

Thursday, 11 August 2022

1

2 (10.00 am)

3 LADY SMITH: Good morning.

4 Ms Innes, it's looking like we have a link and I'm
5 told that it's been tested and all is well; is that
6 right?

7 MS INNES: It has been, my Lady.

8 The next witness has chosen to remain anonymous and
9 is using the pseudonym 'Julie'. 'Julie' was in the care
10 of Dumfries and Galloway Regional Council and she was
11 placed with foster carers, the EYO-EYN from [REDACTED] 1977 to
12 [REDACTED] 1988, when she was removed. Dumfries and
13 Galloway Council are the relevant successor.

14 LADY SMITH: Thank you very much.

15 'Julie', good morning. Can I check whether you can
16 hear me and see me?

17 A. Yes. I can, yes.

18 LADY SMITH: Thank you. You've probably guessed that I'm
19 Lady Smith and I chair the Scottish Child Abuse Inquiry
20 here in Edinburgh. I'm very grateful to you for joining
21 us by the WebEx link this morning and I hope, as we go
22 through your evidence, the link keeps working as well as
23 it is doing at the moment.

24 If I may, I'd like to begin by asking you to
25 formally promise to tell the truth.

1 'Julie' (affirmed)

2 LADY SMITH: Now, 'Julie', I know that what we're asking you
3 to do here isn't at all easy, even although you've not
4 physically come to the hearing premises, but going back
5 to events in your childhood and being asked to talk
6 about them in a public setting of any sort is hard, and
7 I know it's particularly hard when you're asked to talk
8 about matters which were and are distressing to you and
9 may well trigger emotions that quite take you by
10 surprise. I do understand that, and I hope you
11 appreciate that if there's anything we can do to help
12 you give your evidence as clearly as you can and as well
13 as you can, we want to do that.

14 So, for example, if you need a break, that's
15 perfectly all right, and I know that you have
16 a supporter there that can help to indicate that if
17 necessary, but whether that break means us stopping the
18 link and you having a rest or just pausing where you
19 are, let me know if anything like that would help or,
20 indeed, if anything else would help, if there's anything
21 we're doing or not doing that's making a hard job even
22 harder for you.

23 So please bear that in mind. If it works for you,
24 whatever it is, it will work for me. Okay?

25 A. Okay.

1 LADY SMITH: If you're ready, I'll hand over to Ms Innes and
2 she'll take it from there. All right?
3 A. Thank you.
4 LADY SMITH: Thank you.
5 Ms Innes.
6 MS INNES: Thank you, my Lady.
7 Questions from Ms Innes
8 MS INNES: Now, 'Julie', we understand you were born in
9 1973; is that right?
10 A. Yes.
11 Q. I'm going to refer to your statement, and I think you
12 have a copy of it with you. We give it the reference
13 WIT-1-000000887, and I want to look at the final page of
14 the statement at page 66, paragraph 249.
15 A. Yes, I have it.
16 Q. Okay. It says there:
17 "I have no objection to my witness statement being
18 published as part of the evidence to the Inquiry.
19 I believe the facts stated in this witness statement are
20 true."
21 And you signed the statement, I think, on 13 January
22 of 2022; is that right?
23 A. Yes.
24 Q. Okay, thank you.
25 Now I'm going to go back to the start of your

1 statement, and at paragraph 2 you tell us a little bit
2 about your family, and you tell us at the end of
3 paragraph 2 that your mum had your older brother in
4 1972, when she was 16, then you in 1973, and then your
5 younger brother in 1974, when she was 18.

6 A. Yeah.

7 Q. Okay. And you tell us that you found out about other
8 siblings later in life, I think.

9 A. Yeah.

10 Q. Okay. But when you were in care, were you in care with
11 your brothers who you mention at paragraph 2?

12 A. Yeah, [REDACTED] and [REDACTED], we stayed together with Mrs EYN [REDACTED],
13 and then just before leaving Mrs EYN [REDACTED] which probably
14 was part of the catalyst of leaving Mrs EYN [REDACTED], they took
15 [REDACTED], they sent them to Closeburn, which was like
16 a correction kind of place, it was more a lockdown
17 rather than a children's home, and then they took -- me
18 and [REDACTED] went on to go into care, and then community
19 carers, and then they took us when [REDACTED] was -- I think
20 I was 14 when they split me and [REDACTED] up.

21 Q. Okay.

22 Now, you tell us in your statement that you went
23 into care in a place called the Wendy House in Dumfries
24 for a period, and then at page 3 of your statement you
25 tell us that you went to the EYO-EYN [REDACTED], and you spent about

1 11 years staying with them; is that right?

2 A. Yes.

3 Q. And you think you were about -- you were quite young
4 when you first went there. I think we know from the
5 records that you went there in [REDACTED] 1977, so you were
6 about four when you went to the EYO-EYN.

7 A. (Witness nods).

8 Q. You tell us at paragraph 8 that you think the EYO-EYN
9 were too old to foster.

10 A. Yes.

11 Q. What was your perception of them in terms of their age?

12 A. Well, the children used to ask me if she was my granny.

13 Q. Okay.

14 A. Because she was like your stereotypical granny. She
15 looked like my granny. But she was actually -- as far
16 as I was aware, she was actually a lot older, but
17 because she had the experience and they wanted to keep
18 us together, Ann Robertson being her friend, I think
19 they just kind of pulled a few strings, really, and we
20 got sent there, even though they knew that they were
21 maybe too old.

22 Q. Okay.

23 Now, from records that we have, we know that the
24 EYO-EYN were both born in 1924, so when you went there in
25 1977, they would have been 55 when you arrived, and then

1 obviously you stayed there up until 1988. I think you
2 tell us that Mr EYO in fact died during the time that
3 you lived with them; is that right?

4 A. Yes.

5 Q. And I think you also tell us that he had a stroke at
6 some point.

7 A. Yeah, he had a stroke when we lived at [REDACTED],
8 and then we had to move to [REDACTED] to have
9 a better house, I think the toilet was on a better
10 level, blah, blah, so we moved there, and then he died
11 when we went to [REDACTED].

12 Q. Okay. Was he incapacitated, then, after his stroke, to
13 some extent?

14 A. To some extent, yeah. He was paralysed on the left-hand
15 side, but he could still walk and he could still grab
16 you, could still keep a hold of you when he got you, put
17 it that way. But, yeah. So he was -- and he couldn't
18 talk very well. So he was incapacitated to an extent,
19 yeah.

20 Q. Okay.

21 Do you know if there was any consideration of you
22 perhaps being taken away from the EYO-EYN after he had
23 his stroke or anything like that?

24 A. There was another foster child at the time in our care,
25 and he'd come in after the three of us had arrived, so

1 I think, between Ann Robertson and the social workers,
2 they decided he would have to leave and we would move to
3 [REDACTED] with Mrs EYN [REDACTED] and Mr EYO [REDACTED]. I don't
4 think there was any consideration of us ever leaving.

5 Q. Okay.

6 You say that your understanding is that they'd been
7 foster carers for many years, and I think, again, we
8 know from the records that they had -- well, the records
9 say that they had been foster carers since about 1960,
10 so 17 years or so before you went, and you say that they
11 had a large family. How many children did they have?

12 A. They had [REDACTED] daughters. One died young, a daughter
13 called [REDACTED], but they had [REDACTED] and they
14 had -- [REDACTED]
15 [REDACTED] and an adopted son called [REDACTED].

16 Q. Okay. You say at the end of paragraph 8 that when you
17 first arrived, it was really only [REDACTED]

18 A. Yes.

19 Q. -- [REDACTED] that you've mentioned, who
20 were staying at home at the time that you went to live
21 there; is that right?

22 A. Yes.

23 Q. Okay. Were any of the daughters living there?

24 A. No, they were all married.

25 Q. Okay.

1 A. One of them, my sister [REDACTED], she was in the army,
2 I think, in Germany, living across in Germany at the
3 time.

4 Q. Okay.

5 You say at paragraph 9 that you called them mum and
6 dad. You were obviously young when you arrived to live
7 with them.

8 A. (Witness nods).

9 Q. And you say:

10 "I do remember knowing that they were not our
11 parents."

12 Can you remember if that's something that you were
13 told or how you found out that they weren't your
14 parents?

15 A. I think just the age I was. I think I just knew. I was
16 four and I had known obviously that I had parents
17 before. My brother [REDACTED] was slightly older. He
18 definitely remembered. So it was just really kind of
19 obvious.

20 Q. Okay.

21 Now, if we go on over the page, you talk about the
22 various addresses that you lived in. Were they all in
23 Lockerbie?

24 A. Yes.

25 Q. In the various places that you stayed, did you share

1 a room with anyone or did you have your own room?

2 A. I had my own room.

3 Q. Okay. And --

4 A. In -- in -- there was -- maybe in [REDACTED], but I'm not
5 quite sure about [REDACTED] because there was foster
6 children came in, and I do recall sharing a room with
7 them. But most of the time I was -- I was -- in the
8 majority of the time, I had a room of my own.

9 Q. Okay. Yes, you mentioned some other children coming at
10 paragraph 11, and you've mentioned that there was a boy
11 who was moved at the time that Mr EYO died.

12 Now, at paragraph 12 you tell us that Mrs EYN's
13 best friend was a social worker, Ann Robertson, and she
14 became your social worker. How did you know that this
15 lady was Mrs EYN's best friend?

16 A. Because they told us.

17 Q. Right.

18 A. They were quite proud of the fact they were good friends
19 and they'd been friends for the last 20 years or so.

20 And I knew that she cohabited with my Uncle [REDACTED] who was
21 one of my favourite uncles, actually, and I do know he
22 was a good man because he listened to me, but he lived
23 with her, so obviously that's how we knew.

24 Q. Okay.

25 A. There was family occasions, we used to watch her dog

1 when she went on holiday with him, and she was very
2 much -- even outwith her job, she was still quite
3 prominent at times in our lives through her friendship
4 with EYN .

5 Q. Okay. So when Mrs Robertson was coming to the house,
6 was it clear to you when she was there to see you in
7 a professional capacity or when she was there as
8 a friend?

9 A. Not really. Obviously when she came on -- sometimes if
10 it was like a review, she would have to bring paperwork
11 that she'd have to do, but most of the time it was just
12 Ann Robertson coming. We didn't really -- we weren't
13 really privy to the reviews as such. There wasn't
14 really -- I don't really remember us really being sat in
15 on reviews like we were when we went -- as we got older
16 and we went to care. There wasn't really -- I think the
17 review was mainly with her and Mrs EYN just chatting
18 about how we were doing. I don't really recall ever
19 being sat down and asked very much about how we were
20 feeling until it got later, when I started to say
21 I didn't want to be there.

22 Q. Okay.

23 Now, I'd like to refer to a document. I think you
24 have a copy of the document. So it's got the reference
25 DGC-00000000408. In the top right-hand corner it says,

1 "Confidential Form E".

2 A. I'm just looking -- yeah, yeah, sorry.

3 Q. So it says, "Confidential Form E", and this is a Form E
4 which is in respect of you. I think we see the date in
5 the top right as well, which is 13 April 1988, so this
6 is after you had been removed from the EYO-EYN.

7 A. Yes.

8 Q. And we see the child social worker is David Baird.

9 So if we go on to the second page, it says in the
10 first paragraph:

11 "I've known [and it's your family] since July 1987
12 and I have had regular and frequent contact with [you
13 and your siblings]."

14 And then he says:

15 "After an initially difficult period I feel that
16 'Julie' relates well to me. Initial difficulties were
17 that she had had the same social worker for some
18 11 years prior to my becoming involved. This social
19 worker is female and is a friend of the foster family.
20 It's my opinion that this has caused some difficulties
21 in my contact with this family."

22 So I think we see there the new social worker that
23 you had confirming what you've said about the
24 relationship between Mrs EYN and the social worker,
25 that they were friends.

1 A. (Witness nods).

2 Q. Okay, and he seems to suggest that that caused some
3 difficulties for him.

4 A. Yeah, I didn't like the man. Didn't like him very much
5 at all. I think by then I'd quite lost hope in social
6 workers and I think I found him quite prying, I suppose,
7 because like I say, she never really spoke to us about
8 things, the reviews and stuff, whereas he tended to want
9 to speak to us and I didn't particularly want to speak
10 to him. It was kind of like that. Whereas she'd just
11 speak to Mrs EYN and it would just be done. We
12 weren't necessarily involved. I think I must have
13 resented it some way. I didn't like his socks either
14 for some reason.

15 Q. Okay. We can leave that document to one side now, and
16 if we can go back to your statement, please, and the
17 bottom of page 4, you talk about Mrs EYN there in
18 paragraph 13, and you say that you believe that she was
19 fully aware of the abuse that you suffered in her care,
20 and we'll come on in due course to see a bit more about
21 that.

22 But why do you think that she was fully aware of the
23 abuse?

24 A. Because she would send particularly Stuart, the one that
25 got in jail, she would send him to the farm. She

1 would -- at times she would stop him going up the stairs
2 when I was up the stairs. Her daughter caught [REDACTED]
3 [REDACTED] and made her fully aware, but Mrs EYN [REDACTED]'s answer
4 was I could not be doing things -- having sex and things
5 with [REDACTED], so obviously it was on me.

6 So she was fully aware all the way through. I have
7 no doubt. Even the night, she apparently said she heard
8 me crying, and that's why she came in that night; well,
9 I can't see what was any different about that night to
10 any other night. She just -- something in her made her
11 react a different way that day. I don't know.

12 But I don't know if she was trying to help me, but
13 maybe she was -- I don't know why she came in that night
14 and I don't know why she called my sister the next day,
15 and I don't know why it all came to light, because
16 normally she would -- things would get said or it would
17 come to a point where she couldn't deny it, and he would
18 just get sent away. In the morning when I got up,
19 I told her I wanted her to do something about it or
20 I would, but I just meant just send him away like
21 she normally did. That's what I fully expected to
22 happen, was her just to send him away. But as it is,
23 this whole thing unfolded.

24 Q. Yes, okay.

25 Now, if we can move on a little in your statement,

1 please, to page 6, and at the bottom of page 6, at
2 paragraph 20, you have a section there that talks about
3 mealtimes and food, and you say that at breakfast you
4 say you hated it because you couldn't eat in the
5 mornings:

6 "That was the beginning of hell each day."

7 A. (Witness nods).

8 Q. So how was it that you say that, that hell began with
9 issues at breakfast time?

10 A. Because -- because -- well, one, you didn't want to be
11 noticed. I didn't want to be -- I didn't want the
12 attention, and no attention was of any benefit, and
13 basically I'd be force fed. She'd just cause a load of
14 stress and then I would -- it wouldn't happen to my
15 brothers, they'd be munching away. I'd feel even sicker
16 because she'd be there trying to stick the spoon in my
17 mouth, and of course I would refuse. When we were
18 children, children were children; you don't refuse, you
19 do as you're told or suffer the consequences. So
20 obviously the consequences came that I would either be
21 beat or I would be humiliated to some extent, if that's
22 the word to use. At the time it was just hell.

23 Then my only escape in that part of the morning was
24 school. I just needed to get to school, that's all
25 I could tell myself. But I still have difficulty eating

1 now, even at mealtimes with my teenage son. Sometimes,
2 I don't know, even just something like talking back just
3 kills my appetite with the games that go on. There's
4 a lot of triggers around the food and mealtimes, and
5 I have real difficulty getting nutrition and things in
6 due, I would imagine, to the -- the stress that comes
7 with the eating that's connected to her, which now I've
8 learned later on are triggers due to my PTSD, which
9 helps me understand things a bit better.

10 Q. Yes. Okay. And you talk about the issues. At page 7
11 you talk about, at paragraph 22, being made to eat food
12 many times, and then you say at paragraph 24:

13 "When I think about whether we had enough food, what
14 I remember is feeling I wanted to be left alone a lot,
15 and if that meant foregoing food, then I would."

16 A. Mm-hmm.

17 Q. So when you say --

18 A. So I just wouldn't have it.

19 Q. Would you leave the room, do you mean, or not -- oh.

20 A. I always want to eat the food, but I always got into so
21 much trouble, because it was either greed, not need, or
22 we were just wasteful, so you could never really win.

23 So a lot of time I was flung from the table because
24 I wasn't complying, obviously, and dinner times were to
25 be respected. We didn't sit down to -- if we sat down

1 at the table, we didn't lift a fork until he sat down.
2 We didn't leave the table or even dare ask to leave the
3 table until he'd finished eating and his fork and knife
4 went down. If we disturbed the table in between then,
5 oh, it was a very big -- it was not tolerated.

6 Q. Okay.

7 A. So we were flung like dogs from the table and left.
8 Sometimes I got the food rubbed in my face, sometimes
9 just flung alongside us, and then you were left to clean
10 it up, and any stains or marks that were left in the
11 carpet were also your responsibility.

12 Q. Okay. When you say it was when he came to the table,
13 are you talking about Mr EYO ?

14 A. Yes.

15 Q. Okay.

16 Now, you then, at the bottom of this page at
17 paragraph 26 and, going on to the next page,
18 paragraph 27, you talk about washing and bathing, and
19 you say at paragraph 27 you remember that one year your
20 friends bought you a bottle of Dettol and a wire
21 scrubbing brush. Can you --

22 A. Yeah, it was standing joke between friends and that,
23 because I used to douse in Dettol and I used to scrub my
24 skin until it wasn't really there anymore. And it was
25 just -- I think it was a way for them to feel a bit --

1 to make it easier, just laughing about it just made it
2 easier than having to explain.

3 But, yes, I had a problem with my skin and then
4 feeling clean. For a long, long time, I didn't feel
5 clean. My skin crawled. It just -- it doesn't do it as
6 consistently anymore, thankfully, but, yeah, for a long
7 time it was quite bad. I felt that way. I felt every
8 I touched I contaminated even more (unclear) ...

9 Q. Okay. (Pause).

10 Okay, in the next paragraph you're talking about
11 clothes and that you were always decently clothed, so
12 paragraph 28, and you describe Mrs EYN as being
13 a pillar of the fostering community.

14 A. Yes. She was very well-respected for her kind and
15 generous bat(?) for these ungrateful little -- well,
16 little ungrateful little Bs, as we used to be called.
17 So, I mean, such a stress for her, having to bring us
18 up, I'm sure.

19 Q. And who was it that respected her? Was it people in the
20 community or --

21 A. Everybody.

22 Q. Yes.

23 A. The social workers, the school, the neighbours. Anybody
24 we came across, really, you know, thought she was the
25 business.

1 Q. Okay.

2 Now, I'm going to move on a little in your statement
3 to page 10, and you talk about school, and you tell us
4 at paragraph 33 that your schools remained the same: you
5 were at Lockerbie Primary School and then Lockerbie
6 Academy.

7 A. Yeah.

8 Q. At paragraph 34 you say you got on all right there. But
9 in that paragraph you tell us about the contrast between
10 how you felt at school and how you felt at home. Are
11 you able to tell us about that?

12 A. It was basically like -- I don't know. In the house,
13 I almost didn't exist. I really didn't want to. Even
14 if I did, I didn't want to. But when I went outside to
15 school, I became this character that just laughed and
16 just breathed and just went to school. I didn't learn
17 very much, I must add, but I did laugh with my friends,
18 and then I'd come home in the nighttime and the back
19 gate was almost like a parallel universe, if you like.
20 I used to touch the back gate and I would just go back
21 to being that me, I suppose. I was just trying to be
22 small and just not make any waves.

23 Q. At the bottom of this page, page 10, at paragraph 36,
24 you say there about how Mrs EYN used to go on and on
25 about not wanting you to go out and get pregnant.

1 A. Yeah.

2 Q. And the way that she spoke to you about such things.

3 Are you able to tell us about that? What was her

4 attitude towards you?

5 A. It was like -- I didn't tell her for a long time that

6 I was having periods. I actually told my sister

7 [REDACTED], who actually ended up telling her, and

8 of course then things just changed. It was like any

9 time I went out the door, it would be insinuating things

10 about boys. Because I did have a lot of boy friends,

11 but I had brothers and I only had brothers. I didn't

12 have any sisters, so there was a lot of boys around, so

13 obviously that was -- she used to intimate that I would

14 end up getting pregnant.

15 At one stage, more or less -- it was when I was with

16 her, so I must have been quite young, my periods didn't

17 come because I had anaemia -- is it anaemia?

18 Q. Yes.

19 A. Where you need to take iron and stuff? But she was

20 convinced I was pregnant.

21 The talkings and the negative speak and the tone of

22 the "filthy bitch" that I was and what I'd been up to --

23 in her mind, the things that I'd been up to -- up until

24 the point the doctor told her it was an innocent iron

25 deficiency.

1 LADY SMITH: 'Julie', how old were you when you started your
2 periods?

3 A. I was quite young, I think I was maybe 9 or 10, maybe 10
4 or 11. I was young. I was young.

5 LADY SMITH: Thank you.

6 MS INNES: And you tell us at paragraph 37 that it was
7 something that -- it was in fact the EYO-EYN boys that
8 noticed things rather than a mum or a sister.

9 A. Mm-hmm. Like -- things like -- obviously they'd realise
10 things like my breasts getting bigger, obviously things
11 like my pubic hairs getting more pronounced and my
12 figure changing, and they'd be very happy about it, can
13 I say, which made me very disgusted about it, and
14 I carried it most of my life -- well, all of my life.
15 But, yeah, they noticed the -- the changes in my body,
16 the personal changes.

17 Q. Okay.

18 A. Like I say, they made a great deal of sleaze, and they
19 just made it not feel clean and not feel nice.

20 Q. Yes, okay.

21 You tell us at paragraph 39 that you had lots of
22 urine infections and nobody questioned that.

23 A. Yeah.

24 Q. Were you taken to the doctor about that, can you
25 remember?

1 A. Yeah. Well, at the times I was taken to the doctors
2 because it became that bad. Well, no, actually, come to
3 think of it, there's a thing called "baby lotion", a
4 pink bottle of "baby lotion". A lot of the time she
5 just used to say, "Stick that on", and that stung like
6 a -- like you would not believe. It stung very much so.
7 A lot of the time she would give me that to kind of put
8 on it and make it better. But the odd time she did
9 take -- there was enough times I went to the doctor for
10 somebody to have questioned it, but there was times when
11 I didn't go because she just used to -- baby lotion, for
12 some reason that was her --

13 Q. Solution.

14 A. -- thing.

15 Q. You talk about an occasion when a doctor was called and
16 you remember flipping and screaming at him not to touch
17 you.

18 A. (Witness nods). Dr McQueen. I was really young then.
19 I was still at [REDACTED] then. It was
20 Dr McQueen. And then I just remember just totally not
21 wanting this man to touch me and just becoming totally
22 hysterical to the point where he was like, "Okay".
23 That's all I really -- I was really young, but I do
24 remember being hysterical when the doctor was trying to
25 examine me. It was Dr McQueen.

1 Q. Okay.

2 Now, over the page at paragraph 41, you talk about
3 being put on antidepressants, and you think this was --

4 A. (Witness nods).

5 Q. Was this after Mr EYO had died?

6 A. Yes. It was -- I'm not sure if it was after my brother
7 had left, but it was definitely round about the time
8 Mr EYO had already died, and they were kind of like
9 trying to say that it was because he'd died that I was
10 so upset, obviously because I loved him and missed him
11 and stuff, but really what was actually going on was the
12 fact that they told us that -- well, we were brought up
13 in the belief that the dead watch over you, and I was
14 still quite young, and I'd gotten quite confused. In my
15 mind, there was nowhere to hide anymore. It's like he
16 was there, he could be watching me, he could be touching
17 me, he could be doing these things and I wouldn't even
18 know he was there. So even -- so nothing of this wasn't
19 safe anymore, if that makes sense.

20 Q. Yes.

21 A. But at the same time, my brothers were all -- my
22 brothers were always there for -- my brothers were my --
23 My big brother was -- he was treated completely
24 differently and a lot worse than we were, and Mrs EYN,
25 she just didn't like him, I don't think, I don't know.

1 But I don't know where I was going with that.

2 I lost that there. But -- I don't know what I was
3 saying.

4 Q. Okay, so we were talking about the antidepressants, but
5 you mentioned your older brother there and --

6 A. Yeah. They took my brother --

7 Q. Yeah.

8 A. -- at that time, and they sent him to Closeburn round
9 about the same time, so I think -- and that review
10 letter, I think, kind of coincides with the whole entire
11 scenario, where I was desperately needing my brother and
12 he was gone. They just ripped my heart clean out. They
13 took a part of my soul when they took him and all my
14 fight and all my need to stay and need to -- it all just
15 went to the wind, and I just ended up so -- because
16 I didn't -- I just couldn't sleep for crying and I just
17 was -- I didn't want to get washed because I didn't want
18 to be in the shower with Mr EYO, I just didn't want to
19 get changed because I didn't want him seeing me or
20 touching me when I didn't know he was there, if that
21 makes sense. So it all got a bit confusing.

22 And then the one thing that I was fighting for, the
23 one thing that kept me there and sane, they just ripped
24 him away and put him in a much worse situation than we
25 were -- in my mind, we were already in. And that's when

1 I lost my big brother. I feel that was the beginning of
2 a very long ending.

3 Q. Yes.

4 A. Because he's dead now.

5 Q. Yes. Okay.

6 Now you mentioned a review report there, 'Julie',
7 and perhaps if we just look at DGC-00000000397, so
8 I think the review report that you're referring to. We
9 see that this is a case review, D Baird, the social
10 worker. The date of the review is [REDACTED] 1987,
11 so --

12 A. Yeah.

13 Q. -- this is the last review before you moved, and
14 there's -- if we scroll down -- a brief history of your
15 background, and there's reference to your parents, and
16 then -- sorry, if we just scroll right back up to the
17 top again, against "Date last visited by social worker",
18 it's blank there.

19 A. Yes.

20 Q. There is a date of the last review at 23 June 1987, but
21 no date as to when Mr Baird had last visited you.

22 Then if we move on to the next page, "Child's
23 current needs", and it says there:

24 "To remain in present placement and to be helped to
25 come to terms with [your brother's] move to Closeburn."

1 And then it says:

2 "'Julie' needs to pay more attention to the stress
3 she causes to Mrs EYN and to think about her own
4 position."

5 A. Exactly. Ungrateful little bastards that they tell us
6 we were. That's what we heard on a regular basis.

7 Q. And then there's reference:

8 "Proposed treatment plan."

9 It says:

10 "There is work to be done with 'Julie' through
11 visits and Closeburn based family sessions."

12 A. Which we didn't get. I think I can only remember being
13 in Closeburn twice, maximum, and one time -- one of the
14 two times was when [REDACTED] had absconded. He was supposed
15 to be getting out a week later but they didn't tell him
16 and he just couldn't take it anymore, so he absconded
17 and they gave him another six months in Closeburn,
18 rather than letting him come home. I think now, in
19 hindsight, Mrs EYN didn't want him home, to be honest,
20 but obviously I was angry and I can remember being quite
21 aggressive in that meeting at that point.

22 Q. Okay.

23 At the bottom of the page we see that the people
24 attending the review were -- and it's blanked out, but
25 Mrs EYN, you, Mr Baird, the social worker, and then

1 a Mr McGeorge, who was a principal social worker.

2 A. Mm.

3 Q. You say that you have a memory of being angry at this
4 meeting. Can you remember where the meeting took place?

5 A. The meeting took place in Closeburn and it was with
6 a Jim Laird, who ended up being, like, one of the
7 bigger -- ended up running Ladyacre when we were in
8 Ladyacre the second time round, but he was actually in
9 Closeburn, and it was Jim Laird that was there.

