "It wasn't the sort of thing my mum would get

1 involved in."

2 A. Correct.

3 Q. Can you ever remember seeing your mother apply any

4 physical discipline?

5 A. Never.

6 Q. So from what you're saying, I'm assuming that you

7 weren't physically disciplined as a child by your

8 mother?

9 A. No. Nor by my father.

10 Q. Nor by your father. And you say that you have no memory

11 of seeing any of the children being disciplined?

12 A. Correct.

13 Q. And I suppose, whether that was physical or otherwise?

14 You can't remember them being sent to their room or

15 anything like that?

16 A. No, no.

17 Q. You say at the end of this paragraph if your parents did

18 ever deal out discipline, it would have been your

19 mother, not your father?

20 A. Yeah. My father was very soft-hearted.

21 Q. Okay. In terms of your relationship with Shirley and

22 the other girl that we've been talking about, what was

23 your relationship like with them when they lived with

24 you?

25 A. I would speak to them. But I certainly didn't sit down

1 and have a conversation with them.

2 Q. Okay. If we can move to the bottom of that page and the

3 heading "Visitors", and you say at paragraph 37 that you

4 do recall that sometimes when you went home from work

5 there would be people who you thought might be welfare

6 people?

7 A. Yeah.

8 Q. Can you remember ever speaking to a social worker who

9 came to the house?

10 A. No.

11 Q. You refer at paragraph 38 to comments from the

12 statements that you've seen and I think this was

13 reference in those statements, if we go on over the

14 page to page 9, paragraph 39, to you being there --

15 A. Uh-huh.

16 Q. -- when the [REDACTED] social worker came.

17 A. No.

18 Q. Can you remember ever being there?

19 A. No.

20 Q. Is that because it didn't happen or because you can't

21 remember it?

22 A. It didn't happen.

23 Q. Okay. It says here that it was said by them that you

24 would warn them what would happen if complaints were

25 made.

1 A. Not true, not true.

2 Q. Okay. If we can move on, please, to the next section of
3 your statement, at the bottom of page 9 there's
4 a section headed, "Allegations of abuse", and you'll
5 remember the warning, of course, that Lady Smith gave to
6 you at the beginning of your evidence.

7 A. Right. Is this number 42?

8 Q. Yes.

9 A. Aye.

10 Q. That's where this section starts. I'm just highlighting
11 that we're about to start talking about the specific
12 allegations of abuse that have been made against you and
13 I just want to be sure that you're remembering the
14 warning that Lady Smith gave to you at the beginning.

15 A. Yeah. Okay.

16 Q. Can I go on to page 11, please, and the bottom of this
17 page at paragraph 51. So the first part of this
18 paragraph is blanked out on the screen, but this is
19 an occasion where the girls talk about a photo being
20 broken over your head.

21 A. No.

22 Q. And then one of the girls having to, I think, sit in or
23 stand and look at that photograph for a period of time.
24 Can you remember a photograph being broken over your
25 head?

1 A. No.

2 Q. Again, is that something that you could have forgotten?

3 A. I don't think so.

4 Q. Can you remember ever making one of the girls stand and
5 stare at a photograph of you?

6 A. No.

7 Q. Did you shout at her if she wasn't doing that?

8 A. No.

9 Q. Did you slap her if she wasn't looking at it?

10 A. No.

11 Q. Okay. And there's reference at the end of this
12 paragraph that you can see here:

13 "It was just every day we got beaten by him for
14 nothing ... with belts, sticks, sweeping brushes and
15 anything that came to hand ..."

16 Did you ever hit either of the girls?

17 A. No.

18 Q. Did you ever hit them with a belt?

19 A. No.

20 Q. Or a stick?

21 A. No.

22 Q. Or a brush?

23 A. No.

24 Q. Okay. At the top of the next page, it says that when
25 this was happening, the other foster children that were

1 there would have to watch.

2 A. My page has not moved.

3 Q. It has moved. We're at the top of page 12, so it says:

4 "When he was beating me or ..."