10 I don't -- David Baird would have been there. There
11 probably was other people there, but the person from
12 Closeburn would have been Jim Laird and [REDACTED], and I just
13 remember being very, very angry at the whole entire
14 situation.

15 Q. Okay.

16 Now, if we can move back to your statement, please,
17 'Julie', and if we can move, please, to page 13 and
18 paragraph 46.

19 A. Yeah.

20 Q. So you talk there about doing housework. Can you tell
21 us a bit about what you had to do and whether anybody
22 else was also doing housework?

23 A. Well, I was the only female, so, like it says, my place
24 was very much beneath the men of the house. They didn't
25 iron, they didn't Hoover, they didn't put washing in the

1 machine, they didn't cook, they didn't mend. They very
2 much went to work and put money on the table. It was
3 very old-fashioned. It was very much men were men,
4 women were women, so basically I had to do all the
5 things women would do -- literally, it turns out. But,
6 yeah, I had to wash the sheets. Every Sunday I cleaned
7 the house from top to bottom. That meant the skirting
8 boards, the doors, the windows, the showers, everything.
9 Anything that was external from -- internal. Through
10 the week, it would just be your average Hoovering, and
11 just doing the ironing, things like that, dusting. She
12 had like china horses, they must have been -- just
13 loads -- 30-odd china horses, and it was absolutely
14 terrifying any time I touched the bloody things because
15 they was china, for one. And dogs. And brass, brass
16 took forever, having to clean the brass. As this said,
17 I had to cut the grass. Sometimes the boys did the
18 dishes, but nine times out of ten -- well, me and [REDACTED],
19 because it was very different set of rules for [REDACTED] than
20 it was for me and [REDACTED]. Very different set of rules.
21 I think that was due to him being a baby when he arrived
22 and having no memory before the EYO-EYN, as such.

23 Q. Okay.

24 A. (unclear) not very often.

25 Q. So how were things different with [REDACTED]? In what way?

1 A. [REDACTED] was the favourite. [REDACTED] just couldn't do any
2 wrong, simple as, and [REDACTED] told us in later years -- so,
3 like, [REDACTED] and [REDACTED] went through a period of, like,
4 pinching things and whatnot, and it's like if [REDACTED] got
5 caught stealing, well, he was branded anyway for his
6 whole life. He only ever stole once and that was
7 enough. He was branded for the rest of his life.
8 Anything that went wrong tended to be his fault.
9 [REDACTED] took advantage of that. But if [REDACTED] got caught
10 stealing something from her (unclear), she would just
11 say, "Put it back", and there would be no consequences.
12 It's like there was never any -- she never beat him, she
13 never asked anything of him. She just kissed his butt
14 his whole entire life, which made me -- I didn't
15 honestly think he loved me until I realised that when I
16 was getting dragged off, after they were getting Stuart,
17 that was when I realised that my brother actually might
18 have had an ounce of care in the end.
19 I didn't particularly like him, and it was all due
20 to the way that she'd moulded him as well. She'd
21 moulded him to be a snitch, to be a little -- it's like
22 he got enjoyment sometimes if I was getting a hiding,
23 and I resented that, obviously. And obviously we could
24 never ever get him back, and if we did put our hands on
25 him, the hiding that we got was much better than the one

1 that he got, so ...

2 LADY SMITH: 'Julie', can you remind me what the age gap was

3 between you and [REDACTED] and you and [REDACTED]?

4 A. A year.

5 LADY SMITH: Which way?

6 A. [REDACTED] is a year older and [REDACTED]'s a year younger.

7 LADY SMITH: Thank you.

8 MS INNES: Now, can I move on, please, to page 15 of your

9 statement, 'Julie', and to paragraph 56. You're talking

10 there about visits from the social worker, and you've

11 already told us about Ann Robertson coming and she would

12 be at the house, but you weren't necessarily clear when

13 she was there to speak to you about things from

14 a professional perspective or when she was there as

15 a friend. You say that there were some reviews when she

16 was there, and you say:

17 "When I said I wasn't happy and didn't want to live

18 there, she would dismiss me."

19 A. Mm-hmm.

20 Q. Can you remember --

21 A. Yeah, as I got older, I used to say things like I wasn't

22 happy and that I just wanted to leave. Like sometimes

23 I think it was at a stage where everything was just --

24 I just felt I was the catalyst in everything that was

25 wrong in the whole entire equation, I think, and I tried

1 to leave in a way that would allow my brothers to stay
2 or try to come to -- but she just dismissed us. And
3 then in time she'd say, "Give it two weeks, give it
4 a little while and we'll come back and review it again",
5 and then obviously Mrs EYN , and being that bit older,
6 having health issues and things, she used to put the
7 guilt trips on.

8 Like I say, there was always -- throughout our life
9 there was always this resonating: nobody else will want
10 you. And it turned out to be true. Either way, she was
11 right. But it was always there, and it wasn't really so
12 much about people not wanting me, it was more about them
13 not wanting the boys, and that they had to have a --
14 a life.

15 I just -- I didn't want -- I didn't know what care
16 was about. If I'd known what care was about, I'd have
17 been there from day dot, but I didn't know what it was
18 about. I didn't know anything good about -- beyond
19 Mrs EYN 's just we were ungrateful little twats --
20 bastards, actually -- and nobody would want us, and
21 I wholly believed that. I'd heard it my whole life and
22 I didn't want nobody to not want the boys.

23 Q. Okay. So that would then put pressure on you to stay?

24 A. (Witness nods). Mm.

25 Q. Okay. If we go over the page to page 16 and

1 paragraph 58, you say that you remember that one of you
2 must have said something about getting beaten with some
3 sort of weapon.

4 A. Yeah. That would have been -- when you go on holiday,
5 you get the little fishing nets that you use to catch
6 the tadpoles and things with, with the canes attached.

7 Q. Yes.

8 A. They were -- most children get nice memories from them,
9 but I just get a twitch because of the sting that the
10 rod left when she used to welt us with it. But [REDACTED] had
11 got -- [REDACTED] had got into particular trouble, and
12 of course it was never [REDACTED]'s fault, so [REDACTED] had taken
13 the beating that time, and the welts were still on his
14 legs by the time we got back to school, and the school
15 had made a report. And so it turns out later on in life
16 [REDACTED] didn't say anything really at the time because he
17 just wanted her to like him. Not even love him; he just
18 wanted her to like him. So he didn't really push for
19 it.

20 And, of course, Mrs Ann Robertson's involvement just
21 made it go away, and we were just told that she wasn't
22 allowed to hit us with anything other than her hands
23 after that.

24 Q. Can you remember hearing Ann Robertson say that
25 Mrs [REDACTED] EYN wasn't allowed to hit you with anything other

1 than her hands?

2 A. (Witness nods). That's how I know, because she told us.

3 Q. Right.

4 A. Because obviously the school and everything had made

5 a big fuss, so obviously she had no option but to speak

6 to us about it. But I don't imagine -- if the school

7 hadn't have made a noise, I don't imagine she would

8 have. But she obviously had to speak to us about it,

9 and then there was -- that was the end result of it, was

10 that everything was going to be okay, she just wasn't

11 allowed to hit us with anything other than her hands.

12 Q. And after that, did Mrs EYN stop using implements to

13 hit you?

14 A. No. No, no.

15 Q. Okay.

16 A. She just was a bit more careful not to mark us, I would

17 imagine, probably.

18 Q. Okay.

19 Now, if we move to page 17 of your statement, you

20 start telling us about some of the abuse that you

21 suffered when you were there, and first of all at

22 paragraph 62, you tell us that you remember Mr EYO

23 sexually abusing you, and that was at the first house

24 that you lived in.

25 A. (Witness nods).

1 Q. Yes.

2 A. That would have been [REDACTED] -- no, it would have been
3 the second house, because the very first one was briefly
4 at [REDACTED]. [REDACTED] was the
5 house.

6 Q. Okay. Can you remember whether you were at school when
7 you were at [REDACTED]?

8 A. I'd already started school, so [REDACTED].

9 Q. Okay. And you say that the sexual abuse from Mr. EYO
10 began when you were living there?

11 A. (Witness nods).

12 Q. Okay.

13 A. Yeah. Mrs. EYN would often put me in the bed, and I'd
14 be in the middle of them two, and he'd often have --
15 he'd often let his hands roam, but sometimes -- I don't
16 know why, but sometimes she'd put me in front of her.
17 So I don't know if she knew then what he was doing and
18 that's why she put me in the bed or what, I don't know.
19 But I used to find myself in there a great deal.

20 Q. Okay.

21 Now, I don't need to speak to you about the detail
22 of what he did, but I think you tell us in your
23 statement that it developed from there with Mr. EYO, so
24 what you've said about lying in the bed, and then he
25 continued to sexually abuse you; is that right?

1 A. (Witness nods).

2 Q. And did that carry on until he died, or did it stop at
3 some point?

4 A. He still tried, he tried very hard when he had his
5 stroke to try and get me in the bathroom. His place --
6 he quite liked the bathroom, probably because there was
7 a locked door, I don't know, but he used to try and get
8 me in the bathroom at [REDACTED] still, but
9 obviously he wasn't successful like he used to, because,
10 well, you could push him about. When he had his stroke,
11 he wasn't quite as steady on his feet. But when he got
12 a hold of you, he could only really get hold of you, so
13 really he could only hurt you enough until you either
14 gave in or he gave in, and as he -- because he had had
15 the stroke, nine times out of ten, if you held out long
16 enough, he'd give in.

17 Q. Okay.

18 Then at paragraph 63, you tell us that Mr EYO 's
19 son EPN also sexually abused you.

20 A. Yeah.

21 Q. And you say again that I think this began -- and your
22 understanding is that you weren't even at school at the
23 time that this must have --

24 A. When I told my foster sister, she said that she didn't
25 think I'd be at school when EPN met [REDACTED]. I'm too --

1 I was young, so I would have said it wasn't -- it was
2 before I went to school or just as I'd started school.
3 There certainly wasn't much time between the two.

4 Q. Okay. Did that continue over the time that you lived
5 with the EYO-EYN?

6 A. Yeah.

7 Q. Okay.

8 A. Yeah. EPN was -- I don't know. He was -- I was his
9 favourite -- it's like I was his favourite. He used to
10 take me away places and that with his pal, [REDACTED], and he
11 had a wife and she was really nice, and it was all
12 really great until he met this woman and then that
13 happened, and then after that it was almost like he
14 hated me. It was like -- it was almost like -- like
15 I made him -- almost like I made him do it, if that
16 makes sense, because it was like he hated me. It
17 just -- there was so much -- I don't know. And it was
18 like he hated -- it was like it was my fault, and he
19 knew it was my -- it's like it was my fault when he was
20 doing it, if you know what I mean. He was just very
21 bitter and very nasty, the way he was.

22 Q. Okay. Did it happen more than just this first time
23 when --

24 A. (Witness nods).

25 Q. -- he got together with this girlfriend?

1 A. Every -- you see, you have to understand, they were
2 a big family, and she'd bring the boys in if she needed
3 any help, and every Christmas, every birthday, every
4 holidays, whatever, they were always there and there was
5 always a gathering, and that always meant trouble for
6 me. They were always at gatherings. I don't know if
7 they were aware of each other or not, but they certainly
8 took their turns. And they were never together in the
9 perpetration of it all, but they definitely were
10 together in the gatherings, and they were able to time
11 each other rather well, it seems now, in hindsight,
12 so ...

13 Q. And then at paragraph 64 you tell us that you were
14 sexually abused by another son, EYU .

15 A. (Witness nods).

16 Q. And I think you tell us later on in your statement that
17 he was caught abusing you by his wife.

18 A. Mm-hmm.

19 Q. And --

20 A. His wife, who turned out to be an ex police officer.
21 I only found that out in 2002, I think, when they went
22 back to investigate. She turned out to be an ex-police
23 officer. Didn't deny knowing what was going on, but
24 didn't want to help.

25 Q. Okay. So at the time that she discovered this, did she

1 do anything about it?

2 A. No. She didn't look at me, she didn't speak to me. She
3 bathed me, she took the basic care and that was it.

4 Then when we returned back to Mrs EYN, she left him
5 and we never saw her again.

6 Q. Okay.

7 Then you say that later on, in the 2000s, there was
8 an investigation and she was spoken to, and is your
9 understanding that -- what's your understanding of what
10 she said at that time?

11 A. She just said that she was frightened and could my
12 brothers not help me, and that she wasn't prepared to
13 put herself in that position because she was still
14 frightened, apparently, of the EYO-EYN.

15 MS INNES: Okay.

16 LADY SMITH: 'Julie', can you give me any idea of the ages
17 of the two EYO-EYN boys, EYU and EPN, you've mentioned,
18 when they started abusing you?

19 A. EYU -- EYU had already left home, he was married.
20 Well, [REDACTED] and him were getting married. I'm not
21 really quite sure how old he would have been.
22 Definitely in his late 20s.

23 LADY SMITH: Okay. What about EPN?

24 A. EPN? EPN was one of the oldest, so -- well, he would
25 have been like in his -- they were grown men. They were

1 grown men. They weren't teenage boys. They were grown
2 men.

3 LADY SMITH: Okay, thank you. That's clear.

4 MS INNES: Okay, and then you tell us at paragraph 65 that
5 EPO also sexually abused you on various occasions,
6 I think you tell us in your statement.

7 A. Mm-hmm.

8 Q. And --

9 A. One of the most -- he seemed to be the most -- one of
10 the most consistent, if that's the word to use. Most
11 often abuse. One of the most regular, if you like.

12 Q. Okay.

13 A. He had access to us. He was in the army for a while,
14 and then when he did move, he met his wife and he moved
15 to Dalbeattie. Before then he stayed with us. And then
16 when he did move, there was a lot -- he did come home
17 quite a lot, brought the kids across at the weekends to
18 visit. Any time he was ever around, basically, he'd
19 be ... yeah.

20 Q. Okay.

21 Now, at paragraph 69, if we can go on to page 18,
22 you talk about a memory of an occasion where Mrs EYN
23 tried to drown you in the bath, you say. Are you able
24 to tell us about that?

25 A. I don't know, really, it's -- like I say. It says here

1 about the sliding down the door, so you'll see all that,
2 (unclear). And I don't -- I just remember her washing
3 my hair, and then the next minute I was under the water
4 and struggling, and there was a lot of verbal stuff
5 coming out of her mouth. I don't know why she let me
6 up, I don't know if somebody came in or whatever, but
7 she let me up in the end and I was gasping for breath.

8 But I don't quite know what I actually did that --
9 to -- I don't know why she -- to this day, why she did
10 try to -- I don't know if she just panicked or what.
11 She maybe just thought: this is another child -- I think
12 she knew about them all, to be very honest. I think she
13 knew what her husband was, I think she knew what [REDACTED]
14 [REDACTED] were, and I think maybe she thought by getting rid
15 of me, it might make it go away. I don't know. She
16 clearly knew it was going on. Maybe she'd just worked
17 it out that day, I don't know.

18 Q. Now, you tell us at the bottom of page 18 about Stuart
19 sexually abusing you, and you tell us there at
20 paragraph 70 that Mr EYO [REDACTED] caught him, and this is when
21 you were living at another address in Lockerbie.

22 A. Yeah.

23 Q. Can you remember roughly how old you would have been at
24 that time, when you were living at that house?

25 A. At that house, [REDACTED], I would have been --

1 I think it started first year in [REDACTED].

2 Q. Okay.

3 A. We stayed in [REDACTED], all I really remember
4 (unclear) ... all I can remember from that is I was
5 sitting -- well, Stuart was doing what he did. Mr EYO
6 came in, literally grabbed him, flung him, beat him on
7 the landing, I could hear that. I hadn't moved an inch.
8 I could hear him beating him all the way down the
9 stairs. I heard Mrs EYN screaming, "What's going
10 on?", blah, blah, blah, and then when all the ruckus had
11 finally died down, he came upstairs, went in the
12 bathroom, grabbed his towel and had his usual playtime
13 with himself, Mr EYO, then perpetrated what [REDACTED]
14 was trying to do. So it was a bit -- that was quite
15 a confusing one, that.

16 LADY SMITH: 'Julie', sorry, just to go back to placing this
17 in time, if it was the first year you were in
18 [REDACTED], can you remember roughly how old you
19 were then?

20 A. I wasn't in the academy when we first moved to [REDACTED]
21 [REDACTED], but I'm not sure.

22 LADY SMITH: So you weren't in which class at school?

23 A. I wasn't in the first year of high school. I went into
24 the first year when I lived in [REDACTED], but
25 I wasn't there when I first moved to [REDACTED].

1 LADY SMITH: So you might still have been at the primary
2 school when you first went there, is that what you're
3 telling me?
4 A. Yes.
5 LADY SMITH: Maybe around 10 or 11 years old?
6 A. Yes.
7 LADY SMITH: Was Stuart still --
8 A. But I felt -- that time that we're talking about feels
9 like I was younger.
10 LADY SMITH: Yeah, I can get that.
11 Was Stuart still living in the house then?
12 A. Yeah, Stuart lived in the house right up until we were
13 taken, or until he was taken.
14 LADY SMITH: Any idea, approximately, how old he would have
15 been when this happened?
16 A. Something tells me he could have been in his very early
17 20s, like 20, 21, maybe, when that happened.
18 LADY SMITH: Don't worry, I don't expect you to be precise.
19 I know how difficult it is. But just to give me a feel
20 of what I'm looking at here.
21 That's very helpful. Thank you.
22 A. (Witness nods).
23 MS INNES: After Mr EYO discovered this, and you say
24 Mrs EYN was screaming, was that when Mrs EYN started
25 sending Stuart away or was that another time?

1 A. I never thought about it before now. I don't -- maybe.
2 Because he was -- I think maybe he had just been a bit
3 too young then. I think he was maybe -- I don't
4 think -- at that time, I don't think he was 21. He was
5 21 when we left. At that time, he would still have been
6 maybe at high school, maybe, himself, or just leaving
7 high school maybe. So he wasn't really old enough to be
8 sent away. Maybe that's the case. I remember him being
9 sent away as he got a bit older, I think, the first time
10 he went to the farm.

11 Q. Now, if we go on to the bottom of page 19 at
12 paragraph 73, you talk about Mrs EYN knowing what was
13 going on, and you say that you have a memory when you
14 were about 13, you woke up and the bedroom door was
15 opened and she was there.

16 A. That was the night we left. Well, not long after, we
17 left.

18 Q. Okay. So just to be clear, was it just the once that
19 Mrs EYN found Stuart abusing you or had she found him
20 doing it on another occasion?

21 A. The once that I am aware of. I know that she'd been
22 informed by her daughter, and I remembered that
23 things -- that her daughter informed her what he was
24 doing and wanted to phone the police and everything, but
25 it never transpired. Like I say, by then I was the

1 guilty party and I was the one that was reprimanded and
2 punished for it. So, as far as I'm aware, that's the
3 first time I'm aware that she became -- she was actually
4 100 per cent aware.

5 Q. Okay.

6 A. But there's nothing to say that she wasn't aware and
7 I just wasn't aware she was aware, that she had seen or
8 caught him on previous occasions and I just hadn't been
9 aware, I don't know.

10 Q. Okay. And prior to that, had she been sending Stuart
11 away?

12 A. Yes. Yeah. That was the last time we were in the
13 house. That was the last time Stuart ever touched us.

14 LADY SMITH: Do you know where she'd been sending him to
15 when she was sending him away?

16 A. She used to send him to the farm in [REDACTED]. [REDACTED]
17 [REDACTED] -- they were all kind of farmers, so she
18 just used to send him to [REDACTED] at the farm,
19 really.

20 MS INNES: Okay. Just bear with me a moment, 'Julie'. I'm
21 just going to move on a little in your statement, so
22 just bear with me while I do that.

23 So if we can move on, please, to page 27 and
24 paragraph 100, you tell us there about reporting the
25 abuse that you suffered, and you say at paragraph 100

1 that:

2 "Over the years [you've] told a fair few friends and
3 some of their mums but they either didn't believe me or
4 didn't want involved."

5 So can you remember telling your friends when you
6 were at school and when it was going on?

7 A. Yeah, I remember telling friends' mums as well, but
8 I suppose even when it did come out to those particular
9 friends' mums, well, there was no friendship after that.
10 They didn't want their children involved, and I take it
11 that's exactly why they never acted at the time. But,
12 yeah, I told my friends, who -- one told her mum for me
13 and the other one I told. I don't even really know why
14 I told her mum that day, I just did. But it was met
15 with the usual: there was no reaction, nobody cared.
16 Nobody cared or was interested, so ... I take it they
17 just didn't want the trouble, maybe. It wasn't the
18 easiest thing to go and say, "Your daughter's just said
19 this man's did this". Maybe it was that, I don't know.
20 I just know that I lost a lot of friends that I thought
21 maybe would have -- maybe their mums and that might have
22 had a bit more compassion, but they clearly didn't.
23 I lost a lot of friends anyway, so ...

24 Q. And when was it that you lost a lot of friends?

25 A. When it all came out.

1 Q. Okay.

2 A. Because it didn't take long for it to get round

3 Lockerbie, being a small place. [REDACTED]

4 [REDACTED]. My name wasn't necessarily mentioned, but it
5 didn't take long for people to put the two together.

6 Q. Okay.

7 So I'm jumping a little ahead here, but we know that
8 Stuart was charged with various sexual offences,
9 including rape, and that he pled guilty to those charges
10 in respect of you. So did people's view not change when
11 he admitted it?

12 A. No. I was fortunate enough to go and visit Mrs EYN --
13 you've got to remember, she was my mother for a long
14 time, and then -- she was still (unclear) then,
15 I suppose, but I went to visit her this time, it was
16 a one-off, it was the last time I seen her, actually,
17 and I was presented with a letter from Stuart to
18 Mrs EYN stating basically that it was all on me, that
19 I'd lied. Mrs EYN even said that the family doctor
20 had agreed that I'd lied.

21 And so, no, I just took it that the consensus was
22 nobody still believed me at that time, so ... Mrs EYN
23 was still in the belief I'd lied. She didn't, like, try
24 to intimate that -- because I did ask later on and he
25 didn't have any recollection of that, but she did say

1 that even the family doctor said I was lying, and she
2 was just totally convince that I was the catalyst,
3 simple as. There was no doubt in her mind that Stuart
4 was innocent.

5 Q. Okay. And did she show you this letter from him?

6 A. Mm. Yeah.

7 Q. And was he denying what had happened or -- what was he
8 saying?

9 A. Basically -- no, he wasn't denying that it happened, but
10 he was basically saying that it was all on me,
11 basically. [REDACTED] -- I asked my sister [REDACTED] once, did
12 he ever give her an explanation as to, like, why, and
13 she said that basically his explanation was that he
14 loved me and he thought that I loved him too, so ...

15 Q. Okay.

16 Now, if we move on in the statement, please. So we
17 obviously know the outcome of the police investigation,
18 but if you go to page 28 and paragraph 103, you talk
19 there about Mrs EYN [REDACTED] involving Ann Robertson at the
20 time that --

21 A. (Witness nods).

22 Q. -- it came to light that Stuart had been sexually
23 abusing you.

24 A. (Witness nods).

25 Q. And you say:

1 "Ann Robertson tried to get me to recant what [you]
2 had told [your sister] ██████████."

3 A. Mm-hmm. She just said it -- just not -- well, take it
4 back. The first day she tried to tell me that it didn't
5 happen and that I'd obviously fabricated it, and then
6 the rest she tried to tell me how ill it would make
7 Mrs EYN ██████████. There was lots of different -- there was --
8 yeah, I was kind of coerced, if you like, into feeling
9 guilty. I still have a big old dose of guilt. I feel
10 guilty for everything and it seems to work. But then I
11 just -- she tried to make me feel guilty enough to
12 retract it, and tried to make me think that I didn't
13 know my own mind (unclear).

14 Q. Okay. And after this happened, you were moved from the
15 EYO-EYN ██████████.

16 So you told us that your brother ██████████ had already
17 been moved, and was your brother ██████████ also moved from
18 the EYO-EYN ██████████?

19 A. Yeah, but we had to stay there for -- we didn't get
20 moved automatically that day. We had to stay there and
21 I had to be called all the "filthy little whores" and
22 everything under the sun until my sister again stepped
23 in and made the social workers remove us from that
24 house, and when they did so, yeah, they took my little
25 brother too. He didn't have a say in that matter, which

1 in some way I think actually damaged him, because
2 obviously he knew no different. He didn't get a choice.
3 He was just dragged away as well. So of course that was
4 on me too.

5 Q. In the time after you'd made the statement to the police
6 and you were still in the house, had Stuart been sent
7 away at that point? Had he been sent out of the house?

8 A. I just know the police came and took him and I never
9 seen him again. I don't know what happened to him after
10 that.

11 Q. Okay.

12 Now, again, if I can move on a little in your
13 statement, please, we understand that you went to the
14 Wendy House, and during the time that you were at the
15 Wendy House, again the case against Stuart came to
16 trial. We know that he pled guilty, I think, on the day
17 it was supposed to go to trial; is that your memory?

18 A. Yeah.

19 Q. Yes. And prior to the trial, I think you tell us that
20 you had to go to some meetings at the Procurator
21 Fiscal's office.

22 A. No, the solicitor came to the Wendy House and spoke to
23 me there --

24 Q. Okay.

25 A. -- with the solicitor.

1 Q. Was that the Procurator Fiscal or was that Stuart's
2 solicitor?

3 A. Stuart's solicitor.

4 Q. Okay.

5 A. I don't recall the Procurator Fiscal, I don't think.

6 Q. Okay.

7 A. Maybe he did, but ...

8 Q. Okay. How did you feel about Stuart's solicitor coming
9 and asking you questions?

10 A. He just kept asking us questions and, like I -- it's
11 more in hindsight I realised that basically he was just
12 trying to say I was just a filthy wee lassie that was,
13 like, doing sexual favours for sweeties and fags.
14 That's basically what he was trying to intimate. But at
15 the same time, there were people sitting there that were
16 quite happy to let him intimate that, and that's how
17 I felt. And that followed me for a long time. I didn't
18 realise this all along, but that followed me a long
19 time, that man suggesting that that's -- and to think
20 that that's what the world would be thinking, like what
21 he would be portraying, these people.

22 Q. So at the meeting with the solicitor, was there a social
23 worker there?

24 A. There was my key worker, Rosanna, and there was the --
25 the -- the lady that ran the home, Auntie Fiona, we

1 called her.

2 Q. Okay.

3 A. I don't know what her proper name is.

4 Q. Okay, and are you saying that neither of them stepped in

5 to stop him asking the questions that he was asking?

6 A. No. Even when it became upsetting, they still just --

7 it was more kind of like, "There, there, answer the

8 question", kind of thing.

9 Q. Okay. And I think you feel, perhaps, that you weren't

10 properly protected and you weren't given support --

11 A. No.

12 Q. -- adequate support after you left.

13 A. No. There wasn't even any support after that meeting.

14 I mean, like, maybe I was asked if I was okay, I don't

15 even recall that, but I wasn't, clearly. Maybe somebody

16 should have taken the time to explain why this man was

17 sat there asking such intrusive questions and intimating

18 things. You know, I didn't understand the whole cause

19 of, like -- that there's actually people in the world

20 that might lie, so they have to ask these questions.

21 I didn't understand that at the time. I just heard the

22 questions he was asking, related them to me, and

23 obviously carried the shame of the questions that he was

24 asking, thinking that's what the world saw, and nobody

25 decided -- maybe if somebody had maybe told me that's

1 not the case, I don't know, it might have made it
2 slightly easier, if not ...

3 Q. Okay. And when it came to the trial itself, can you
4 remember how you felt before the trial was due to
5 happen?

6 A. I remember sitting in a room, it wasn't very wide, with
7 a long table in the middle, seats this side, seats the
8 opposite side, and there was me with the key worker,
9 I think Mr Baird was there, another person on this side,
10 I think he could have been a witness, it could have been
11 [REDACTED], when I think about it, and the whole entire
12 EYO-EYN family was right there in front of me. So I had
13 to sit there looking at Mrs EYN and my sisters and my
14 brothers, all of them. Everybody was -- it was just
15 like the whole family had turned up for the occasion,
16 and I was just sat like there in front of them all,
17 judging me, looking at me, knowing they were thinking
18 what that solicitor thought.

19 Q. Okay.

20 Can you remember how you felt when you were told
21 that he'd pled guilty and that you wouldn't have to give
22 evidence?

23 A. I felt relieved, I think, more than anything. I think
24 I just wanted -- just -- because they were sat there,
25 I think it was more -- it didn't even really -- the

1 evidence part wasn't even really relevant at that point.
2 I was just glad to be away from them and their eyes and
3 them looking at me, and just be out of that room more
4 than anything at that point in time. But later on,
5 yeah, relief, I suppose, that I didn't have to go
6 through the formality of it all.

7 Q. Okay.

8 So after that happened, as you've said, you were at
9 the Wendy House, and if we go to page 36 of your
10 statement and paragraph 133, you say that you were moved
11 from the Wendy House to community carers.

12 A. Mm.

13 Q. And you say that you think the idea was that they were
14 shutting down all the places like the Wendy House and
15 they would support those in care in people's homes.

16 A. Yeah. At the time there was a bid to try and keep the
17 families together and they turned the Wendy House into,
18 like, more of a support centre rather than a residential
19 place, I think. That was the gist that I got. But it
20 was certainly not a move that me and my brothers -- me
21 and my little brother, because [REDACTED] wasn't there -- but
22 me and [REDACTED] begged to state very, very clearly: we did
23 not want another family and it would not be in our best
24 interests. But we were forced to go anyway.

25 Q. You say that at paragraph 134, where you say you would

1 have been happier staying in a children's home at that
2 point.

3 A. (Witness nods).

4 Q. Okay.

5 A. And me and my brother would have stayed together if
6 they'd allowed us to do so. [REDACTED] would never have been
7 ripped away.

8 Q. Okay.

9 Then you tell us about that time with the community
10 carers, and you say you left because it wasn't working,
11 and you went then, I think, to Windsor Lodge for
12 a period.

13 A. And then we went to Ladyacre. We went -- oh, sorry,
14 yes. When we were living there, yes, we did, yeah.
15 Before we actually left full time, we went to Windsor
16 Lodge for like a respite period, and after that me and
17 [REDACTED] were split up.

18 Q. So you went to Windsor Lodge for a respite period, then
19 back to the community carers, then you went to Ladyacre.

20 A. (Witness nods).

21 Q. Okay.

22 Now, again, if we can move on in your statement,
23 please, to page 50 and paragraph 189, you mentioned
24 a little about this already in your evidence, 'Julie',
25 but you say here that your brothers can't speak for

1 themselves.

2 A. No.

3 Q. And you say:

4 "I wish I could explain better what happened for
5 their sakes."

6 And I think you wanted to address the impact of the
7 experience on them as well as on you.

8 A. Well ... my eldest brother is dead. He died due ...
9 sorry. He died from the effects of life and the way
10 that things were for him. They both went down the
11 criminal route and the drug-related route, and have left
12 a legacy for themselves that anybody like yourself would
13 read, a criminal past, a drug-use past, but nothing
14 explains why they were the way they were, and how they
15 ended up down that route.

16 My brother was very badly let down by the system.
17 My brother was 16 when we went into care, so that means
18 legally -- it was legally under the social work
19 department -- turned him away, (unclear) time for
20 education, **Secondary Institutions - to be published later**

21 **Secondary** He lived on the streets. He had trench foot by
22 the time he was 17. He lived in bins. He didn't even
23 get fed, **Secondary Institutions - to be published later**

24 **Secondary Institutions - to be published later**
25

2
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7 And [REDACTED] was more abused by the system than he was
8 any human being after what he went -- to have a life
9 like that, to be -- and nobody, nobody cared, nobody --
10 even throughout his drug use, I begged doctors, I begged
11 social workers, I begged, begged people to help that
12 boy, and they never did, they only ever made excuses,
13 just -- you know, just -- people just don't care, and
14 they didn't care about him, and he ended up doing a lot
15 of time in the prison service, a lot of abusive time.

16 The younger one doesn't concern me much because he
17 could hold his own. [REDACTED] thought he was ten men, so the
18 violence of the prisons and the people and the
19 manipulation and the perpetrators, [REDACTED] would be more
20 likely to be the perpetrator rather than the victim.
21 [REDACTED] was always the victim, it seemed.

22 Q. Okay.

23 A. And, like I say, he died a death ... but [REDACTED] is
24 still -- I've never seen [REDACTED] in a few years now, and
25 he's still very much into drug use. It would be cruel

1 even to bring -- to take [REDACTED] off drugs and put him into
2 a normal life, because he would wake up like 30 years
3 ago was yesterday, and that to me would be cruel,
4 because he's nowhere near the time to be able to undo
5 any of that without driving him insane, I would say.
6 Because trying to work through it and trying to
7 understand it is just almost like a torture in itself.

8 Q. Okay.

9 A. And obviously if I'd have thought for one second my
10 brother's statement -- I mean, my brother's head is so
11 badly lashed now with the drugs, I don't even know if he
12 remembers a lot of what it was, but he would probably be
13 dismissed. I don't -- I feel very protective towards
14 [REDACTED], and I feel very upset that, because of who [REDACTED]
15 is, he wouldn't get the same reception, as such, as
16 I would. You couldn't give him the same reception. You
17 couldn't even trust that he would tell the actual truth
18 as it was because it's not validated now in his own head
19 through years and years of drug use. You really don't
20 know.

21 So he's never going to fairly be given his day,
22 because his mind and himself are not the person that he
23 used to be, and it's not fair that he'll never be heard,
24 and it's not fair that he'll never get any form of care
25 or retribution because people view him as a scumbag, as

1 a waste, a dreg of society, just a weight on the system,
2 because he's -- of his criminal past, his drug use, his
3 lack of understanding of social cues and all that goes
4 with the impact of society.

5 Q. Okay, 'Julie', I'm going to move on to the end of your
6 statement, where you talk about some lessons to be
7 learned, and at page 64 you tell us about various
8 lessons that we should learn from your experience. You
9 tell us, for example, that children should be believed,
10 at paragraph 238, and at paragraph 239 you say:

11 "When a foster child does report abuse within the
12 foster family, there should be a thorough investigation
13 about the wider family. It shouldn't be looking at what
14 a child discloses but there should be a consideration of
15 what has not yet been disclosed."

16 A. Yeah. Definitely.

17 Q. Okay. Do you know if there was any wider investigation
18 at the time that you reported the abuse that you
19 suffered from Stuart in?

20 A. No. And when I did later on with Jackie Dean approach
21 the police, they had chalked it up on the board, they
22 had it all chalked up on the board, but they tried to
23 make me feel guilty that day and say about other
24 children -- and I've carried those children. My heart
25 felt for those children since long before. But anyway,

1 they tried to tell me about those children that day and
2 how this could be an archive of abuse and how it could
3 go back generations, but surely that's what they were
4 meant to investigate? Surely if they were aware that
5 this could be the case, they should never have needed my
6 statement to at least been able to investigate that, and
7 apparently they did and that was wrong. They shouldn't
8 have needed -- they should -- enough -- to be aware
9 should have been enough. Especially with already
10 a previous conviction [REDACTED]

11 [REDACTED] It should have all kind of made sense.

12 Q. So I think you tell us in your statement, 'Julie', that
13 you made reports to the police, I think more than once,
14 about the abuse that you suffered at the hands of the
15 [REDACTED] brothers, and you were particularly concerned in
16 relation to their children. I think what you may be
17 referring to is that certainly on at least one of these
18 occasions, you didn't want to make a formal report and
19 go down the route of a prosecution again, but you wanted
20 the police to be aware and carry out an investigation
21 themselves; is that what you're saying?

22 A. Yeah.

23 Q. Okay.

24 You tell us about various other lessons that we
25 should learn from your experience, and we can see those

1 in your statement, but I think that one of the things
2 that you wanted to highlight in your evidence was the
3 need for support, I think, and the impact that your
4 experience and the experience of being in care and
5 suffering abuse then has on your life and then your
6 reliance on the system to support you.

7 Do you want to say something about that?

8 A. As I said yesterday, it's like, well, I mean, probably
9 we could -- there's a lot of things that we probably
10 could do, but we're never going to be able to set the
11 past right, never going to be able to do it, because we
12 haven't got -- I certainly and personally haven't got
13 what it takes.

14 But I explained to you yesterday what I was going to
15 try to say, and now I can't think what it was I wanted
16 to say. In light about it all, I just feel: what about
17 us? What happens today and I think what's happening in
18 the future, but for us, what happens to us? I mean, we
19 are here, traumatised, admittedly so, by a system that
20 doesn't provide the services to untraumatise us. We're
21 having to go cap in hand -- like, we've been cap in hand
22 our whole life for affection, for families, and now it's
23 just for everyday life, because the trauma -- I don't
24 necessarily come across as some women do, I don't think
25 I necessarily come across as your stereotypical victim.

1 We master the art of the -- the sanity so that we can
2 put ourselves across in a world that we're forced to be
3 part of, whether we want to be part of it or not, we are
4 forced, and it seems like the only way, and every so
5 many years, we're being made to go to the system, cap in
6 hand again, to have benefits taken, just to have them
7 reinstated, and then we're thinking that oh, it's
8 another year -- we have no outlet for our skills. We
9 have an education you can't buy, but we are not capable
10 of sitting in a university to give you the pieces of
11 paper to prove that we have that education. So maybe
12 there should be some kind of avenue for people like us
13 to be able to access jobs that we actually -- which you
14 trained us in, let's face it, so maybe there should be
15 a better way for us to access jobs without necessarily
16 the education that the system expects us to have
17 alongside our experience, if that makes sense.

18 Q. Yes.

19 A. I think as adults, I think I didn't really think about
20 it so much at the time, but I think, sadly, we do have
21 a potential to cause great damage in this world. We
22 have a potential to cause damage to society, we have
23 a potential to cause damage to our children, to
24 ourselves, to our relationships, to future family
25 members that we might come across, and nobody pre-warned

1 us of that.

2 Me, personally, as a mum, I had nobody to look back
3 on, and there's things that have transferred from my
4 childhood, and for all the wants and wishes and all the
5 love that I may have received from my son, it does not
6 make it right that my son had to pay part of the price
7 to help save my life. And he paid the price. When he
8 triggers -- my eldest -- my youngest, now he's 14, and
9 he triggers things. Just things like talking back. Not
10 so much now. It's easier now with [REDACTED] -- with
11 [REDACTED] because I recognise the PTSD. But with
12 [REDACTED] I didn't. I didn't know it was all (unclear),
13 I just knew I felt this way and I just knew it wasn't
14 him, but I didn't know how to (unclear) me and stop it
15 from bleeding into him.

16 And, yes, we might have a great relationship now,
17 but that does not take away from the fact my son
18 suffered because I didn't understand and nobody thought
19 to tell me that it happens, I potentially was dangerous
20 to my children, and if I'd have been anyone else, my
21 children might not even be in my care. My entire
22 family, I'm the only one that's actually cared for
23 children. I have 13 siblings and I'm the only one that
24 actually has her children at home now. So that's 39
25 children out of one family, with two people with

1 problems, that have all been affected by the system and
2 its failings, and that's not fair.

3 Q. Yes.

4 A. And they all came after me and my brothers.

5 MS INNES: Yes.

6 Okay, 'Julie', I've finished my questions for you.
7 Obviously we have your statement as well as your
8 evidence to the Inquiry, and there are no applications,
9 my Lady.

10 LADY SMITH: Thank you. Are there any outstanding
11 applications for questions of 'Julie'? No.

12 'Julie', that does complete all the questions we
13 have for you this morning. Thank you so much for
14 engaging with the Inquiry, both by providing your very
15 detailed written statement, which I have read and is
16 part of your evidence, let me assure you of that, and by
17 coming here today over the videolink so that we can see
18 you and hear you in person talking about some of your
19 experiences, particularly when you were in foster care
20 with the EYO-EYN family.

21 I appreciate, as I said at the outset, that that
22 can't have been easy from start to finish, from the
23 first moment you decided that you would engage with us
24 right up to the present, but you've contributed so well
25 and with such value to the work that we're doing here,

1 I'm really grateful to you for that.

2 So thank you, and I'm now able to let you go and we
3 can switch off the link.

4 A. Thank you.

5 (The witness withdrew)

6 LADY SMITH: I think it's time for the morning break,
7 Ms Innes; yes?

8 MS INNES: It is, my Lady. Just after the morning break and
9 before the next witness, I'm going to briefly ask that
10 a statement is shown on the screen of a witness whose
11 statement is in the bundle and is relevant to the
12 evidence that we've just heard. It will be very brief,
13 and then we'll be able to move to the next witness, but
14 we'll do that after the break.

15 LADY SMITH: That's fine. Thank you very much.

16 (11.35 am)

17 (A short break)

18 (11.55 am)

19 LADY SMITH: Ms Innes.

20 MS INNES: Thank you, my Lady.

21 As I mentioned just before the break, a couple of
22 matters linked to the evidence of the witness this
23 morning, 'Julie'.

24 First of all, there was reference to the conviction
25 of Stuart Brown, and for reference that is at

1 JUS-000000076. I don't think I gave that reference

2 during the course of 'Julie's' evidence.

3 LADY SMITH: No, you gave the dates.

4 MS INNES: The dates, but not the reference.

5 LADY SMITH: That's very helpful, thank you.

6 MS INNES: In addition, in the bundle there is a statement

7 from a witness with the cypher FCW, which is at

8 reference WIT.001.001.9475, and I wonder if we can have

9 that brought up on the screen, please.

10 LADY SMITH: While that's -- oh, it's arrived, but could

11 I just mention before we get there, I probably should

12 have formally reminded people before I rose for the

13 break that there were some names mentioned: Mr and

14 Mrs EYO-EYN ██████ and ██████, 'Julie's' brothers, and EYU ██████

15 and EPN ██████ the EYO-EYN ██████ sons. Obviously Stuart, who was

16 convicted, is not protected by my general restriction

17 order, but those other people are.

18 Yes, we have the statement, thank you.

19 MS INNES: This is a statement of FCW, who is a person, as

20 we can see from the paragraph on the screen, who was

21 born in 1959.

22 Now, moving on to page 8 of the statement, to

23 paragraph 34. There's reference there to foster care,

24 and that is with a Mr and Mrs EYO-EYN ██████ in Lockerbie. My

25 understanding of the time of this placement would have

1 been in about 1971, 1972.

2 LADY SMITH: Mm-hmm.

3 MS INNES: It would appear that this relates to the same
4 alleged abusers, so at paragraph 35 there's reference to
5 other boys being in the home, and one of them was called
6 Stuart. It's blanked out here, but there's that
7 connection.

8 And then if we go over the page, at paragraph 36
9 there's reference to three girls living at the EYO-EYN .

10 LADY SMITH: So this tells us this was some time before
11 'Julie' and her two brothers went there.

12 MS INNES: Yes.

13 LADY SMITH: Because by the time she was there, there was
14 Stuart living in the house [REDACTED]

15 MS INNES: Yes.

16 LADY SMITH: And [REDACTED] no --

17 MS INNES: And the adopted [REDACTED]

18 LADY SMITH: And the adopted [REDACTED] yes, and then the
19 three of them, 'Julie' and her two brothers, arrived.

20 MS INNES: Yes. This witness speaks about some abuse that
21 he experienced. So at paragraph 37, he talks about
22 physical abuse by the EYO-EYN, the parents, and at
23 paragraph 39 he talks about witnessing sexual abuse,
24 again perpetrated by Mr EYO [REDACTED] on a girl who, I think
25 from the description, was also in foster care with them.

1 And then over the page, on page 10, at paragraph 43,
2 this witness says in the middle of this paragraph:

3 "I couldn't handle doing things for them, I had to
4 give them oral sex. All my memories of this are rolled
5 into one image of a hairy, stinking man. It was
6 40 years ago. I just wanted to be somewhere else."

7 And then he went to Merkland.

8 LADY SMITH: Thank you.

9 MS INNES: So, as I say, it's our understanding from this
10 statement that the foster carers are the same as
11 'Julie's' foster carers.

12 LADY SMITH: Thank you.

13 MS INNES: So moving on from that to the next witness, who's
14 ready to give evidence, the next witness has chosen to
15 remain anonymous and has chosen the pseudonym 'Eva'.
16 'Eva' was in the care of Lothian Regional Council. She
17 was placed in foster care with Mr and Mrs **FKQ/FKV** in
18 Penicuik on 1978. She remained there until
19 1985. It appears that the office responsible
20 for the case was the Gilmerton area office and the
21 assessment of the foster parents was also carried out by
22 them rather than an office in Penicuik, for example.

23 LADY SMITH: Thank you.

24 MS INNES: So it seems from the records that City of
25 Edinburgh Council are the relevant successor, although

1 of course Midlothian may also have an interest.

2 LADY SMITH: Thank you.

3 'Eva' (affirmed)

4 LADY SMITH: 'Eva', if you can keep a good position for that
5 microphone -- I know the way the sound system works, you
6 can't always tell where the person is who's speaking.

7 A. Okay.

8 LADY SMITH: If you can, it will help you and it helps us,
9 because we need to hear you through the sound system.

10 A. Okay.

11 LADY SMITH: The red folder has a copy of your statement in
12 it, the one that you signed.

13 A. Yep.

14 LADY SMITH: And you'll also see the statement coming up on
15 screen. It will go to the different parts of your
16 statement that we want to discuss with you during your
17 evidence. You may find it helpful to use them, or not.
18 Whatever is useful to you.

19 But, 'Eva', before we start your evidence, could
20 I just say thank you for coming here today, but that
21 I know how difficult it is --

22 A. No problem.

23 LADY SMITH: -- to engage and agree to come and talk in
24 public about your own personal life, things long ago in
25 childhood, and about things that may be upsetting and

1 true."

2 And I understand that you signed this statement on
3 4 September 2018; is that right?

4 A. That's correct, yes.

5 Q. And I think you've taken the opportunity to read through
6 your statement again before you came to --

7 A. Yes.

8 Q. -- give evidence, to refresh your memory about what
9 you'd said in it.

10 Now, if we go back to the beginning of your
11 statement at paragraph 2, you tell us that before you
12 went into care, you were living in Gilmerton in
13 Edinburgh with your mum and your brother and your
14 sister.

15 A. Yes.

16 Q. And you tell us that you have an older brother, who
17 I think is about a year older than you.

18 A. That's correct, yes.

19 Q. And a younger sister, who's maybe 18 months --

20 A. Yes.

21 Q. -- to a couple of years younger than you, and then you
22 say that you have a younger brother who's about
23 four years younger than you.

24 A. Yes.

25 Q. And when you were taken into care to begin with, were

1 all of you taken into care together?

2 A. No. It was just the three of us, because [REDACTED] wasn't
3 born.

4 Q. Okay.

5 You tell us in your statement that your mother had
6 difficulties with alcohol.

7 A. Yes.

8 Q. And your father was often absent as well.

9 A. Mm-hmm.

10 Q. And at the top of page 2, you tell us that your mum
11 wasn't looking after you properly.

12 A. Yes.

13 Q. And you were put on the at risk register.

14 There came a time, you tell us at paragraph 7, that
15 you first of all went into Clerwood Children's Home.

16 A. Yes.

17 Q. There was a time that you were there when you were
18 three, another time that you were there when you were
19 four, and then in 1977 there came a time when you went
20 to the South Gyle Children's Home.

21 A. Yes.

22 Q. And that was, I think, in about 1977 that you went
23 there.

24 A. Yeah.

25 Q. Now, if we can move on, please, to page 8 of your

1 statement and at paragraph 37, you tell us there that
2 there came a time that you moved from the South Gyle
3 Children's Home into foster care --

4 A. Mm-hmm.

5 Q. -- with a Mr and Mrs **FKQ/FKV**

6 A. Yes.

7 Q. Can you remember being told about the fact that you were
8 going to move into foster care?

9 A. Not really, no, but I just remember **FKQ** and **FKV**
10 coming to South Gyle, but they weren't really interested
11 in the four of us, they were looking at two other girls,
12 two sisters, looking to foster or adopt those two. But
13 Auntie Wullie or Nora Williamson -- oops, am I allowed
14 to say that? Sorry.

15 Q. It's all right.

16 A. Auntie Wullie worked with **FKQ** many years ago in
17 a mother's unit in Edinburgh, so they knew each other
18 personally, and it was Auntie Wullie that persuaded
19 **FKQ** to take the four of us because we were a big
20 family and felt that our situation needed a family home
21 more than these two girls did.

22 Q. Okay.

23 So you mentioned there Auntie Wullie, and I think
24 that's the South Gyle Children's Home, I think, was
25 maybe run by a Mr and Mrs Williamson?

1 A. Yes, that's correct.

2 Q. Okay. And you say Auntie Wullie and Uncle Walter.

3 A. Yeah.

4 Q. I think that's Mr and Mrs Williamson.

5 A. Yeah, that's what they were referred to by all the
6 children.

7 Q. Okay. You say that -- were they friends with the
8 **FKQ/FKV** ?

9 A. Yes, because **FKQ** and Auntie Wullie had worked
10 together many years ago in a single mother's unit, or
11 a -- you know, where they went to have the babies and
12 then left them and went back home way back in the 1960s.

13 Q. Okay.

14 How did you feel about going to live with the **FKQ/FKV**
15 or leaving the home?

16 A. For me, at that age, I didn't want to go, because
17 I always thought that I was going to go back to my mum.
18 I didn't really know my dad because of his situation
19 with the army and everything, but my mum I did know, or
20 it wasn't a great knowledge of my mum, the time I had
21 with her, but in my eyes that's what I wanted to go back
22 to. I thought my mum could be fixed and we could go
23 back there and be with my mum.

24 Q. Okay. And you tell us at the top of page 9 of your
25 statement at paragraph 38 that you think that the

1 thought of taking on four children was daunting for the
2 [REDACTED].

3 A. Yeah, they didn't have the house that was -- for that
4 size to begin with. The property they lived in --
5 although we went from one two-bedroom property to
6 another two-bedroom property with the [REDACTED], the second
7 property was bigger, the bedrooms were bigger, so it was
8 more accommodating to share a bedroom, whereas the first
9 property they were more single bedrooms. So my sister
10 and I shared a room and my two brothers shared a room,
11 but they weren't really adequate for children to play in
12 and whatnot. So for them, their property wasn't fit for
13 four children.

14 Q. Okay. And is that something that you were aware of at
15 the time or is that something that you learned from
16 looking at your records?

17 A. No, I learnt that from when we moved. I remember [REDACTED]
18 and [REDACTED] telling us, because I didn't understand why --
19 because it was in the same street, so we were moving
20 from one number to another just in the same street, so
21 I was still with my friends that I had made, but
22 I didn't understand why we were going from
23 a three-bedroom house to a three-bedroom house till they
24 explained that the rooms were bigger, the garden was
25 bigger, suchlike and so forth, so it was better for us

1 as a family to go there.

2 Q. Okay.

3 Then you talk in this paragraph about your mum
4 having given up parental rights at the time.

5 A. Yeah, I remember being told that, sat down and being
6 told. A social worker had come to the house and
7 I remember sitting down and saying that we were never
8 going back to live with our mum.

9 Q. Okay. And how did you feel about that?

10 A. Hurt. Upset. Yeah.

11 Q. And were you able to have any kind of contact with your
12 mum?

13 A. They tried several times before. She was meant to come
14 and visit us when we stayed in the previous children's
15 home near Corstorphine and she always let us down. She
16 never came to the Gyle. There was nothing. There
17 was -- I do remember we eventually -- I know I got one
18 and [REDACTED] got one, I'm not sure about [REDACTED], but I know
19 [REDACTED] and I both got a handwritten letter from our mum
20 with a photo of her given to us explaining -- later on
21 in life, not at that particular point -- explaining why
22 she did it. I was just so angry that I binned --
23 I binned the letter. I didn't want it. I didn't need
24 to have that as a reminder to tell me -- you know,
25 I knew what she was. A letter wasn't going to make it

1 any different.

2 Q. Okay.

3 At paragraph 39 of your statement you say that,
4 before you actually went to live with the **FKQ/FKV**, you
5 spent some time visiting them.

6 A. Yes.

7 Q. How did you feel about the visits?

8 A. It was like little -- just like little holidays,
9 I suppose, you know. We would go there maybe for a half
10 day, you know, maybe a whole day, and then we had
11 an overnight stay and then a weekend, but we always went
12 back to the Gyle which, for me, was my home at the time,
13 and I think in the back of my mind I was kind of always
14 hoping that **FKQ** and **FKV** would change their mind,
15 not because of what happened, I genuinely didn't want --
16 even though I'd been told, I genuinely didn't want to
17 live -- because I was being told, "This is your new mum
18 and dad". No, they're not my new mum and dad. I don't
19 need a new mum and dad.

20 So that's why I always had that sort of block, that
21 sort of, "No, this is not for me".

22 Q. Yes.

23 Then you talk at paragraph 40 about the -- you can
24 remember going to live with them permanently, I think.

25 A. Yeah.

1 Q. And what's your memory of that?

2 A. It was all -- it was all very like what you see in
3 a movie, it's all lovey-dovey, it's all nice, you know,
4 you're treated well, you get new clothes. Even if
5 they're second hand, they're still new to you. You got
6 more toys. You know, they had a car, so we'd go out for
7 day trips, and then they'd got the caravan, and we'd go
8 away for -- so it was made to feel very like, "Oh, this
9 is all new". So there was a part of it -- like, it
10 was -- this was exciting because I'd never had that
11 before, and I felt like -- I did feel like a normal
12 child to start off with. You know, I was quite
13 fortunate because a lot of my friends in the street that
14 I'd made, they didn't go away for a weekend in the
15 caravan like we would go away, and I remember FKV had
16 made bunk beds in the caravan so we could all fit in the
17 caravan, because it was only like a four berth and there
18 was, like, six of us, so that was -- yeah. He built
19 bunk beds for [REDACTED] and [REDACTED] that they slept on. But
20 it was nice, yeah. That was the good times to start off
21 with.

22 Q. At paragraph 41 you talk a little bit about the house
23 and you tell us that you moved, as you've said --

24 A. Yeah.

25 Q. -- in the same street. You say that you shared a room;

1 was that with your sister?

2 A. With my sister, yeah.

3 Q. Was that the case for the whole time that you lived
4 there?

5 A. Yeah, yeah, always shared a room with her.

6 Q. You say at paragraph 42 that you don't think that **FKQ**
7 and **FKV** had fostered before you went to live with
8 them.