5 A. No, it starts "to hand".

6 LADY SMITH: And then --

7 A. Oh, sorry, sorry.

8 LADY SMITH: Do you have it now, 'Brian'?

9 A. Yeah.

10 LADY SMITH: I know it's difficult because of the redactions

11 sometimes to pick up exactly where you are. It's from

12 there that you're being asked about.

13 A. I see it. Sorry.

14 LADY SMITH: No need to apologise.

15 MS INNES: It says:

16 "When he was beating me or [REDACTED]

17 [REDACTED] he always made [REDACTED] and [REDACTED] watch."

18 Did that happen?

19 A. No.

20 Q. And you say here:

21 "I never witnessed any foster child being assaulted

22 in that house.

23 A. That's correct.

24 Q. Okay. I'm conscious of the time, my Lady. It is

25 3 o'clock.

1 LADY SMITH: If that's a good place to break, we could break
2 now.
3 'Brian', I normally take a break in the middle of
4 the afternoon, which is about now.
5 A. Yes.
6 LADY SMITH: If it would work for you --
7 A. Yes.
8 LADY SMITH: -- for us to do that now, we can do just
9 a short break, would that be helpful?
10 A. Yes. How long do we have?
11 LADY SMITH: How long do you need? About ten minutes?
12 A. Yeah, great.
13 LADY SMITH: I think I can guess that would work for you.
14 Very well, we'll have a ten-minute break.
15 A. Thank you.
16 (3.02 pm)
17 (A short break)
18 (3.13 pm)
19 LADY SMITH: Are you ready for us to carry on, 'Brian'?
20 A. Yes.
21 LADY SMITH: Thank you very much. Ms Innes.
22 MS INNES: Thank you, my Lady.
23 Now if we can look, please, on page 12 of your
24 statement, 'Brian', and at paragraph 53 you can see
25 there that there's reference to hot and cold baths being

1 a regular punishment, and it's said that you would force
2 the girls to strip naked and climb into a bath of
3 boiling hot water "or he would physically put us in".
4 Did you do that?
5 A. No.
6 Q. It then says:
7 "The water was so hot it would cause blisters ..."
8 Did that happen?
9 A. No.
10 Q. " ... and then we'd have to get out and he'd fill the
11 bath with cold water and put us back in."
12 A. No.
13 Q. If we go on to paragraph 54, there's reference to
14 a teacher's watch going missing at the school and it's
15 said:
16 "Because I wouldn't admit to it, all that night it
17 was the hot and cold bath treatment. Eventually I told
18 him I had taken it even though I hadn't."
19 Can you remember any issue about a teacher's watch
20 going missing?
21 A. No.
22 Q. Again, did this hot and cold bath treatment happen?
23 A. Never.
24 Q. Then there's reference to after she couldn't take the
25 hot and cold treatment any more:

1 "He battered me again with the belt till I was black
2 and blue. He hit me all over and my arms were so sore
3 I couldn't move them the next day."
4 A. No.
5 Q. So did that happen?
6 A. No.
7 Q. Okay. If we move on please to paragraph 57 over the
8 page on page 13, you're responding there to something
9 that's said in a statement about a child being made to
10 stand in the corner for most of the day and it's
11 suggested that you made her stand in the corner for most
12 of the day.
13 A. No.
14 Q. Can you remember, did that happen?
15 A. No.
16 Q. Then there is reference further down in this
17 paragraph to you shaving her hair off?
18 A. Never.
19 Q. Did you ever cut the girls' hair?
20 A. No.
21 Q. Did you ever shave their hair off?
22 A. Never.
23 Q. And she says that you made her go to school the next day
24 with a woollen hat on to hide her head?
25 A. That never happened. I would be at work.

1 Q. Then at paragraph 58 there's various things said that
2 you said to the girls. That they were there because
3 their mum and dad didn't want them?
4 A. No.
5 Q. Did you say that?
6 A. Never.
7 Q. "He'd say we didn't even know where my mum was and it
8 was only out of the kindness of their hearts that they
9 had taken us in."
10 Did you say that sort of thing to the girls?
11 A. No.
12 Q. "He'd say we were useless."
13 A. No.
14 Q. "If I wet myself he'd call me 'pissy pants'?"
15 A. No.
16 Q. Did you ever call her that?
17 A. Never.
18 Q. "He'd call us names. We were always being degraded and
19 ridiculed. He'd slag off my mum and run down my dad."
20 Did you ever slag off their mother?
21 A. No, I wouldn't know their mother.
22 Q. Did you ever run down their father?
23 A. No.
24 LADY SMITH: Do you remember either of the girls wetting
25 themselves?