9 A. No, so I don't think they'd had any involvement, because
10 what I always can remember being told by them, that
11 their process through the social work department --
12 because they actually wanted to adopt us, but failed
13 because of **FKV**'s health, and so they were only allowed
14 to foster us, because obviously if **FKV**'s health
15 deteriorated, we would get taken away from them and put
16 somewhere else, because **FKQ** couldn't cope with us on
17 her own and **FKV** being poorly.

18 So, yeah. But I do know she looked after a couple
19 of other children, but it was through a friend, it
20 wasn't through, like, the social work department or
21 anything like that at all.

22 Q. Okay. Did they have children of their own?

23 A. No. **FKQ** lost a baby and she told me once that she
24 could never have babies after that. She would never
25 have any children.

1 Q. Okay.

2 What sort of age were they when you went to live
3 with them, do you know?

4 A. I think **FKQ** would have been -- they'd have been in
5 their 30s, early 30s maybe, mid 30s, if I remember
6 correctly.

7 Q. Okay.

8 Now, if we go on over the page, you say at
9 paragraph 45, I think as you've just mentioned in your
10 evidence, that at first things were quite good.

11 A. Yes.

12 Q. Okay.

13 A. Yeah, no, it started off, as I say, with them, it was
14 really nice, quite relaxed, you know, there was no --
15 I mean, I know children need structure. I work in
16 an environment where I work with children five days
17 a week and I know they need structure. I brought up my
18 own two children on my own. But then it was almost
19 like -- it was very relaxed. So, like, you weren't made
20 to make your bed, you know, or do dishes. It was all
21 very, very like, "It's okay, this is life", you know, so
22 it was very softly, softly.

23 Q. Okay.

24 Then you talk about being encouraged to call them
25 mum and dad.

1 A. That was my most difficult thing, because I didn't --
2 never wanted to call them mum and dad, never wanted to
3 call them mum and dad. I knew I had a mum and dad.
4 Whether they were a parent or weren't a parent to me,
5 they were still my mum and dad. They were my biological
6 parents. And I know it sounds terrible, and I have
7 referred to this a lot of times throughout my life,
8 **FKQ** and **FKV** were paid to look after us, you know,
9 by -- so they were given money to feed us and clothe us.
10 They weren't paid to be our parents. The social work
11 department had parental rights over us, not **FKQ** and
12 **FKV**.

13 Q. Okay.

14 You talk in the next paragraph about a social
15 worker, and you say you had a new social worker at that
16 point, you can remember.

17 A. Yes. Yeah. The social workers changed a lot, but,
18 yeah, the social worker did change again.

19 Q. Okay. How often did the social worker come and visit
20 you?

21 A. They did the regular, what we'd say, checks that they
22 were meant to do within a family moving into foster care
23 to make sure they were all happy and everything was
24 good, but, again, it wasn't -- I mean, as much as we
25 were young, children have a voice, I could speak,

1 I spoke then, and it was more asking FKQ and FKV ,
2 or if they asked us a question, FKQ or FKV -- more
3 FKQ than FKV -- answered the question, so we
4 weren't able to sort of speak. But we were also, as
5 time went on -- you know, the first wee while it was
6 okay, but as time went on and the social workers were
7 still coming, they still had to come out and see us
8 whether it was annually or every six months, whatever,
9 it then became, "Right, the social worker's coming, best
10 clothes on, sit quietly, don't say a word, you know,
11 smile nicely", and that sort of thing. We were then
12 coached into how we were to behave when the social work
13 came round to visit.

14 Q. Okay. And can you remember any of the social workers'
15 names, for example?

16 A. Richard Dingwall I remember very well. And there was
17 a female one, I can't remember. There was a few. Got
18 older, there was one called Catriona. She was the one
19 that I more -- when I -- just before I turned 18.

20 Q. Right.

21 A. But, yeah, it's something -- I had so many social
22 workers. A lot of them I just -- you know, they were
23 people that came in and out of my life, so I didn't keep
24 them stored up there.

25 Q. Yes. Did you feel that you'd built any kind of

1 relationship with any of the social workers that you
2 had?

3 A. Catriona I thought I had, till I came back to Edinburgh
4 when I was 18 and was told that they weren't interested
5 anymore. So I was quite disappointed, quite upset about
6 that.

7 Q. Okay.

8 If it's okay, I'd just like to look at a couple of
9 things from your records, and if we can look, please, at
10 EDI-000000780, and this is a record from -- a summary,
11 September 1982 to December 1982, and if we scroll down
12 to the bottom, I think we see this is written by
13 a Roselyn Lawrence.

14 A. Don't remember her.

15 Q. She says at the beginning, if we go back up to the top:

16 "I took over this well-established long-term foster
17 placement in September after the case had been
18 unallocated for nine months."

19 So that would suggest that either --

20 A. I had --

21 Q. -- there wasn't a social worker allocated to you for
22 a nine-month period.

23 A. Mm.

24 Q. And then there's reference to your siblings, and if we
25 can go down to the bottom of this summary, it's a bit

1 faint, but I think it says:

2 "This family is a delight to work with and does not
3 demand a great deal in terms of input, although the
4 children are all so nice it is tempting to extend visits
5 talking with them. Contact necessary is minimal because
6 Mrs **FKQ** will contact the office if problems arise. It
7 is important to realise, however, that she needs help
8 when she requests it and a visit should be made quite
9 quickly. This is vital in terms of support for **FKQ**
10 and **FKV**."

11 So that seems to be the social worker's assessment
12 at that point.

13 Then if we go on to the next page, so the next
14 period, so January to July 1983, and this begins:

15 "I took over as social worker for the children
16 in January 1983, following the departure of
17 Rosie Lawrence from the team. It was mutually agreed
18 I would visit every three months as minimal contact is
19 all that is required owing to the stability of this
20 placement."

21 And then if we scroll down a little I think we see
22 that it was an R Marr that was the social worker that it
23 had been assigned to, and I think we can see from what's
24 on the screen there that there's concerns about
25 Mr **FKV**'s health, and they were concerned that they

1 wouldn't pass the medical examination for adoption.

2 A. Yeah.

3 Q. Which is what you've mentioned.

4 She also then goes on to say:

5 "FKQ also stated that they feel more comfortable
6 knowing that ongoing social work support is available,
7 however minimal. I feel that they are firmly entrenched
8 in the foster parent role and are unable to see
9 themselves as adopters, although they obviously have
10 a long-term commitment in terms of caring for the
11 children."

12 If we scroll down a little, I think we see an entry
13 on 31 August 1983:

14 "Home visit. All the children are fine and there
15 are no problems."

16 And this is saying that you have settled well into
17 secondary school.

18 A. Mm.

19 Q. There's again reference to Mr FKV health, saying
20 that he has no sight in one of his eyes by that time.

21 A. Mm-hmm.

22 Q. And then the part at the bottom is not related to you.

23 A. Yeah.

24 Q. So if we leave that there, I think we see that in that
25 time there's obviously been a couple of social workers

1 coming in to see you, and there's obviously been a gap
2 as well where you didn't have any social worker.

3 A. Yeah.

4 They're obviously saying that ██████ would ask for
5 help; she wouldn't ask for help, she never asked for
6 help. She didn't want to be somebody that would seem
7 that she couldn't cope with us. Because, again, not
8 coping means that we could potentially get taken away,
9 you know, so I know she never asked them for help. She
10 may have threatened -- threatened us with, "You'll go
11 back into care", you know, but I know -- I know --
12 I know she didn't. I know she never -- I know she never
13 would.

14 Q. Okay.

15 Now, if we go back to your statement, please, and
16 paragraph 50, so this is on page 11, you talk there
17 about there being one bath between the four of you.

18 A. Yeah. So the bath was filled up and then there was one
19 bath of water, we would all share that. So if you were
20 last -- so it was a case of, like, getting in there
21 first. It was the quickest way to get you in the bath,
22 because you knew if you were last -- and I was always
23 last. I was always last. ██████ and ██████ tended to
24 go in first and then it was sort of a fight between
25 ██████ and I, but he always won.

1 Q. You talk in paragraph 50 about an incident where you say
2 that ██████ would get mad about stupid things, and you
3 talk about somebody writing I think your brother's name
4 in steam.

5 A. Yeah, so there was a mirror on the back of the bathroom
6 door, so obviously if you were running hot water in the
7 bath, it would steam up, and somebody had wrote ██████'s
8 name -- it was probably ██████, no blame because he can't
9 defend himself, but anyway -- and ██████ came down and
10 obviously she cleaned the bathroom after we'd finished,
11 and then she asked who wrote his name on the mirror, and
12 of course, "It wasn't me", "It wasn't me", "It wasn't
13 me", "It wasn't me", from all the wee voices, and it was
14 almost like nobody was allowed to go anywhere until
15 somebody told the truth. So I didn't get to go to
16 Brownies that night because nobody would own up to doing
17 it.

18 And to me, it was -- nothing was damaged. It was
19 a silly wee thing. She was cleaning the bathroom
20 anyway, you know. You're going to clean the steam off
21 the glass, the mirror, whatever. So for me -- maybe it
22 was a big thing to her, maybe she had OCD, I don't know.
23 But, yeah, I just felt it was an overreaction. Because
24 she was very angry, and it wasn't like -- just like,
25 "Nobody's going out" -- it was, you know, quite -- you

1 know, I don't know if anybody ever owned up to, you
2 know, that, but it was -- it was very in an aggressive
3 tone. It wasn't like just, "Right, who did that?", you
4 know, it wasn't -- you know, because, I mean, I never
5 got to go to Brownies, I was sent to bed and that was
6 that.

7 You know, there was times that if something happened
8 and we hadn't had our tea, you were sent to bed, if
9 something happened and nobody owned up to it. You know,
10 it was always, "Oh, it was the ghost of Armine Place".
11 That was **FKQ**'s famous saying, "Oh, it was the ghost
12 of Armine Place", because nobody owned up to it.

13 Q. Okay.

14 You say that you would be sent to your rooms. If it
15 was before teatime, would you get tea if you'd been sent
16 to your room or not?

17 A. No, you just stayed in your bed.

18 Q. Did she bring anything up to you to eat?

19 A. Nope. Nope.

20 Q. Okay.

21 Other than that, what was the food like when you
22 lived there?

23 A. It was -- it was your basic, what I'd say, normal meals
24 people had back in the day: soup, mince and potato,
25 stovies. You know, we didn't buy, like, biscuits and

1 cakes, we baked all that, which we'd do at the weekend,
2 and then that would be for the week. So if you got
3 a treat, that's what it was. And I remember that the
4 (unclear) was called a digger biscuit. It was oats and
5 things like that, but they were really nice.

6 So that was a nice aspect, doing things like that,
7 where you were involved making the food. So you knew --
8 as I say, from now, it was a life skill that I learned,
9 even at a young age, you know, like how to peel
10 potatoes, cook potatoes, you know, do dishes, tidy up,
11 all these kind of things. So it was nice. We all did
12 it, whether we wanted to or not as children, you know,
13 you still would have dug your heels in, but it was --
14 especially the baking at the weekend I did enjoy, and
15 I will say later on in life, when I had my own children,
16 I used to bake for them all the time, and I will thank
17 **FKQ** for that, for the baking, you know, because
18 that's where I learnt it and that's where I got my
19 enjoyment out of it, was with baking.

20 Q. Then at the bottom of the page you talk about birthdays
21 and presents that you might get, and you say that:

22 "In the back of my mind I knew **FKQ** and **FKV** had
23 income coming from the social work department.

24 I wondered if they spent that money on us or used it to
25 pay for the rent. We never got pocket money."

1 So you mentioned already in your evidence that they
2 got paid to look after you.

3 A. Yeah.

4 Q. When you were a child, did you have a consciousness that
5 they were being paid?

6 A. Again, it's one of these things that was spoken quite
7 openly that, you know, the social work paid X amount of
8 money -- I mean, I will admit **FKQ** stopped smoking.
9 She used to -- she smoked when we first went there, and
10 I remember it was a choice of buying a bag of potatoes
11 or a packet of cigarettes, and she had one cigarette
12 left in her packet and she got the potatoes and no
13 cigarettes. So I do know that there were issues with
14 money, and I totally understand that.

15 Now, I think a lot of it might have been down to the
16 fact that **FKV** wasn't always able to work because of
17 his health, so of course they were losing income,
18 because he did have a good job, so loss of income. But
19 with regard to the money for us, you know, it was for
20 the children, for things like clothes and that. For me,
21 I would get 's hand-me-downs, you know. got
22 okay stuff, got okay stuff, was pretty much
23 from a charity shop or jumble sales, and then me. So it
24 wasn't like we were taken out to buy new clothes. We
25 got one set of school uniform a year and one new set of

1 shoes a year for school, and anything outwith that it
2 would probably be second-hand, jumble sale, charity shop
3 or given to them from a neighbour or whatever, or FKQ
4 and FKV 's family, if they had nieces and nephews,
5 cousins and whatever, that kind of way.

6 So I wondered sometimes, the money that was meant
7 for us, you know, because I know they paid for us to
8 have clothing, you know, and food, how much of the money
9 did they actually spend on us that was for us, if you
10 get me. Like I was paid child benefit as a mother.
11 That money went on my children. I didn't go and buy
12 cigarettes or alcohol or anything like that. That money
13 went on my children every week. You know, so if it's
14 money for children, it should be spent on them, and
15 I don't believe to this day that FKQ spent -- and
16 FKV or both, whatever, spent all the money that was
17 allocated to us -- if there was a budget for clothing,
18 was spent on clothing for the four of us.

19 Q. Okay. It maybe just went into the household income?

20 A. Yeah.

21 Q. Okay.

22 Now, if we can move on a little in your statement,
23 please, to page 13 at paragraph 61, where you talk about
24 some of the abuse that you experienced.

25 A. Yes.

1 Q. And you describe living with them:

2 "... like living behind closed doors. It was all
3 a front for people ..."

4 Can you explain that?

5 A. Yeah, the street that we lived in, it was very -- it was
6 an open -- it was back in the old days where you could
7 leave your door unlocked. Everybody would go to
8 everybody's houses. So you if you couldn't find, like,
9 someone, like one of my friends would say, "I can't find
10 my mum", "Have you tried number 10, have you tried
11 number 15, have you tried so-and-so's house?", because
12 they would always be in somebody's house. So we'd
13 always be going in and out of all the neighbours'. So
14 it was a very friendly, open street in terms of -- where
15 everybody knew everybody, and for me it was always this
16 big facade, how wonderful it was, how wonderful **FKQ**
17 and **FKV** were for taking on the children, and we knew
18 to behave in a certain manner, we knew our Ps and Qs
19 and, you know, to be respectful of elders and everything
20 else like that.

21 But when the doors were closed, the way that **FKQ**
22 would treat us -- I mean, **FKQ** might not have sexually
23 abused me, but she physically abused me on more than one
24 occasion. **FKV** sexually abused me, and that was --
25 when certain things like -- I only had really one

1 birthday party that I remember when I was 10, and it was
2 like after that I was never allowed any birthday parties
3 again, and I always felt like it was because of [FKV],
4 because of me, it was like people were focusing on me
5 and he didn't want that, I was his and nobody else's.
6 So I never had any more birthday parties. [redacted] and
7 [redacted] did. I mean, they had birthday parties.

8 Q. Okay.

9 A. You know, so it's things like that that when I say
10 behind closed doors, people didn't see how we were
11 treated. You know, like children would come to door say
12 to us, "Is [FDH] coming out?" "No, she's not coming out
13 today." "Right, okay then." And then I would find out,
14 "Why am I not going out?" "Because I've decided you're
15 not going out and that's it." "Okay." "Just go and get
16 something done, your homework, whatever." You know, so
17 it wasn't like I was even told there was someone at the
18 door. Same for [redacted] and [redacted] as well.

19 So it was almost like sometimes they didn't want us
20 to have a life, but we were very much kept in, and
21 that's when things became strict. And, again, yeah, it
22 was strict at the time, but it was part of understanding
23 as I got older, like, you weren't allowed to do anything
24 until this was done, you weren't allowed to do anything
25 until that was done, you came home, you cleaned your

1 shoes, dinner started getting made, you did your
2 homework. There was a routine, but to me it was a very
3 strict routine.

4 Q. Okay.

5 A. And we were kind of kept away from everybody.

6 Q. Okay.

7 So you mentioned a moment ago that **FKQ** physically
8 abused you.

9 A. Yes.

10 Q. And you mentioned this at paragraph 62 of your
11 statement.

12 Can you tell us, did she hit you with her hand or
13 with an implement?

14 A. The hand most of the time. It's what you call
15 a backhander. You never knew it was coming. You
16 might -- it could be something stupid. I remember we
17 had the wardrobes -- **██████████** and I had the wardrobes in
18 our bedroom, and she opened them one day and I hadn't
19 put stuff away properly, I'd just flung it in, and she
20 shouted me up the room and the next thing I knew I got
21 belted for it, and it was like, "You've been told, keep
22 that tidy", you know what I mean, it was that kind of
23 way. But when you got hit, it rang in your ear. It
24 wasn't, like, just a little tap; it was a full on
25 backhander that she would give you, and she had quite

1 a good one. As an adult, she had a good -- and I was
2 only a child. She could give me a good belt -- I mean,
3 not just once, it was quite a lot of times that she was
4 quite handy with her hands.

5 I remember one time being allowed outside with my
6 friends, and we were just out the front, and because
7 I didn't speak to **FKV** when he was going out to the car
8 when I came in, I got belted, and unawares. I went up
9 to my bedroom, **FKQ** was standing there waiting and she
10 just belted me one. I was like, "What was that for?"
11 "The next time you see **FKV**, you will speak to him, you
12 will not walk past him", and I went, "Okay". I didn't
13 realise there was a problem but hey-ho, there was.

14 Q. If we go on over the page you talk about sometimes your
15 sister, I think, would get you into trouble?

16 A. Yeah, all -- she's a sneaky little -- yeah. **██████████** and
17 I have never had a great relationship. I don't know
18 why. I really -- I don't know where it stems from,
19 I just know we've never had a great relationship. As
20 she got older, it just became worse and worse, but as
21 children it was more sibling rivalry. It was more like
22 she wanted to be the goody two-shoes, and she knew
23 because **██████████** and I were the targets, and we were always
24 told -- you know, we got beaten and -- sorry, **██████████** and
25 **██████████** were always told, "Don't do what they do because

1 you'll get the same", or ██████ and I were told, "You
2 should be setting an example to the younger two". So
3 ██████ knew that if she could get me into trouble, what
4 I was going to get, and she would just sit there and be
5 a smarmy wee madam, knowing full well, you know --
6 a stupid thing, she put hankies I got from my granny one
7 Christmas, and we always got the same, which annoyed me
8 to the core -- it's not what I asked for, nicely, but we
9 always got the same regardless -- and we got these
10 hankies, and ██████ had put nail varnish on hers, but
11 she put them into my drawer when I wasn't there, and
12 then she went in my drawer and starting screaming, "Oh,
13 FDH ██████'s got nail varnish on her hankies that granny gave
14 her", and I got beaten for that because I was being
15 disrespectful to a gift I'd been given, you know. So
16 stuff like that. You know, it's stupid, but ...

17 Q. Okay, okay.

18 Now, 'Eva', I think the stenographers are maybe
19 finding it a little bit difficult to keep up with you,
20 so I know it's quite difficult to speak a bit more
21 slowly --

22 A. I've got a really bad habit of speaking fast, sorry,
23 I should have warned you. Sorry, I do. I'm bad for
24 that. Sorry.

25 LADY SMITH: It would be helpful. I can see the transcript

1 coming up, 'Eva'.

2 A. Sorry.

3 LADY SMITH: And it's --

4 MS INNES: I know it's difficult to try to make yourself

5 slow down a little bit, but if you can try to do that --

6 A. Okay.

7 Q. -- that would be great.

8 Okay, if we can move on in your statement, please,

9 you say at paragraph 64 -- you tell us about an occasion

10 when you said to **FKQ** that she wasn't meant to hit

11 you.

12 A. We were -- we were informed that, although **FKQ** and

13 **FKV** had fostered us, they weren't allowed to chastise

14 us by beating us. There was to be other forms of -- not

15 punishment, but, you know, so it would be like grounded

16 or maybe a favourite toy taken off you or put to bed

17 early or something like that. But we always --

18 LADY SMITH: 'Eva', who told you that?

19 A. We were told that by the social work department, that

20 they weren't allowed to, because they were -- they had

21 parental rights over us, so they were just caring for

22 us, so they weren't allowed to hit us.

23 LADY SMITH: Right.

24 A. Right. So we were told --

25 LADY SMITH: Hang on, so when you said "they had parental

1 rights" --

2 A. Oh, sorry --

3 LADY SMITH: -- you mean social work --

4 A. -- the social work department always had parental rights

5 over us, even though we were fostered. Sorry. My

6 apologies, sorry.

7 LADY SMITH: No, that's fine. And so social work,

8 technically on behalf of the Local Authority, who had

9 the parental rights --

10 A. Yes.

11 LADY SMITH: -- had made the decision that the ██████████ were

12 not to be permitted to hit you, beat you or use any form

13 of physical punishment?

14 A. No.

15 LADY SMITH: And they told you that when you were moving to

16 the ██████████ from South Gyle, was it?

17 A. Yeah, it was before we moved, there was a big meeting

18 all about what was to be expected and stuff like that,

19 so we were told.

20 LADY SMITH: Okay.

21 A. You know, I think part of it for ██████████ and I anyway,

22 what we'd already experienced in life, I think, although

23 we knew some of it and not all of it, I don't know if

24 there's stuff went on even when I was younger with my

25 mum and my dad, I don't know, but I do know that that

1 was a big thing about how, you know, they couldn't hit
2 us, how punishment was, and it was said to **FKQ** and
3 **FKV**, with the social workers there, "If you have to
4 punish them, this is how you do it, you do not use
5 a physical force type scenario".

6 LADY SMITH: Okay. Am I right in picking up from what you
7 just said that the **FKQ/FKV** were at that meeting as well?

8 A. Yes. Yes.

9 LADY SMITH: Do you remember where it was?

10 A. It was at South Gyle.

11 LADY SMITH: In the home before you left?

12 A. Yes, yeah.

13 LADY SMITH: Thank you.

14 MS INNES: And after that, when they started hitting you,
15 did you feel that -- well, did you think, "I should tell
16 the social worker about that because at that meeting
17 they said this shouldn't be happening"?

18 A. Well, that's where -- you were asking about
19 paragraph 64. That's when I said to **FKQ**, because
20 that was the time when I'd -- I witnessed what happened
21 to and, to me, that was extreme, it was the worst
22 sort of beatings I'd seen from **FKQ** and **FKV**, where
23 they were both involved. It had always really been
24 **FKQ** that was the one that -- for me, anyway, you
25 know, because **FKV** was the sexual, so he was being

1 caring towards me in a sort of weird way. But that was
2 a time where both **FKQ** and **FKV** just went for -- and
3 I'd never seen anything like it at all. Because you
4 came home late, because you were out with your friends.
5 You know, he hadn't stolen anything, he hadn't done
6 anything illegal. He was having fun. Okay, you were
7 late home. Ground him. Don't let him out. But they
8 beat him up. I mean -- and I'm not exaggerating. And
9 I remember the three of us sitting -- we were kept up.
10 **██████████** -- the three of us were kept up, because it was
11 way past bedtime, and the three of us were sitting on
12 the sofa, and then, as I say, he came in, as blue as
13 everything, he still had his Speedo trunky things on,
14 and they just went for him, just -- and I remember
15 sitting there and I said, "You can't hit us, you're not
16 meant to hit us", and that's when **FKQ** came bounding
17 for me and I took a beating, and then she said to **██████████**
18 and **██████████**, "Now remember, you do anything, this is what
19 you'll get". Yeah.

20 Q. And after that, did you think, "I need to tell somebody
21 about that"?

22 A. Never given the opportunity to say anything on our own.
23 It was always -- as I say, **FKQ** would made us -- when
24 the social workers did come round, that you were all
25 dressed properly. You know, there was no unannounced

1 visits. They were all pre-arranged. They were always,
2 you know, "Put your best clothes on, have a bath, wash
3 your hair, make sure you look presentable and just sit
4 quietly", and even about the abuse, I couldn't say
5 anything, so there was no way I was going to be able to
6 say anything about hitting.

7 Q. Okay.

8 If we go on over the page to page 15, you talk about
9 the sexual abuse that you've already mentioned, that
10 Mr **FKV** sexually abused you.

11 A. Yes.

12 Q. So roughly when did this start, can you remember?

13 A. Within the first year of being there anyway. The first
14 six months I remember it being all nicey-nicey, and then
15 probably -- so probably when I was about -- oh ... yeah,
16 because I went there in 1978, so probably into the
17 beginning of 1979, just before I was eight.

18 Q. Okay. And you say at paragraph 68 that he would say
19 things like, "It's just between the two of us", "You're
20 special", those sorts of things?

21 A. There was reference -- again, whether it was just
22 a passing comment or whether there was any truth to it,
23 there was references made back in the day about how my
24 mum didn't want me because it was so close -- there's
25 like nine days less than a year between **██████████** and I, so

1 there has always been reference that my mum never wanted
2 me, I was a mistake, she didn't plan to have another
3 child so soon after [REDACTED], so I think for me to hear
4 somebody say -- say that, at that age, it made me feel
5 special, somebody does want me, I am meant to be here.

6 Q. And you say that the other thing that he would say to
7 you was not to tell anyone or that you would be taken
8 away from [REDACTED].

9 A. Yeah, because he knew -- [REDACTED] and I always had a close
10 bond in terms of just everything we did together, you
11 know, at our mum's and everything else. I remember the
12 first day [REDACTED] went to school and I cried my eyes out,
13 because I didn't want him to go to school because he
14 wasn't with me. We were always -- we were thick as
15 thieves, if you want. But he knew taking me away from
16 [REDACTED] was -- [REDACTED] and [REDACTED], as much as they're my
17 siblings, I really wouldn't have lost much sleep, not
18 because I didn't -- well, [REDACTED], yeah. [REDACTED] --
19 I mean, I had a close bond with [REDACTED], but not like
20 [REDACTED]. You know, I had a close bond with [REDACTED] when he
21 was little and we stayed in the Gyle, when we first went
22 there, because he was small and I took it upon myself to
23 look after him until I got told to stop it. But, yeah.
24 But [REDACTED] and I, we sort of had that. We'd been with
25 our mum and taken away together and back again, and then

1 [REDACTED] -- and everything else. So it was almost that
2 very much of the -- we had each other's back, you know.

3 Q. Yeah.

4 A. So if I didn't have [REDACTED] and [REDACTED] didn't have me, we
5 were never going to cope.

6 Q. Yeah, okay.

7 Now, you then tell us in the statement that the
8 sexual abuse started, as you said, and effectively it
9 developed over time, it increased over time, I think is
10 what you're saying there. Is that right?

11 A. Yeah. It was at first -- it was just very small things,
12 like cuddling, touching outside your clothes, et cetera,
13 things like that, getting me to touch him, you know, and
14 sort of saying, "Oh, do you feel that?" and stuff. It
15 was just like -- to me, what was that? There was
16 nothing, you know.

17 Then as I got older, it was almost like [REDACTED] knew
18 he was dying and -- or not dying, but he knew he was
19 ill, and it was almost like he progressed things quite
20 quickly. So then it would become more intense, where it
21 would be, you know -- so, for example, [REDACTED] would get
22 up in the morning and go downstairs and start making the
23 breakfast at the weekend, and he would shout me through
24 to the room and I'd go to the bed, and then he would
25 start touching me, you know, inside my pyjamas. I mean,

1 ██████████ could be there or ██████████ could be there, but he
2 would be quite discreet. He would have, like, me on one
3 side and them on the other side and being quite discreet
4 about it. And then it progressed to making sure that
5 sort of --

6 LADY SMITH: 'Eva', 'Eva', everything you say is so
7 important.

8 A. Oh, sorry.

9 LADY SMITH: It's really important that we can listen to it
10 and that we can get it transcribed properly.

11 A. Sorry, sorry. I feel like I'm taking up your time,
12 sorry.

13 LADY SMITH: No, for goodness' sake, it's really important
14 to hear everything you have to say and make a clear
15 record of it.

16 A. Yeah.

17 LADY SMITH: And I know it's difficult, but can I ask you
18 just to slow down a bit?

19 A. Yeah, sorry, yeah.

20 LADY SMITH: Thank you. Carry on. You were --

21 A. Yes, so --

22 LADY SMITH: I can tell you exactly where you were. You
23 were telling us about the possibility of ██████████ being
24 there or ██████████ could be there, but he would be quite
25 discreet; he'd have you on one side, them on the other

1 side and be quite discreet, and then it progressed to --

2 A. To where -- so, for example, if [REDACTED] or [REDACTED] had

3 after-school activities like Brownies or Cubs or things

4 like these sort of things that they went to, I would be

5 kept at home. I didn't get to go in the car, I'd be

6 kept at home. "No need for you to go, FDH [REDACTED], you just

7 stay here, you know, you can get a bath", and all this

8 kind of stuff, and that's when it becomes more full sex,

9 when there were times -- because he knew the timescale

10 FKQ [REDACTED] would take from leaving the house to getting

11 back, you know, sort of thing, so he knew how long he

12 had to be able to sexually abuse me, but without anybody

13 knowing about it

14 MS INNES: Okay. And did you feel that there was anybody

15 that you could tell about this?

16 A. I wanted to tell [REDACTED] but, again, it was the fear of

17 losing [REDACTED], it was the fear of, you know, in

18 a heartbeat, [REDACTED] getting ripped away, [REDACTED] getting

19 ripped away, and as far as I could see, they were happy,

20 you know. [REDACTED] and I weren't happy. I know I'm

21 speaking on behalf of him, but if he was here, he'd say

22 exactly the same. We were never happy. And I never got

23 an opportunity to tell anybody. Even if I told [REDACTED],

24 what was he going to do? If he approached FKQ [REDACTED] about

25 it, she would just say I was lying, you know, and say,

1 "Oh, that's just FDH, it's your sister, you know what
2 she's like", blah, blah, blah, blah, blah, "Ignore her,
3 don't be silly".

4 So, in a sense, for me it was like suffering in
5 silence. That way ██████ was happy, ██████ was happy,
6 but ██████ and I weren't, but it just seemed to be that
7 case that ██████ and I were never happy, apart from when
8 we were at the Gyle, but anywhere else we were never
9 happy.

10 Q. Okay.

11 You tell us at paragraph 71 that there came a point
12 where ██████ ran away, and I think that he left the home
13 at that point, he went somewhere else.

14 A. Yeah. So, as I say, ██████ and I were the ones that took
15 the beatings and -- for anything that was done wrong, or
16 if we did anything wrong, justified or not, and --
17 I mean, I've never beat any of my children, so I can't
18 see why anybody -- any child getting beaten is
19 justified, but he'd had enough at 14. You could start
20 to see ██████ -- ██████ was quite mature, in the sense of
21 looking after me and then ██████ and then ██████,
22 because he was the oldest, so he did sort of look out
23 for us all, but -- so he matured quite quickly. So
24 I think he'd learned that, "I don't need this anymore,
25 I'm a bloke, I can survive, you know, I'm just going to

1 run away and get away because I don't want to live here
2 anymore".

3 Q. Okay.

4 A. In the sense that -- the beatings. He didn't want that
5 life. He didn't tell me he was going to run away,
6 because I think he knew if he'd told me, I would have
7 went with him. He didn't tell me that he was running
8 away. We just found out the next day, because we were
9 sent to bed as normal, and I knew he wasn't there but
10 I didn't think anything of it, and it was the next day
11 that we were told that [REDACTED] wasn't living with us at
12 the moment.

13 Q. Okay.

14 If we go on to page 16 and paragraph 78, you say
15 that when he ran away, no one spoke to you to try to
16 find out why he had done that.

17 A. Yeah. So nobody sort of said -- like when I say us,
18 I meant like [REDACTED], [REDACTED] and I. Nobody spoke to us
19 to say, "Do you know why [REDACTED] ran away?", you know. So
20 I would have said then, if somebody had asked me and
21 I was able to, I'd have said, "Yeah, because they beat
22 us", you know. But I wasn't even asked that, or [REDACTED]
23 wasn't asked that. It was just more a case of: how can
24 we resolve -- how can we get [REDACTED] back to the family
25 home, was what they were trying to do. [REDACTED] didn't

1 want to come back.

2 Q. Yes.

3 Then if we go over the page to page 17 and
4 paragraph 79, you tell us there that you then ran away,
5 and you ran away to where you knew ██████ was.

6 A. Yes.

7 Q. Okay.

8 You say at paragraph 80 that when you turned up,
9 your brother was annoyed with you at first, I think.

10 A. He was annoyed with me because he didn't want me to go
11 down the same path as him. ██████ was already
12 experimenting with alcohol and drugs at the age of 15.

13 ██████ still came to the same school that we were at,
14 that we'd all been attending, the same high school, and
15 I remember one day he'd went home, bizarrely enough, to
16 one of our old neighbour's houses in the same street
17 where ██████ and ██████ lived for his lunch, and came
18 back to school absolutely paralytic, out of his face.

19 So -- yeah, so ██████ was -- so I think he didn't
20 want -- he thought that I would go down the same path as
21 him.

22 Q. Okay.

23 A. He didn't understand why I had run away.

24 Q. Okay.

25 Then you say at paragraph 81 that you spoke to

1 a member of staff and I think you then spoke to a social
2 worker, and you were saying that you didn't want to go
3 back --

4 A. Yes.

5 Q. -- I think. At that point, did you feel able to tell
6 the social workers about the abuse that you were
7 experiencing?

8 A. At that point, I didn't, and the reason why I didn't is
9 because I knew how much of -- how naive I am now -- how
10 much of a fight they sort of put up to try and get [REDACTED]
11 to come back to the house, and I kind of thought that
12 I would be dragged back -- and I don't mean that
13 literally dragged back, but I'd be forced to go back.
14 I don't know why. And I thought: this is not the time
15 nor the place to be bringing that up yet, because if
16 I do go back, I'm just going to get taken out anyway.
17 So at the moment I need to get myself sorted and say to
18 them I don't want to go back and try and not go back,
19 and that way [REDACTED] and [REDACTED] at that point would still
20 be okay. Because I still knew in my head that for
21 anything to happen, me to say anything, it would have
22 a domino effect on everything, you know, [REDACTED], [REDACTED],
23 [REDACTED], FKQ, FKV and me, and I didn't at that
24 particular point -- I just walked away from spending
25 almost seven years being abused at different levels.

1 In the last year, from [REDACTED] leaving till when
2 I left, that was the worst for me in terms of the abuse.
3 It was more frequent with [FKV]. [FKQ] was always the
4 one that would take [REDACTED] and [REDACTED] to Brownies,
5 Guides, whatever, blah, blah, blah, the list, whatever
6 after-school activities that they had, and I was always
7 the one that was kept at home, and it was just constant.
8 As often as possible. It was constant. And it was
9 almost like [FKV] knew that his health was
10 deteriorating, but he still had that fight because I was
11 still living there.

12 Q. Okay.

13 Did you in fact go back to live with the [FKQ/FKV]
14 again after you ran away on that occasion?

15 A. No, I didn't. Actually, [FKQ] turned around and said
16 she didn't want me back.

17 Q. Yes. Okay.

18 You then go on, on page 18, at paragraph 83, to talk
19 about reporting abuse. You say there that I think you
20 maybe spoke to your social work at Southhouse about what
21 had been happening.

22 A. Yeah, that was the first time I was in an environment
23 with teenagers, children of sort of similar experiences
24 as me with life and care, you know, parents drug or
25 alcohol-dependent, whatever different situations, so

1 a worker?

2 A. She was a person in care. She was one of the girls that
3 I'd got close to at Southhouse.

4 Q. Okay. And it says:

5 "... [she's] saying that something horrible had
6 happened to [you] when [you were] eight. She had been
7 down at ..."

8 And the name there is '████████'. Do you know who ██████████
9 is?

10 A. I can't remember off the top of my head.

11 Q. "... saying she was very worried about [you] as [you]
12 had been abused sexually by Mr ██████████ -- according to
13 [your friend] it happened a few Fridays in a row."

14 A. Yeah.

15 Q. So was she one of the people that you spoke to --

16 A. ██████████ was -- yeah, ██████████ was one of the ones, and then
17 my social worker visited one day, because obviously
18 Southhouse was again only going to be a temporary
19 situation. Once they realised ██████████ and ██████████ didn't
20 want -- well, ██████████ didn't want me back, it was a case
21 of: what do we do next with me, what's the next step?
22 So my social worker came, and I remember telling her,
23 and there was a sort of relief once I told her. I was
24 like that: oh, finally, finally I've told somebody.

25 However, it backfired on me pretty quickly because

1 she said to me if I wanted to progress with this
2 allegation, it would pretty much mean that ██████ would
3 get ripped out of the house, ██████ and ██████ would get
4 ripped out the house, and I would -- all sorts of things
5 would happen, you know, that FKQ ██████ and FKV ██████ would get
6 arrested, ██████ and ██████ are safe, you know, ██████
7 is very happy there, you know, he calls FKQ ██████ and
8 FKV ██████ -- that's his mum and dad, you know, because
9 they'd obviously went down the road of calling them mum
10 and dad.

11 So I was put in a position of: do I do what's right
12 for me or do I just -- it's happened, I can't undo it,
13 I can't turn back time, it's happened, and I just carry
14 on with life and never go back to FKQ ██████ and FKV ██████ and
15 let them carry on their lives, and I pretty much felt
16 like I was blackmailed into either upset your wee
17 brother -- more him than ██████ -- or let's just be
18 quiet and carry on with life and pretend it never
19 happened.

20 And, again, it was going to be -- and I know it
21 sounds terrible, but I knew it was going to become a big
22 massive paper job for somebody if this was taken any
23 further. It was going to cause all sorts of things.
24 Because, again, I refer back to it: the social work
25 department had parental rights over us. So for me then

1 to turn around and say, "This has been happening to me",
2 they would say, "Well, why did nobody know about us?"
3 Well, I wasn't given the opportunity. It was **FKQ**
4 that didn't give me the opportunity. She was always
5 there. Even at medicals that we had to have every year,
6 I was never allowed in with the doctor on my own. She
7 was always there.

8 Q. Okay.

9 Now, you go on in your statement, 'Eva', to tell us
10 about the impact that your experiences had on you and
11 also on your brother, and I think you've already
12 mentioned the impact on your relationships with your
13 brother and sister.

14 If we go on to the end of your statement at page 30,
15 you talk there about some of the lessons that we should
16 learn from your experience.

17 I think you've already mentioned that the social
18 work department were the people with parental rights and
19 that they were your parents, and I think you feel that
20 you have been failed by them; is that right?

21 A. Yeah. No, the social work department -- obviously
22 I don't know all the ins and outs of Edinburgh Council
23 social work department, finances, resources. I get
24 that. I'm not stupid, I do know. But when it comes to
25 a child, the well-being of a child is important. I know

1 as a mother that if I walked out my house one day and
2 left my two children at home, went off drinking or
3 whatever, the social work department would be called,
4 and I know that's not the right thing to do. And when
5 somebody has parental rights over you, they're your
6 parent and, in my eyes, the social work department were
7 my parents, and they should have been making sure that
8 everything was okay.

9 There's been cases for decades, even before the
10 1970s, of -- you hear it on the news and whatnot. They
11 should have been making sure 110 per cent. They should
12 have been saying, "I'm going to have a one-to-one
13 meeting with FDH . Are you okay with that, FDH ?",
14 giving me that opportunity, you know -- yeah. If I'm
15 asked the question and somebody else answers it, well,
16 no, you're not asking them the question, you're asking
17 me, so I should answer it, and I felt like a lots of the
18 questions as a child I was asked but FKQ answered,
19 you know.

20 Q. Mm-hmm.

21 A. And nobody said, "No, FKQ , stop, I'm asking FDH ",
22 or, "I'm asking ", or whoever it was.

23 So, for me, I feel that the social work department
24 did fail me in a lot of the sense. I'm not saying they
25 made bad choices. They can't predict -- FKQ and

1 FKV went through the same process that I'm assuming
2 every foster parent goes through to get into the system
3 to be able to foster children that can't be looked after
4 by their own parents. You know, I know in this day and
5 age there's a PVG. I've been checked. Still doesn't
6 mean to say that I'm not going to go out tomorrow and do
7 something wrong. Do you know what I mean? You can't
8 find that, you can't see that in somebody. You know,
9 you don't see that in a murderer, you don't see that in
10 a rapist or anything. So to be in a situation as
11 a child where you're sexually abused by somebody who's
12 meant to look after you and care for you, you know, but
13 then they're not asking you if you're being looked after
14 and cared for to you, they're asking the people that's
15 not looking after you -- because even though FKV was
16 sexually abusing me, FKQ still had the fear of me
17 saying about her beating █████ and I, she had that fear,
18 so between the two of them, they could easily lose us.

19 And I know this is silly, but I remember as
20 a teenager that I wanted to have children so I could
21 beat them the same way that I was beaten to feel what it
22 was like to beat somebody. That's what was in my head.

23 I've never, by the way, never done that to my
24 children.

25 LADY SMITH: Don't worry, you said that earlier. I did note

1 that.

2 A. So, you know, it is that sort of way where you become
3 a bit of a program, you become a bit of a robot. You
4 want to experience -- not like the sexual abuse, but the
5 beatings. What is it like to beat somebody? What is
6 that feeling like? I can't do it. I couldn't do it.
7 I couldn't even beat a member of the public up, you
8 know.

9 So for me, how does the social work department make
10 sure whoever they allow to foster children, **FKQ** and
11 **FKV**, what would it take for them to find out, to know
12 they would never do anything? There's nothing. So they
13 weren't at fault for their behaviour, they were just at
14 fault for not asking me the questions and telling **FKQ**
15 to be quiet. That's where they failed.

16 MS INNES: Yes. So you talk at paragraph -- well, on the
17 final page of your statement you talk about making sure
18 that abusive people don't get through the net, but you
19 also say that it's important that someone in the social
20 work department is someone who knows you through the
21 years and knows where you're coming from, and is,
22 I assume, somebody that you could then trust and speak
23 to and be able to have these conversations with.

24 A. When I finally left care, we call it left care, it was
25 no longer the parental rights of the social work

1 department. I could do whatever I did. It was my
2 choice. This was now my life.

3 What I chose to do? I went and slept with as many
4 men as I could find. I'm not going to lie. I can't
5 remember half the men I've slept with over the years.
6 I've got one son, and I met his dad because I knew the
7 family from previous, from when I was about 14, 15, and
8 I met him, and he was twice my age, he was 36, I was 18,
9 and I fell pregnant to him and I had my son. The
10 relationship didn't last. It was never going to last.

11 Not long after I had [REDACTED], still sleeping with the
12 guy, I fell pregnant again. I had to get rid of that
13 child because I wasn't going to be able to care for two
14 children under the age of one. And, I mean, that's how
15 quickly I fell pregnant. It wasn't, like, months later,
16 it was -- [REDACTED] was literally weeks old.

17 And then I started to sort of, we'll call -- toe the
18 line a little bit. I became a mother. Because people
19 started saying to me, "You're just going to repeat the
20 cycle, you're just going to be like your mum, you're
21 just going to have children and then eventually they'll
22 all end up in care", and I think that was a bit of the:
23 stop, [REDACTED], look what you're doing and think about it.

24 And I got a lovely flat through the YWCA, or YMCA,
25 whichever one it was at the time, fully refurbished, new

1 furniture, lovely house in Leith, and then I moved up to
2 Tollcross, again with them as well, beautiful flat,
3 really, really nice, and I did toe the line. I did
4 become -- I made contact with some old school friends
5 from school back in Penicuik. I would go -- I'd
6 actually, bizarrely enough, got back in touch with
7 **FKQ**, because I'd had a wee boy, so to her it was like
8 her grandson.

9 Q. Yeah.

10 A. And she would look after him and I'd meet up with some
11 friends I went to school with and whatnot. Yeah. And
12 I was -- I was living like a normal -- I wasn't working,
13 but I was still -- I had my child.

14 And then I met a guy, I fell pregnant with him with
15 my daughter, and then I found out he was married, so
16 that was the kibosh on that.

17 And then when my daughter was one and my son was
18 five, I moved out to East Lothian, and that's when my
19 life really started.

20 I did have a battle with alcohol, not going to lie,
21 I did have a battle with alcohol. I've been on
22 antidepressants for 29 years. I've been on various
23 medication for alcohol so that I can't drink or I'll be
24 violently ill.

25 Q. Yes.

1 A. I have had support. Touch wood, I've never had any
2 issues with drug abuse. I've tried to kill myself once.
3 Both my children were at school. And apart from that,
4 I'd probably say 21 years ago I met this couple, [REDACTED]
5 and [REDACTED], and I have worked for them ever since, and
6 they're like family to me.

7 Q. Yeah.

8 A. Trust me. [REDACTED], although he's been my boss, has been
9 like a dad as well. If I've done something wrong, he's
10 put me right again. They've been a great support to me.
11 I've grown up with their children. Their children refer
12 to me as auntie and uncle.

13 I have a fantastic job. I drive now. You know, as
14 I say, my life did turn around, but the only one -- for
15 me, the only one thing that I can't do is hold down
16 a relationship.

17 Q. And that impact is from your care experiences that
18 you've told us about.

19 A. Yeah.

20 Q. And you say, I think, that the relationship that you
21 have with the couple that you've just mentioned, they're
22 like family to you.

23 A. Yeah.

24 Q. And what you wanted, I think, during your time in care
25 is to have relationships with people that were lifelong.

1 A. Mm.

2 MS INNES: Okay.

3 Right, I've finished all of the questions I have for
4 you, 'Eva'. Obviously we have your statement as well,
5 which includes your evidence, and there's no
6 applications, my Lady.

7 LADY SMITH: Thank you. Are there any outstanding
8 applications for questions?

9 'Eva', that does complete the questions we have for
10 you.

11 Before I let you go, I want to thank you again --

12 A. Not at all.

13 LADY SMITH: -- for coming here to give evidence today. Not
14 just that, but also providing the detailed written
15 statement I have from you, which, of course, is also
16 part of your evidence. I have read it all.

17 As I said at the beginning, I know it's not easy
18 doing what we've asked you to do, but you've given us
19 such a wealth of information and insight that it's
20 really added great value to the work we're doing here,
21 so thank you very much --

22 A. No, thank you.

23 LADY SMITH: -- for that. And well done with all the
24 efforts you've made to turn your life around.

25 A. No, thank you.

1 LADY SMITH: It sounds as though you're in a good place,
2 relationship problems apart, and I hope that continues.

3 A. Thank you very much.

4 LADY SMITH: Thank you. I'm able to let you go.

5 A. Thank you very much.

6 (The witness withdrew).

7 LADY SMITH: Now, you've heard mention of the names of the
8 foster carers, the FKQ/FKV, and also by 'Eva' of her
9 various siblings, and they are all protected by my
10 general restriction order and the names can't be
11 repeated outside this room.

12 I think it's time for the lunch break, Ms Innes.

13 MS INNES: It is, my Lady. We have an oral witness and
14 a read-in this afternoon.

15 LADY SMITH: I'll sit again at 2 o'clock. Thank you.

16 (1.12 pm)

17 (The luncheon adjournment)

18 (2.00 pm)

19 LADY SMITH: Good afternoon.

20 Ms Innes, the next witness?

21 MS INNES: My Lady, the next witness has chosen to remain
22 anonymous and is using the pseudonym 'Kevin'.

23 LADY SMITH: Thank you.

24 MS INNES: 'Kevin' was in the care of Strathclyde Regional
25 Council. He was placed into foster care with

1 Graham Jackson (GJ) and ECH in Houston on
2 ██████████ 1979. He was adopted by them in ██████████
3 1980. He was taken back into care on ██████████ 1985.

4 'Kevin' was from Paisley and the Craigielea social
5 work office dealt with the family, and during the
6 Strathclyde region period it was the Renfrew division
7 social work department. There is also occasional
8 reference to the Johnstone office.

9 From all of these facts, it would appear that
10 Renfrewshire is the relevant successor.

11 LADY SMITH: Thank you.

12 MS INNES: Just in case I forget to give the reference
13 during the course of his evidence, Graham Jackson, who
14 I've just mentioned, was convicted in respect of sexual
15 offences, not in respect of 'Kevin', but in respect of
16 two other children who were also initially fostered and
17 then adopted by the GJ-ECH ██████████.

18 LADY SMITH: Thank you very much.

19 'Kevin' (sworn)

20 LADY SMITH: We may actually need that closer to you,
21 'Kevin'.

22 A. Poking me in the eye. Thanks.

23 LADY SMITH: If you use the microphone, it will not only
24 help you, but it will help us to hear you --

25 A. No problem.

1 LADY SMITH: -- which is important.

2 The red folder has your statement in it and you'll
3 be taken to that copy of the statement very soon, but
4 we'll also put it up on screen in front of you, and you
5 might find that helpful too.

6 'Kevin', before you start your evidence, can I just
7 assure you that I know it's not easy being asked and
8 then agreeing to come here to give evidence in public
9 about your own life, your private life as a child all
10 these years ago, and to be asked things that may be
11 distressing and upsetting. However organised and
12 prepared for the event you may think you are, I do know
13 that emotions can take you by surprise and it can be
14 difficult.

15 A. Mm-hmm.

16 LADY SMITH: So bear in mind that I get that, and if you
17 want a break at any time or just to pause and sit where
18 you are, that's absolutely fine by me. Or if there's
19 anything else we can do to help you give your evidence
20 as clearly as you can and tell us as well as you can
21 what you want to tell us, do let me know, would you?

22 A. That's fine.

23 LADY SMITH: Good.

24 A. That's (unclear).

25 LADY SMITH: If you're ready, I'll hand over to Ms Innes and

1 she'll take it from there, all right?

2 A. Okay.

3 LADY SMITH: Ms Innes.

4 MS INNES: Thanks.

5 Questions from Ms Innes

6 MS INNES: Now, 'Kevin', we understand that you were born in
7 1972; is that right?

8 A. Yes.

9 Q. Now, I'm going to refer you to your statement. We give
10 it the reference WIT-1-000000827. If we can look at the
11 last page of that, you'll see on the last page that it
12 says at paragraph 148:

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

17 I think you signed it electronically on 13 October
18 2021; is that right?

19 A. Yeah, that's fine, yeah.

20 Q. Okay.

21 Now, if we just go back to the start of your
22 statement, you tell us a little bit about your family
23 life. I think that you go on to tell us that your mum
24 put you into care when you were about one and a half; is
25 that right?

1 A. Yeah, as far as I believe, yeah.

2 Q. Okay. And you also say in paragraph 2, at the end of
3 paragraph 2, that you understand that you were in and
4 out of foster homes before you ended up in Urquhart
5 House?

6 A. No, no, no, no. I was in foster care before I ended up
7 in Urquhart House, but I was put into an assessment
8 hospital once I left -- when I -- when the adoption
9 broke down.

10 Q. Okay. So I think we're talking here about the time
11 before you went to Urquhart House, so when you were very
12 little.

13 A. Uh-huh.

14 Q. Do you know if you were in foster care before you went
15 into Urquhart House?

16 A. I was in foster care before I went to Urquhart House,
17 uh-huh.

18 Q. So from what you say there, different foster homes at
19 that time?

20 A. Yeah, that was multiple different foster homes. There
21 was one placement that I'd been put in that apparently
22 I was very settled in. That was the last one before
23 I went to Urquhart House.

24 Q. Okay.

25 Then you went to Urquhart House, and if we move on

1 to page 5 of your statement at paragraph 20, you talk
2 about getting taken out of the home a few times,
3 gradually getting longer, before you spent a couple of
4 sleepovers in Houston, and I understand that was with
5 GJ-ECH ?

6 A. Uh-huh, yes, it was, yeah.

7 Q. Did you know that the visits were leading up to you
8 going there permanently?

9 A. No, I didn't. No I didn't.

10 Q. Okay.

11 A. As far as I remember, it was just that -- because they
12 lived outside the village, their eldest son was roughly
13 my age, and I was there -- as far as I knew, I was there
14 playing -- just to play and have fun and that kind of
15 stuff.

16 Q. Okay. So the children's home was in Houston as well.

17 A. Yes, it was, yeah.

18 Q. So they lived just outside the village. They had a son
19 round about the same age as you.

20 A. Yeah, yeah, yeah.

21 Q. And to begin with, as far as you thought, it was just
22 about going to play with him?

23 A. Uh-huh. Uh-huh.

24 Q. Okay.

25 Then there came a time when you moved there

1 permanently.

2 A. Uh-huh.

3 Q. And can you remember going to live there?

4 A. I can remember it started off as little visits and then
5 the visits got longer, and eventually I was asked if I'd
6 like to come and live full time, but I couldn't tell you
7 the timeline or anything like that.

8 Q. No, that's fine.

9 Can you remember what your response was to being
10 asked if you wanted to go and live there full time?

11 A. It was positive, because at the time it was -- it was
12 the -- the family -- the family group that had never
13 really been there. I didn't know anything about
14 a family group. You could say, looking back on it now,
15 I was probably institutionalised by that time, because
16 I'd been in care from such a young age, and this was
17 when I was about seven or eight, so you've got that
18 period of time, and that's -- it's that ideal situation
19 for somebody that's in care, is to get the family unit.

20 Q. Yes, okay.

21 There was obviously **Graham Jackson (GJ) and ECH** in the house.

22 Can you remember what your first impressions of
23 Mr Jackson were?

24 A. Very caring. **ECH** was more standoffish.

25 Q. Sorry, **ECH** was more standoffish?

1 A. Standoffish, yeah.

2 Q. Yes, okay.

3 A. That's as far as I can remember. I can't remember --

4 it's like not -- you're talking the best part of

5 40 years ago, so ...

6 Q. I know. It's difficult, perhaps, to remember what your

7 first impressions were when you lived there for a while.

8 A. Yeah, uh-huh.

9 Q. So when you went to GJ-ECH -- and if we just go

10 over the page to page 6 -- you've already told us that

11 there was a boy about your age, maybe slightly older.

12 A. [REDACTED], yeah. There was [REDACTED], [REDACTED] and [REDACTED].

13 Q. Okay.

14 A. [REDACTED] was two years older than me, [REDACTED] was a year

15 older than me and [REDACTED] was three years younger than me.

16 That was their natural children. But there was also

17 another foster child there, [REDACTED], who was a year

18 younger than [REDACTED] was.