1 A. No.

2 LADY SMITH: Thank you.

3 MS INNES: If we can move on, please, we're going to come
4 back to the material that's in paragraphs 59 and 60, but
5 if we can move on a bit, please, to page 16 and
6 paragraph 65, this is an incident in Shirley's statement
7 where she says that you dragged her to the garden shed.
8 Can you remember dragging her to the garden shed?

9 A. Never.

10 Q. Is it possible that it happened and you've forgotten?

11 A. No.

12 Q. She says that you told her to drop her knickers.

13 A. Never happened.

14 Q. She says that you were very angry and she couldn't work
15 out why, and you grabbed the yard brush and pushed her
16 over the work bench.

17 A. Never happened.

18 Q. Do you remember that happening?

19 A. Never happened.

20 Q. She says:

21 "I thought he was going to smack me with the yard
22 brush so did as I was told. Suddenly he started poking
23 the handle against my bum ..."

24 Did you do that?

25 A. No.

1 Q. " ... while shouting all the time and telling me he
2 would show how this sex thing really was."
3 A. Never.
4 Q. I think the context of this in Shirley's evidence is
5 that she had disclosed that she had been sexually abused
6 by [REDACTED] when having contact with him. Were
7 you aware of that?
8 A. Never aware of that.
9 Q. She tells us that in this incident, you kept on going,
10 pushing it harder and harder, and she carried on
11 screaming until you stopped.
12 A. Never happened.
13 Q. Okay. And then she says you slapped her bare bum?
14 A. Never happened.
15 Q. Her legs and her face?
16 A. Never.
17 Q. Okay. And you tell us that you've been interviewed in
18 relation to this incident by the police.
19 A. Yes.
20 Q. Is that right? Okay.
21 If we can go back now, please, to the paragraphs
22 that I missed out, paragraphs 59 and 60.
23 We understand that this happened shortly before
24 Shirley and the other girl left your home:
25 At paragraph 59, the other girl talks about putting

1 her knee against a door to try to open it and cracking
2 the glass, so this appears to be cracking the glass in
3 a door that's by the kitchen. Can you remember a glass
4 pane in a door being broken?

5 A. No.

6 Q. Is it possible that it did happen and you've forgotten
7 that?

8 A. I think I would have seen a broken pane of glass.

9 Q. She says that all of the foster children were taken into
10 the kitchen by you and you screamed at them, demanding
11 to know who had broken the pane of glass.

12 A. No.

13 Q. She admitted it and it says that you began shouting and
14 swearing?

15 A. No.

16 Q. You stripped her naked?

17 A. No.

18 Q. Did you ever strip her naked?

19 A. Never.

20 Q. You made her bend over a stool?

21 A. No.

22 Q. And you beat her all over her body with a leather belt.

23 A. No.

24 Q. Okay. And then she tells us further down this quote
25 that she went to school and was spoken to her teacher

1 about it, and I think she says that she understood that
2 the police were called.

3 A. I was not aware of that, no.

4 Q. Can you remember any inspector coming from the RSSPCC to
5 the house?

6 A. No.

7 Q. Can we look at some records, EDI-000000775, and they'll
8 come up on the screen. If we go to page 2 first of all.
9 So we can see that this is a report and if we just
10 scroll to the bottom of this, we can see that it was
11 a report by an R Watson, inspector.