19 Q. Okay. So when you went there, from the names that

20 you've mentioned, [REDACTED] would be the oldest, then

21 [REDACTED], then you, [REDACTED] --

22 A. And [REDACTED].

23 Q. -- and [REDACTED] was the youngest at that stage.

24 A. Uh-huh.

25 Q. And you say that at that time she was fostered?

1 A. Yes, she'd been fostered since she was months old.

2 Q. Okay.

3 You tell us at paragraph 22 that eventually there
4 was another child came in --

5 A. [REDACTED], yeah.

6 Q. How much younger was he?

7 A. [REDACTED] was a year younger than [REDACTED].

8 Q. Okay. And you say that he came in after you had been
9 adopted and sent to boarding school.

10 A. I got adopted and then I was put to boarding school.
11 Originally I was told it was for -- to help me, because
12 at that time I had undiagnosed dyslexia and I was
13 struggling at school, so I was told it was to help me
14 with that, but looking back on it now, it was because
15 they were saying that I was quite disruptive, but it was
16 the -- I think at that time it felt -- looking back on
17 it now, it's probably I was rebelling against attempted
18 grooming.

19 Q. Okay.

20 A. Because when I left, [REDACTED] was -- then he came into the
21 family, and subsequently I've learned that he was abused
22 as well.

23 Q. Okay. Right, we'll come onto that in due course.

24 A. Mm-hmm.

25 Q. So when you went there to begin with, there were the

1 four children in the house, so that made five of you.

2 A. Uh-huh.

3 Q. And I think you say that ECH, she was looking
4 after the children, she wasn't working.

5 A. She wasn't working, no.

6 Q. Okay. And Mr Jackson was working.

7 A. Yes, uh-huh.

8 Q. Okay.

9 If we go down to paragraph 24, you tell us a bit
10 about the house that they were living in. They were
11 living in an old farmhouse.

12 A. It was an old burnt-out farmhouse that they'd bought and
13 they'd been doing up over years bit by bit. So it was
14 a big enough house for everybody, and they had a big
15 back garden and places to run around and that as well,
16 so ...

17 Q. Okay. Did you have to share a room with anybody or did
18 you have a room of your own?

19 A. To start with I had to share with, but then
20 eventually I had my own room.

21 Q. Okay.

22 Now, if we move on to page 7 and paragraph 25, you
23 say there that you felt like you were treated
24 differently from GJ-ECH own children.

25 A. Uh-huh.

1 Q. What made you feel that?

2 A. Just the way ECH was, and how they were when people
3 were around. It was a case of ... as I've subsequently
4 learned, we were always classed as the off-the-shelf
5 damaged children, and it was a case of, like, "This is
6 what we're doing", kind of -- it was all about the show.
7 Whereas the natural -- █████, █████ and █████,
8 they would always have that affectionate side, whereas
9 we would only get that -- it's like I can only ever
10 remember getting a cuddle once off of ECH in the whole
11 time I was there.

12 Q. And when was that?

13 A. It was because I'd done really well on my test at
14 school.

15 Q. You talk there about being referred to as off-the-shelf
16 children.

17 A. Mm.

18 Q. Who referred to you as that?

19 A. What happened was GJ-ECH █████ were away on holiday
20 and the house got broken into, and my wee sister,
21 █████, one of the other adopted children, she was the
22 only one that was in the area at the time, so she had to
23 go and see what was -- if anything was missing, and when
24 she went upstairs she found a letter that was ripped
25 open and on the floor and she read it, and it was

1 addressed to [REDACTED], the oldest child, and in it, it was
2 to do with if something had happened to them when they
3 were on holiday -- it was like a letter from the grave
4 kind of thing.

5 Q. Okay.

6 A. And it was all about her and her brother and sister and
7 how they were proud of them that they'd helped and
8 accepted the off-the-shelf children.

9 Q. Okay.

10 A. And then the damaged children came bit from the court
11 case.

12 Q. Okay, right, we'll come onto that.

13 A. Mm-hmm.

14 Q. So the off-the-shelf children was in a letter that your
15 sister discovered.

16 A. Uh-huh.

17 Q. And was that when she was an adult or nearly an adult?

18 A. Yeah, when she was an adult, yeah.

19 Q. Okay.

20 A. I think she was about 17 or 18 at the time.

21 Q. I see. I see. Okay.

22 How did you feel about that description when you
23 were told about it?

24 A. It explained a lot. It explained a lot. Because I was
25 always told I was quite disruptive and I was ... the

1 thing was that [REDACTED], [REDACTED] and [REDACTED] were all very
2 high achievers at school, and I was always made to feel
3 as if, because I was struggling, I wouldn't --
4 I wouldn't amount to anything, I wouldn't get anywhere,
5 I needed to try harder, I was lazy and all that kind of
6 stuff, and because of that, and the fact that being --
7 as you see now, it was being institutionalised, it was
8 struggling within that family dynamic, quite
9 reactionary, and with the attitude of ECH and [REDACTED] --
10 because [REDACTED] was like the big sister, so she was like
11 the mini-boss kind of thing, and I can remember coming
12 back from boarding school and her standing screaming in
13 my face, telling me that everybody was so much happier
14 when I wasn't there because I was so disruptive and that
15 kind of stuff. It's things like that. That sort of
16 makes you feel as if it was all about how it looked to
17 the outside world. It wasn't about the well-being of
18 the children, it was about the perception of the family
19 kind of thing.

20 Q. Okay.

21 Now, you tell us at paragraph 26 that you were
22 adopted, and I think you say at this part of your
23 statement that you remember on that occasion ECH gave
24 you a hug.

25 A. Uh-huh.

1 Q. And you've told us about the sister that you've
2 mentioned that was fostered.

3 A. Uh-huh.

4 Q. Was she adopted at some time as well?

5 A. She was adopted -- we were all adopted. I can't
6 remember if [REDACTED] was adopted -- I'm pretty -- no, in
7 fact, I'm pretty sure [REDACTED] was adopted first and then
8 I was adopted, and then when [REDACTED] had been there a wee
9 while, he was adopted.

10 Q. Okay. So when [REDACTED] came --

11 A. And that happened after I was back in care, so ...

12 Q. So when [REDACTED] came, was he fostered to begin with as
13 well, before he was adopted, do you know?

14 A. I don't know if it was a foster or if it was like
15 a placement. I can't remember. I couldn't tell you off
16 the top of my head.

17 Q. Okay.

18 Now, if we can move on from there, please, to page 8
19 of your statement, at paragraph 33 you talk about
20 mealtimes, and you say:

21 "If you didn't eat something it was a case of you
22 would get it for your breakfast."

23 A. Uh-huh.

24 Q. Can you explain what was happening?

25 A. There was a lot of -- at the time, because they were

1 doing the house up, Graham was working -- Graham was
2 a business owner and ECH was looking after everybody,
3 a lot of stuff was grown in the -- vegetables and that
4 kind of stuff were grown, and it was a case of be
5 grateful for what you get kind of thing, and if you
6 didn't eat your dinner, you would basically get it for
7 the next day, because it was a case of, "We're not going
8 to waste food that we've got you", kind of thing.

9 Q. Okay.

10 If we go on over the page, please, page 9 and
11 paragraph 34, you talk about being taken into the bath
12 with Graham.

13 A. Yeah. When I first started going to stay over at
14 weekends and that kind of stuff, we would be running
15 about outside all day and then we'd get a bath at night,
16 and there were quite a few occasions that Graham would
17 be in the bath, and then we would get in the bath with
18 him, and it was always made out to be as if this is what
19 a loving father does, family things -- it was made out
20 to be as if it was natural.

21 Q. Okay.

22 When you say he would be in the bath "and we would
23 get in the bath with him", who is "we"?

24 A. It would either be myself or I think [REDACTED] or [REDACTED],
25 depending on who was about. It was always one of the

1 adopted children. I can't remember seeing one of his
2 natural children getting in the bath. But at the time,
3 it was just something that happened. You don't equate
4 it to what it is now, looking back on it.

5 Q. You say that this started happening to you when you went
6 there.

7 A. When I first started going there, yeah.

8 Q. How long did that carry on for, that --

9 A. All the way through.

10 Q. -- you would have to get into the bath with him?

11 A. All the way through, up until -- up until probably when
12 I went to boarding school.

13 MS INNES: Okay.

14 LADY SMITH: How old were you when you went to boarding
15 school?

16 A. I got taken out of Primary 7, so I was about 11.

17 LADY SMITH: Thank you.

18 MS INNES: Okay.

19 I mean, you say that you were taken into the bath
20 with him.

21 A. Mm-hmm.

22 Q. Was it just getting into the bath with him or was there
23 more to it than that?

24 A. There was more to it than that. I can remember getting
25 shown how to wash his willy, I can remember that. But

1 playing about and that kind of stuff, then getting taken
2 out and getting dried and laid in the bed and getting my
3 willy blow dried, as he called it. That kind of stuff.
4 It's -- looking back on it now ... seeing -- as I say,
5 because you don't have the idea of what a family should
6 be like and the knowledge of what a loving family --
7 it -- it was made to feel as if it was natural. This is
8 what went on in families, so ...

9 Q. Yes, okay.

10 Now, if we move down a little in this statement,
11 please, at paragraph 37 you talk about various things
12 that you went to, that you went to the Boys' Brigade and
13 that you went on other -- there were other activities.

14 A. Uh-huh.

15 Q. And you say that your feeling was, I think, that [REDACTED]
16 got to do more than you did.

17 A. Yeah, uh-huh, uh-huh. We would always do things like
18 Boys' Brigade, but if there was bigger sports, sports
19 that needed a bit of investment, I would never get that
20 opportunity. Like [REDACTED] got canoes and all that kind
21 of stuff, got all his own abseiling equipment and
22 rock-climbing stuff and that, but I would never get
23 that.

24 Q. Okay. And then you talk at paragraph 38 about sometimes
25 running about in the fields and playing.

1 A. Yeah. Oh, aye.

2 Q. And you and ██████ making a death slide, I think.

3 A. Yeah, uh-huh. Uh-huh.

4 Q. Okay.

5 Then if we can move on, please, to page 10 and

6 paragraph 41, you talk about later on, as you've said,

7 that you got sent to boarding school.

8 A. Uh-huh.

9 Q. And you were taken out when you were in Primary 6.

10 A. Uh-huh.

11 Q. You say you "couldn't cope within a family dynamic".

12 A. Uh-huh. It was just -- I was always made to feel as if

13 I was -- as I says, I was -- as if I was ... not rough

14 and ready, I just felt -- I was made to feel as if I was

15 angry and I was rebelling against things and wouldn't do

16 as I was told. I was always made to feel as if I was

17 always doing stuff wrong.

18 Looking back on it now, you'd probably call it

19 institutionalised, but at the time it was a case of --

20 I was told it was to help me for -- because I was

21 struggling at school and all that kind of stuff, but

22 I was later told by ██████ that everybody was happier

23 when I wasn't there and all that kind of stuff, so

24 that's what makes you think it was because I wasn't

25 fitting in.

1 Q. Okay.

2 A. But was it I wasn't fitting in or was it I was rebelling
3 against attempted grooming? I don't know.

4 Q. Okay.

5 If we move on again from there, you say on page 11
6 at paragraph 47 that you were asked if you wanted to be
7 adopted and be part of the family.

8 A. Mm.

9 Q. Can you remember being asked that?

10 A. That was when I was about nine. It was before I went to
11 boarding school and that kind of stuff. It was -- I can
12 remember getting asked if I'd like to make it permanent,
13 if I'd like to -- if I'd like to be the forever family.
14 And as a child in care, you jump at it. It's like, "Oh,
15 I've got the golden ticket here". But ...

16 Q. Yes, okay.

17 You say in this paragraph that you don't know
18 yourself why it was changed from foster care to
19 adoption.

20 A. Mm. I don't -- sorry, what was that?

21 Q. You say in this paragraph -- so there's a bit that's
22 marked out on the screen, and then it says:

23 "That is when they told me and showed me the
24 paperwork to say that I was theirs. I have no idea why
25 they changed it from a foster arrangement to adoption."

1 So in the middle of paragraph 47. (Pause).

2 A. I think I can remember when I got told that I'd been
3 adopted was I was at my friends playing and they brought
4 the paperwork around because it was on the way back from
5 school.

6 Q. Okay.

7 A. I'm just trying to understand why ... (Pause).

8 I don't understand what that bit, "I have no idea
9 why they changed it from a foster arrangement to
10 adoption", I don't know -- I'm not 100 per cent sure
11 what that bit's about.

12 But I know the bit below it about my birth mother.
13 Since I found her, we've talked about it, and she said
14 that -- I'd always been told that I was taken off for
15 child protection reasons from her, but I've since found
16 out that that was lies and that she didn't want me to
17 get adopted, but she had been in quite a bad accident
18 and, to protect me from going back to who I thought was
19 my father, that's why she signed over the paperwork to
20 let me get adopted.

21 Q. Okay.

22 A. I don't know if that's -- whether it's got mixed up
23 there slightly. I don't know.

24 Q. Okay.

25 So if we move on to the next page, please, page 12,

1 and paragraph 50, you talk there about having to go to
2 church on Sunday.

3 A. Uh-huh.

4 Q. To what extent did religion form part of GJ-ECH
5 life?

6 A. Oh, it got rammed down your throat. It was everything.
7 Graham was in the choir. He was also a church elder.
8 He was part of the Boys' Brigade. It's the old adage
9 that you hear nowadays, that people that want to abuse
10 children will put themselves in a position where they
11 can get access to children. He was in the children's
12 panel and all that kind of stuff. He was a justice of
13 the peace. So it was all about -- if I look back on it
14 now, it was all about protecting him.

15 Q. Okay. And you say that there was a lot of guilt
16 involved in the practice of religion, maybe?

17 A. Oh, aye, definitely. It was like: if you don't do this,
18 you'll burn in hell. Your usual -- it's one of those
19 ones that's like you were always made to feel as if you
20 had to do everything by the Bible, you had to adhere to
21 all the rules and that kind of stuff, but then behind
22 closed doors it's completely different. It's like when
23 everything came to -- everything came to a head and
24 ended up going to court and that, at the end of it
25 I wrote him a letter saying, "I hope your God forgives

1 you because I never will", and -- because I know
2 that's -- that would affect him more than anything.

3 Q. Okay.

4 Now, if we move on in your statement to paragraph 51
5 at the bottom of this page, you talk about:

6 "We all had to do our chores. There was a chores
7 board on the wall ..."

8 Was that their children as well as the adopted
9 children?

10 A. Everybody had to do their chores, yeah, whether it was
11 cleaning inside the house, whether it was sweeping up,
12 washing the dishes. But there was one chore that was
13 always mine, and that was making up the logs, and it was
14 like the old newspapers and ripping them up and making
15 them into -- putting them into a press for the fires and
16 that kind of stuff.

17 Q. Okay.

18 Again, if we move on, please, to page 14 and
19 paragraph 58, you say that on occasion you did wet the
20 bed and you were made to feel stupid.

21 A. Uh-huh.

22 Q. What was the reaction of GJ-ECH to that?

23 A. It was always -- you was always made to feel as ...
24 I don't know if it was stupid or made to feel -- made to
25 feel guilty or made -- made -- it was like, "Oh, look

1 what you've done, look what you've done again", but it
2 wasn't said to you, it was said in front of other
3 children, so it was as if it was shaming you kind of
4 thing.

5 Q. Was that something that happened over the whole time
6 that you lived with GJ-ECH or did it stop?

7 A. On the occasions that I did wet the bed, it was -- it
8 was mostly when I first started going there kind of
9 thing. I don't know if it was not being used to it,
10 frightened, whatever. But on occasions that it did
11 happen, as I say, it was as if you were -- you were
12 shamed in front of everybody kind of thing.

13 Q. Okay.

14 Now, at paragraph 49 you say that you had social
15 work contact to start with.

16 A. Uh-huh.

17 Q. And then once you were adopted, that petered out.

18 A. Uh-huh.

19 MS INNES: So during the time --

20 LADY SMITH: 59, not 49. Is that what --

21 MS INNES: Sorry, 59.

22 LADY SMITH: 59, yes, thank you.

23 MS INNES: You talk there about social work visits.

24 A. Uh-huh.

25 Q. And that was during the time you were fostered and then

1 would have stopped when you were adopted.

2 A. Uh-huh.

3 Q. Do you have any memory of social workers coming to the

4 house to see you?

5 A. I'd be clutching at straws.

6 Q. Do you have any memory at that time, at the beginning of

7 your time there, of meeting a social worker anywhere

8 else, like at school or --

9 A. I can remember --

10 Q. -- in an office?

11 A. -- discussions when I was back at Urquhart House and

12 that, I can remember the social workers being there.

13 What it was about, I can't remember. Probably about

14 whether I was happy, whether I was settled and that kind

15 of stuff.

16 Q. Yes.

17 A. But, as I say, it's a long road to senility.

18 Q. Okay.

19 You then say at paragraph 60 -- you talked earlier

20 about your mother, and you say at paragraph 60 that you

21 had no contact from your birth family until about six

22 years ago.

23 A. Uh-huh.

24 Q. So nearly seven years ago now.

25 A. Seven years, uh-huh.

1 Q. So you didn't have any contact with your mum or anybody
2 else?

3 A. No, no, no. What happened was my mother-in-law passed
4 away and I decided that if I was going to contact them,
5 it would be -- I'd better get on with it, because
6 they're not getting any younger. So I went online and
7 found them within a couple of hours.

8 Q. Okay.

9 A. Made the contact and been building bridges since.

10 Q. Okay.

11 Now, if we go on to page 15, you talk here in a bit
12 more detail about the abuse that you experienced when
13 you were living with GJ-ECH .

14 First of all, you talk about your relationship with
15 ECH at paragraph 63. What was your relationship with
16 ECH like?

17 A. Wasn't good. I believe that she ended up turning around
18 to Graham and saying that either I went or she was
19 going.

20 Q. Okay.

21 A. There was never any -- I would never say there was any
22 love and affection from her. I was always told that
23 I had a thing against women kind of thing, and I don't
24 know where that came from, but, as I say, it was always
25 a very, very hard relationship.

1 Q. Okay.

2 A. I believe that's probably one of the more likely reasons
3 that I got put into boarding school, was because of the
4 relationship between ECH and myself, and also the fact
5 that I was -- I don't know if I was acting up because of
6 the relationship with ECH, I don't know if I was acting
7 up because I was reacting against getting groomed,
8 I don't know if it was because I was institutionalised,
9 but there was always a lot of friction there, and it
10 just -- it's -- one of the things that I feel guilty
11 about is the fact that when I went to boarding school,
12 and the grooming and the abuse side of it stopped --
13 well, it didn't stop, it still carried on when there was
14 contact, but there wasn't that direct contact all the
15 time, that's when [REDACTED] was brought in, and [REDACTED]
16 suffered a lot more abuse than I ever did, and that's
17 one thing that I feel -- it's like, is that because
18 I wasn't there? Is that because I wasn't letting it
19 happen? Is it because I was reacting against it?
20 It's -- there's a bit of guilt there about that.

21 Q. Okay.

22 You tell us at paragraphs 64, I think, 65 and 66
23 about the start of Graham abusing you, and you've
24 already told us about that in your evidence.

25 A. Uh-huh.

1 Q. That it would sort of be around bath time that he would
2 start.

3 A. Uh-huh.

4 Q. And then --

5 A. Either bath time or if ECH wasn't about, because ECH
6 was right into horse riding and all that kind of stuff
7 and hill walking, and she was always doing that with
8 [REDACTED] and [REDACTED], so -- or I would get taken down to
9 Graham's office on a Saturday morning, and if I had --
10 or if I got into trouble, it was round about times like
11 that things would start to happen. But it was always
12 made -- it always started out -- nothing ever started
13 out -- just sort of started straight away. It was
14 always built up to as if it was a game kind of thing.

15 Q. And when you say it was built up as though it was
16 a game, what sort of thing did he --

17 A. It's like he would tie you up and see how quickly you
18 could get out of it and that kind of stuff, and then it
19 was, "Oh, you got out of it too quickly, maybe it would
20 be harder if you took your clothes off" kind of thing.
21 Then -- just -- it was never -- it never started like
22 that straight away. It was always over a period of
23 time. And I don't mean over a matter of hours, I mean
24 it was built up over a period of time, so that it was --
25 it felt -- it didn't feel as if: hang on a second,

1 what's going on here? It's just like: oh, this is what
2 we did last time, so it must be okay, and it was built
3 up on.

4 Q. Every time it was getting a bit more and a bit more?

5 A. Uh-huh.

6 Q. Okay. So you said there that, for example, there would
7 be times that he would tie you up and say you had to get
8 out of the --

9 A. Oh, it would be a case of, "Oh, ██████ could get out of
10 this kind of knot in such-and-such a time, see if you
11 can beat it", but then was ██████ -- I don't know if
12 ██████ was dressed, I don't know if -- you're tied up,
13 no clothes on, getting photos taken of you.

14 Looking back on it now, it was made to feel as if it
15 was a game, but looking back on it as an adult, as
16 a parent, it's like, it's not something that's a game,
17 it's not something that should ever happen.

18 Q. So sometimes it would be clothed and then it would
19 develop to take your clothes off?

20 A. Uh-huh.

21 Q. But still portrayed as a game --

22 A. Uh-huh. Uh-huh.

23 Q. -- to say, "Oh, it will be harder for you to get out of
24 the ropes"?

25 A. Uh-huh. Yeah. Uh-huh.

1 Q. Okay.

2 A. It was made to feel as if it was natural, as if it was
3 a -- as I says, as if it was a game. It's not something
4 that was completely out of the ordinary.

5 Q. And you say -- I think you tell us about this in your
6 statement at -- I have the wrong reference here. Oh,
7 yes, paragraph 67 at the bottom of this page, you talk
8 about being tied up with no clothes on, and you say he
9 would get you to go into stretch positions and take
10 photographs of you.

11 A. Yeah, that's if you were getting into trouble, you would
12 be made to go into a stretch position, as in kneeling
13 down with your hands stretched out or on your feet but
14 crouching down, just stuff.

15 Q. Okay. And he took photographs of you?

16 A. Uh-huh. Uh-huh.

17 Q. Was this every time or was it just sometimes?

18 A. That kind of thing was more to do as if you were getting
19 into trouble. It was a case of you either got your
20 backside smacked or we could do this.

21 Q. Why would he take a photograph of you?

22 A. I don't know.

23 Q. And can you remember what kind of camera was he using?

24 A. I can't remember. I think it was one of those Polaroid
25 ones, one of those instant ones.

1 Q. Okay. So would he show you the photograph, then, that
2 he'd taken of you?

3 A. I can't remember. I can't remember if he ever showed us
4 the photographs.

5 Q. Okay.

6 You go on at paragraph 68 on page 16 to talk about
7 the fact that when you were at boarding school, he would
8 sometimes still take you out for a weekend in a caravan.

9 A. Aye, he'd come up with a caravan, towing the caravan,
10 and we'd go up to Aviemore, or down to the wee place
11 just down the road, the wee caravan park down the road.

12 MS INNES: Okay.

13 LADY SMITH: Down the road from the farm, not down the road
14 from Aviemore?

15 A. Pardon?

16 LADY SMITH: Was that down the road from the farm?

17 A. No, down the road from the school. It was -- I went to
18 a school called Rannoch, which is up beside Pitlochry.

19 LADY SMITH: Ah.

20 MS INNES: Okay.

21 You say that I think sometimes there might be
22 similar things happening there, but you say that you can
23 remember waking up on one occasion with a lot of pain,
24 and at the end of -- on reflection you say that you
25 believe that he raped you, but you couldn't say for

1 sure.

2 A. What happened was -- if it's the one I'm recollecting,
3 it was up at Aviemore. I can remember feeling a bit
4 funny and waking up halfway through the night with --
5 with a start, but as if -- you know that way you feel --
6 I felt as if he was jumping away from me. And then the
7 next morning waking up and being in excruciating pain
8 and getting told, "Oh, it's probably just you're
9 constipated and it will go away", kind of thing.

10 Q. Okay.

11 A. And that's how -- was it a case of I'd been raped,
12 because since everything kicked off, it was the last --
13 me and ██████ talked and ██████ says that he -- he
14 got -- he was made to drink alcohol. He knew he was
15 made to drink alcohol, but I don't -- I can't remember
16 if I was made to drink alcohol or what. But I can
17 remember waking up with that feeling as if he'd jumped
18 away from me with no clothes on, and the next morning
19 waking up with a lot of pain in my backside.

20 Q. Okay.

21 If we move on then to the next page, to page 17, and
22 paragraph 72, you say you can remember being whipped
23 with a riding crop once by ECH ██████.

24 A. Yes, uh-huh. What had happened was ██████ was out riding
25 her horse, and I smacked the backside of the horse with

1 my hand and the horse ran off with [REDACTED] on it, and ECH
2 turned around and whipped me with the riding crop.

3 Q. Okay. And was it once or more than once?

4 A. It was a few times. It was quite a few times, yeah.

5 Q. And were you injured?

6 A. I couldn't tell you.

7 Q. Okay.

8 A. I can remember it was painful.

9 Q. Yes.

10 A. But I couldn't tell you if I was injured.

11 Q. Okay.

12 You say at paragraph 73 that as a child you had no
13 awareness as to how Mr Jackson was acting around the
14 other adopted and fostered children.

15 A. Didn't know anything about it until ... you're talking
16 probably about ... 14 years ago now, because I'd worked
17 everything out, and [REDACTED] came to me, and he was quite
18 drunk, he was in tears, and he just said to me, "Did
19 dad" -- he called him dad, and he was like, "Did he ever
20 do anything to you?", and I was like, "I can't remember,
21 what do you mean?", and he just -- he says, "Just watch
22 [REDACTED], watch [REDACTED]", and I was like: what is it?

23 So a few days later I asked him what he meant, and
24 he just says that he was very inappropriate to him. So
25 I approached Graham about it. I arranged to meet him at

1 the pub down the road and confronted him about it, and
2 I just says to him that me and ██████ had had a talk and
3 ██████ says that he'd been very inappropriate towards
4 him, and he admitted it to me. And I says to him, I was
5 like, "Look, what happened" -- he made it out as if it
6 was my fault, because he turned round and said that it
7 was when I had gone back into care and he didn't want to
8 lose his other son, kind of thing, and he was
9 inappropriate, and he knows he was inappropriate, and
10 that it would never happen again and it's never happened
11 since, and I says to him, I was like, "Look, if it's
12 never happened since and it doesn't happen again", I was
13 like, "That's it, but if I ever hear anything, I'll
14 support ██████ 100 per cent".

15 Q. Okay.

16 A. And then over a period of time, that's when memories
17 started coming back, just little flashbacks here and
18 there, and then thinking back on it more and more,
19 that's when you realise: hang on a second, that's not
20 appropriate, that's not appropriate.

21 And then ██████ came to me saying that my second
22 son, ██████, had said something to him, because ██████
23 had taken him out and they were at the bowling and he
24 was talking to him, and he was saying that he'd been at
25 Grandpa's and they were playing chess and every time --

1 he was winning at the chess games, and every time he won
2 at chess he had to take an article of clothing off, and
3 that's when I was like: hang on a second, no.

4 So then everything else kicked in and we went to the
5 social work and the police and that about that.

6 Q. Okay.

7 So just a couple of things in there.

8 You talk about -- so if we go on to page 24 of your
9 statement and paragraph 103, we see where you mention
10 your meeting with [REDACTED] there. Roughly when was that?

11 A. My daughter had just been born, so you're talking about
12 13, 14 years ago.

13 Q. Okay. And then you say that after you'd spoken to him,
14 you had begun to remember things yourself.

15 A. Mm-hmm, yeah.

16 Q. And when you spoke to Mr Jackson, were you talking --
17 you'd obviously said to him, "[REDACTED] says that you were
18 inappropriate with him".

19 A. Mm-hmm.

20 Q. Did you speak to Mr Jackson about the sort of things
21 that he had done to you?

22 A. Yes, I did mention it. It was one of those
23 conversations that was a hard conversation, and
24 I remember saying to him about [REDACTED], that he'd been
25 inappropriate to him, and that's when he says that it

1 was because I had left, and I was like, "But what about
2 the stuff that happened with me?", and that's when he
3 says, "It's not happened since and it will never happen
4 again" kind of thing, and it was like ...

5 Q. Okay.

6 So you then, as you say, heard through [REDACTED] that
7 your son had said to him that they'd been playing this
8 game -- well, chess.

9 A. Uh-huh.

10 Q. And that every time he had to take an item of clothing
11 off.

12 A. Uh-huh.

13 Q. And did that result in you going to the police or to the
14 social work department, or both?

15 A. What happened was after me and [REDACTED] -- when [REDACTED] has
16 first mentioned it, and me and Graham had had our
17 meeting, me and my wife took the decision to draw back
18 on contact, because [REDACTED] has ADHD and was very
19 difficult at a young age. So [REDACTED] was a childcare --
20 did a lot of childcare, and she would -- we made sure
21 that Graham understood that he would never have contact
22 with [REDACTED] or [REDACTED] by himself because of what
23 [REDACTED] had said. So we'd pulled back on the contact.
24 So this had happened before [REDACTED] and me had had
25 a chat, and it was as a result of that that [REDACTED] --

1 ██████ went to -- ██████ took the lead on it and went
2 to -- I can't remember if it was either the police or
3 the social worker he went to first.

4 Q. Okay.

5 A. And once he'd gone to the police, I told him that I was
6 100 per cent with him, 100 per cent behind him. So once
7 he'd done his bit, the police -- I can't remember if it
8 was the police or the social workers came and they asked
9 me for a statement, so I went in and did a statement
10 with him as well.

11 Q. You tell us about that at paragraph 105 of your
12 statement, where you say that you went to a specialist
13 interview suite at Linwood to speak to them.

14 A. Yeah, uh-huh. Well, we had the first -- we had the
15 first initial contact with the police coming to the
16 house and asking us and that kind of stuff, and then
17 they were like, "We want to do an official interview but
18 this is where it will be", so it was a specialist unit
19 in Linwood.

20 Q. Okay. And you describe that your experience with the
21 police was easy.

22 A. Yeah, uh-huh. It's one thing -- it's like, I'm quite
23 pragmatic. I'm one of these ones that there's no point
24 in getting upset or angry about anything that's happened
25 in the past because it's not going to change anything,

1 and I'll be quite open and honest about whatever it is,
2 because if what happened to me helps protect somebody
3 else, all the better -- power to it, because it's not
4 going to change anything that's happened to me. What's
5 happened to me has made me the person I am today, and
6 I've taken a lot of strength on being able to get over
7 what happened, so ...

8 Q. Okay. And you say that the police -- you say:

9 "I didn't feel as if I was not believed."

10 So you had a feeling that they believed what you
11 said?

12 A. Yeah. The thing is, it's like, as a child -- and we
13 were always made to feel like -- ECH is a lawyer,
14 Graham's a business owner, he's a chartered surveyor.
15 As I say, he's a church elder, in the choir, he's
16 a justice of the peace. He's had something to do with
17 the -- he was in the Children's Hearing doing quite
18 a lot in the Children's Hearing, he was on Childline, he
19 was in the Boys' Brigade, and it was a case of: who's
20 going to believe what we say? Who's going to -- as ECH
21 described us, we were broken children, off-the-shelf
22 children, so who's going to believe us over these fine,
23 upstanding people? And that's what -- it's as they say,
24 it's your quintessential description of a predatory
25 paedophile, somebody that will hide behind a veil of

1 normality, a veil of, "This is me, why would I ever do
2 anything like that?" And they still hide behind it
3 today.

4 Q. And you talk about the run-up to the court case, and
5 I think you found that the support from the police you
6 had was good.

7 A. The support from the police was very good, yeah.
8 Because there was no -- when -- what happened was we got
9 taken in and interviewed, and then Graham got taken in,
10 and that night I got a phone call from [REDACTED] just to
11 say that how could we be doing what we're doing, "Do you
12 know this kind of thing ruins people's lives" and that
13 kind of stuff, as if she was trying to talk us out of
14 going down this road, and that was the last contact
15 I ever had with her. But that's her loss.

16 Q. Okay.

17 Now, if we can go on over the page, please, at
18 page 25, you say the experience of going to court was
19 hard but it was positive.

20 A. Uh-huh.

21 Q. In what way was it positive?

22 A. It was positive because it was closure, it was
23 validation, and it was a case of ... the story was out
24 there. It wasn't a case of -- it's like me -- me,
25 [REDACTED] and [REDACTED] always made sure that we never talked

1 about it, especially amongst ourselves, because we
2 didn't want to influence each other, we didn't want to
3 contaminate each other's statements, and for it to be
4 finally out there and be able to talk to them about it,
5 it's like I could talk to [REDACTED], I could talk to [REDACTED]
6 if I wanted to. I still can't talk to my children about
7 it because if something has happened to them and they
8 want to go to court, I would never want my statement --
9 my -- me being used -- because when it went to court,
10 they turned around and said it was false memory
11 syndrome, so it was as if we were colluding against him,
12 we'd made up these stories from stuff that had happened
13 in our pasts and put them at his door. So that's why
14 I've never been able to talk to my children about it,
15 because I don't want them to turn around and say, "Well,
16 your dad told you to say that, your dad said this", if
17 it did happen to them. I hope to God it didn't, but if
18 it did, I want them to have the ability to get justice.

19 Q. Did anybody tell you not to speak to [REDACTED] and

20 [REDACTED] --

21 A. No, it was something that -- it was something that ...

22 I knew it was hard for [REDACTED]. I knew that I was
23 finding it -- I was feeling guilty because, as I says,
24 I felt guilty because I'd reacted against it and the
25 abuse stopped when I went back into care -- well, abuse

1 reduced greatly when I went into boarding school, but
2 completely stopped when I went into care, and now
3 I still and always do feel as if [REDACTED] was brought in
4 as a replacement. If it didn't work with him, it might
5 work with this one.

6 Q. Okay.

7 Now, at paragraph 106 you talk about some issues in
8 the court case, and you say that one of the biggest
9 regrets or one of the regrets that you had:

10 "... was the fact that when it was going on Graham's
11 brother was there but nobody was allowed in the court
12 until our evidence was done. That meant everybody only
13 saw Graham's side of things."

14 A. Uh-huh.

15 Q. So can you explain that, please?

16 A. Graham -- Graham, ECH and their children have
17 a brilliant little bubble where everything's perfect and
18 it's a garden of roses. Graham could do no wrong, blah,
19 blah, blah. He's always been a provider. And because
20 they were kept away from our evidence and the possible
21 crossover of evidence, if you know -- if there's
22 similarity in evidence, because they were always
23 brought -- they were always kept away from that side of
24 things, so the regret is the fact that they never
25 actually got to see our side of it. They only ever got

1 to see the defence side of it.

2 Q. Yes.

3 A. So it means that -- as I said to them, it's like you've
4 got to think the only person that's got anything to gain
5 from lying out of this is Graham. We're gaining nothing
6 out of it. We're losing everything out of it of telling
7 the truth, but he's gaining everything by lying.

8 Q. Okay. So during the court case when you were giving
9 evidence, there wouldn't have been anybody in the public
10 part of the court, is that what you mean?

11 A. Just Graham's brother, his twin brother.

12 Q. So he was there?

13 A. He was there. He was the only one, yeah.

14 Q. Now, we know that Graham was convicted in respect of
15 offences against [REDACTED] and [REDACTED].

16 A. [REDACTED] and [REDACTED]. He was proven not guilty against the
17 thing for me. I was told it was because they couldn't
18 corroborate, whereas [REDACTED] and [REDACTED] could corroborate
19 each other's stories, because there was parts that
20 involved the two of them together.

21 Q. Okay.

22 Even after that conviction, how did the family
23 react?

24 A. Well, the day after the conviction I got a letter from
25 Graham and -- Graham and [REDACTED]'s mum saying how dare

1 we do this, ruin a perfectly good -- a perfectly
2 upstanding member of the family -- a member of the
3 community [REDACTED] and we
4 were trying to destroy him, and that we should be
5 ashamed of ourselves. And then the rest of the family,
6 they all -- they all rallied around Graham, and it was
7 a case of we were all lying, we were all -- it even got
8 to the point that ECH got her close friends together
9 and gave them all a handwritten statement from the two
10 of them saying that this was all false, where we had
11 made it all up, we were trying to get money out of them.

12 This was because one of their best friends is
13 [REDACTED]'s best friend's mum, so she'd told them and
14 showed them the letter that ECH had read from, from
15 their statement.

16 Q. Okay.

17 A. And I -- I don't know if it was she'd seen the letter or
18 she had the letter, I can't remember if it was -- but
19 apparently ECH had pulled them all aside and given them
20 this big spiel about how we were trying to destroy him,
21 trying to get money and all that kind of stuff, and
22 there's been absolutely no contact, apart from I got
23 a Facebook message from [REDACTED] saying how dare I do
24 that and I should be ashamed of what we'd done.

25 Q. Who did you get that Facebook message from?

1 A. [REDACTED], Graham's brother.

2 Q. [REDACTED], Graham's brother, okay.

3 A. So, on the back of that, I wrote them all an open
4 letter, and just says to them that the only person
5 that's got anything to gain from lying is Graham. We've
6 lost everything. We've lost -- we were never going to
7 gain anything out of this except for -- the only thing
8 that I've gained out of this is knowing that my children
9 are protected -- to [REDACTED], and I said, "I hope your
10 children never come to you and say what my children have
11 says to [REDACTED], and I hope that your God forgives you
12 because I never will".

13 MS INNES: Okay.

14 Now, I'm nearly finished the questions, but I do
15 have a little bit more to ask you about, 'Kevin', and
16 normally we take a break about this time in the
17 afternoon.

18 So I wonder, my Lady, if that might be
19 an appropriate time.

20 LADY SMITH: Would it work for you if we took a very short
21 break just now, 'Kevin'?

22 A. That's all right, whatever.

23 LADY SMITH: Let's do that and then we'll finish off your
24 evidence after the break.

25 (3.05 pm)

1 (A short break)

2 (3.20 pm)

3 LADY SMITH: 'Kevin', is it okay if we carry on now?

4 A. Yes, that's fine, aye.

5 LADY SMITH: Thank you very much.

6 Ms Innes.

7 A. I was like, "Who's talking to me?"

8 MS INNES: It's the way that the microphones work. It's

9 sometimes not very clear who's speaking.

10 A. Yeah.

11 LADY SMITH: It's really weird. I'm speaking from here but

12 you hear it as if it's coming down from the back of the

13 room.

14 A. I know.

15 LADY SMITH: I promise I don't move around. I'm just here.

16 Ms Innes.

17 MS INNES: Thank you, my Lady.

18 So we're on page 25 of your statement, and if we can

19 go, please, to paragraph 107.

20 LADY SMITH: 107?

21 MS INNES: 107.

22 LADY SMITH: Yes. It should be on page 25. (Pause).

23 MS INNES: So paragraph 107. So you're talking here again

24 about the trial, and you say that one of the things that

25 you noticed was that there were a lot of things said in

1 the defence evidence that the three of you knew weren't
2 true but you didn't have the opportunity to counteract
3 that.

4 A. Mm-hmm.

5 Q. And you say to you, that side of things was in his
6 favour.

7 A. Mm-hmm.

8 Q. Although obviously we know he was convicted of some of
9 the offences.

10 A. Uh-huh.

11 Q. What sort of things are you talking about?

12 A. It was just things that -- there were -- things were
13 twisted as if -- to make out as if we were -- as I says,
14 if we were making things up, but we couldn't give the
15 evidence to say, "Hang on a second, that's not true".
16 It's like there were things said about an incident that
17 had happened, and they says it had happened in one place
18 but it had actually happened somewhere completely
19 different and it was a different time of the year and
20 all that kind of stuff, and it was just one of those
21 things that was ... it's things like that that you're
22 like but why -- we can't do anything about it because we
23 had already done our statements. It was just things
24 like that.

25 Q. Yes.

1 A. And then there was -- [REDACTED] says there was a couple of
2 things that were says about him, situations that he was
3 involved in, and he wasn't even there kind of thing. He
4 wasn't even there at the time that these things were
5 supposed to have happened, or it was a completely
6 different situation, different place and that. And it's
7 like, these were things that were made to make him look
8 better than the evidence was actually showing that he
9 wasn't.

10 Q. Okay. Then at paragraph 108 you talk about --

11 A. Sorry, there was also another thing about it. It was
12 the fact that we were told at the start of the court
13 case that we'd always stated that the reason we'd come
14 forward was because we wanted to protect our children,
15 and the first thing that was -- before it even went to
16 court, before we even went in to give evidence, we were
17 turned around and told that if we had mentioned anything
18 about the kids, that -- all that evidence had been ruled
19 inadmissible and we could jeopardise the court case, so
20 that things like that we weren't allowed to talk about.
21 That was stuff that would have shown him in his true
22 light. But because ... because we weren't allowed to
23 introduce that evidence, he got off a lot lighter than
24 he should have got off. It's the kind of thing that if
25 we'd been allowed to talk about it, they'd have nailed

1 him to the cross kind of thing. It would have showed
2 exactly: hang on a second, this isn't a one-generational
3 thing, this is a multi-generational, it's continuous,
4 and it's getting attempted with different children,
5 children that aren't his. So that was one of the things
6 that really annoyed me about it.

7 Q. And during the course of your evidence and the trial or
8 the evidence of your brother and sister, were you asked
9 questions about your motivation?

10 A. No, we weren't allowed to -- they weren't allowed to
11 because --

12 Q. No, okay.

13 A. -- that had been deemed inadmissible evidence, because
14 that was before -- it was the day of the trial. They
15 came in and said, "Look, all this evidence, we're not
16 allowed to talk about. If you mention it, if it's
17 brought up, there's a possibility you're going to
18 destroy the case".

19 Q. Okay.

20 A. So we couldn't actually say anything about it. That was
21 the one thing that really, really annoyed me.

22 Q. Okay.

23 Were you asked any questions about -- you talked
24 about suggestions that you were in it for the money, as
25 it were.

1 A. Uh-huh.

2 Q. Can you remember being asked -- that being put to you,
3 perhaps, by the defence, that you'd --

4 A. The defence turned around and was trying to say it was
5 something called -- what was it? -- false memory
6 syndrome.

7 Q. I see.

8 A. And the fact that we -- we had been talking and we'd
9 taken all these little stories -- because we were the
10 damaged children, things that had happened to us before
11 we came to -- to GJ-ECH, things that had
12 happened -- these were things that had happened
13 beforehand, and because we were talking amongst
14 ourselves and we'd made -- put all this together and
15 blamed it on him. But what they forget is the fact that
16 had the same evidence, but had been there
17 with GJ-ECH since she was six months old. So
18 where's she getting these memories from that supposedly
19 happened before she came to GJ-ECH? These were
20 one of the things that was never really looked into, but
21 that was their defence: false memory syndrome.

22 Q. Okay.

23 And can you remember if Graham gave evidence during
24 the trial?

25 A. I ... I can't -- I can't remember ... I can't remember

1 directly, but I can't -- I can't see him not giving
2 evidence, because I know the type of person he is.

3 Q. Okay.

4 A. Because he's -- there's a lot of -- a lot of arrogance
5 there. A lot of, "I'm smarter than you" kind of thing
6 and all that. So there is a lot -- a lot of arrogance
7 there. So I can't see him not giving evidence, but
8 I can't remember if he did.

9 Q. Okay.

10 You tell us over the page, page 26, at
11 paragraph 111, about the aftermath of the trial, and you
12 tell us that, as I think we've already said, he was
13 convicted for the charges in relation to [REDACTED] and
14 [REDACTED], but the charges relating to you were not proven.

15 A. Uh-huh.

16 Q. And then you say that he was given two and a half years'
17 probation, placed on the sex offenders' register and got
18 community service.

19 A. Uh-huh.

20 Q. How did you feel about the fact that -- well, first of
21 all, that the charges in respect of you were not proven?

22 A. At least it wasn't a not guilty. Because I understand
23 that the law is the not proven states that there's
24 enough evidence there to say yes, he did it, but not
25 enough evidence there to say we can convict you for it.

1 So it's not a -- and I also -- I'm not sure, but I think
2 you can come back to it if there is more evidence that
3 came up with not proven, but you can't if it's a not
4 guilty.

5 So it's one of these things that's like: it is what
6 it is. At least he got found guilty on some of it.

7 It's --

8 LADY SMITH: Put shortly, it's not as strong a message as
9 not guilty. Not proven literally means, first of all,
10 you recognise that the burden of proof is on the Crown,
11 the prosecutor. The prosecutor has to prove the case
12 beyond reasonable doubt, which is a high standard of
13 proof.

14 A. Uh-huh.

15 LADY SMITH: So the jury are not satisfied that the
16 prosecutor has overcome that hurdle, but, as you rightly
17 say, there was enough evidence to put to the jury, and
18 the jury have been left feeling that they can't go as
19 far as saying not guilty.

20 A. Uh-huh. Uh-huh.

21 LADY SMITH: Not only has the prosecutor not proved the
22 case, but we go a step further and we say we're
23 satisfied you're not guilty. They don't do that. Both
24 are acquittals, and you always tell juries that both are
25 acquittals, but there is a difference between them, if

1 that helps.

2 A. Yeah. I was always led to believe that it was a case
3 of -- that you are guilty but we can't prove beyond
4 a reasonable doubt that you're guilty.

5 LADY SMITH: No, that's not quite right.

6 A. That's what I believed about it. You're the ones with
7 the degrees and that, so ... But it's -- as I says, it's
8 better than a not guilty, and the fact that he was found
9 guilty on the ones that -- on ██████ and ██████, so they
10 know that it has happened and the likelihood that it has
11 happened to me is also there as well.

12 MS INNES: Okay, thank you.

13 Now, I just want to ask you about a couple of
14 matters in terms of the impact on you of the abuse that
15 you suffered.

16 If we look at page 30 and paragraph 128, I think
17 that one of the impacts that you particularly wanted to
18 highlight was the impact on your own relationship with
19 your children.

20 A. Uh-huh. My biggest regret out of the whole thing is the
21 fact that because of what's happened and because of
22 the -- it's not just down to this, it's about -- it's
23 about the upbringing that I had. It's affected the
24 relationship I have with my sons. Like my relationship
25 with my daughter is completely different to the one that

1 I have with my sons because you've got that -- the love
2 and tenderness is there, but the showing of affection
3 I really struggle with, and I always have done with my
4 sons, because you've got the ... the only affection I've
5 ever known from a father figure was tainted, and I would
6 never want to put my children through what I went
7 through. So I've always really, really struggled with
8 that tenderness side towards my sons. And it has
9 affected my relationship with them quite dramatically.
10 That's my one regret out of the whole thing.

11 Q. Okay. Because you tell us elsewhere in your statement
12 that you always have tried to take the positive and --

13 A. Oh, I always take the positive.

14 Q. -- that you've said it's in the past.

15 A. It's like everything that happened with the
16 jurisdictions, it's like -- it was -- basically there
17 was a lot of pain, a lot of guilt, a lot of being made
18 to feel guilty, being made to feel inferior, but in the
19 same vein, it's given me my drive and determination.
20 It's given me my work ethic. It's like -- I've just --
21 last year I went back to school and did my mathematics,
22 and now the company that I work with just now have put
23 me forward to do mechanical engineering, and that's
24 because I've always -- because I was always told as
25 a child, "You're lazy, you'll never amount to much",

1 I've always -- I've never used that as -- I've never
2 used my dyslexia and that as an excuse. I've always
3 used it as a: "Do you know what? I'll show you". And
4 with the drive and determination.

5 So yes, there was a lot of pain -- as I say, there
6 was a lot of pain and anguish and that kind of stuff,
7 but you have to take the positive, and to me the
8 positive is the drive, determination, the willingness to
9 turn around and say, "Do you know what? I'll show you".

10 Q. Okay. And then at page 31 of your statement in
11 paragraph 133 you talk about your feelings now towards
12 **GJ-ECH**.

13 A. Mm-hmm.

14 Q. What is your feeling towards Mr Jackson?

15 A. Even though everything that went on with the court case
16 and all that kind of stuff is like -- I never wanted to
17 see him going to jail. I never wanted to see him ...
18 being hurt. Because if he'd gone to prison as a child
19 sex offender, he wouldn't have -- he wouldn't -- he
20 wouldn't be able to -- even if he went to jail for
21 anything, he wouldn't be able to cope in that kind of
22 situation. So to me, I pity him, because he's destroyed
23 three people's lives that -- but he's also, no matter
24 how much **ECH**, **██████** and **██████** stand behind -- beside
25 him, they're not stupid people. They're not daft

1 people. They've got to know that there is always the
2 possibility -- even if they're not willing to admit that
3 it did happen, there is always the possibility that it
4 did happen. And they have children, and as I says to
5 them in the letter I wrote them, I hope their children
6 never come to them and say what our children have says
7 to us, because how guilty and stupid and everything else
8 that comes with that will they feel if their children
9 turn around and say, "I was abused", and the abuse
10 happened after the court case, when they were standing
11 beside him, because they were made to feel and made to
12 believe that I was lying, I was talking rubbish, we were
13 trying to get money, we were trying to destroy a good,
14 upstanding member of the community.

15 It was never about destroying anybody's life. It
16 was about protecting our children and getting
17 accountability for what happened to us. Because no
18 matter what, it's not going to change what happened to
19 me. But it's protecting my kids, and that's my --
20 that's my priority.

21 Q. Now, I think you know that the Inquiry have spoken to
22 ECH, taken a statement from her.

23 A. Yeah.

24 Q. If we hear evidence from her that this is a story that
25 you've all come up with --

1 A. She can say what she wants. She can say what she wants.
2 I know that she is also a victim in this, because she
3 has built her little world, her little bubble, and she
4 doesn't want that little bubble or world to get burst.
5 If she can go walk around with her head in the air and
6 her nose in the air and think that she's better than me
7 or she's better than [REDACTED] or she's better than [REDACTED],
8 or that her beloved husband wouldn't do this kind of
9 thing, that's her outlook, that's her guilt that she's
10 got to carry with her, because they believe so much in
11 God. God knows everything, according to them. So when
12 she goes up to those big pearly gates, she's got a big
13 awakening coming.

14 And my -- I'm more angry towards her than I am
15 towards Graham because of the fact that, when this all
16 kicked off, she was still helping [REDACTED] look after her
17 children when Graham wasn't there, and she was very
18 close to [REDACTED].

19 Q. Your son.

20 A. And they were -- they were over at mine one day and they
21 were down at the park playing or she came to pick the
22 kids up, and [REDACTED] went over to run over to say hello to
23 her and that kind of stuff, and she put [REDACTED]'s
24 children in the car and turned her back and walked away
25 from my son, and my son has been destroyed by that. He

1 still lives with that today and I cannot forgive her for
2 that.

3 That's why -- I've seen her umpteen times in the
4 shops, and every time she sees me, she walks -- she
5 scurries away, because she knows I'll say something to
6 her about it. Because if you have a problem with me,
7 that's your problem. That's your problem. But if you
8 have a problem with my children and you treat them like
9 that, then it's you that's got the problem, not me.
10 Because for her to do that to somebody that had that
11 close relationship with her -- a closer relationship
12 than I ever had with her -- and because she wants to
13 protect her little bubble, she treats him as if he's
14 nothing, I'm sorry, but that's my son. That's your
15 supposed grandson at the time.

16 So that's where -- he's got to live with his guilt,
17 but she's got to live with her facilitating that guilt,
18 and the fact that me and [REDACTED], most of all -- I've not
19 talked to [REDACTED] about it, but I believe that she knew
20 all the way along, and I believe that it was a case of
21 because it never happened to their natural children, it
22 was a case of: "You can have these children that are
23 damaged or you can have these children that are off the
24 shelf and you can do with them what you want, but don't
25 touch my children". And I believed that since day dot.

1 And if that's the case, hell mend her.

2 Q. Okay.

3 Now, if we can move on in your statement to where
4 you talk about lessons learned on page 32, and at
5 paragraph 140 you say that you think that children need
6 to be more educated going into situations like being
7 fostered to a family instead of just being taken out of
8 a children's home and put into this new situation.

9 A. Mm-hmm.

10 Q. "If children were told that if certain things were to
11 happen then that is not right and you tell someone."

12 Can you just explain a little bit about that?

13 A. It comes from the serious situation with the baths and
14 with the blow drying and the -- the tying up and all --
15 everything. It's a case of: these were always made to
16 feel as if this is what happens in a family. Because
17 you've got nothing to gauge that against coming out of
18 care, you don't know the difference, you don't know if
19 it's true, if it's not true.

20 I believe that if kids were -- kids are more -- it's
21 one thing that people say all the time, "Oh, there's
22 more paedophiles round about nowadays, blah, blah,
23 blah", you hear about it all the time, and I'm like
24 that: look, it's not that there's more paedophiles about
25 nowadays, it's about it's better reported nowadays.

1 There's no sudden increase in people that are attracted
2 by children or want to abuse children; it's just that
3 instead of it being behind closed doors or swept under
4 the carpet or kept on the hush-hush, it's more -- it's
5 more out there.

6 And I believe that if kids that were to go into care
7 and were to get fostered out and -- they were given
8 a better understanding of what is acceptable and what's
9 not acceptable within a family situation -- because as
10 I said, I didn't know any different. I didn't know what
11 was not natural family life. I didn't know -- I'd never
12 had it, so I had nothing to gauge it against. That's
13 where the education side comes in.

14 Q. Okay.

15 You talk on page 33 at paragraph 141 about it. You
16 say:

17 "It might help to have more intrusive social work
18 involvement with children who are placed into a family
19 environment from a care placement ..."

20 A. Mm-hmm.

21 Q. So, again, I think that's on a similar theme, but
22 perhaps moving away from the education to looking at
23 social workers coming in and speaking to children and
24 having time with them on their own and things.

25 A. You see, one thing -- one thing that I've learnt in the

1 last few years was that [REDACTED], my wee sister, she went
2 to Mitchell Library and she got her case notes, and in
3 the case notes it stated that when the -- when they went
4 to -- when they went for adoption of her, ECH had
5 turned around and said that she didn't want to adopt,
6 but the adoption went ahead anyway. So, like, I've
7 never understood how that happened. And then for that
8 statement to be given out to her, which was -- [REDACTED]
9 was always very, very close, because she'd had her from
10 a baby.

11 But then you've got me, who's not got that close
12 relationship with ECH, and there's always been that
13 friction there and the friction was there to be -- to be
14 evident, but they were still allowed to adopt me, and
15 then they were allowed to foster somebody else.

16 So why were these things not followed up? Why were
17 these things never investigated? What -- where was the
18 breakdown in communication? Where was the breakdown in
19 the system that says that somebody that's turned around
20 and it's in a case notes of a child that was getting
21 fostered then adopted that's saying that the adoptive
22 mother had said that she didn't want to adopt, but the
23 adoption was allowed to go ahead?