12 A. Okay.

13 Q. If we scroll down a little further, this is on
14 16 February 1968.

15 A. Okay.

16 Q. This is a report from this inspector and it says:
17 "Due to a complaint having been received on
18 Thursday, 15 February that a girl [and I can tell you
19 that that's FAE [REDACTED] residing at [your address, so in
20 Portobello, the bit that's blocked out is your
21 address --

22 A. Right.

23 Q. -- " ... was being ill-treated by her elder brother,
24 aged 18 years."

25 So on 15 February 1968, were you aged 18?

1 A. 1960 what?

2 Q. 1968.

3 A. No, I'd be 19.

4 Q. Were you not 19 in [REDACTED] 1968?

5 A. Sorry, yeah, yeah.

6 Q. So in [REDACTED] 1968, you would have been 18; is that
7 right?

8 A. Yes.

9 Q. Now, I think FAE [REDACTED] evidence is that this reference is
10 to you. Do you have any comment in relation to that?

11 A. "[REDACTED]"? That's not me.

12 Q. Okay. Who else might she have been referring to?

13 A. [REDACTED]

14 LADY SMITH: 'Brian', were you the only 18-year-old in the
15 household at that time?

16 A. Yes.

17 MS INNES: So when you say [REDACTED] who do
18 you mean?

19 A. Can I name them?

20 LADY SMITH: Well, how much older than you was he? I don't
21 need his name.

22 A. Nine years.

23 LADY SMITH: So you're talking about a 27-year-old?

24 A. Yeah.

25 LADY SMITH: This is quite specific about it being

1 an 18-year-old.

2 A. Okay.

3 LADY SMITH: It does sound like a reference to you, doesn't
4 it?

5 A. I suppose so, yeah.

6 LADY SMITH: Thank you.

7 MS INNES: Then it goes on to say:

8 "It was alleged that last week the girl had attended
9 school (which is [REDACTED]) ..."

10 Is that the local school?

11 A. Uh-huh.

12 Q. " ... with stab marks on her arm, and that today she was
13 at school and this shown a classmate her buttocks, which
14 were badly marked, being black and blue. It was also
15 alleged that she was so distressed that she had
16 expressed that she would [REDACTED]"

17 Then the inspector says:

18 "I called at [REDACTED] School at 3.30 pm when I saw
19 the headmaster, the class teacher and the girl
20 concerned, aged 10. The girl refrained from saying very
21 much, but stated that she resided with ..."

22 And it's blanked out but that's your mother and your
23 address.

24 A. Yeah.

25 Q. "I felt that I should investigate this complaint

1 further, so I visited [your mother] at 5.15 pm ..."

2 A. Uh-huh.

3 Q. " ... when I interviewed [your mother] in the presence
4 of the child. I saw part of this child's leg and was
5 surprised to see that it was really badly marked. She
6 informed me that she had been thrashed by Mrs JCI
7 son."

8 So again FAE would tell us that that's a reference
9 to you. You're Mrs JCI son.

10 A. Yeah, it would appear that way.

11 Q. "As the girl is 10 years of age, I did not pursue my
12 examination but advised [your mother] ..."

13 A. Sorry, sorry, I've just lost you here on the --

14 LADY SMITH: Go about halfway down.

15 A. Uh-huh, yeah.

16 LADY SMITH: It has a blue highlight on it.

17 A. Yeah.

18 MS INNES: "As the girl was ten years of age, I did not
19 pursue my examination but advised [your mother] to have
20 the child seen by her doctor that evening. [Your
21 mother] was not cooperative and refused to carry out my
22 advice or instruction. She admitted that she had asked
23 her son to chastise FAE for soiling her underwear."

24 A. No.

25 Q. Just so that first of all we're clear about what's being

1 said here, the inspector is reporting that your mother
2 said that she had asked her son to chastise [FAE] for
3 soiling her underwear.

4 A. That never happened.

5 Q. Okay. So is your mother not telling the truth here?

6 A. She can't be.

7 Q. Okay. Or has the inspector got it wrong?

8 A. I think maybe the inspector's got it wrong.

9 Q. I see. And then there's reference to:

10 "In the course of the conversation I learned that
11 this woman has [REDACTED] children fostered out to her by your
12 department ..."

13 And then there's a reference to the submission of
14 the report.

15 A. Uh-huh.

16 Q. If we can move on to another page of this document,
17 page 10, please, and if we go to the bottom part of this
18 page and to the entry 15 February 1968, you see that?