24 These are the -- this is where I think the social
25 work -- I know that social work from the 1970s and 1980s

1 and 1990s is completely different from the social work
2 that is today. There's a lot more cross-checks and
3 there's a lot better systems in place. But there are
4 always cracks that can get filled up, and there's always
5 ways and means to -- there's always ways and means for
6 people that want to put themselves in a situation where
7 they can abuse children will get themselves into that
8 situation. And it's not always the one that has
9 convictions or jumps out at you as a paedophile that's
10 going to be the one that's going to be most dangerous
11 one.

12 There's a great saying that says: don't care about
13 the man that's got scars on his face, care about the wee
14 man standing behind him, telling him what to do.
15 Because it's not the loudest person in the room that you
16 have to worry about; it's the wee one pulling the
17 strings at the back of him.

18 To me, that's a case of if somebody is -- as I says,
19 your quintessential case study of a predatory paedophile
20 will put themselves in a situation where people are
21 like, "No, he would never do that, that's not him, he's
22 too nice a person". There you go. There's a man that's
23 in charge of Boys' Brigade, does the Childline, does the
24 thingy, the children's panel, church elder, church
25 choir, Boys' Brigade leader. Did it to three

1 children -- that we know about.

2 MS INNES: Well, I don't have any more questions for you,
3 'Kevin', and there are no applications, my Lady.

4 LADY SMITH: Are there any outstanding applications for
5 questions?

6 'Kevin', thank you so much for engaging with us as
7 you have done, both by providing your detailed written
8 statement, which of course is part of your evidence and
9 I have read, but also coming here today to talk so
10 openly and frankly about your experiences. I'm very
11 struck at your skills of self-reflection and analysis.
12 They're really helpful to me to have heard. And also by
13 the fact that you have evidently achieved a remarkable
14 number of successes in your adult life, notwithstanding
15 what you've told us about the background. Well done for
16 that.

17 A. Uh-huh.

18 LADY SMITH: I'm able to let you go now, but please don't
19 leave without remembering how grateful we are for you to
20 have engaged in the way you have done.

21 A. Okay. Thank you.

22 LADY SMITH: Thank you.

23 (The witness withdrew)

24 LADY SMITH: Now, there are some names that have been used
25 in that evidence that are covered by my general

1 restriction order, the children in GJ-ECH
2 household, ECH, and, indeed,
3 some of 'Kevin's' own family, at least one of his own
4 children he used the name of. These can't be repeated
5 outside this room.

6 Now, Ms Innes.

7 MS INNES: Now, my Lady, Ms Rattray has a read-in to do, if
8 I might be excused briefly?

9 LADY SMITH: Certainly, thank you very much. Ms Rattray,
10 whenever you're ready.

11 'Nell' (read)

12 MS RATTRAY: Thank you, my Lady. My Lady this is
13 a statement of an applicant who wishes to remain
14 anonymous and has chosen the pseudonym 'Nell'. 'Nell's'
15 statement is at WIT-1-000000841.

16 LADY SMITH: Thank you.

17 MS RATTRAY: 'Nell' was placed by Lothian Regional Council
18 in a foster placement with EXD-SPO in
19 Livingston from in 1985 to 1986. She
20 was aged 14 and 15 at the time of the placement.

21 The current responsible authority is the City of
22 Edinburgh Council.

23 "My name is 'Nell'. I was born in 1970."

24 From paragraphs 2 to 72, 'Nell' gives a detailed
25 description of her life before the foster placement with

1 EXD-SPO . She lived in Edinburgh with her
2 parents and younger siblings. She remembers her mum
3 being scared of her dad and there being a lot of
4 violence towards her mother. She says they lived in
5 fear of him. She was terrified of her dad, who beat her
6 and her younger sister with a belt.

7 Her parents separated. Her mum couldn't cope. She
8 was an alcoholic, as was her dad. 'Nell' says that she
9 and her siblings were unfed, unwashed, neglected, and
10 uncared for. From a young age, 'Nell' was the carer in
11 the family. Her mum would go out and leave her to
12 babysit for her siblings, although she was only seven.
13 They moved house frequently, which meant frequent
14 changes of school. Electricity and gas supplies were
15 cut off because bills were not paid. 'Nell' also says
16 that she was sexually abused by her uncle from the age
17 of seven.

18 'Nell' ran away from home in 1980 when she was aged
19 10 because she couldn't cope. She was admitted to
20 Calder Grove Children's Home in Edinburgh. She was then
21 returned to her mother. Her mother knew when social
22 workers were to visit because they wrote to tell her
23 they were coming. Even then there were social work
24 visits when her mum was drunk, but 'Nell' says that the
25 social workers never took any action.

1 Eventually, 'Nell's' parents voluntarily placed
2 'Nell' and her siblings in care. They were sent to
3 Templedean Hall Children's Home in Haddington from [REDACTED]
4 1980 to [REDACTED] 1982, when the children again were
5 returned to their mother and her partner. 'Nell' says
6 they left the home and went into hell. Her mother and
7 partner drank heavily. They went out at night and
8 locked the children in the house. There was little food
9 or heating. The partner was physically abusive and
10 threw them out at times.

11 'Nell' says that she told the social worker what was
12 happening but it just fell on deaf ears.

13 The children moved with their mum to an unfurnished
14 house in Sighthill in Edinburgh, and for a while 'Nell'
15 and her sister lived without even a bed. 'Nell'
16 continued to be the family carer and that family
17 included a fourth sibling, born in 1981.

18 I'm moving now to paragraph 73 on page 17 of
19 'Nell's' statement:

20 "It was from Sighthill that I went into foster care.
21 It was just too much and I just went myself. My sister
22 and brother stayed with mum. Life in Sighthill was the
23 same as everywhere else with my mum drinking. There was
24 an incident that happened with my dad and I don't want
25 to go into it but I was at high school. My friend had

1 been involved in the incident and she told the whole
2 school what had happened and that developed with me
3 getting a nickname. I was horrified and I couldn't cope
4 or go back to that school. I just wasn't coping.
5 Social Services were aware of the incident. I had
6 a children's panel because I wasn't going to school or
7 going out the door. I basically couldn't live in that
8 area any more. I told the panel that day that
9 I couldn't stay with my mum any more, that I had had
10 enough and that I was bringing up a baby that wasn't
11 mine. I know she was my sister but I couldn't cope.
12 Life was just so bad. They made the decision that
13 I would go to foster care.

14 I would have been around 14 at this time. EXD-SPO
15 EXD-SPO had two kids of their own staying with them
16 and also their nephew. The house had four bedrooms and
17 it was an up-and-down house. I had my own room, EXD-SPO
18 EXD-SPO had their own room, their daughter also had
19 her own room and the two boys shared. The nephew was
20 a year or two younger than me. Their son was about
21 seven and their daughter was about four.

22 Things were fine and I didn't have an issue fitting
23 in with a family like this. I was probably much like
24 a new big sister. I got on well with the kids.
25 Initially I got on fine with the parents. I found them

1 to be all right and they treated me with respect.

2 [REDACTED] didn't work and she was recovering from some sort
3 of kidney illness. EXD [REDACTED] worked. He was ex-army, but
4 I can't recall where he worked.

5 I knew emergency meant that I wouldn't be here on
6 a long-term basis. My social worker, Keith Adam,
7 explained that to me and I knew not to get myself too
8 comfy. I didn't know how long I would be there though
9 and no one gave me a time frame. I ended up staying
10 from 1984 for over a year. I don't recall them being
11 affectionate towards me and I would say there was
12 an obvious difference to how they treated me compared to
13 their own children. They were the mum and dad to their
14 own kids and I was a visitor so to speak. EXD-SPO [REDACTED]
15 EXD-SPO [REDACTED] were actually different towards me and their
16 nephew than they were to their own kids. I am not going
17 to say that there was special treatment but we could
18 tell that we didn't belong to them as such. I don't
19 think it bothered me as I think I was old enough to
20 understand.

21 I went into foster care straight from my children's
22 panel. Keith took me. EXD-SPO [REDACTED] were emergency
23 foster parents and I was introduced to them and it was
24 explained to me that I would be staying with them on
25 a short-term basis because they were emergency foster

1 carers. I was then shown my room and that was pretty
2 much it really.

3 I was pretty much left to my own devices and I could
4 do more or less what I wanted. Of course I would have
5 to get up and go to school.

6 I got plenty of food and had no problems as it was
7 all decent. They respected me by asking me if I liked
8 what was for the meal and if I didn't like it I just had
9 to tell them. There was no punishment or issue if
10 I didn't like the food.

11 I had no problems with this as I was pretty much
12 left to my own devices."

13 And that's a reference to washing and bathing.

14 "I am aware that they received money for me staying
15 there. I think there was some sort of money given to
16 Sandra either weekly or monthly and she told me that
17 I would have to wait for an allowance of such-and-such
18 and that if I needed anything I would need to wait until
19 the money was available. If the money was available we
20 would go and get whatever it was I needed.

21 I made friends and I would go out with them. There
22 were rules though and I would have to be in by 9 pm.
23 I feel I was well looked after.

24 I don't really remember what I did with them.
25 I didn't have a bike or anything like that. They didn't

1 really give me gifts. I didn't really do things with
2 them but we would go to places like the Almondvale
3 Shopping Centre and sometimes we would go to the Copper
4 Tun for tea. That was a pub up the road and I remember
5 going there.

6 "I'm aware that I was given pocket money which
7 I only know because I read it in my care records.
8 I don't know how much and I am assuming I got it weekly.
9 I bought cigarettes with it.

10 I went to high school in Livingston, which was
11 another school for me. School was all right but again
12 I didn't like school because of how much I had been
13 moving about.

14 I don't think I had to see a doctor or had any
15 issues that needed medical attention.

16 I was a pretty helpful teenager so after school
17 I would help about the house, do the ironing, maybe go
18 to the shops for them and help look after the kids.
19 I didn't have to do these things, I just helped out.

20 I was there for a birthday but I just can't recall
21 birthdays very well.

22 I was allowed to smoke in their house although they
23 didn't smoke. I was only 13 or 14. I could openly
24 smoke in the house. I remember Keith, my social worker,
25 explaining to them that I smoked so obviously if Keith

1 allowed it then they allowed it. I remember smoking and
2 when I think back now it is weird that I was allowed to
3 do this. It is even recorded in my care records.

4 I wasn't really speaking to my dad because of the
5 situation that had happened before I went into foster
6 care. My mum didn't come to visit. I don't think it
7 was allowed. I remember my sister maybe came to stay
8 once or twice for a weekend. I would go and visit my
9 mum who had moved to Stirling. It wouldn't be every
10 weekend, maybe once a month. I would get the bus and
11 would stay one or two nights. I am really not sure if
12 it was arranged through social work but I would think it
13 would have been okayed through them and arranged with
14 EXD-SPO and also my mum.

15 I didn't run away from here.

16 Keith was still my social worker and I saw him quite
17 a few times when I was with EXD-SPO but I am
18 not sure just how much time I spent with him. I thought
19 Keith was quite nerdy. He was big and tall and spoke
20 quite posh. Generally he was a social worker and he was
21 all right. I don't think he had any real care or
22 concern for me. Sometimes I just thought he didn't care
23 and that he thought I was just a nuisance.

24 During my time there social work found another set
25 of foster parents who were possibly going to foster me

1 long term. As EXD-SPO were emergency foster
2 parents I had kind of overstayed my welcome. I had been
3 there too long. What I was told was that because I had
4 stayed there so long then EXD-SPO would have to
5 change from emergency to normal carers. That was not
6 something that they wanted as they wanted to continue to
7 be emergency carers.

8 They found the and there was going to be
9 a transition. I can't remember their names, I just
10 remember they were Mr and Mrs . Keith introduced me
11 to them.

12 They lived just around the corner from EXD-SPO
13 EXD-SPO . It was basically decided that I was going to
14 stay with them but they were going to ease me in.
15 I went and stayed overnight with them and another visit
16 was arranged and then another. My first visit was fine
17 and they seemed nice. It was fine. The visit lasted
18 half an hour or an hour.

19 The next time I stayed overnight, which I think
20 happened the following week. It was fine. I don't know
21 if they had an older child but no one stayed with them.
22 The next visit I went and the time was arranged. I went
23 to the door and it took them half an hour to answer it.
24 Before I went in I remember feeling that these folks
25 don't really want me because they left me waiting

1 outside for so long. Why would they not answer the
2 door? I got in and the house was literally covered in
3 alcohol, which was very different to how it had been
4 before. Mr and Mrs [REDACTED] appeared to have had a party
5 and the remnants of the alcohol were in the living room
6 and kitchen. They had just got out of their bed and
7 I think it was lunchtime. I was basically to spend the
8 day with them. I remember I froze and I just thought
9 I am not going to stay here, it just reminded me of what
10 I had come from.

11 I can't remember for sure but I think I went on
12 another visit after that and they were laying down the
13 law. They were telling me I would be going on the pill
14 and there would be no unwanted pregnancies in their
15 house. I can't remember, but I think on this other
16 visit that their use of alcohol was evident then as
17 well. I decided I was not going there to stay.
18 I returned to EXD-SPO [REDACTED] and told them and they
19 would have told Keith. When I spoke to Keith afterwards
20 I just told him straight that they are not the right
21 people for me. Obviously they have got alcohol issues.
22 It is in my care records that this incident has
23 happened. I just know I couldn't go and live with them
24 and I didn't. I have no idea if they went on to foster
25 any other children. I continued to stay with the EXD-SPO [REDACTED]

1 In relation to discipline at the EXD-SPO there
2 wasn't really any punishment. If I had done something
3 that I shouldn't have done then I would have been spoken
4 to and explained that it wasn't right. They did try to
5 teach me right from wrong.

6 EXD used to beat his nephew regularly, not at
7 first, it just seemed that the man had changed. I used
8 to remember him beating his nephew but I have no idea
9 why. I just remember him being quite a good boy. His
10 nephew would be screaming. I couldn't see what was
11 happening as I would be in my room and the nephew would
12 be in his, but I could hear it. The nephew was
13 screaming and I could hear punching. EXD would have
14 been in the house and I am assuming she would also hear
15 it. She wasn't a woman who left the house often. This
16 all started nearer the time I was leaving and I had to
17 make a decision.

18 One day EXD and I were having a carry on and he
19 groped my breast. I went to my mum's that weekend and
20 I decided I wouldn't go back. I have personally taken
21 his action as intentional. It was like a trigger.
22 I feared what would come next and so I made the decision
23 not to go back.

24 I was nearing my 16th birthday when I left and this
25 was after EXD groped my breast. I made the decision

1 because of what he did to me and because, listening to
2 these beatings of his nephew, I was scared. I just
3 feared what was coming next. I just thought he would
4 want to do more things to me and that made me too scared
5 to go back.

6 I can't recall telling my mum about him groping my
7 breast. I know I didn't tell Keith. I was basically
8 just abandoned after that. I remember Keith coming to
9 visit me at my mum's and I was telling him I wasn't
10 going back. Keith made me apologise to EXD-SPO
11 for refusing to go back. He said they were hurt that
12 I would do such a thing. I felt I couldn't go back.

13 I was nearly 16 and I think I could finish school
14 in December if I was not staying on. I had already been
15 and I'd had an interview for catering college at
16 Livingston and had a place. I was leaving school
17 in December and I was starting college in the August.
18 This was exciting and a good thing for me. I think
19 I left EXD-SPO just before my 16th birthday. I had
20 all that to look forward to but he did what he did so
21 I lost my chance to go to college. My education
22 finished there and I ended up back with my mum. My time
23 in care ended there too."

24 From paragraphs 105 to 115, 'Nell' speaks of her
25 life after care. She mentioned that in 1987, when she

1 had her son, she went to visit [REDACTED] and she and
2 [REDACTED] had split up.

3 'Nell' describes the impact that her childhood
4 experiences had on her, including the lack of
5 intervention in her home life by social workers. She
6 still grieves for the wee lassie she was who had no
7 childhood. She says that she knows from her records
8 that her dad was pleading with the social workers that
9 her mum was not fit to look after 'Nell' and her
10 siblings. She says that they just left them and this is
11 what she can't move on from. She feels her life doesn't
12 matter to the City of Edinburgh Council.

13 Moving to paragraph 116 on page 27:

14 "The impact of [REDACTED] sexually assaulting me was
15 devastating in so many ways. I had plans for a future.
16 I had been accepted to go to college and I often think
17 what my life could have been. I have no idea where
18 I could have gone, who knows, I could have been the next
19 Gordon Ramsay. Instead I had no option but not to
20 return to their house and this meant I lost my college
21 place. That man will never know how much he broke me."

22 And now to paragraph 127 on page 30 where 'Nell'
23 speaks of reporting abuse:

24 "As far as [REDACTED] is concerned, he's been dealt
25 with by a police department in Dalkeith.

1 I don't know what is happening about EXD .
2 I don't even know if he is still alive. The police
3 officer who was dealing with it was trying to find him
4 but she has never come back to me with an update. All
5 I know is she is trying to find records to find out
6 where he is. That man will never know what he did to
7 me. He broke me, and whether he intended to or not
8 I will never know. I am taking it that he did. I was
9 too scared to go back and that man changed my life
10 forever. What different path could I have taken? Why
11 was he beating his nephew, I don't know, but I reported
12 that. The violence really did affect me. It was what
13 I had been trying to flee."

14 And now to paragraph 132 on page 31:

15 "It was about 2019 when I applied for my records.
16 I got them from a data request to somewhere in
17 Edinburgh. My sister had applied to get hers and it was
18 pretty much horrific reading and I just wanted to get
19 mine and see what they said.

20 I have records for Templedean, there is only a wee
21 bit about Calder Grove and there were some records about
22 EXD-SPO . There is also mention about the
23 and the incident there. Most of it is pretty
24 redacted but my sister has records that are not
25 redacted.

1 There needs to be a lot more. 700 and odd pages and
2 there should have been a lot more. I am pretty much
3 disgusted with the City of Edinburgh Council about these
4 records."

5 Moving now to paragraph 137 on page 33, where 'Nell'
6 speaks of lessons learned. While many of 'Nell's'
7 comments actually focus on children at risk in the
8 community, they are nonetheless relevant to children at
9 risk of abuse in care and therefore I will read those
10 too.

11 LADY SMITH: Thank you.

12 MS RATTRAY: "I think it is important that when Social
13 Services fail children or children feel that they have
14 been failed by them, that they meet with them to discuss
15 what was happening, what went wrong or explain why
16 decisions were made. Even if at that meeting it just
17 gives the person who was in care the chance to express
18 how they feel and explain what they believe went wrong.
19 I know this would help me, but I also think there must
20 be a chance for Social Services to learn from this. It
21 would make me feel that I had been heard and that I had
22 spoken up for the young child 'Nell' who wasn't heard
23 way back then.

24 I don't know the process for fostering so I would
25 hope that people are vetted. I am sure that happens

1 nowadays. For instance, if Social Services had obtained
2 character references about the ██████, would they have
3 found out that alcohol was an issue? It clearly was.
4 I noticed it and I was only a child. EXD ██████ was
5 ex-army and vetting should be very thorough using the
6 police and getting lots of character references. If
7 they had done, that could have prevented me experiencing
8 the violence and sexual assault. These sorts of checks
9 can protect children in the future.

10 I also think that foster carers should have clear
11 boundaries about what they can and cannot tell children.
12 For example, the ██████ telling me I would be going on
13 the pill. I don't think foster carers should have
14 anything to do with these things and they should never
15 have discussed it with me. I was only a child.

16 Social Services need to take action to protect
17 children. Sometimes going into care is far safer and
18 healthy than leaving children at home. If they are
19 going to leave children at home with a parent who is
20 unfit then there has to be a lot of support in place to
21 help that improve and work. In my case, if they'd
22 actually done more checks. For example, they should
23 have a checklist that they actually check through.
24 Things like the gas and electricity, it would have been
25 so easy to confirm if they'd been cut off. In any case,

1 any visit to whichever house we were in would easily
2 have identified that the power and gas were off.
3 I don't think that sort of thing happens nowadays,
4 I don't think they cut off these services when there are
5 children in the house.

6 I also think that there should have been questions
7 asked about why we kept moving and why we were regularly
8 changing schools. These are the signs that something is
9 not right and Social Services should be on top of that.

10 I think there needs to be something in place to stop
11 social workers turning a blind eye to things that are
12 not right. Things like that might happen because of
13 their workload or because the legislation doesn't
14 support them. I really don't know why this would happen
15 and perhaps that doesn't happen in this day and age.

16 I think there must have been thousands of children
17 treated like me back in the day and I think it is
18 important that the authorities come forward, acknowledge
19 what has happened and explain why it did.

20 I am not saying that everything is negative about
21 the City of Edinburgh Council. They never took us off
22 my mum and dad, it was my mum and dad who voluntarily
23 gave us away. I know someone who was removed from their
24 parents for less than what was going on in my family.
25 This happened when they were five years old until they

1 reached 16. This person is about the same age as me but
2 lived in a different area of Scotland. I believe that
3 the parents had alcohol issues and just couldn't cope so
4 the circumstances are relatively similar. I believe
5 they were quite rightly removed from the parents and
6 they went on to have a wonderful life. They got
7 an education, got away on holidays and had so many
8 opportunities. Edinburgh obviously had a different
9 procedure for dealing with children at risk. Surely it
10 should be the same rules and processes across the
11 country?

12 I think there should be some sort of counselling
13 available for those who do come forward to speak about
14 childhood abuse in care or under the care system. Maybe
15 a clinic in Edinburgh where people can be sent. I do
16 not mean any disrespect to Future Pathways but I think
17 the counsellors need to be readily available. That
18 could mean that after I speak with you today I could
19 have an appointment the following week and that just
20 might help people [who have] come forward. Even a place
21 where people could walk in without an appointment at
22 a time they really needed to talk to someone.

23 I have tried my best to explain how things were but
24 I don't think I have even explained the half of it.
25 I don't know if anyone can appreciate just how bad

1 things were living the life we led staying with my mum.

2 I have no objection to my witness statement being
3 published as part of the evidence to the Inquiry.

4 I believe the facts stated in this witness statement are
5 true."

6 And 'Nell' signed her statement on 29 October 2021.

7 My Lady, I'm now going to take a brief look at some
8 of the notes that relate to foster care. 'Nell' says in
9 her statement that certain things are in her records.

10 LADY SMITH: Yes.

11 MS RATTRAY: And these records are at EDI-000000795.

12 If we turn to page 3 of this document, what we're
13 looking at here is an application for a placement in
14 a community care scheme and this form was completed on
15 12 December 1985, which will be when 'Nell' was in
16 foster care with **EXD-SPO**. The part of this form
17 I would like to look at is on the following page, which
18 is page 4 of the EDI document, and it's the second
19 paragraph that starts:

20 "Brief description of family events leading up to
21 reception into care."

22 And here it says:

23 "'Nell' had been referred to the panel for failure
24 to attend school. At the hearing she expressed her wish
25 to be received into care on account of the unstable home

1 situation."

2 Which was what 'Nell' had explained in her
3 statement, that she was someone who had been asking to
4 be taken into care.

5 LADY SMITH: Yes. Thank you.

6 MS RATTRAY: And if we check page 5 of the EDI document,
7 what we see here is at paragraph 4 reference, as 'Nell'
8 said, that she:

9 "Smokes up to ten a day, sometimes less."

10 Because I think now she's reflecting and wondering
11 why was that allowed at that young age.

12 If we turn to page 14 of this document, what we have
13 here are some case notes and these are the case notes
14 which relate to the situation 'Nell' speaks about, the
15 [REDACTED], the prospective foster carers.

16 LADY SMITH: Yes.

17 MS RATTRAY: The entry on 13 March 1986 and I'll read part
18 of it:

19 "'Nell' phoned to say that she would not be prepared
20 to move to the [REDACTED]. Visited. Reasons were given that
21 she felt unable to relate to them, 'They are weird
22 Keith. I will move to any family providing it is not
23 them'. She felt distressed by their focus on her
24 relationship with the Stirling man, telling her to go on
25 the pill -- 'I will discuss it with my mother first'.

1 She felt they made her feel like a cow. She was upset
2 by the foster mother referring to her mother as
3 an 'alcoholic'. She was apprehensive about their own
4 possible predilection for drink. She felt uneasy about
5 the way the foster mother told [someone else] to go and
6 do something. She felt upset at having to wait on the
7 Sunday (her first full-day visit) for 20 minutes before
8 the phone was answered."

9 I suspect that's a typo, I think it's the door.

10 LADY SMITH: Yes.

11 MS RATTRAY: Certainly 'Nell's' statement and the context
12 suggest it's the door.

13 "On her visit for an evening meal she was only
14 offered a pizza as an apparent afterthought at 8 pm.
15 'Nell' had asked her friends to visit on one
16 introductory visit which on her part seemed tactless.
17 She had been prepared to move when I visited on the
18 Tuesday, having even moved some of her things. [REDACTED]
19 [that's [REDACTED]] felt sure that her reluctance to
20 move to the [REDACTED] was not because of difficulties in
21 moving from them. EXD [that's EXD [REDACTED]] had
22 previously commented to me on his unease regarding [REDACTED]
23 [REDACTED]. 'Nell' claims that they have not made her feel
24 welcome."

25 And if we move further down the page to the entry of

1 17 March 1986, it says:

2 "Spoke to Mike Cairns who agreed to principle of
3 'Nell' remaining with EXD-SPO until community care
4 placement obtained."

5 And moving on:

6 "Spoken to Bob Horne. He had visited the [REDACTED].
7 Said they were disappointed but okay. Re the issues:
8 (a) 'Nell' was initiating comment about her mum's
9 drinking, they were responding; (b) 'Nell' was raising
10 issue of her man in Stirling, alluding to not being
11 allowed to see her mother; (c) acknowledged brought up
12 proposal of 'Nell' going on the pill; (d) waiting for 20
13 minutes: accepted. They brought up having neighbours in
14 for a 'tipple' and consequently getting up late. They
15 felt that 'Nell' could have other reasons or 'agenda'."

16 Moving on to another entry of 17 March 1986 at the
17 foot of the page where it says:

18 "Visited. Explained position to 'Nell'. She spoke
19 more about the [REDACTED], the way they interacted with one
20 another and spoke to [this other person]. Also that
21 Mrs [REDACTED] had not bothered to get dressed all day on the
22 Sunday of her visit."

23 I'm now turning to a final record, which is on
24 page 1 of this document, and this is a placement report
25 which is dated 9 October 1986 and it refers to

1 a placement on [REDACTED] 1985.

2 I'm just really looking at the final sentence of the
3 first paragraph headed, "Brief details of the child",
4 and that final sentence reads:

5 "'Nell's' apparent wish to remain in care under the
6 community care scheme was acknowledged. However she
7 suddenly left her foster parents to return home
8 in [REDACTED] 1986."

9 And that appears to be consistent with the events
10 that 'Nell' has narrated in her statement.

11 LADY SMITH: And that her decision was a sudden one.

12 MS RATTRAY: Yes.

13 LADY SMITH: Yes.

14 MS RATTRAY: My Lady, that concludes the read-in and the
15 evidence for today. We will resume tomorrow at 10 am
16 with further oral witnesses.

17 LADY SMITH: Thank you very much, both to you and Ms Innes.

18 I'll rise now until 10 o'clock tomorrow morning.

19 Names there, of course, were [REDACTED] EXD-SPO and the
20 [REDACTED], which are covered by my general restriction order
21 and can't be mentioned outside this room.

22 (4.19 pm)

23 (The Inquiry adjourned until 10.00 am
24 on Friday, 12 August 2022)

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