19 A. Yeah.

20 Q. These are from social work records, so our understanding
21 is that these notes were taken by a social worker.

22 A. Uh-huh.

23 Q. And it says there:

24 "Phone message from F/M ..."

25 Now, our understanding would be that would be

1 "foster mother", so that would be your mother. Okay?

2 "Phone message from foster mother to say that FAE
3 had organised a crisis in the home. She had apparently
4 gone to school and told her pals that ..."

5 And it's blanked out there but it's your name there.

6 A. Right.

7 Q. " ... (foster mother's 18 years son) ..."

8 And that would be correct as we know you were 18 at
9 the time?

10 A. Uh-huh.

11 Q. " ... had told her pals that [you] had hit her that
12 morning with the strap. This he had done as she had
13 soiled and this was the treatment for such behaviour."

14 If we go onto the next page, please, the top of the
15 page:

16 "Foster mother had instructed [and then again it's
17 your name, 'Brian'] --

18 A. Right.

19 Q. "Foster mother had instructed 'Brian' to do this because
20 she had been busily engaged with something else at that
21 moment. One of FAE pals had told her mother, who had
22 informed RSSPCC. The RSSPCC had arrived (Inspector
23 Watson) to investigate matters."

24 And then there was the report that we've looked at.

25 So if we look again at the sentence at the top of

1 the page, it says that in this note of the telephone
2 conversation, the foster mother had instructed you to do
3 this because she'd been busy with something else. And
4 if we go back again to the previous page just so you can
5 see at the bottom of page 10, the reference at the
6 bottom of the page is:

7 " ... had hit her that morning with the strap. This
8 he had done as she had soiled ..."

9 A. Never happened.

10 Q. Okay.

11 A. I don't know why my mother would say that.

12 LADY SMITH: It looks from that note as though she did,
13 though, 'Brian', doesn't it?

14 A. In the note it does, your Honour, yeah.

15 LADY SMITH: Thanks.

16 MS INNES: Okay. Do you have any explanation for why your
17 mother would have said this if it didn't happen?

18 A. I have no idea whatsoever. I don't believe she said
19 that. It may be in the notes, but ... she couldn't
20 have. It never happened.

21 Q. So you're saying you don't believe that she said this to
22 the social worker?

23 A. Correct.

24 Q. And it looks like she said something similar to the
25 inspector as well?

1 A. I wasn't present. I have no knowledge of this.

2 Q. Okay. I just want to be clear about your evidence,
3 'Brian'.

4 A. Yeah.

5 Q. Are you saying that you think that the social worker got
6 it wrong and the inspector got it wrong?

7 A. It's possible.

8 Q. Okay.

9 A. I know I have no knowledge of this.

10 Q. Sorry?

11 A. I know I have no knowledge of this.

12 Q. Is it possible that it happened and you've forgotten
13 about it?

14 A. No. No way.

15 Q. Okay. If we can leave the records just now, thank you,
16 and if we can move on a little in your statement to
17 a couple of other matters, and at page 16 in
18 paragraph 66 at the bottom of this page.

19 A. Uh-huh.

20 Q. You refer there to something that Shirley says in her
21 statement and there's reference to a contact between you
22 and her in 2011.

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

24 Q. Can you not remember speaking to Shirley in 2011?

25 A. No, not then.

1 Q. Okay, so when you say "not then", was there another time
2 that you spoke to her?

3 A. Yes. I think it was 2014.

4 Q. Okay. And what kind of contact was it at the time? Was
5 it telephone --

6 A. Telephone.

7 Q. -- was it a meeting, was it online --

8 A. Telephone.

9 Q. She talks here about a telephone call and she says that
10 she asked you to confirm that she was very unwell and
11 that he had made that "fabulous wee bed" in the garden.
12 And:

13 "He said 'yeah, yeah, it was summer and it was so
14 much better for you to be out in the fresh air'."

15 A. No.

16 Q. Can you remember speaking to Shirley about those things?

17 A. No.

18 LADY SMITH: But there was a telephone conversation?

19 A. Yeah.

20 LADY SMITH: Did you call her?

21 A. No, she called me.

22 LADY SMITH: Had she emailed you?

23 A. No.

24 LADY SMITH: Are you sure?

25 A. Yeah.

1 MS INNES: Did she just phone you out of the blue?

2 A. Yeah.

3 LADY SMITH: What for?

4 A. She started -- she started off, she used her married
5 name and then she informed me of her single name, which
6 I then remembered who it was. She said she was
7 retiring, she was going to Singapore, retiring to
8 Singapore to write a book. She asked if she would be
9 able to put my mother's name in. I said yeah -- sorry,
10 there were two phone calls. There was one midweek, and
11 then there was one the following weekend. The first one
12 was just smalltalk, how are you getting on, everything
13 like that. Having introduced herself, I then knew who
14 I was speaking to when she gave me her single name. We
15 agreed to speak again at the weekend, which we did. She
16 called me on my mobile. So I must have given her my
17 mobile number. Made smalltalk, and that's when she told
18 me, at the weekend, that she was going to Singapore.

19 LADY SMITH: What was the smalltalk about?

20 A. How good my mother had been. That's -- just that sort
21 of stuff. You know. I'm sure she said she was staying
22 in East Lothian. I think the call lasted maybe two
23 minutes, three minutes?

24 LADY SMITH: When you saw in her statement that she said
25 she'd first of all emailed you, did you search your

1 email account to check whether you had an email from her
2 in it?

3 A. No, I think I would have remembered at that time if I'd
4 received an email.

5 LADY SMITH: Did you search your email account?

6 A. No.

7 LADY SMITH: I see.

8 Ms Innes.

9 MS INNES: We're looking at the top of page 17 here and some
10 of the other things that she says that she said in that
11 telephone conversation. She says she referred to you
12 giving **FAE** the belt and breaking -- "it was for
13 breaking that window". Can you remember her raising
14 that issue --

15 A. Never.

16 Q. -- in the telephone discussions?

17 A. Never.

18 Q. Is it because you've forgotten about it or because --

19 A. No, I think I would remember something like that.

20 Q. And she says that you said, about the broken window:
21 "Yeah, but we couldn't tell the coppers about that
22 because we couldn't get the social to pay for the broken
23 window."

24 A. That was never said. But I'm not sure I see the logic
25 in what she's saying there:

1 "Yeah, but we couldn't tell the coppers that because
2 we couldn't get the social to pay for the broken window"
3 I'm lost.

4 LADY SMITH: Did the social pay for the broken window?
5 A. There was no broken window.

6 LADY SMITH: I see. Thank you.

7 MS INNES: And then she goes on:
8 "He added something along the lines that it would
9 have been complicated and the social would have been
10 asking why, if they had an inside toilet, FAE was going
11 outside to do the toilet."
12 Can you remember talking to her about that sort of
13 thing in the telephone conversation?
14 A. No, no.

15 Q. She says:
16 "I then asked him why he felt it necessary to poke
17 me in the bum with the sweeping brush and he hung up."
18 A. That's not how the conversation ended.

19 Q. How did the conversation end?
20 A. Basically me wishing her well in Singapore, asked her to
21 let me know when she'd published her book. Yeah.

22 Q. Okay. If we move down, please, to paragraph 70, which
23 is the bottom of this page, you say that you don't know
24 why they left foster care.
25 A. Correct.

1 Q. You can't remember how it came about that they left the
2 house --
3 A. No.
4 Q. -- that you were all living in?
5 A. No.
6 Q. Okay.
7 A. I think, as I said earlier, I can't even remember them
8 being there in 1968.
9 Q. Okay. Why do you think that they've said the things
10 that they've said about you?
11 A. At first I thought maybe coming after money.
12 Q. Okay. We've heard evidence from both of them that they
13 don't want money from you. So that was one of the
14 reasons that you thought.
15 A. Yeah.
16 Q. What are any other reasons that you thought they might
17 be saying these things?
18 A. Well, since this started I have been looking on the
19 internet and I believe compensation can be got from the
20 council.
21 Q. Okay. So you think that it's about compensation from
22 the council maybe?
23 A. Perhaps.
24 Q. Okay. Any other reason?
25 A. No.

1 Q. I just want to be clear about your evidence. You say
2 here:
3 "I think they've said the things they've said
4 because they became aware ..."
5 A. Yes.
6 Q. And this is [REDACTED] --
7 A. [REDACTED] yeah.
8 Q. " ... had been jailed for historical sexual
9 offences ..."
10 A. Uh-huh.
11 Q. I didn't understand why you mentioned that in this
12 context.
13 A. Well, basically I think they have said the things they
14 have said because they became aware of [REDACTED]
15 had been jailed for historical sexual offences and they
16 realised that I had been successful in life and it's
17 money they're after.
18 Q. Again, I'm just not understanding, I'm sorry, 'Brian',
19 I'm sure it's definitely my fault. How is it that the
20 [REDACTED] being jailed for sexual offences --
21 A. Well, perhaps it was him that committed any offences
22 against them then.
23 Q. Okay.
24 LADY SMITH: But you also say in your statement that none of
25 the charges against him involved children who had been

1 fostered by your parents.

2 A. I'm not aware. There may be other charges to come for
3 him.

4 LADY SMITH: But what he was convicted of didn't involve any
5 foster children.

6 A. I don't believe so, no.

7 LADY SMITH: Thank you.

8 MS INNES: Yes, because you then say:
9 "They couldn't get money from him ... so they are
10 trying to get it out of me."
11 So are you thinking that they have tried to get
12 money from [REDACTED] ?

13 A. I wouldn't know. I've not spoken to him since 2005.

14 Q. So that's just speculation?

15 A. Yeah.

16 Q. You're just speculating that they might have done that,
17 okay.

18 LADY SMITH: Have they tried to get money from you, 'Brian'?

19 A. No.

20 LADY SMITH: Thank you.

21 MS INNES: Just finally in terms of Shirley's evidence, she
22 told the Inquiry that what she would like from you is
23 an apology. She said:
24 "I'd like him to own what he did."
25 A. I can't do that.

1 Q. Why not?

2 A. Because I never done anything. Nothing to apologise
3 for.

4 MS INNES: Okay, thank you very much, 'Brian'. I have no
5 more questions for you.

6 There are no applications, my Lady.

7 LADY SMITH: Are there any outstanding applications for
8 questions of this witness?

9 'Brian', that completes all the questions we have
10 for you today. As I said to you at the beginning, I'm
11 grateful to you for coming and engaging with the
12 Inquiry. We have your written statement, of course I've
13 read it, and that's part of your evidence, and it's been
14 very helpful to hear from you yourself today.

15 I know it hasn't been easy and I do appreciate we've
16 had to ask you difficult questions, but thank you for
17 bearing with us.

18 A. Thank you.

19 LADY SMITH: And I'm able to let you go.

20 A. Thank you.

21 LADY SMITH: And hopefully have a restful evening. Thank
22 you very much.

23 A. Okay.

24 (The witness withdrew)

25 LADY SMITH: There are names we used during 'Brian''s

1 evidence, some of which we've used before and I've
2 reminded anyone listening they're covered by my general
3 restriction order, but just to confirm, there was FAE
4 there was Mrs JCI Thomas and all of whom
5 were part of the foster household that we've been
6 discussing this afternoon.

7 I don't think I've missed anybody out.

8 MS INNES: I think that was everybody.

9 LADY SMITH: So, Ms Innes, is that --

10 MS INNES: We don't have time for a read-in this afternoon,
11 given it's 3.45, so I wonder if we might rise until
12 tomorrow, when we have two witnesses who will both be
13 giving evidence in the morning by WebEx.

14 LADY SMITH: Thank you very much.

15 All being well with the WebEx link, we'll start at
16 10 o'clock tomorrow morning. Thank you.

17 (3.48 pm)

18 (The Inquiry adjourned until 10.00 am
19 on Thursday, 14 July 2022)

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I N D E X

'Helen' (affirmed)1
 Questions from Ms Innes3
'Brian' (sworn)120
 Questions from Ms Innes122

